

MINUTES OF THE PUBLIC HEARING CONTINUATION  
SUDBURY BOARD OF APPEALS  
MARCH 28, 2007

The Board consisted of:

Stephen M. Richmond, Chairman  
Jeffrey P. Klofft, Clerk  
Elizabeth A. Taylor  
Nancy G. Rubenstein  
Jonas D.L. McCray, Associate

Also: Edward Marchant, Consultant  
Beth Rust, Community Housing Specialist

For the applicant:

Attorney David A. Wallace  
Russell Tanner, Applicant  
Jeff Richards, Landscape Architect  
Holly Darzen, Architect

The public hearing was reconvened by the Chairman, Mr. Richmond. The Board was in receipt of the following:

- Letter dated February 9, 2007 from Russ Tanner to Mass. Housing re Modification to Project Eligibility Letter
- Letter dated February 13, 2007 from Millbrook II Condominium Trust
- Work session notes of February 20, 2007
- Letter dated March 19, 2007 from Design Review Board
- Letter dated March 22, 2007 from Russ Tanner with updated project materials consisting of preliminary engineering plans dated March 9, 2007. revised preliminary architectural plans dated March 19, 2007, amended Site Approval letter from Mass. Housing dated March 22, 2007, Updated Schedule of Units & Summary of Unit Types, Updated list of zoning exceptions, Fiscal Impact Analysis, and letter from Tanner Development re town master plan, Stormwater Management Report
- Letter dated March 15, 2007 from Sudbury Housing Authority
- Work session notes of March 23, 2007
- Memo dated March 23, 2007 from Abend Associates
- Letter dated March 26, 2007 from Fire Chief
- Letter dated March 28, 2007 from Russ Tanner with Amended Fiscal Impact Analysis (submitted at this hearing)
- Unit sheet identifying affordable units and revised unit schedule (submitted at this hearing)

At Mr. Richmond's request, Attorney David Wallace summarized the progress made as a

result of a series of work sessions held since the last hearing.

He said there have been meetings with the Design Review Board (DRB) and the Sudbury Housing Authority (SHA) who have submitted letters of recommendation. Mr. Wallace congratulated Frank Riepe, DRB on his recommendation for changing the D units which results in more privacy. Those changes have been incorporated into the plans.

Other changes as a result of the work sessions included taking both of the affordable A units and splitting them up into two 2-units – the ground floor with one-bedroom and the second floor with 2-bedrooms, and then taking one of the D units of the affordable units behind the Feinberg house and reducing it to three which eliminates some of the mass..

The western entrance which is next to the Feinberg house will be a dead end. After construction is completed it will be used an emergency connection only. The result is an extra affordable unit for a total of 73 units with 19 affordables.

Mr. Wallace said they met this past Monday with the Conservation Commission on a Notice of Intent. He felt a lot of progress was made. That hearing has been continued to April 23 and most issues have pretty well been resolved.

There have also been informal meetings with Town Engineer on the walkway – particularly along Route 20 by the day care center. The initial thought is to build some sort of elevated walkway that would work. Discussions will be ongoing as to how this can be accomplished

Mr. Wallace distributed copies of an amended financial analysis model which corrects the previous figures for the units in terms of both cost and revenue to the town. The report indicates the average cost to the town, counting general town services and schools, will be approximately \$3,254 per unit. The average revenue from real estate taxes and excise taxes should come to about \$6,704 per unit per year.

An amended Project Eligibility Site Plan letter has been submitted to Mass. Housing. Mr. Wallace said that agency approved the site for the additional acreage and additional units.

Jeff Richards, felt the milestone occurred with submission of the March 9<sup>th</sup> plans and subsequent work session discussions. As a basis of comparison, he presented those plans and the revised plans describing the evolution of the changes which have been made with regard to unit placement, road layout, connection of green space and emergency access, and he expressed his satisfaction with the progress which has been made to date.

Holly Darzen concurred on how constructive the process has been and was pleased with the changes that have evolved. She presented both the original and revised architectural plans describing in detail the revisions which include the design of the roofline, porches, windows noting that architecture of the buildings has been designed to break down the mass by using dormers and higher roof lines. As a result of Frank Riepe's suggestions, some of the 2-car

garage doors have been grouped into one large door, although she has always used an 18-foot door instead of the 16-foot suggested by Mr. Riepe.

Also displayed were several renderings to illustrate the streetscape and the interior of the development from several angles which present an idea of the landscaping and green areas. Ms. Darzen noted that several sizeable trees will be retained which will enhance the feel of the development.

Ms. Darzen distributed copies of a summary of the affordable units and described the exterior and internal changes made to those units as a result of the work sessions.

With regard to the renovated houses, Ms. Darzen noted that there was quite a bit of discussion over the Kreisel house which is 295 Boston Post Road, after which it was decided that the portion near the entry road would fit better as a 2-bedroom unit rather than the single unit scenario. New stairs to the second floor, some renovations to the first floor, and an increase in porch size are proposed for the Feinberg residence.

Mr. Klofft added that following discussions which included Ms. Kablack and Mr. Marchant, as well as others, the sense was that everyone was comfortable with the changes proposed for those renovated units. He said there was also considerable discussion on height and although there was not unanimous agreement, he felt the height to be appropriate.

Mr. Richmond pointed out that the Fire Chief had previously had some concern about the height.

Mr. Tanner said he met with him and the Chief explained that as long as there are sprinklers on the new buildings he is comfortable with the areas where they are asking for added height. As to circulation, the Chief wants to be sure trucks can get across the roadway which was eliminated, and there are a couple of ways to solve that.

Mr. Klofft said he would add his preference that maintenance of the sprinklered buildings should be part of the condo association.

Mr. Marchant said there was also discussion with regard to the exposed decks.

Ms. Darzen agreed that those decks could be dressed up with lattice or some other material.

Mr. Richmond asked about the evolution of the roadway. He said previously there had been talk about a potential exit or entrance on the western portion.

Mr. Richards said Mark Beaudry had put together some scenarios for the work sessions. However, after the last work session Ms. Kablack asked whether it was even necessary to have an opening there. After discussion, it was felt that it didn't have to be open as long as it's available for emergency purposes – so it was eliminated.

Mr. Klofft asked Mr. Tanner to comment on the staging of the road in terms of the owners of the Feinberg house. Mr. Tanner said the sellers have the right of occupancy as late as 2010 which includes some of the rear yard. He pointed out that area. He said during that period there will be a dead end arrangement for potentially 2 years.

Mr. Richmond reviewed the comment letters which had been received. He then asked for comments on the traffic assessment.

Mr. Tanner said he submitted an assessment from Abend Associates which addressed all of the questions and requests for additional information that MDM asked for as well as other questions that had come up specific to traffic. The main issue was how to handle the western entrance and Abend says that closing it off was an acceptable solution.

The assessment included the future build scenario requested by the Board. He said Abend did a projection of a possibility of increased traffic over a 5-year period. The result was that there might be a slight reduction but no change in earlier consequences.

For the benefit of those in the audience who were interested in traffic, Mr. Richmond explained that the process that has occurred up till now is that the applicant had his traffic engineer submit a report – the Board looked at it and had several questions. The applicant's consultant came in and following those discussions the Board decided that it wanted to have an independent review. The Board hired an independent traffic consultant, MDM Associates, who did a peer review and developed a list of questions and requests for information. A subsequent hearing was devoted to traffic and both consultants were present. Now the Board is dealing with some follow up issues that were associated with that, and Mr. Tanner has submitted some additional information.

Margaret Tristan, 12 King Philip Road, abutter, said the King Philip Road traffic situation has gotten worse and she hoped this would be addressed in conjunction with this project.

Mylan Jaixen, 12 King Philip Road asked whether the traffic consultants looked at the impact of traffic not only on Route 20 but also on King Philip Road.

Mr. Richmond said there was a review of potential impacts and one of the suggestions was to close it off. Mr. Klofft added that they didn't want to eliminate the left turns altogether, but it might make sense to eliminate them at certain hours during the day. He said he would follow up with the Planning Director on that.

Mr. Jaixen did not feel there was an issue from about 9:30AM to 4:30PM, but from 4:30-6:30PM when traffic going to Sudbury center backs up is when the problem occurs.

Russell Kirby, 244 Boston Post Road, said he is a long-time resident who was quite familiar with the traffic on Boston Post Road. From the map he pointed out the grade changes in the road, natural hazards caused by the setting sun and the fact that the 30 mph speed limit is largely ignored. He described some accidents which he has seen over the years.

Mr. Kirby said his concern was not so much the congestion during the rush hour period, which is what a traffic study usually focuses on, but more about the intervening periods when the Post Road is posted at 30 mph and is ignored by motorists.

Mr. Kirby suggested that the entrance to this development should be as close as possible to the high point in the road to maximize the sight distance in both directions. Further, he felt the driveway should be four lanes wide and be the only curb cut for this development. The reason for four lanes would be to accommodate emergency vehicles.

Mr. Richmond said this development has changed over many months of hearings and he felt it accommodated both of Mr. Kirby's concerns. He said even though three entrances are shown on the plan, only the middle one will actually be an entrance – the ones to the east and to the west will be only for emergency access. They'll be gated and will only be used for emergencies.

With regard to Mr. Kirby's concern about the internal access, Mr. Richmond said what looks like a relatively large loop on the eastern side will be closed off for regular traffic and will be accessible to emergency vehicles. They will be able to drive over that area which satisfies the Fire Chief.

Mr. Richards added that both the eastern and western sides will be emergency access only. He has been in discussions with the Fire Chief in terms of the specifics of the gate and the lock box for access..

Mr. Kirby asked whether the entrance roadway would be wide enough to allow right turn traffic to move if left turn traffic was held up.

Mr. Tanner said it was his recollection that there was a suggestion to add a lane but that both engineers said it was probably not necessary because of the amount of wait time.

Mr. Kirby disagreed with that assessment. He felt there are going to be a lot of people in this development who will be going to work about the same time – some of them are going to want to go west and some are going to want to go east – and they're going to become impatient waiting for breaks in traffic, which is when accidents happen.

Mr. Klofft said the Board raised this issue earlier in the process because there is a similar situation at the Next Generation day care center. The traffic engineer used that as a comparison point to determine whether an extra lane was needed.

With regard to breaks in traffic, Mr. Klofft said one of the things that the town is trying to do is do is a corridor study and to erect a light at Landham Road, synchronizing that light and the light at Union Avenue in such a way that it creates breaks in the traffic for motorists trying to use this portion of the roadway.

With regard to the King Philip Road intersection, Mr. Kirby said he hoped consideration would be given to closing it in the interest of public safety. He said there is no way that someone moving out of that intersection onto Boston Post Road can see westbound traffic coming. And westbound traffic doesn't know what's there and compounds the problem by ignoring the speed limit.

Mr. Richmond asked for further comments.

Mr. Richards commented that the scrutiny on the part of the broader community for the project as it has evolved to this point speaks well. He said one of the things they would like to take away from this hearing would be a sense of the Board as to whether the basic schematic framework has been solved. Understanding that there are still some details that need to be worked on, he would like some sense that this is a good framework.

Mr. Richmond asked Mr. Klofft if he felt there are issues that need further development in work sessions.

Mr. Klofft did not feel additional sessions were needed. He felt a logical conclusion has been reached as to the framework. Mr. Marchant concurred.

Ms. Rubenstein felt the development team has done a good job with the architectural renderings. She said a lot of her concerns were addressed, particularly the last block which will look like three large colonials. Further, she said she liked the opening up and connecting of the green spaces.

Ms. Taylor felt these plans to be a much improved scenario and like the streetscape along Boston Post Road.

Mr. McCray asked where the school bus stop will be.

Mr. Richards pointed out where he felt the optimal area should be. Mr. Tanner said he discussed this with the traffic consultants as well as the school. The school deferred to the bus company and the decision was to keep it on Boston Post Road.

Mr. McCray voiced concern that there be a safe area for the children to congregate.

Mr. Marchant felt the sidewalk will offer a better, safer area and should be considered when planning a sidewalk.

Mr. Richards felt a lot of the children will be waiting on the front green for the bus.

Mr. Richmond said it was his understanding that the Planning Director would talk to the Police Chief on this. He felt the Chief's input was needed.

Mr. Richards said there is still the sidewalk issue between the Next Generation driveway and the Mill Brook driveway. As stated previously, the next step will be to continue discussions with Town Engineer and to resolve any conservation issues.

In response to a question from Mr. Klofft regarding stormwater, Mr. Richards said calculations indicate a reduction for the 2,10 and 25-year storm event and a minor increase for a 100-year storm. This has been discussed with Town Engineer who has those calculations as does the Conservation Commission.

Mr. Richmond commended everyone on their efforts and the progress to date.

The hearing was continued to May 2, 2007, 7:30PM in the Lower Town Hall.

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Stephen M. Richmond, Chairman

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Jeffrey P. Klofft, Clerk

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Elizabeth A. Taylor

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Nancy G. Rubenstein

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Jonas D.L. McCray, Associate