



To: Ms. Jody Kablack

Date: January 7, 2016

Memorandum

Project #: 13125.00

From: Karen F. Staffier, P.E.

Re: Grocery Store at Meadow Walk
Site Plan Comments
526/528 Boston Post Road
Sudbury, MA

On behalf of BPR Development LLC, we respectfully offer the following responses to the comment letter prepared by Ms. Jody Kablack dated November 20, 2015. We have repeated each comment in italics followed by the response in bold text to facilitate the review.

The Applicant previously responded to items #1 through #9 in a separate letter dated December 29, 2015 in preparation for a public hearing with the Zoning Board of Appeals on January 4, 2016. For easy reference, those responses are restated here verbatim.

1. *The Zoning Summary included in the application indicates all zoning requirements have been met.*

Acknowledged

2. *Hours of operation and number of prospective employees should be included in the project narrative.*

The Applicant's tenant (Whole Foods Market) has not yet developed their specific operating plan and hours for the Sudbury location, but operating hours for a Whole Foods Market store of this type (size, location and market) are typically between 7:00 AM to 11:00 PM. Similarly, Whole Foods Market has not yet developed the specific staffing plan for the store; however, similar suburban stores employ more than 200 employees (including part-time staff).

3. *The development proposes 48 parking spaces greater than the minimum required (250 required, 298 proposed). In order to reduce impervious surface on the site it is recommended to reduce the total number of spaces. 7 spaces located along the main access road should be removed at this time, and the decision regarding on-street parking should be taken up once the overall development plan has been proposed. 25 spaces shown in the parking lot at the eastern edge could be removed to provide a wider landscape buffer (and the inclusion of a pedestrian walkway along this side of the main road). Up to 75 spaces could be approved as Reserved Spaces and not constructed until needed.*

The Applicant agrees that the seven spaces located along the main access road should be removed pending further development of the Master Development Plan, which will define the approximate locations of the uses that will surround the proposed Project. Deleting those seven spaces reduces the total parking proposed for the Project (the Grocery Store) from 298 to 291. The Applicant has discussed

with its tenant the possibility of eliminating additional spaces and/or landbanking spaces. Neither scenario is acceptable to the tenant for the reasons outlined below.

The tenant's operations – which are designed to make the store a destination and to make the shopping visit an “experience” for customers – are distinctly different than a traditional grocery store often requiring more intensive customer service from employees and resulting in significantly longer average “stays” by customers. In the tenant's experience, these factors result in the need for more parking per square foot than traditional retail tenants (and, in the case of Sudbury, more than the minimum parking spaces required by Zoning for retail uses). Based on the tenant's extensive national experience with stores of similar sizes in similar locations and markets, 291 spaces are the absolute minimum required by the tenant as part of this Project.

It is noted that the 14 spaces located adjacent to the building have been determined by the Building Inspector to be compliant with the bylaw, as the intent is to prohibit parking within the front yard setback of buildings. These spaces will be located greater than 250 feet from Boston Post Road, and will be behind the fire station.

Acknowledged.

It is questioned if the 19 existing parking spaces in the front of the site will remain.

The aforementioned 19 existing Raytheon parking spaces at the front of the site will be demolished as part of the enabling and demolition work for the Project in 2017 (after Raytheon vacates buildings 1 and 5 in December 2016). [In the forthcoming revised Site Plan Approval Plans, a note will be added to clarify that these 19 existing parking spaces at the front of the site will be removed].

4. *Outdoor lighting is shown on the site plan and consists of 18, 31' high pole lights (4 triple fixture, 6 double fixture, and 8 single fixture), and 19, 18' high light poles (all single fixture). A comparison of the height of the poles across the street at the Shaw's Plaza should be submitted. The applicant is requested to confirm compliance with section 3427(f) of the Zoning Bylaw. Any additional lighting fixtures must be shown on the Detail sheet.*

The Applicant's lighting engineer visited the Shaw's Plaza site to observe the existing site lighting fixtures there. The engineer observed that Shaw's Plaza site lights are on poles that are approximately 30' tall (with 2 to 3' tall bases) and confirmed that the fixtures are not dark-sky compliant. In contrast, the proposed site light fixtures for the Project are dark-sky compliant and the overall site lighting design for the Project as proposed fully complies with 3427(f) of the Zoning Bylaw. A letter confirming the foregoing from the Project's lighting engineer is attached as Exhibit “A”.

5. *The frontage of the property contains significant trees that screen the rear of the site. Many of these will be removed when the remaining retail is constructed. Any existing trees along the frontage of the property that could be preserved should be shown and labeled on the site plan. The large oak tree close to the fire station is one tree that may be able to be preserved.*

The Applicant has been advised by our landscape architect that mature trees typically do not survive if the root system is disturbed within the radius of the widest point of its canopy. Based on this standard and given the extensive nature of the site work proposed under the Master Development Plan – including regrading for the proposed parking and pedestrian improvements, storm water improvements, rerouting of utilities on site and the widening of Route 20 to accommodate a new signalized intersection, it is not feasible to preserve any of the existing trees along the frontage of the property (including the oak tree near the fire station, which will be impacted by the roadway widening).

6. *The western property line should be reviewed to determine if adequate screening exists between this site and the adjacent residential property. Section 3531 of the zoning Bylaw requires 30' buffer, however if existing vegetation is not appropriate or adequate, the Board should require additional plantings.*

As indicated in the existing condition plans submitted with the original Application package, there is a substantial existing vegetative buffer along the western property line. This existing-to-remain vegetative buffer is more fully depicted in the photos provided in Exhibits “B” and “C” below. As shown in these photos, the buffer consists of large mature evergreens that provide a year-round thick and continuous visual screen (the existing small gaps in the screening cannot be closed due conflicts with underground utilities).

The Site Plan for the Project (see Sheet C-4 included in the Site Plans provided with the original Application) proposes to maintain the existing edge of pavement essentially putting the new western driveway in the same location as the existing driveway. This allows the existing vegetative buffer to remain “as is.” Together with the utility corridor behind the row of evergreens at the edge of the driveway, the vegetative buffer between the residential property line and the edge of pavement of the proposed driveway is more than 60 feet wide (more than double the width required by zoning). As such, the Applicant believes that maintaining the existing vegetative buffer without any additional plantings (as proposed in the proposed Site Plan) is more than appropriate and adequate to satisfy the requirements of Section 3531.

7. *Plantings throughout the site as shown on the Landscape Plan include 106 evergreen and deciduous trees. These will be planted along the roads and driveways, and along the aisles in the parking lot. Shrubs and ornamental grasses are also proposed in the aisle areas.*

Acknowledged.

8. *The engineer of record should document compliance with section 3540 of the Zoning Bylaw regarding the minimum amount of landscaping in the parking lot. The requirement is to install 150 sq. ft. of planting per 1000 sq. ft. of parking area (including aisles).*

The landscaping in the parking lot complies with section 3540 of the Zoning Bylaw, as demonstrated in the attached figure (see Exhibit "D").

9. *Signage proposed consists of 3 internally-illuminated wall signs (2 along the east elevation and 1 along the south elevation). The signs are significantly larger than allowed under the bylaw. The signs require DRB review, as well as special permits from the ZBA. The plans should indicate the location for signs "A", "B", and "C".*

The original Special Permit Application materials did include drawings that indicated the location for each of the proposed signs (both in plan and in elevation). [In the Zoning Board of Appeals binder,] please refer to Section 14 Sheets 1, 2 and 3. However, the Applicant is currently studying options to address comments from the Planning Board and Design Review Board related to architecture. While the number and type of the proposed signs is unlikely to change, the exact size and locations of these signs may. As such, we respectfully request that the Zoning Board of Appeals not take any action on the three Special Permits Applications related to the proposed signs (A, B, and C) until we are able to confirm whether or not we will be proposing any changes to the size or locations of these signs.

A freestanding sign at the development entrance will be submitted for review and approval at a later date.

The Applicant currently anticipates bringing this sign forward for approval as part of the Zoning Overlay and Master Development Plan process.

10. *The Traffic Memorandum only supplies traffic impacts for the grocery store. The applicant should be required to submit estimated traffic figures for the entire development to allow the Town to ascertain impacts.*

The traffic memorandum was intended as an initial submittal to support only the grocery store application as the Project team was awaiting completion of the MassDOT scoping process and before preparing a full study. A detailed Traffic Impact and Access Study (TIAS) has since been prepared that

includes an analysis of the full build-out of the Project. The TIAs will be submitted to the Town on 01/07/16.

11. *The Conservation Commission has approved the wetland delineation on the property, as well as the demolition of the first phase of buildings. Additional approvals will be required for construction.*

Acknowledged.

12. *MassDOT approval is needed for the signal, however no plans have been submitted to the Town at this date. A separate public process for the signal will be dictated by MassDOT once the 25% design plan is completed.*

Acknowledged.

13. *This proposal will require a Water Resource Special Permit from the Planning Board, as the amount of impervious surface exceeds 15%. The application states that impervious surface will be reduced by 2-3 acres overall across the property, and open space will be increased from 42% to 52% across the entire property.*

As noted, the total amount of impervious area across the entire property will be reduced by 2-3 acres from existing conditions. Based on an initial inquiry with the Zoning Enforcement Officer, it is our understanding that, due to the net reduction in impervious area, the project is not subject to a Water Resource Special Permit.

14. *A Stormwater Management Permit application has been submitted, but no stormwater report has been received to date. The deadline for action on the Stormwater Permit is February 12, 2016. The Applicant will be requested to extend that deadline commensurate with the amount of time between the filing date and the submittal of a complete application so that there is adequate time for review.*

The Stormwater Management Permit application included an introductory memorandum regarding the proposed stormwater design for the Grocery Store, pending further development of the Master Plan for the overall project and the gathering of additional ground water elevation data. A comprehensive stormwater watershed analysis report is in the process of being finalized to supplement this introductory memorandum (as well as to support other permitting efforts for other uses in the Master Plan for the site). On behalf of the Applicant, VHB anticipates submitting the comprehensive report to the Town and its peer reviewer on or before January 21, 2016 in order to allow for our team to present the findings of the report in a formal manner to the Planning Board at a public hearing on January 27, 2016. Applicant is not averse to granting the requested extension and will follow up in separate correspondence with the Town of Sudbury's Planning Office to memorialize this.

15. *Signature blocks for the Planning Board, Director of Planning and Community Development, Building Inspector and DPW Director must be added to all plan sheets.*

The Final Plans will be revised to reflect this requirement prior to endorsement.

16. *For additional information, a Phase 1 Site Assessment with Subsurface investigation has been prepared by Sanborn, Head & Associates dated August 2015, for the Raytheon property is on the Town's website in the Avalon Bay Project Eligibility Application (available on the Town's website). This report gives historical information on any hazardous material releases from the property. The Executive Summary from the report states there is 1 known disposal site subject to the Mass. Contingency Plan present on the property, identified in 1990-1991, which has been monitored by Raytheon. This is a condition of chlorinated volatile organic compounds present in groundwater sampling in the northeastern portion of the property.*

As a condition of the recent Conservation Commission Order of Conditions requires the applicant to submit proof that DEP found "No Further Action" necessary regarding the reported releases on the site, as well as a statement from a Licensed Site Professional addressing the Commission's concern for the infiltration of runoff in the new areas of the site.

Acknowledged.

17. *As noted above, pedestrian connectivity does not extend along the main driveway down to Route 20. The applicant should consider the construction of walkways along both sides of the main driveway.*

The sidewalk layout only on one side of the main entry drive is deliberately proposed with the goal of activating the future internal streetscape in this area, limiting impervious surfaces where possible, and maximizing open space and the existing buffer between the main access drive and abutting properties. Based on the anticipated site circulation pattern, the Applicant believes that sidewalks on both sides of the driveway would be redundant and counterproductive to some of the most important overall site planning goals of the project.

18. *The applicant should also consider a pedestrian connection to the adjacent industrial park (Chiswick Park). Employees from that property will shop at the grocery store more frequently if a convenient and easy access is provided. Additionally, any walking trails proposed on the National Development property could link with the Emerson Medical Building conservation trail in Chiswick Park to provide a longer recreation loop.*

A pedestrian connection to the existing Chiswick Park is being discussed with the abutting property owner, who has expressed some initial interest in this connection.

19. *It is assumed all new utilities onto the property will be installed underground. The applicant should consider undergrounding the existing utilities along the frontage of the property to provide a cleaner, more modern look to the new development.*

The new site utility infrastructure will be installed underground. As one of the first steps in the project in 2015, the Applicant reached out to Eversource – the owner of the utility poles along the frontage of the Site – and the telecommunication companies that share these poles to begin the process of coordinating any utility pole relocations that may be necessary to facilitate the proposed roadway improvements. Based on these initial conversations, the Applicant believes that the undergrounding of the utilities along the Route 20 frontage is not feasible due to the excessive cost and schedule impacts.

20. *The Board of Selectmen will be negotiating mitigation for the entire development. If the Boards have any strong desires about mitigation, these thoughts should be communicated directly to the Selectman.*

Acknowledged.

21. *A pre-application meeting with department heads was held on October 28, 2015. The notes from that meeting are attached.*

Acknowledged.

22. *The Zoning board should review the Special Permit Criteria in section 6220 of the Zoning Bylaw when making its determination as to the appropriateness of the Major Commercial Project, and the Criteria in section 3290 when deciding on the sign permits (attached).*

Acknowledged.

23. *The Planning Board should review the Site Plan Criteria in section 6380 of the Zoning Bylaw when making its decisions on the Site Plan application (attached).*

Acknowledged.

24. *It is recommended to schedule a site visit to property before the hearings are closed.*

The Applicant acknowledges and agrees with this recommendation, and is happy to coordinate a site visit (or visits) at any time that is convenient for Town staff and interested Board members.

25. The 120 day time limit to issue a Site Plan decision expires on March 12, 2016.

Acknowledged.

26. The deadline to issue the Special Permits is 90 days after the close of the public hearing.

Acknowledged. Given time that it has taken to develop the site plan changes that the Applicant is proposing based on feedback from the Planning Board and other stakeholders, the Applicant is not averse to granting an extension and, as indicated above, will follow up in separate correspondence with the Town of Sudbury's Planning Office to memorialize this.