

SUTTON PLANNING BOARD
Meeting Minutes
March 27, 2023

Approved _____

*Note- This meeting was held in person and remotely via Zoom in accordance with an Act of the Governor. The Chair read a notice regarding the hybrid meeting format. (see end of minutes)

Present in person: R. Largess Jr., W. Talcott, M. Gagan, W. Baker, E. McCallum (Associate)

Present remotely: None

Absent: S. Paul

Staff: J. Hager, Planning & Economic Development Director

E. McCallum acted as a full member in place of S. Paul.

**Public Hearing – Scenic roadway and public shade tree alterations 106 & 110 Manchaug Road
(formerly known as 114 Manchaug Road)**

M. Gagan read the hearing notice as it appeared in The Chronicle.

Tim and Tammy Mahoney of 14 Silver Ledge Drive were present to explain their request to remove a number of trees and make minor alterations to the stone wall to allow two new driveways at their property at 110 and 116 Manchaug Road. The tree removal is necessary to provide adequate sight distance.

J. Hager confirmed she had met on site with the applicants and driveway location were shifted to provide better sight distance and potential save a few trees. She noted the maximum number of trees were flagged, but out of 11 large trees it is anticipated 3 can be saved, 4 must be removed, and the remainder will have to be assessed once the fencing, and in one case the adjacent tree, is removed. She added the Tree Warden is also the Highway Superintendent, who can have conflicting interests, but he acknowledged if some of the healthy trees can be saved he agrees they should be, but if any are in decline or would cause safety issues they should be removed. The Board reviewed the plans. There is a tree that doesn't need to go but because of the condition it should be removed. She suggested perhaps in lieu of a donation to the tree fund perhaps the applicant can also remove this tree which is likely a minimum \$1,000 removal.

The section of rubble stone wall that needs to be removed is only for the southern driveway. The driveway breaks are estimated to be 15'. R. Largess Jr. noted the rocks need to stay on the property.

M. Gagan read comments from abutter David Mason in support of the application as well as the department comments from The Tree Warden/Highway Superintendent and Fire Department that supported the removals for safety.

The Board discussed the value of the trees and potential donations to the tree fund at length. The input of the tree Warden was that while some of the trees are in good shape, they are old and it won't be long before they cost the Town money either in removal costs or at least major pruning, therefore if there is any doubt about condition, the applicants should be allowed to remove them. It was noted the town's bylaw doesn't have a set dollar value based on size. In the end the value of trees being removed versus the value of the necessary removal work being paid for by the applicant basically was a wash, so the Board did not require a cash donation to the tree fund.

There were no public comments.

E. McCallum noted she drives this stretch of road every day and confirmed the trees unfortunately pose a significant safety risk. The remainder of the Board agreed based on their observations and the input received the application should be approved.

Motion: To approve a 15' section of the rubble stone wall as long as the stones stay on the property/supplement the existing wall and also approve 4 removals, 2 to remain, 1 voluntary "gift" removal and the remainder of the trees will be evaluated for removal by the Tree Warden as soon as the fence is removed and/or at the time the work is being done to ensure sight distance triangles are maintained R. Largess Jr.

2nd: W. Baker

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, W. Baker-aye, E. McCallum - aye

Motion: To close the public hearing, W. Baker

2nd: M. Gagan

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, W. Baker-aye, E. McCallum - aye

Action Items

41 Old Mill Road – Underground Utility waiver request

J. Hager explained because this lot is on the side of a hill and they've had issues with stormwater run-off, the Conservation Commission has required basins at the base of the driveway. Therefore, NGrid needs to span the basin, so one pole needs to be installed on the interior of the lot.

Motion: To waive the underground utility requirement to allow the placement of one pole to span a required storm water basin at which point the utilities will go back underground,
R. Largess Jr.

2nd: W. Baker

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, W. Baker-aye, E. McCallum - aye

141 Burbank Road – Covenant and plan for retreat lot

Motion: To endorse the covenant and Form A plan dated, R. Largess Jr.

2nd: M. Gagan

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, W. Baker-aye, E. McCallum - aye

152 Burbank Road – Conveyance of land between existing lots

Motion: To endorse the Form A plan conveying land dated 3/20/23, R. Largess Jr.

2nd: W. Baker

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, W. Baker-aye, E. McCallum - aye

J. Hager thanks R. Nunnemacher for helping her with questions she had relative to this plan.

Administrative Items

Minutes:

Motion: To approve the minutes of 3/13/23, R. Largess Jr.

2nd: E. McCallum

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, W. Baker-aye, E. McCallum - aye

Filings: The Board acknowledged the filing of a 30 lot Open Space Definitive Subdivision at 57-81 Purgatory Road. The hearing will be held 4/24.

Site Visit Reports: The Board received site visit reports for Blackstone Logistics, Unified Parkway and Unified Building #3.

Abutting Town Notices of Interest: A notice was received for Douglas Bylaw Changes.

Correspondence:

Advisory Concerning Enforcement of the MBTA Communities Zoning Law – The AG Office basically stated communities will effectively not have a choice to comply with this regulation, as they will risk additional repercussions. W. Talcott noted Holden walked back their previous

Board Business:

Cubes at Pyne - W. Talcott attended the scoping session for the Cubes @ Pyne, 2.8 million s.f. on the Pyne sand pit site that straddles the Douglas Sutton town line. The Dauphinais concrete plant will be moved west. The elevation of the front of the site will be raised 25' and then the building will go on top of that, so this will be highly visible. Approximately 600k will be within Sutton. He noted there were quite a few people present including many Sutton residents. In response to a question from the Chair, J. Hager stated if the applicant does not comply with architectural standards of the Route 146 bylaw, Sutton could refuse to approve the project. However, she doesn't anticipate an issue with this developer, she feels they will work with the Town to at least strike a balance between something highly ornamental 1800s mill and a plain box, as their buildings are a reflection on their company. There are not many other sites within Sutton, really only the Unified Lot 1 and a smaller parcel on Oakhurst Road, where similar facilities could be located. J. Hager added the Route 146 corridor towns will be producing a map with the help of CMRPC showing the major projects along the corridor and requesting a meeting with MassDOT to talk about the cumulative effect on the corridor.

Motion: To adjourn, R. Largess Jr.

2nd: W. Baker

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, W. Baker-aye, E. McCallum - aye

Adjourned 8:07 PM

Covid Meeting Statement:

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, this meeting of the Sutton Planning Board is in a hybrid format with both in-person and Zoom component. To join the meeting visit www.zoom.us/join and enter **Meeting ID: 897 3920 3756**
Passcode: 126447. The meeting will be broadcast and recorded on local public access station (Verizon 31 & Charter/Spectrum 191) and live streamed on the Towns YouTube channel when available.