

Sutton Planning Board
Minutes
August 22, 2016

Approved _____

Present: S. Paul, R. Largess, W. Whittier, J. Anderson, M. Sanderson, W. Baker
Staff: J. Hager, Planning Director

W. Baker acting in place of R. Largess.

General Business:

Minutes:

M: To approve the minutes of 8/8/16, J. Anderson

2nd: W. Whittier

Vote: 4-0-1, M. Sanderson abstains as she was not present at this meeting.

Filings:

82/82 Dodge Hill Road Retreat Lot – The Board acknowledged the legal filing of this application.

Form A Plans:

49 Putnam Hill Road - The Planning Director stated a request has been received for the Board to endorse the plan and have it held until the appeal period runs out next week. Otherwise the applicant will have to wait nearly three week to be able to close.

Motion: To endorse the Form A plan dated 6/30/16 for Judson showing a revised retreat lot and non-buildable backland. The plan will be held until the appeal period has run on the special permit filing, W. Whittier

2nd: W. Baker

Vote: 5-0-0

(R. Largess arrives and W. baker returns to Associate Member status.)

PV Crossing – 171 Worcester Providence Turnpike form A and Waiver of Site Plan Review:

P. Doherty was present to explain to the Board that Galaxy Development would like to divide their holdings at Route 146 and Boston Road into three parcels. Parcel #1 would be about 14 acres adjacent to Woodbury Pond with frontage on Boston Road that would likely be sold and developed by a separate entity for housing. Parcel #2 would be about 10 acres with frontage on Route 146. It would encompass Phase 1 of the PV Crossing project with the existing buildings and one remaining multi-tenant building to be built. Parcel #3 would be about 20 acres with frontage on Boston Road that would encompass Phase 2 of the PV Crossing project where no building has occurred. The main reason for the request is to provide for financing of Phase 2 independent of Phase 1 and to allow the sale and/or leasing of the likely residential node to a firm that can develop this as Galaxy does not do residential construction.

Mr. Doherty pointed out via a letter from Attorney Brodeur that Sutton's bylaws allow for separate lots being developed as a single entity as long as there is a site plan to show permanent easements for access and parking and agreements for maintenance of these common assets. He wanted to know if the Board would consider waiving the public hearing process to allow these easements and new lot lines to be shown on the site plans.

There will be no other material changes and no physical changes at all, just lines on paper.

M. Sanderson noted as the use isn't changing and these are just paper changes there really isn't anything for the public to be notified of, the majority of the Board agreed that a waiver request would be appropriate.

Both the waiver request and the Form A will be scheduled for the Board's next meeting to allow the Building Commissioner and others to fully review the documents and plans.

Correspondence/Other:

The quarterly Central Mass Regional Planning meeting is on September 8, 2016. The Town can earn additional Local Planning Assistance(LPA) hours for each Board member that attends.

Public Hearing – Tefta Drive Definitive Subdivision and Retreat Lot

The Board received a request from Tim Callahan on behalf of the project owners to continue the hearing to September 12th. The owners were present to address any questions. They noted one of the continuances was not productive as a required meeting with the Highway Department and Fire Department could not be scheduled. J. Hager confirmed that of the five parties that needed to be present four of five went on varying vacations during this continuance period. She added however, that there really are no new issues here, that concerns expressed at the start just haven't been comprehensively addressed.

S. Paul noted the project was refiled sometime before June and has had numerous continuances. If a continuance is entertained, the project should either be ready for action or it will need to be withdrawn and refiled at some later date when it is truly ready for action.

- Motion: To continue the hearing to 9/26/16 at 7:10 P.M.at which time the project should be ready for action or the applicant needs to submit a request to withdraw the application,
W. Whittier
- 2nd: R. Largess
- Vote: 5-0-0

Public Hearing – 145 Armsby Road – Special Permit and Site Plan Review – Book Store

R. Largess read the hearing notice as it appeared in The Chronicle.

Applicant Sandy Loomis was present to ask the Board to approve her application for a Special Permit for use of 145 Armsby Road as a bookstore as well as approve and accessory tea room and grant Site Plan approval for the site as shown on the plans that have been submitted. Her daughter Kim was also present. She has an educational background and food handling and Serve Safe certification and will run various small group programs at this location.

Ms. Loomis presented a reduced slate of retail sales and services. She stated she will not use the upstairs for retail space and the addition shown on the original submittal has been removed as it will not be built at the present time. She will submit all required documents for the addition if and when it is time for it to be added. She stated two architects were hired to assess the structure and address the change of use under the Building Code as well as ADA issues which are a concern of the Building Commissioner.

The Chairman read all Departmental comments that were received. All technical plan comments on the review by the Planning Director have been addressed.

In response to a question from the Board, Ms. Loomis confirmed parking will remain gravel as she feels pavement would detract from the appearance of the site. Curb stops will be installed to define each parking space.

There were no questions from the public.

Motion: To waive setback requirements for parking located in the front setbacks and allow this pre-existing nonconforming use to continue, W. Whittier
2nd: J. Anderson
Vote: 5-0-0

Motion: To grant the Special Permit for the retail bookstore use at this location having made findings #1-5 in agreement with the memo from the Planning Director dated 8/19/16 conditioned on receipt of all other required approvals, if any, from all other local, state and federal boards, committees, commissions and departments, especially to ensure building and fire code compliance, R. Largess
2nd: W. Whittier
Vote: 5-0-0

Motion: To allow the accessory Tea Room use with preparation of beverages on site and sale of pre-packed pastries conditioned on receipt of all other required approvals, if any, from all other local, state and federal boards, committees, commissions and departments, especially to ensure building and fire code compliance, M. Sanderson
2nd: J. Anderson
Vote: 5-0-0

Motion: To grant Site Plan Approval and approve and endorse the plan dated 8/22/16 conditioned on receipt of all other required approvals, if any, from all other local, state and federal boards, committees, commissions and departments, especially to ensure building and fire code compliance, R. Largess
2nd: W. Whittier
Vote: 5-0-0

Motion: To close the public hearing, W. Whittier
2nd: J. Anderson
Vote: 5-0-0

Public Hearing - 289 & 290 Putnam Hill Road – Common Driveways

The Board reviewed a letter from Jeff Howland of JH Engineering requesting a continuance to the next meeting.

Motion: To continue the hearing to 9/12/16 at 7:30 P.M., W. Whittier
2nd: J. Anderson
Vote: 5-0-0

Journeys Rest – Lackey Road – Covenant Extension

Clara Kim was present to request an extension of her covenant that expires on September 1st. She stated they are at subgrade and this has been inspected, but they will need at least 8 months to ensure the roadway is finished. R. Largess suggested she request an ample amount of time so she doesn't need to return to the Board multiple times. She noted a year should be more than adequate.

Motion: To grant a one year extension of the covenant to September 1, 2017, R. largess
2nd: W. Whittier
Vote: 5-0-0

Bylaw Discussion

As the legal ad for bylaw changes must be finalized, the Planning Director asked the Board to take a look at the latest version of the proposed bylaw and to provide input on whether they wish to actually submit a change to the definition of lot width and if they are okay with the proposed re-write of the section on nonconforming uses, structures and lots precipitated by the Building Commissioner.

R. Nunnemacher of 24 Singletary Avenue participated in the discussion particularly with respect to the definition of lot width.

The Board decided to keep the existing definition of lot width and add wording requiring that this minimum measurement be shown on all applicable plans. They were fine with the proposed re-write of the nonconforming section with a wording change in section 4, but asked if there was a way to have the article just delete the entire existing section and replace it with the final proposed language, as the strike through and underline version is extremely confusing. J. Hager will ask Counsel if this can be accomplished.

Motion: To adjourn, R. Largess
2nd: W. Whittier
Vote: 5-0-0

Adjourned 8:15 P.M.