

MINUTES OF THE PUBLIC HEARING  
SUDBURY BOARD OF APPEALS  
Monday, May 16, 2011

The Board consisted of:

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

Also: Jody Kablack, Director of Planning and Community Development  
Beth Rust, Community Housing Specialist

For the Applicant:

Susan Gittelman, Executive Director of B'nai B'rith Housing New England  
Holly Grace, Senior Project Manager, B'nai B'rith Housing New England  
Michael Liu, Project Architect, The Architectural Team  
Jim Koningisor, Development Consultant, Koningisor Associates  
Giles Ham, Traffic Engineer, Vanasse & Associates  
Joe Peznola, Civil Engineer, Hancock Associates  
Mike Jacobs, Financing Consultant with HMJ Associates  
Joshua M. Fox, Attorney, Rollins, Rollins & Fox

Notice was published in the *Sudbury Town Crier* on April 28 and May 5, 2011, posted, mailed and read at this hearing.

Jonathan Gossels, as Acting Chair of the Zoning Board of Appeals, explained to those in attendance the 40B process as it pertains to Sudbury and outlined the agenda for the hearing.

Documents received for the May 16, 2011 hearing included the following:

- Comprehensive Permit Application, The Coolidge at Sudbury, 189 Boston Post Road;
- Traffic Impact and Access Study, April 2011;
- 4/19/2011 Letter of Support from Sudbury Resident Steve Levin, 123 Maynard Farm Road;
- 4/19/2011 Letter of Support from Jeffrey Floyd, COO, Wingate at Sudbury;
- 4/22/2011 Request for Extension of Time;
- 5/3/2011 Memo from William Place, DPW Director/Town Engineer;
- 5/4/2011 Memo from Debra Galloway, Director, Sudbury Senior Center;
- 5/11/2011 Memo from B'nai B'rith Housing New England, Additional Materials; and a
- 5/11/2011 Memo from B'nai B'rith Housing New England to Debra Galloway, Director, Sudbury Senior Center/Council on Aging.

Attorney Joshua Fox introduced the application on behalf of applicant Covenant Commonwealth Newton, Inc. (c/o B'nai B'rith Housing New England) which proposes building sixty-four units of age-restricted affordable rental housing for seniors 55 years or older, The Coolidge at Sudbury, at 189 Boston Post Road, formerly the Mercuri property at the southeast corner of the intersection of Landham Road and Boston Post Road.

Susan Gittelman, Executive Director of B'nai B'rith Housing New England, provided an overview of B'nai B'rith's mission and work as a non-sectarian, independent nonprofit dedicated to providing

affordable housing to families, the elderly, and those in need in the Greater Boston area. She said that Sudbury has high housing and development costs. B'nai B'rith does not impose a standard housing model but rather creates what is needed. She then referenced other successful projects sponsored by B'nai B'rith, including a 57-unit development in Chestnut Hill and a 242 unit development to house 350 low-income seniors in Boston. B'nai B'rith follows the service-enriched model which includes health, wellness, and cultural programs. She said that their proposal has a housing model that would be a benefit to Sudbury and she noted that there were several supportive residents of Sudbury in attendance at the meeting.

Senior Project Manager Holly Grace said that they have met with and reached out to neighbors to inform them of the plans, including the two closest abutters on Landham Road, the gas station, and B'nai Torah synagogue, in addition to all abutters on the list.

Ms. Grace briefly described the site plan for the six-acre site. Currently there is a single-family home on the site along with greenhouses which would be demolished. The grade of the site drops down about ten or twelve feet from a high point at Boston Post Road and extends outward toward a rail bed down Landham Road. Seventy surfaced parking spaces are proposed and a dense landscape buffer will be maintained on the eastern side. A row of evergreens already stands there and may remain in place, although she noted that she has received input from both the community and from the Department of Public Works. Some in the community would like the trees to remain and the DPW suggests that due to the poor health of the trees perhaps they should be removed. A berm and landscaping will further screen the parking area. Ms. Grace said that a pedestrian walkway and crosswalk would be installed along Landham Road which would link to a walkway and pedestrian network on Boston Post Road. An emergency access and fire lane would be developed along with the Fire Chief's input. The DPW said a 10% grade is needed for emergency access. She noted that a wetland and buffer area are both shown on the plan. Low impact design features for stormwater management. She noted that another 40B development is proposed for 192 Boston Post Road, directly across the street.

Ms. Grace said that the proposal calls for service-enriched housing with on-site resident services personnel (ex: home health aids) so that residents can remain active and healthy. No meals or healthcare would be offered as main services, however. There will be a multipurpose room, library, and fitness room included.

Michael Liu, Project Architect with The Architectural Team, then presented views of the buildings. He said that the overall form would incorporate two separate buildings conjoined in an L shape. The change in elevation helped to determine the shape of the buildings and breaks up the massing and view from the road. The proposed architectural style is colonial with gabled roofs and a variety of treatments from dormers to eve lines. He explained that residents would enter the building at the second level. Outdoor patio spaces would also be included. Materials would be clapboard and wood trim, including cornerboards and rakeboards. The street view from the corner of Landham and Boston Post Road would show a triangular outdoor space nestled in a bowl. The design incorporated the geography of the street and was reinforced with the proposed architectural vocabulary.

Mr. Fox said that waivers are being requested with respect to the dimensional zoning requirements. Construction is well away from wetlands. The Fire Chief suggested moving the building forward to allow fire trucks to reach from Boston Post Road. The front setback was thirty-one feet. Setbacks exceed the required side and rear yard setbacks. The height of the building would be forty-two feet. The height is required to allow the number of units proposed and a gabled roof rather than a flat roof.

Parking calls for seventy spaces which is adequate for this use. Ideally they would like more spaces, but the applicant does not want to sacrifice green space. Although the development would have sixty-four units, typically age restricted developments do not have much need for multiple cars per unit.

In regard to non-zoning waivers, Joe Peznola, a Civil Engineer with Hancock Associates, would be working with the Sudbury Board of Health to meet standards. Stormwater Management Compliance must also be met.

In regard to fees and expenses, waivers are being sought for the building permit and fees associated with the Zoning Board of Appeals application. Given that the development is going to be 100% affordable the applicant is asking to waive all fees.

Giles Ham, Traffic Engineer with Vanasse & Associates gave a synopsis of the traffic analysis that was conducted. From the study he estimated that there would be a relatively low volume of added traffic with perhaps eight to ten additional cars during commuter hours. He said that less traffic would be moving west. He also talked about having a four-way driveway with the development across the street on Boston Post Road. Mr. Fox said that a light could perhaps be installed at the intersection.

In summary, the applicants feel that the proposal fills a need for regional housing. It would allow qualifying seniors to stay in Sudbury and out of town family members to move closer. There would be no burden on schools because school-aged children will not live there. Cash flow is positive for the town and will allow Sudbury to move closer to meeting its minimum 40B affordable housing requirements.

Mr. Gossels then asked whether any Board members had questions.

Ms. Quirk asked whether the units would consist of a mix of one- and two-bedroom units. She noted that the Selectmen had raised this question in the application. She asked about the demand for two-bedroom apartments. Ms. Gittelman said that it has been their experience that one-bedroom units are most desirable and offer the highest demand.

Mr. Gossels questioned the need for two-bedroom units. Ms. Gittelman said they would be available for exceptional situations. For example, a care-giver may need to live on-site.

Mr. Stevenson asked why one large building was being proposed rather than several smaller buildings. Ms. Grace explained that the goal was to offer accommodations with elevator service to a common core and common space to share. Additionally there are constraints with the landscape that the architect was working around which determined the building footprint.

Ms. Quirk asked about how the proposed housing model proposed is to be paid for and whether it is conditioned in perpetuity. Ms. Gittelman said that it would have an annual operating budget. The staff position that helps coordinate services is not part of the budget.

Ms. Quirk questioned what is to be done about the pine trees along the frontage of the property. She noted that DPW Director Bill Place does not feel the trees are worth preserving however the abutting neighbors want them to remain. She asked whether a berm with arborvitae might serve as a suitable replacement.

Mr. Stevenson asked whether there were other concerns with reducing the front setback. He noted that the building had a looming quality. Mr. Fox said that the building could move but fire safety and emergency access was a concern.

Mr. Gossels said that he also had concerns about the height of the building looming over Boston Post Road. He compared the site to the buildings at Mill Village that are set close to the road but appear less tall. Mr. Gossels suggested that the applicants present at a future meeting the heights of each section of the building from the ridge to the curb line.

Mr. Stevenson asked whether a fire lane can be constructed without moving the building? Ms. Kablack said that a fire truck cannot get around both buildings if the structure is setback further into the lot.

Mr. O'Brien asked about the potential for stormwater infiltrating the building. Mr. Peznola said that he has met with Health Director Bob Leupold to do testing on site to see whether leaching fields could be situated under the parking lots. The septic system is the Presby type with leaching pipes. In regard to stormwater management, there is an underground recharge for roof drainage to deal with water, bio-retention, and a rain garden. A portion of the fire lanes and sidewalks would be permeable. All soils tested well for both infiltration and septic in the areas proposed for such.

Mr. O'Brien asked whether the water runoff that would go into the wetland area would be clean. Yes, there would be a high level of treatment.

Mr. Garanin said that his only problem with the plan was the size of the building. He said that even Mill Village is not as large. He understands why the building has to be closer to the road, but he feels there should be some tradeoff. He wondered whether there would be any potential for erosion from the slope from Boston Post Road that would guide water into the building and whether there were arrangements to mitigate that possibility. He was also concerned about salt, oil, and gasoline that might run off into the wetlands. He then asked about the rail bed in the back and how close the building could be built to the rail bed. He also said that he too does not like the pine trees along the road and felt that they should be taken down.

Ms. Kablack suggested that for a visual comparison the Board refer to the Orchard Hill facility on Boston Post Road which is approximately the same size at two and a half stories. It has a bigger footprint but a similar shape on a larger site. The setback from the road is also greater.

Ms. Kablack noted that the applicant was asking for a waiver of the filing fee, which totals \$8,400. She suggested to the Board that one alternative would be to waive the per unit fee, but hold \$2,000 in an escrow account to cover all expenses of reviewing the application. Any unused funds will be released after the project has been completed. Ms. Quirk and Mr. Gossels concurred that ZBA expenses should be covered. Additional fees include building permit fees, which in recent affordable housing applications were given a fifteen percent discount, and which a similar reduction could be requested.

Mr. Peznola said that additional soil data has been requested but he has not yet received it.

Ms. Kablack said that she was still compiling a memo for the ZBA and additional comments will be available at the next hearing..

Ms. Quirk asked about the number of parking spaces available. Jim Koningisor, of Koningisor Associates, said that they had conducted studies of a number of senior developments to determine the number of spaces that would be needed and they found that between eighty-five and eighty-seven percent of residents had cars. Ms. Kablack said that as a local example 82.8% of residents at Muskatequid Village owned cars.

Mr. Gossels then asked whether there were any members of the public who wished to comment.

Chad Blair, the abutting neighbor at 272 Landham Road, explained that he owns property directly behind the proposed development and therefore is most affected by the project. He said that he was contacted by the applicants at the beginning of the process and has been made aware of every step along the way. He has been pleased with the applicants' handling of the project and with how they have addressed his concerns. He said that he feels that the proposal is good and would support it.

Sudbury Resident Janet Meaney, 40 Concord Road, said that she is in the business of property management and she feels that the project is of high quality and is well-planned. She said that she is on a list of about twenty-five other residents who feel the same.

Mara Huston, 578 Peakham Road, also submitted a letter of support to the Board at the meeting.

Susan Kernan-LaCava, 174 Boston Post Road, identified herself as the abutter across the street from the proposed parking area. She too said that she feels good about the project and has had excellent communication from the applicant. She said that she does question what will happen with the large trees along the frontage, which she identified as Norway Spruce trees rather than pine trees. She said that they shield her lot quite a bit and their loss would affect her property. She said she was pleased that there would be sidewalks and questioned whether they would be installed in conjunction with a light at the intersection of Landham and Boston Post Roads. With family dynamics changing she did, however, caution the Board and applicants about making the assumption that there will not be any children at all living at the site.

Lydia Hughes, 557 Dutton Road, said that she is in support of the Town creating more affordable senior housing. She cited her difficulty with finding a residence after she lost her home of forty years due to an oil spill in the residence which made her ill and unable to live there any longer.

Dave Thomas, of 46 Firecut Lane and a Rabbi at Congregation Beth El, said that Sudbury has a local need for affordable housing for seniors and he supported the project.

In summary Mr. Gossels said that the applicants had offered a good and thorough presentation. He said that there were a number of issues to work through in regard to the height and density of the project and he suggested that a working session could be held to work on them. Mr. Garanin and Ms. Quirk would attend the working session on behalf of the ZBA.

A motion was then made to continue the hearing.

The hearing was continued to Wednesday, June 22, 2011 at 7:30 p.m. in the Lower Town Hall Meeting Room.

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Jonathan G. Gossels, Acting Chair

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Jonathan F.X. O'Brien

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Benjamin D. Stevenson, Clerk

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Stephen A. Garanin, Associate

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Elizabeth T. Quirk