

MINUTES OF THE PUBLIC HEARING
SUDBURY BOARD OF APPEALS
Tuesday, December 13, 2011

The Board consisted of:

Elizabeth T. Quirk, Chair; Benjamin D. Stevenson, Clerk; Jonathan G. Gossels; Jeffrey P. Klofft;
Jonathan F.X. O'Brien; and Stephen A. Garanin, Associate

Also:

Jody Kablack, Director of Planning and Community Development
Ed Marchant, Consultant
Howard Muise, Vanasse Hangen Brustlin, Inc.

For the Applicant:

Robert Moss, Madison Place Sudbury LLC
Peter Tamm, Goulston & Storrs
Glenn Dougherty, Tetra Tech
Nancy Doherty, Tetra Tech

Ms. Elizabeth Quirk, Chair of the Zoning Board of Appeals, opened the hearing. She read into the record a list of minutes that were then approved by the Board. Included were minutes for hearings held September 6, 2011, October 18, 2011, and November 17, 2011.

She read the list of documents received for the December 13, 2011 Meeting which included:

- 11/9/2011 – Memo from the Sudbury Conservation Commission to MEPA
- 11/21/2011 – Memo from Jonathan Danielson, 37 Landham Road, to Richard Sullivan, Secretary of Energy and Environmental Affairs, MEPA
- 11/14/2011 – Memo from Fred King, Schofield Brothers, to Conservation Commission
- 11/29/2011 – Memo from Sudbury Board of Selectmen to MEPA
- 11/29/2011 – Memo from Jody Kablack, Director of Planning and Community Development, to MEPA
- 11/30/2011 – Memo from Stan Kaplan, 98 Victoria Road, to the ZBA with an 11/28/2011 e-mail to Building Inspector Jim Kelly and an 11/23/2011 e-mail to Fire Chief Bill Miles
- 11/28/2011 - Memo from Sudbury Valley Trustees to MEPA
- 11/29/2011 – Memo from John Whalen, Assistant Fire Chief to Jody Kablack
- 12/7/2011 – Memo from Howard Muise, Vanasse Hangen Brustlin, Inc. to the ZBA
- 12/12/2011 – e-mail from Stan Kaplan, 98 Victoria Road, to Fire Chief Bill Miles
- 12/12/2011 – Memo from Nancy Doherty, Tetra Tech, to the ZBA
- 12/13/2011 – Letter from Sudbury Resident Stephen Garvin, 26 Bowditch Road, to the ZBA
- 12/13/2011 – Memo from Jody Kablack, Director of Planning and Community Development, to the ZBA
- 12/13/2011 – Memo from Howard Muise, Vannase Hangen Brustlin, Inc. to the ZBA

Ms. Quirk listed the topics that would be covered in this meeting including public safety, traffic impacts, and comparable data.

Ms. Quirk then introduced the Sudbury Fire Chief Bill Miles and Assistant Fire Chief John Whalen. Chief Miles began by explaining the Sudbury Fire Department's concerns regarding public safety in terms of the design of the proposed development. The fact that the buildings are all three stories high and are not equipped with elevators topped the list of concerns about evacuation of residents not only in the case of fire, but also for medical emergencies. Chief Miles explained how an evacuation takes place, noting that stretchers are utilized, and the number of fire personnel that are required to move a person safely. He said that a simple emergency becomes more complex without elevators.

Also of concern was the proposed building placement throughout the site. Chief Miles said that there was no accommodation for ladder truck access at the rear of the buildings which would be necessary for fighting emergencies and also for evacuation of residents. A ladder truck is hinged and requires only one firefighter to operate the truck. It has safety rails along the side for maneuverability. He said that a standard thirty five foot ladder would require more firefighters to secure, and it would be difficult and unsafe to navigate down with equipment or stretchers. He said snow pile and bad weather would further hinder the Fire Department's ability to gain access to the rear of the buildings and reach people in need.

Assistant Chief Whalen said that a manual ladder would take a minimum of three firefighters to assemble. A ladder truck only requires one or two because the ladder is automatic. So with only a manual ladder the Fire Department would be working at a deficit.

Chief Miles added that should Mutual Aid from Framingham be called to the site in lieu of Sudbury it has larger apparatus and cannot move as easily as Sudbury's ladder truck.

Chief Miles also noted that the single-barrel entrance to the driveway surrounded by wetlands is also problematic for fire equipment. He understood that the original plan had called for a double-barrel entry but that due to Conservation issues it was redesigned. The concern is that there is only one access road. The Tennessee gas line also runs under the road. If apparatus breaks down there or hoses are run from Landham Road or if there is a gas line problem then access for residents is a problem because there would be no way for people to get out of the site.

Assistant Chief Whalen said that the National Fire Protection Association (NFPA) has produced a table (Table 5.1.4.1(a)) recommending that the required number of egresses for the size and scope of this development, between 101 and 600 households, is two forms of egress.

Ms. Quirk asked the Board whether they had any comments or questions.

Mr. Gossels asked Chief Miles how high a building can Sudbury handle. Chief Miles said that truck placement determines that answer. If a truck has to park far away from a building a longer ladder is needed.

In regard to egress Mr. Klofft said that in his experience with 40B as a member of the Marlborough Zoning Board a second egress was almost always required.

Assistant Chief Whalen said that the gas line is a transmission line that feeds gas distribution for this area of New England.

Ms. Quirk asked where the line was located. Glenn Dougherty, Tetra Tech, pointed out the line on the site plan, Sheet C2-1. The line runs across the front of the driveway. Mr. Dougherty said that at this point it is unknown how deep the line is buried. He said that Tennessee Gas will require the applicant to submit soil

testing data and design criteria will be required. Retaining walls cannot be situated over the gas line and only the access road would be going over it. He said that two feet of fill will be placed on top of the gas line for the roadway.

Mr. Moss said that he had spoken with Tennessee Gas. He said that the line was generally five feet deep but this was not yet confirmed because Tennessee Gas does not have accurate records. He said he will pay an estimating contractor employed by Tennessee Gas which would send out field engineers to conduct profiles of the area to determine depth. He said that since the project does not require cutting earth it would be ok. Removing earth is more of a problem than when fill is added near the line.

Mr. O'Brien asked about the NFPA standards. Fire Chief Miles said that the Fire Department utilizes the NFPA standards as best-practices.

Mr. Stevenson asked whether the Fire Department had any concerns about the location of a potential second entrance. Chief Miles said that the Fire Department would need to get their apparatus into the site otherwise, without the ability to get their apparatus onto the site, the plan is no good.

Mr. Gossels thanked the Chief Miles and Assistant Chief Whalen for bringing these safety issues to the attention of the Board.

Bob Moss said that the issues mentioned are also important to him. However, as far as elevators go, he said that in talks he has had with the Fire Chief one concern is that the staffing levels of the Fire Department are minimal when it comes to medical emergencies. He pointed out that the buildings would have five foot wide central staircases split between landings which is different from the single-family residences in Sudbury that have only three or three and a half foot wide staircases. He questioned why the Fire Department could not use the wide stairs and half flights to remove people from the building.

Mr. Gossels said that the issue is density. There would be more people to care for in an emergency at The Residences at Johnson Farm than a single-family residence. Mr. Klofft also reminded the applicant that residences in Sudbury are only two-story and that there would be apartments with more people on a third story at this development.

Mr. Moss said that the building code does not require elevators. He said that several new 3-story apartment buildings in eastern Massachusetts do not have elevators and have not been required to provide them. He said that the Fire Chief would like them, however they are not required.

Mr. Gossels said that Sudbury just permitted a three story apartment building with the condition that it be equipped with elevators, The Coolidge at Sudbury. Mr. Moss replied that The Coolidge development is different in that it provides senior housing. Mr. Gossels said that it does, however it is a new 40B development. Mr. Moss said that elevators, estimated to cost around 80,000 each, plus annual maintenance, would create a significant cost and reduce the project profit by perhaps twenty-five percent, rendering it economically infeasible.

Mr. Moss said that it could take six to eight weeks to work with Tennessee Gas to approve plans for the area with the pipeline. Mr. Klofft said that Tennessee Gas would merely be issuing a memo stating that the project would not be damaging their pipeline. Mr. Moss agreed.

Ms. Quirk said that again safety comes down to density. She reminded the applicant that the NFPA regulations say that two roads are needed for a residential development with 101 to 600 residents.

In regard to building placement on the site, Mr. Moss said that he respects Chief's position, but he has not seen any recently built apartments with access roads in the back of buildings. He said that each unit in his buildings would have a rear egress and rear stairwell and he suggested paving around the buildings so that there would be a five foot wide paved sidewalk around the back. He said that he would make sure that the walkway was kept clear so that a ladder could go up to the rear balcony. He said that his position on the rear egress issue is that the highest balcony is twenty-one feet at the grade to twenty-four feet to the railing and he said that he has used his own twenty-eight foot ladder to get up to clean gutters, etc. Ms. Quirk said that the issue is not about cleaning gutters but about having proper emergency access. Mr. Gossels added that one couldn't carry someone in a stretcher down a regular ladder.

Fire Chief Miles said that the fire department uses a three-section ladder. The truck can't get close enough to the buildings to use it. Mr. Gossels said that without room at the back of the buildings there is no way to get water to a fire.

Ms. Quirk said, in regard to comparables, that the developers for The Coolidge at Sudbury will be putting in a rear access road and elevators.

Mr. Moss said that he is putting in a full attic with a full commercial sprinkler system that should keep fires at bay. The attic can be accessed by pull-down stairs with a metal hatch and there will be hose connections outside the doors of the attics so there would be a way to get to the attic to spray water.

In regard to the width of the roadway Mr. Moss said that it is one lane, twenty-six feet across, plus seven feet of grass and a sidewalk and a low Cape Cod berm essentially extending that measurement to thirty-three feet. Mr. Gossels said that snow would cover the grass area rendering that unusable. Mr. Moss said that he plows snow curb to curb including sidewalks.

Mr. O'Brien asked how wide the roadway would be at the bridge. Mr. Moss said that it would be twenty-six feet across with one foot on each side for the curb. Mr. O'Brien said that if the fire truck were to get stuck on the bridge there would be a critical safety concern as residents or other apparatus could not get through in an emergency. Mr. O'Brien said that was a problem for him. Mr. Moss said that at the narrowest point he would be clearing thirty-four feet. He said that the road was twenty-six feet wide and the sidewalk space that would be cleared would be added into the width estimated the space to measure thirty-four feet. The grass between the sidewalk and the road would also be plowed. Mr. Gossels questioned the plowing of that grass as did Mr. Stevenson who questioned whether it was safe for the ZBA to assume that trucks would only be driving over the road as people do not typically plow grass or yards in the winter. Mr. Moss said that a truck could, if need be, drive onto that area because there is more room.

Mr. Moss said that initially a double-barreled road was proposed to help alleviate this issue. And he said that he would still like to have a double-barreled road. He said that he would meet with the Conservation Commission and with Chief Miles to determine an acceptable width. He said Chief Miles told him that a single roadway was successfully negotiated between the groups for another project in town recently and so Mr. Moss hoped that the same could be achieved here.

Mr. Stevenson asked about whether a second road would be considered. Mr. Moss said that he has an excerpt from International Building Code listed under fire apparatus access roads in multi-family residential developments stating that there is an exception that allows single fire apparatus access roads for developments that have up to 200 units for all buildings, including nonresidential occupancy

buildings, if they are equipped with automatic sprinklers in accordance with Section 9031 (or NFPA 13). Chief Miles agreed that there are competing building codes.

Ms. Quirk asked whether the NFPA standards are most commonly used in the United States. Assistant Chief Whalen said that they were.

Attorney Tamm said that he wanted to clarify that the NFPA standards are not a regulation but rather a recommendation. He then said that since the issues have been raised and addressed it would be appropriate for the applicant to respond in writing on the technical issues and agreed to do so. He said that several of the issues raised by the Fire Chief in his initial memo have been addressed.

Mr. Tamm said that in regard to building height the applicant's position is going to comply with building code. He said that if the ZBA feels they want to condition approval of the project with the addition of elevators it would be contrary to their plan. As to the easement, in this case Tennessee Gas, the easement holder's rights will be respected and the gas line not impacted and access across that easement would be no different than any of the other subdivision roads that cross that easement. Mr. Tamm said that as Mr. Dougherty pointed out that line will not be impacted. He said that if the ZBA is concerned with the gas line then the ZBA can condition appropriately so the ZBA has the assurance that the development will not impact it, but the applicant maintains that the development would not impact the gas line.

In terms of a secondary means of emergency access Mr. Tamm said that the plan would be as was shown to the Board at the hearing. He said if the Board feels the need to condition a secondary means of access that is the Board's prerogative. However, he said that there is no viable secondary means of access. He suggested making the plan as presented as good as possible in coordination with the Fire Chief, Conservation Commission, and the ZBA. In terms of the width of the road, Mr. Tamm reiterated that originally a double-barreled roadway was proposed that could have addressed the access issue but the Conservation Commission wanted a narrower road through the wetlands crossing. The ZBA will make the determination on the minimum width and length of the crossing. Mr. Tamm said that the applicant is looking to the ZBA to make that determination and the Conservation Commission will rely on the ZBA's decision regarding that. The applicant feels that the project as proposed is safe and responsible according to the State building code and questions regarding Fire Department staffing are essentially beyond the scope of the applicant's control and should be addressed at Sudbury's Town Meeting.

Ms. Quirk then asked the Board to express their level of concern for the single access road.

Mr. Stevenson said that the single access causes him a great deal of concern. He said that Mr. Tamm's admission that there is no viable secondary access makes the point. He said that the ZBA is well aware of their rights as a board but he said that the applicant is leaving them only with the option of making this road unduly wide and ignoring the conservation issues or having the residents live in what people are recognizing as unsafe conditions. He said that the admission that there is no viable secondary access is a vexing problem.

Mr. Tamm said that he did not make an admission. He said he wanted to make a statement that there is no proposed secondary access in the plan that has been under review over the past few months. He said that if the ZBA desires a double-barreled access road they can reevaluate that design to address many issues that have been raised.

Mr. Stevenson said that a double-barreled access road is a form of secondary access but it simply makes the existing road extremely wide.

Mr. Klofft discussed the complexities of safety versus environmental impacts. He does not feel that the double-barreled roadway is the proper panacea to solve the issues.

Ms. Quirk said that she would not approve of this project without a secondary access.

Mr. O'Brien also was troubled by the single access.

Mr. Garanin also had the same concerns as did the other Board members and suggested as a solution that the project could be constructed with fewer than 100 units.

Attorney Tamm said in response that in regard to the question of density the number Mr. Garanin stated was a somewhat arbitrary number when whether a development has a single access for under 100 units or a double access for over 100 units and when there are contrary authorities and policies for those recommendations as was raised at this meeting. He said it was worth noting that the policy Mr. Moss mentioned does parallel the Fire Chief and Assistant Chief identified. And he said that neither the Fire Chief or Assistant Chief could clarify whether there was an exception to the NFDA policy for fully-sprinklered buildings. He said that it was premature for the applicant to say that based on a recommended policy for which they do not know if there is an exception, that the unit count should be reduced in order to have a single means of access.

Mr. O'Brien said that there are complexities with this project and with the creek there are issues. The site itself is what drives his concerns.

Mr. Stevenson said that his problem with the plan in the context of fire safety is that the development is being built on an island in wetlands. He said that he has had trouble thinking of another similar site where one would be trying to get apparatus to an island. He said that there are wetland concerns, safety concerns and concerns about getting apparatus to the site. The island site makes it a tough problem.

Ms. Quirk said that a reduction in density might also alleviate other concerns and two-story buildings could be built rather than three-story. That might also alleviate the need for the Mutual Aid fire truck from Framingham.

Mr. Gossels said he feels strongly that the Fire Department needs to have adequate access to the rear of the buildings. He said that the buildings are being built right up against the property line and there is not room to fight fires in the back of the buildings.

Attorney Tamm said that the wetland concerns raised about the access area are the same for the rear of the buildings also and that is why a rear roadway was not proposed and he said that this is not unusual for projects of this size. Attorney Tamm referred to the land as regulatory islands, and not actual islands.

Mr. Klofft said that regulatory or not the issues exist and there are unique aspects here which create a different set of parameters.

Ms. Quirk asked whether any members of the public wished to speak about the project.

Stan Kaplan, 98 Victoria Road, asked about the location of sidewalks along the roadway. He wanted to know whether there would be sidewalks on both sides. Glenn Dougherty said that there would only be one sidewalk along the north side of the roadway. The sidewalks would be five feet wide and would go

over wetlands. Mr. Kaplan said that he considers this a design flaw because residents would have to cross the roadway at some point, particularly in an emergency. He said that he would like to see two sidewalks planned. He then asked whether there would be handrails to protect pedestrians from the traffic. Mr. Dougherty answered that there were no rails as the sidewalk would be right up against the curb. Mr. Kaplan said that he considers the lack of a handrail to be a problem because he felt the children using the walkway should have more protection.

Amy Adolfsson, 60 Hopedill Brown Road, questioned whether fire lanes would be added to the parking lots. She asked whether restricted areas for fire trucks would be included. Mr. Dougherty said that fire lanes were not yet shown on the maps but that would be something that would be coordinated with the Fire Department. Ms. Adolfsson said that the developer should respect fire fighters needs as they put their lives on the line every day and not put project costs above people's safety.

Blenda Jeffry, 2 Brookside Farm Lane, questioned the financial facts provided by the developer about the elevators. She said that she has an elevator in her house so she is aware of the fees associated with having an elevator. She said that she understood that there are differences between residential and commercial elevators but feels that the figures Mr. Moss stated earlier were high.

Ms. Quirk thanked Fire Chief Miles and Assistant Fire Chief Whalen for their attendance before moving on to a discussion on traffic.

Nancy Doherty, Tetra Tech, reported on a traffic study she conducted. There were three intersections studied for existing conditions and traffic counts: Route 20 and Landham Road; Brookside Farm Lane and Landham Road; and Pelham Island and Landham Roads. The traffic counts were conducted in April 2011 and lasted two days for twenty-four hour counts and included a speed study. Peak hours were identified as 7:00 to 9:00 a.m. and 5:00 to 6:00 p.m. Landham Road traffic the daily count was approximately 11,000 cars with speeds ranging from thirty-five to forty-three miles per hour. The posted speed limit is thirty-five miles per hour.

Ms. Doherty said that she consulted traffic studies from various other 40B projects in Sudbury including Mahoney Farms, Maple Meadows, The Villages at Old County Road, Grouse Hill, Sudbury Village, the proposed Landham Crossing, The Coolidge at Sudbury, and the Wayland Town Center Project. These studies were included in the estimated traffic volumes for the study at Johnson Farm projected out to the year 2016.

Traffic counts were estimated to be about .45 vehicle trips per unit in the morning hours and .7 vehicle trips per unit in the evening hours. This translates to an average of sixty-three trips per the development in the morning and eighty-four trips in the afternoon, or on average one trip a minute increase at the site driveway.

Also studied were estimates of the directions cars would be heading which were devised through U.S. Census data. In the morning hours approximately forty percent of cars would turn right and head south toward Framingham, three percent may go down Pelham Island Road, and fifty-seven percent may turn left toward Boston Post Road. With these percentages volume would translate to a generation of twelve additional cars turning left from the site in the morning and seventeen turning right. In the evening there would be between eighteen or twenty cars turning left into the site and thirteen turning right into the site. She said that this translates to a one and half to two percent increase in traffic in the morning and evening at the site intersection by 2016. She said that at Brookside Farm Lane traffic would increase about six to seven percent and at Pelham Island Road there would be a three percent increase.

Ms. Doherty described the intersection with the development's entrance, walkway, and crosswalk locations. She said that there were no sight impediments such as hills.

She said that she understood that the Town is looking to make improvements to the intersection of Landham Road and Route 20. That intersection currently operates at a Level F in the morning and evening hours, which is the lowest it can function. The levels are measured by average wait times. With improvements the intersection could operate at a level C or D which is considered adequate in Massachusetts. She said that this project would not cause any difference to level of service with just a few cars per minute added.

Mr. Klofft asked about impacts to Brookside Farm Lane. Ms. Doherty said she did not see any change in level of service for that intersection. The intersection currently operates at a C level and would remain at that level.

Consultant for the ZBA Howard Muise, with VHB, reported that he had looked at Ms. Doherty's analysis and, in summary, said that all assumptions and methodologies do meet industry standards and are reasonable.

Ms. Kablack mentioned that Mr. Muise had submitted to the Board a supplemental memorandum dated December 7, 2011. Mr. Muise said that he still had questions about such items as traffic counts at comparable projects at the site. He noted that the study showed the morning counts ending at 8:30 when typically the morning traffic ends at 9:00 a.m. He said that he wasn't too concerned about this factor given that the neighborhood is residential rather than a work destination. He said also that no evening counts were included. The trip generation projections have higher traffic volume in the evening so it would have been appropriate to include comparables for the evening. He suggested that tubes be placed at driveways in order to get a 24-hour traffic count to make sure that the right amounts are recorded. However based on the other comparables trip generator rates appear appropriate.

Ms. Quirk asked whether anyone from the public had any comments about the traffic issues.

Stan Kaplan, 98 Victoria Road, said that he envisions access conflicts at the project and also at the intersection of Landham Road at Route 20 which has no traffic light. He also suggested that Woodside Road and the back roads to Raymond Road would be impacted as well as people sought alternate routes to avoid the Landham and Route 20 intersection. He questioned whether four traffic lights at the following intersections affected might in fact be necessary: one at Brookside Farm Lane and Landham Road; Landham and Boston Post Roads; Woodside and Landham Roads; and Raymond and Boston Post Roads.

Ms. Quirk asked Ms. Doherty whether there was any way to predict what would happen to traffic patterns on the short-cut routes. Ms. Doherty thought that Pelham Island might be used more frequently for shortcuts. Mr. Klofft mentioned that Woodside Road is often used as a shortcut to get to Raymond Road.

Mr. O'Brien asked what would be the increase in wait time at the Landham and Boston Post Road intersection at peak hours. Ms. Doherty said it could be a two or three second increase with one or two additional cars added. She said that because it is already functioning at a Level F it is difficult to determine.

Philip Green, 11 Brookside Farm Lane, said that traffic is heavy as early as 7:00 a.m. through 8:00 a.m. due to the school traffic and school buses heading to and from Woodside Road. He said that getting out of Brookside Farm Lane onto Landham Road can take up to three or four minutes. He suggested that the traffic calculations be re-measured.

Peter Anderson, 113 Landham Road, said that he respected the analysis that was done but he did not feel that the numbers are a good substitute for actual experience. He noted the sweeping curve of the entrance to Johnson Farm. Mr. Anderson himself lives along a straight section of Landham Road and he said that it was a challenge to exit his own driveway. He said that 850 vehicle trips in and out would create a traffic hazard and suggested that the consultant analyze the frustration factor as drivers take chances and will have increased accidents.

Mr. Klofft asked whether there were any formulas that could be used to determine the maximum queue.

Bob Armour, 21 Brookside Farm Lane, said that increased pedestrian use is an even bigger issue as it is already dangerous to cross streets, Landham Road in particular. He said that it is even more impossible to get across Boston Post Road. He asked that the developer consider pedestrian access in his plans.

Brian Cain, 33 Victoria Road, asked why Loring Elementary School, 80 Woodside Road, was not included in the traffic study when it generates so much vehicle and pedestrian traffic. He also asked whether or not the frequent closure of Pelham Island Road due to flooding would impact the traffic counts. Lastly he asked whether the study accounts for the three potential new developments clustered near the intersection of Landham Crossing and Boston Post Road adding more traffic.

Ms. Doherty said that traffic rates are measured by standing at a driveway and counting cars in and out and dividing by the number of units.

Mr. Klofft asked whether there were students living to the north of the project would be walking to Loring Elementary school. He noted that at this point they are crossing a residential driveway but with the development they could be crossing a double-barreled roadway that has significant traffic. He asked whether a cross walk was planned for the location of the driveway. He also said that he understood the frustration aspect caused by wait times.

John McCabe, 17 Brookside Farm Lane, said that Sudbury is a different type of community as it has no public transportation and bus fees are charged for students. He said that it would be quite likely that students living in the development would be walking to school. He also noted that there are many more cars on the roads in the winter when children are being driven to school.

Ms. Doherty said that most of the studies they consulted were done at suburban sites where there is no public transportation. She noted Bedford and Shrewsbury as data sources and she added that all traffic rates were higher than Sudbury's. Mr. Muise concurred.

Jon Danielson, 37 Landham Road, agreed with other residents that Woodside Road and the cut-through should be included in the analysis.

Mr. Muise suggested studying the difference in travel time for the Landham and Boston Post Road route versus the Woodside Road cut-through to determine if there are significant differences with one location versus the other. Ms. Quirk said that even if one is longer drivers might find one better than the other even if longer if the turn onto Boston Post Road was easier.

Ms. Kablack said that the Board could request that the traffic consultants study Woodside Road.

Ms. Doherty said that VHB could do that however she said that since the level of service is at C and D already she did not see the outcome changing significantly.

Mr. Garanin said that studying Woodside would be important because the numbers on Pelham Island had increased and he felt that Woodside could be worse.

Mario Mummolo, 71 Stock Farm Road, felt that the numbers presented only showed the best analysis, a practical approach in the best conditions. Ms. Quirk reminded Mr. Mummolo that the Town's consultant had agreed with the analysis.

Mr. Stevenson asked about the dates on which the studies took place. Ms. Doherty said that the study took place on April 27 and the counts were done with tubes.

Mr. Muise confirmed that tubes were placed across the road on multiple days. The total volume did not vary Wednesday through Friday. Volumes were close on all for the three days and tube counts were used to represent a typical day.

Colleen Labib, 9 Stagecoach, added that snowbanks can sometimes be piled as high as the street signs causing poor or no visibility. She said that during meetings with MEPA she heard floodplains being described. Landham and Pelham Island Roads do flood periodically so people will be taking alternate routes to get to schools and to Framingham.

Mr. Moss wanted to clarify that the Woodside Road study would be done to see if some people who would be going north and left would instead go south and right to avoid the left-hand turn. He said that the number therefore, would be just a percentage of however many people would be going left toward Boston Post Road going right instead. Or if thirty cars are going left then after the study five might go right.

Mr. Muise said that the idea of looking at diversion is not just to determine what the traffic from the project would be doing but rather the whole neighborhood because the project would be adding traffic on Boston Post Road and Route 20.

Ms. Kablack said that another thing to look at is the intersection itself and how it would be impacted by the development.

In the interest of time Ms. Quirk then asked Mr. Moss for a report on comparable data.

Mr. Moss explained that the Avalon Bay development in Shrewsbury had comparable data although he noted that since The Residences at Johnson Farm would have no three bedroom units there would be fewer school children. He also looked at Bedford and Hingham as comparable locations with similar tax rates.

In regard to school-aged children Mr. Moss said three-bedroom units attract more school-aged children. He said that there would be no three-bedroom units at Johnson Farm. He noted that some of the children living in the development, perhaps twenty-five to thirty percent would already in the Town's school system so that percentage should be factored in. And he also suggested that there would be seven percent

of children attending private schools. Mr. Moss said that Bedford showed more children in the development than Hingham or Shrewsbury accounting for 13-15 newly enrolled schoolchildren. He estimated that Johnson Farm could have 20-21 schoolchildren.

Mr. Gossels equated that to accounting for one whole classroom.

Mr. Moss said that the demand for apartment rentals is getting stronger. He said that the average length of stay in a unit is longer. Mr. Moss said that his strategy is having 100% occupancy to avoid high turnover rates.

Ms. Kablack had prepared a memo in response to the comparable data and she will submit to the Board. She said that the only comparable data to be found was in the Johnson Farm preliminary application materials and is not included in the current proposal. She said that the Town has added four developments in Sudbury so the Board can compare with other developments. Longfellow Glen is extremely comparable and she is trying to obtain data on that development. Others to look at are Carriage Lane, the Villages at Old County Road, and Snowberry Lane. She said that these can give a better understanding of development impacts. She said that the other 40Bs are showing .2 school-aged children per unit but Johnson Farm is showing .5, which is a big difference for Sudbury because of the density of this particular development.

Mr. Moss said that he is sticking with his estimates of fifteen new students and approximately six currently enrolled in the school system, so between twenty and twenty-two students.

Mr. Klofft did not think the numbers were accurate on the absence of children in two-bedroom units.

Mr. Moss said that there would be no children in a one-bedroom apartment and said that his rate would be half of Ms. Kablack's estimate.

Attorney Tamm said that it would perhaps be helpful at this point to step back. He said that Mr. Moss had worked diligently to get the information as requested. He said that Ms. Kablack also had information that was helpful from her perspective from the Town's experience. Also preliminary application information was attached. He said that Mr. Moss's position is based on data gathered and his experience with other projects.

Colleen Labib, 9 Stagecoach, questioned occupancy numbers. She asked how the developer could be certain that the renters would not turn their studios into bedrooms.

Ms. Quirk said that this issue was on the Board's radar.

Brian Cain, 33 Victoria Road, said that since Sudbury was as a town ranked fourth in the Best in Boston publication, many people from neighboring towns would want to get their children into the Sudbury Public School system for lower cost living.

Ms. Quirk said that the ZBA is still waiting on Stormwater and Wastewater discharge reports. As Mr. Dougherty was no longer present Mr. Moss was not sure of the status of those reports. He thought they would be given to the Board prior to the holidays. These issues would be addressed at the next meeting.

There being no additional comments from the Board or the public, a motion was made to continue the hearing.

The hearing was continued to Thursday, January 26, 2012 at 7:30 p.m. in the Town Hall.

Elizabeth T. Quirk, Chair

Jeffrey P. Klofft

Benjamin D. Stevenson, Clerk

Jonathan F.X. O'Brien

Jonathan G. Gossels

Stephen A. Garanin, Associate