

TOWN OF SUTTON
Planning Board
Pillsbury Memorial
Hall Meeting Minutes
October 14, 2014

Present: Planning Board Members: Carrie Thomas, Chairperson; Carole O'Connell, Bob DeFelice, Roger Wells, and Julie McCarthy, members; (Peter Blakeman, member, and Dan Sundquist, Ex-Officio, were absent); Laurie Hayward, Land Use Coordinator (LUC); Clayton Platt, applicant and owner agent; Betsy Forsham, Chair of the Conservation Commission; Martin Feins, Aimee Ayer, and Thomas Schaumberg, interested members of the public.

The meeting was called to order at 7:05PM, by Carrie Thomas, Chairperson.

The Chair asked if the Surveyor in the case to be heard was expected to be at the meeting. The LUC stated and Martin Feins confirmed that the surveyor was expected. The Chair asked if there was anything that they wished to take up while waiting.

The LUC asked about closing the Survey Monkey online survey and Board agreed that could be done at this point. DeFelice asked about the handwritten survey. The LUC explained that she could take hand written surveys still as they can easily be added to the tabulation that she continues to maintain. DeFelice asked if he could be take copies of the paper survey to be placed in the Vernondale Store for use by anyone who asked for one. DeFelice further explained that he had complaints that the online version did not allow two people on the same computer to take the survey. The Chair indicated that she did not have a problem with DeFelice taking the survey forms. It was agreed that DeFelice could hand them out to anyone who requested one; but, that person should return the surveys to town hall themselves.

Minutes of previous meetings: The minutes of the meeting of September 23, 2014 were taken up and McCarthy moved that they be approved; O'Connell seconded and **it was unanimously voted to approve the minutes of September 23, 2014.** The LUC asked that the minutes of September 11 and October 10, 2014 be tabled so that the Public Hearing could be opened.

Public Hearing: At 7:10, the Chair opened the public hearing explaining that the hearing is a continuance of **Case 2014-06**, concerning a request by **Jon Feins**, for a Minor Three-Lot Subdivision of the same property which was formerly known as Phase II of Harborview Subdivision; located on Stonehouse Road; Sutton, Tax Map # 10-688,134 which is in a Rural-agricultural district. The LUC was asked to give a quick summary of the Site Walk that was held two days earlier.

The LUC described the Site Walk, explaining that Sunday October 12th, the site was visited, walking the site were the Chair, members O'Connell, McCarthy and Wells as well as Steve Bagley, the Road Agent, Kevin Rowe, the Captain of the Fire Department, abutters,[the Begins and Ann Boyle], and the Chair of the Conservation Commission, Betsy Forsham. The LUC explained that some of the group walked from Stonehouse Road up to the top of the logging road. She said that they could easily see and follow the logging road up to the broad grassy area that was access to Lot 2. She said that they noticed that the road had water breaks which were a good thing and they could see that there was some water travelling along some of the breaks and that there was a wetlands area marked. She noted that they were very aware of the extreme length of the proposed common drive which was to serve three houses rather than the limit of 2 houses.

She stated that Bagley and Rowe had noted that not only was the "driveway" proposed to be more than 2100 feet long; but, at places it was more than a 9% steep grade. The LUC explained that a maximum of 9% grade is not part of the

driveway regulations; but, it is part of the town road regulations. The LUC summarized saying that the site walk provided an opportunity to see the “lay of the land”, the steepness, that there were water breaks in place, that there was ledge and water flowing over ledge. O’Connell asked if it was correct that they had seen wetlands marked with the pink and black tape. The LUC confirmed that they had seen one such area. Platt, the Surveyor, had by that time arrived and spoke, explaining that the driveway is designed to swing around and avoid that entire wetland. Platt showed on the plan where the proposed common drive departs from the logging road, moving away from the stonewall boundary and the wetlands nearby at the upper section of the property.

Wells stated that he would like to have a wetlands scientist check the site. Wells indicated that he saw what he believes may be a series of wetland crossings that are not shown on Platt’s plan. The Chair explained that she brought a box of documentation from the earlier subdivision application to the land use office. The documentation includes maps that have wetlands and test pits marked and that could be used and matched up to the current maps. That review likely would answer any questions without needing to have anyone else look at it. Wells said that when he has a chance he will look at the available data. Wells clarified that he saw a variety of conditions including wetland plants that lead him to question how clearly wetlands are delineated and shown on the plan and he wants to make sure that there is no missing information.

The Chair asked the LUC whether there are larger scale maps than were in the members’ packets. The LUC opened a larger scale map and placed it on the table for members to view.

The Chair explained that Kevin Rowe who is Captain of the Fire Department was on the walk and after the walk he did speak with the Fire Department. DeFelice clarified that Rowe spoke with The Fire Chief, Cory Cochran. The Chair read the Fire Chief’s recommendations made as a result of the site visit as follows:

“After our site review walk on Sunday, October 12th, we have come to the following recommendations:

Because of the narrowness of Stone House Road and the added seasonal challenges such as narrowing conditions from snow and mud not allowing us to pull over enough to pass emergency vehicles, we do not feel we could transport enough water to extinguish a house fire. In addition to the conditions of Stone House Road, we are concerned about the width and length of the shared driveway. The steepness of the driveway exceeds the nine percent maximum grade for town roads. Due to these conditions and the fact that it will be privately maintained, we would recommend the following choices to be added as stipulations to the acceptance of the subdivision. If the subdivision is accepted, we would ask that the conditions below be put on the deeds for the buyer and all future buyers to be kept informed of their obligations.

1. To have each house protected by a sprinkler system that is approved by a certified engineer along with the construction of a driveway with a minimum width of 20 feet or to install and maintain layovers at a minimum of every 400 feet. Layovers to be an additional 12 feet of width by 65 feet of length to parallel driveway.
2. To provide a 10,000 gallon cistern at each residence in a predetermined location by the Sutton Fire Department. Installation, access and maintenance is the homeowners responsibility along with the construction of a driveway with a minimum width of 20 feet or to install and maintain layovers at a minimum of every 400 feet. Layovers to be an additional 12 feet of width by 65 feet of length to parallel driveway “

O’Connell asked for an explanation of what a layover is. The Chair explained that it is an area created to that a vehicle or piece of equipment can be moved over out of the traffic flow. The Fire Chief’s recommendation gives the choice of either making the whole drive wide enough to accommodate two vehicles or of creating areas where a vehicle can pull over to allow another to pass.

The Chair said that, going over the history on this property, there was a realization that there was an issue with road access during the previous subdivision review. She explained a bit of the history about the road access and the history of the original application for subdivision, including that when the earlier application was under consideration there was a second access identified at Haines Road which is in Newbury. She asked the applicant if a connection was or would be built. Platt indicated there was no connection planned. Without that infrastructure work, and as things stand now

there is only one access and that is via King Hill Road to Stonehouse Road. King Hill Road and the initial portion of Stonehouse Road are in New London, not Sutton. The Chair further explained that in the previous effort to subdivide, there were significant issues noted by and input from the Town of New London. The issue is that the New London Planning board was not given notice. Now that the board recognizes that there no longer is access both through Newbury and through New London and the current access is solely via a single route through New London, the Board feels it must notify and seek input from the New London Planning Board before it can address the access issue. Wells asked if the Chair was asking for a motion for continuance. **Wells moved for a continuance of the public hearing to allow the Board to seek comment from New London.** The Chair asked if they could continue to look at questions that do not touch on access. The LUC stated that if they made a motion for continuance they would have to end the hearing there. If they did not call of continuance at this point, she believed that they could take up other questions; but, questions concerning access via King Hill Road and Stonehouse Road should wait for input from New London.

Wells stated that he feels that access and traffic is the larger issue and should be dealt with first. He recommended t h a t this larger issue be taken up more fully once New London makes its determination. His preference is not to take up site issues until the access and traffic issue is resolved. The LUC stated that she would contact her counterpart in New London and seek New London Planning Board input.

Forsham asked if the public could be allowed input before the public hearing is closed and the Chair agreed to allow public comments. Forsham addressed Platt asking if there was a wetland scientist used on the current plan or did he simply use the wetlands scientist work from the earlier application. She expanded asking if someone had delineated the wetlands. Platt responded that he used the 2005 plan which showed wetlands scientist delineated wetlands. Platt did explain that the area that was previously noted as flagged was recently delineated by John Sisson. Platt pointed out the area on the plan. Wells stated that is his belief that for at least the first 500-1,000 feet of proposed road there are a number of small wetlands crossings that are not showing on the map. Asked by Forsham what gave him that impression, Wells stated that there was sedge and sedge is a wetlands plant.

The Chair asked Platt if he had something that he wanted to present to the Board. Platt came forward and explained that he did not understand why there was such a concern over access when only adding two lots to what is already there should not have any impact to speak of on traffic. The LUC responded to this by explaining that New London must be provided notice and an opportunity for input because of the fact that there is only one access point for this property and it is in New London.

Platt explained that Feins absolutely does not want to build a road or even build the driveways. He stated that they could perhaps redraw the plan to show three separate driveways. Platt did explain that he believes that having three separate driveways will have greater environmental impact. He offered that, if the Board wishes, he will take the current plan off the table and come back with a revised plan. McCarthy stated that she thought he and the Board should wait until New London has an opportunity to provide input.

There was some additional discussion about the pros and cons of a single common driveway and the alternative of three separate driveways all coming off of Stonehouse Road. Ayer asked about road standards explaining that she lives on Stonehouse Road and two cars travelling in opposite directions cannot easily pass each other. The Chair explained that there are road standards, but they are for new roads. The Chair further explained that was an issue in the previous efforts to subdivide and there was extensive work done to determine what work was needed on Stonehouse Road and who, the owner or town, would pay for the work. The Chair asked if there was further discussion. **DeFelice seconded the original Wells motion.** Platt asked if the Board would entertain one additional question about the common drive. He questioned whether the issue was the three drives and whether a common drive with two houses would be more acceptable. It was explained that it is not only the three house common drive that is at issue. The LUC pointed out that the correspondence from the Fire chief explained that the length and steepness of the common drive proposed was such that there would need to be extra width or layovers in order to meet his recommendations for safety. Platt asked

if that meant that any common drive would require some level of engineering design work. The Board agreed that any common drive of that length and steepness would require that the fire department issues be addressed. Wells did reiterate that the request for three would require a specific waiver from the two-lot limitation for common drives.

It was voted unanimously to continue the hearing, Planning Board Case 2014-06, to the next Planning Board Meeting on October 28, 2014.

Platt asked what the deadline would be for any changes to the plan. The LUC stated that he should submit any changes no later than one week before the continuance date, September 21st at the latest.

Interested parties left the meeting at this point and shortly thereafter Wells also left the meeting. There was a discussion about the Birch Hill issues and “scattered and premature” which led to considerable effort and casts on the town’s part to correct road deficiencies. At this point Schaumberg left the meeting. The LUC let Board members know that Rogers had made application for the same minor three lot subdivision that had been denied as “scattered and premature” and that is currently scheduled for public hearing on November 11, 2014.

The question came up about the requirement for only two lots on a common-driveway and what the source is. The LUC explained that there are Sutton town driveway regulations and within subdivision regulations, there is different language and that it is in the Sutton Subdivision Regulations that the two-lot limitation exists. The Chair asked the LUC to look up the regulation regarding shared driveways and let Board members know where it can be found.

Administrative:

Minutes of previous meetings: The Chair asked for a motion regarding the minutes of previous meetings on September 11 and October 12, 2014. **O’Connell moved to approve both sets of minutes; McCarthy seconded the motion and it was voted unanimously to approve the minutes of September 11 and October 12, 2014.**

Reports, Open Conditions: The Chair asked about the status of the Moulton Landscaping business. The LUC explained that the most recent update that she had from the Town Administrator was that the Select board understood that Moulton was actively pursuing relocation of the business and the Select Board had given him some latitude in terms of time to remove the business. The LUC explained that in terms of Planning Board Open conditions, there were not many. She noted that ITW, because work has stopped at least for the next several months will remain on the list.

Master Plan: The LUC asked the board members what they see as the status of the Master Plan. There was a brief discussion about the requirement that they do the Master Plan and the desire to complete the revision of the Regulations. DeFelice indicated at this point that he needed to be elsewhere.

There being no further business, O’Connell moved; DeFelice seconded and it was unanimously voted that the meeting be adjourned at 9:00 PM.

Next regular meeting is scheduled to include Public Hearings, the continuance of PB 2014-06 Feins and PB 2014-07 Mapes will be held on October 28, 2014 at 7:00 PM.

Respectfully submitted,

Laurie Hayward
Land Use Coordinator