Sutton Planning Board
Minutes
December 5, 2016

Approved _____

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

W. Baker acted as a full member in the place of Scott Paul. W. Whittier was Acting Chairman.

General Business:

Minutes:
M: To approve the minutes of 11/21/16, J. Anderson
2nd: W. Baker
Vote: 5-0-0

Filings:
77 Providence Road & Preliminary Review – Byron Andrews of Andrews Engineering & Survey was present with his client Al's Rubbish to review the preliminary plan for this business at 77 Providence Road. They will be occupying the existing structure and site. They will store empty roll offs to the side and rear of the structure and trash trucks will be in the six bay garage. They will provide seven parking spots and will be cleaning up and landscaping limited areas of the site, as well as installing fencing to block view of the storage yard. The hearing will be held on December 19th.

Form A Plans: None.

Correspondence/Other:
- 2017 Meeting Schedule

Motion: To adopt the proposed meeting schedule for calendar year 2017, M. Sanderson
2nd: R. Largess
Vote: 5-0-0

- Waters Farm Christmas – The Chairman reminded the Board at Water's Farm will be hosting a holiday lunch on December 14th from 11:3- to 1:30 if the members wish to attend.

Public Hearing – Aggregate – Earth Removal Permit

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

Steve Landry of Aggregate Industries was present with Dave Lavallee of Andrews Survey & Engineering. Mr. Landry submitted a letter stating there was no excavation in the pit in 2016 and none is anticipated in 2017. They have recently re-seeded areas with sparse growth and removed 2-3" rip rap that National Grid placed under their new lines along the access road and stockpiled it in two locations allowing for better access for most vehicle types. They have also filled depressions and cut brush to widen main access roads.
J. Hager noted she requested plan revisions coding all man made water features that are to be filled differently than the two protected water bodies on the site, as well as other minor plan revisions. As no excavation is to occur in 2017, there was no need to do well monitoring. Should the applicant decide to excavate they will need to come back for a new hearing and undertake appropriate well monitoring.

She noted the very unique nature of this property as it is held by a merger of two overseas companies in France and Switzerland, LafargeHolcim, with their North American headquarters in Canada. This site is a tiny blip on their radar especially as it isn't being actively mined. Mr. Landry is doing a great job advocating for the continued clean up and restoration for future development.

Paul Dauphinais of 12 Beechwood Drive, a former member of the Earth Removal Board, stated that there is little left to take out of this site particularly near Dudley Road. S. Landry agreed there is little in this area, but there is still substantial material near the Town's gravel pit. He reiterated there is no plan to continue excavation as there isn't any equipment on the site as they have taken down 13 structures. However, if someone is interested in the existing stockpiles they will bring in equipment to process and sell this material if the opportunity arises.

Motion: To grant the Earth Removal Permit for 2017 with the following conditions: R. Largess

1. Approval of all other applicable local, state and federal agencies, with a copy of said decisions/permits provided to the Planning Board.
2. Maintain appropriate dust control measures.
3. Receipt of MassDOT authorization to work against the State ROW by 12/31/16.

2nd: M. Sanderson
Vote: 5-0-0

Motion: To close the public hearing: J. Anderson
2nd: R. Largess
Vote: 5-0-0

Earth Removal Permit Removals

J. Hager explained that active operations apply for a permit and have the option of applying for a one year renewal of the permit at the end of its initial one year term. Both Bedoin through Pyne Sand & Stone and Worcester Sand & Gravel have applied for a renewal of their 2016 earth removal permits. The renewal process does not require a public hearing.

Bedoin: Normand Gamache of Guerriere & Halnon was present for Pyne Sand & Stone. He reviewed the plan with the Board noting they will continue work in the 5 acre area of the pit granted several years back which is fill material. Their 2017 permit involves an additional 5.8 acres of better material located to the east right up to the Route 146 right of way. (ROW) They have reclaimed a substantial portion of previous excavations and will complete reclamation of an additional 3 acres at the northern edge of the property. Mr. Gamache noted they have previously received permission to excavate within the MassDOT ROW just south of the Sutton site in Douglas, but are having a little trouble getting a letter of permission from MassDOT to excavate right up to, but not in the ROW in Sutton, as there isn't a form for that. They are hopeful they will be able to get something soon. J. Hager offered to contact MassDOT if they need help.

W. Whittier noted concerns with blowing material especially as they are proposing work directly against Route 146. Mr. Gamache stated most of the blowing actually comes from the crusher and conveyors to the south where material is being processed, but regardless they have watering trucks on site for any blowing issues. It was added the proposed excavation in Sutton actually slopes down away from Route 146 so there is likely to be little issue with blowing reaching the highway from this operation.

Motion: To grant a one year extension of the 2016 Earth Removal Permit for Bedoin operated by Pyne Sand & Stone with the following conditions: J. Anderson

1. Approval of all other applicable local, state and federal agencies, with a copy of said decisions/permits provided to the Planning Board.
2. Provide bond for the permit period of January 1, 2017 to December 31, 2017 before December 31, 2016. The bond amount may be reduced to an amount verified through the Planning Department.

2nd: W. Whittier
Vote: 5-0-0

Worcester Sand & Gravel (WSG): No one was present to address this application. The Board tabled discussion on this permit until December 19th as they still have not received the material log they requested last year that shows what materials came into and left the site in 2015. They are also very concerned that more "stuff" not related to earth removal is showing up on the site. These materials include but are not limited to asphalt, logs, granite, construction materials, concrete debris. They requested these items be removed from the site. If WSG wants to use the site for an alternate use that can stockpile this type of material, an application must be submitted and approved. As additional stuff has clearly been brought to the site this year they also requested a log noting what material has come into and left the site in 2016. The logs should include any actual earth removed in accordance with the permit. If the applicant does not comply their permit will expire as of 12/31/16 and they will not be able to utilize this site at all without a new public hearing process. If the non-earth removal related materials remain on site the Board will request enforcement action by the Building Commissioner which is likely to include fines.

Motion: To adjourn, R. Largess
2nd: M. Sanderson
Vote: 5-0-0

Adjourned 7:54 P.M.