

Sutton Planning Board
Minutes
April 25, 2016

Approved _____

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

General Business:

Minutes:

M: To approve the minutes of 4/4/16, S. Paul

2nd: W. Whittier

Vote: 5-0-0

Filings: Tefta Drive – Tabled until end of meeting.

Form A Plans:

Silver Ledge Drive -

Motion: To approve the Form A plan for Terraces Realty Trust dated 4/21/16 showing a land swap, R Largess

2nd: W. Whittier

Vote: 5-0-0

Clean Energy Collaborative – 80 Worc/Prov Tpk – Surety Revision Request:

The Board review correspondence from the applicant requesting an alternate form a surety and they reviewed an opinion from Town Counsel stating if the form of surety is to be changed there should be a public process as it as a condition of approval on this permit. He also noted it would appear a cash bond is the most prudent form of surety noting the particulars of this particular type of project.

While M. Sanderson recused herself from discussion as a potential abutter, the remainder of the Board unanimously agreed that they think a cash surety is the appropriate form of surety for this type of project and if the applicant wants to try to have that adjusted they need to go through a hearing process.

R. Nunnemacher of 24 Singletary Avenue asked if a Payment in Lieu of Taxes (PILOT) will be negotiated for this project. J. Hager stated this is between the applicant, the Town administration, and the Assessors and it would be negotiated through the Town Administrator's office.

Mr. Nunnemacher also asked why the Town was getting involved on removing panels on private property. J. Hager responded this is a requirement of the bylaws enacted by town residents who didn't wants to see a sea of panels sitting there deteriorating if they were no longer in use. Mr. Nunnemacher expressed concerns with this provision and potential liability to the Town.

Retreat Lot Upland:

The Board unanimously confirmed that as retreat lots are required to have three times the required lot area in the district in which they are approved, they must also have three times the upland area. For example in the Rural Residential District (R-1) a retreat lot must have 240,000 s.f. of lot area and must have at least 144,000 s.f. of upland area (60% of required lot area).

Use of Local Planning Assistance (LPA) hours for bylaw work:

The Planning Director explained the Town has 9 hours of Local Planning Assistance (LPA) time left from Central Mass Regional Planning Commission (CMRPC). Per previous discussions, the Board expressed a desire to use this to formulate a village center bylaw and revamp the sign bylaws. The Planning Director managed to get Sutton included in a District Local Technical Assistance (DLTA) project at CMRPC that will formulate village center regulations specific to Sutton without using any of the Town's LPA hours, so now all remaining hours can be used to revamp the sign bylaw. The Board is required to vote to allow this use of hours. A small number of hours may also be necessary from the FY17 LPA allotment.

Motion: To allow the use of remaining FY16 LPA hours to provide sample bylaws and review draft sign bylaws and to additionally allow the use of up to 5 hours of FY17 LPA hours for the same task if necessary, R. Largess

2nd: W. Whittier

Vote: 5-0-0

Correspondence/Other:

Withdrawal of GameOn sport facility – The Board acknowledge correspondence stating the GameOn indoor soccer complex application proposed for Route 146 south was withdrawn from before the ZBA. J. Hager noted it would be refiled once concerns with the application and plans were addressed.

Public Hearing (cont.) – Definitive Subdivision – 295 Manchaug Road - Conte

The Board reviewed a request to withdraw this definitive subdivision application.

Motion: To allow the withdrawal without prejudice of this definitive subdivision application, W. Whittier

2nd: R. Largess

Vote: 5-0-0

Motion: To close the public hearing, W. Whittier

2nd: R. Largess

Vote: 5-0-0

W. Whittier asked that the lot adjacent to this proposed subdivision, that appears to be a retreat lot, be checked for compliance as the driveway isn't paved and there are above ground utilities.

Tefta Drive Filing (Cont.) – The Planning Director asked the Board for their input on the definition of lot width as it relates to the potential filing of this subdivision. Specifically she asked the Board if they allow the measurement of lot width parallel to the roadway at the setback line? R Nunnemacher, Assessor and land surveyor, joined the conversation. After discussion the Board agreed they would allow the measurement of lot width parallel to the lot frontage at the setback line IF this is the minimum distance in the front setback. In the case of Tefta Drive this measurement isn't the minimum distance between side lot lines in accordance with the definition of lot width in the bylaws, and even as lots on the outside of a curved street, the lots shown don't meet the alternative straight line measurement also allowed. Therefore, the filing of the subdivision was postponed.

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

Adjourned 7:53 P.M.