

Town of Sudbury

Planning and Community Development Department

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Jody A. Kablack, Director

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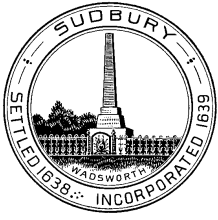
TO: Zoning Board of Appeals
FROM: *jak* Jody Kablack, Director of Planning and Community Development
DATE: February 26, 2016
RE: Avalon Sudbury Comprehensive Permit Application
526 & 528 Boston Post Road, Sudbury, MA

This office is in receipt of an application for a Comprehensive Permit on the above property filed with the Sudbury Town Clerk on February 4, 2016. Submitted with the application were the following documents and plans: Site Plans entitled "Site Plans, Avalon Sudbury" prepared by VHB and The Architectural Team (TAT), dated Jan. 20, 2016, consisting of 14 sheets and "Existing Conditions Plan of Land" prepared by VHB, dated 6, 2016 consisting of 6 sheets (SV-1 thru SV-6); Architectural Plans entitled "Avalon Sudbury, Sudbury MA, Application for Comprehensive Permit, Architectural Drawings" prepared by The Architectural Team (TAT), dated January 20, 2016, consisting of 27 sheets; Supporting documentation – Tabulation of proposed buildings, Preliminary Utilities Plan, Jurisdictional documentation, Waivers and Exceptions requested, List of Abutters, Filing and consulting fee.

I have reviewed the application, and have the following comments and recommendations as you begin the public hearing process:

A. Process

1. The hearing process, application submission, consultant review, proforma review, waivers from local requirements, and other aspects of the process are governed by 760 CMR 56.05, regulations promulgated by the Dept. of Housing and Community Development. The ZBA has also adopted Supplemental Rules for Comprehensive Permits Pursuant to MGL c. 40B, s. 20-23, as permitted in 760 CMR 56.05. The Board should adhere to these regulations during the review of this application.
2. The Board has 180 days from the date of the first hearing to complete the hearing, and then 40 days after the close of the hearing to vote a decision. This puts the close of the hearing on Sept. 2, 2016, and a vote of the Board on or before October 12, 2016.
3. In order to complete review of all the issues during the 180 day (6 month) time period, a schedule for specific issues should be established and followed. Given the work load of the ZBA, hearings on this application should be held monthly following the Board's published schedule. Members may miss only 1 hearing to be eligible to vote on the application. Alternate ZBA members should attend the hearings at the direction of the Chairman in the case of more than 1 absence by a full member.
4. For this application, the following schedule is recommended:
 - **Hearing 1, March 7** - Overview of project by applicant; expectations of the board for review fees and consultants; additional information needed; initial public comments
 - **Hearing 2, April 4** - Architectural Design/Building Massing/Density/unit sizes and configuration
 - **Hearing 3, May 9** - Other site impacts – visual, fiscal impacts; Mitigation/Community Needs
 - **Hearing 4, June 6** - Physical constraints of the site – stormwater, wastewater, clearing & grading
 - **Hearing 5, July 11** - Landscaping, lighting
 - **Hearing 6, August 1** - Additional information



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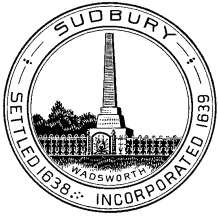
These dates are subject to change based on availability of information, and Board schedules. But this schedule gives the Board an indication of how the 6 month time period for review can proceed.

5. Due to the complexity and size of the proposal and the environmental sensitivity of the site, it is anticipated that review of this application will require a higher degree of skill and technical advice than is currently available from Town staff. The applicant has previously submitted \$10,000 for peer review, as required in the ZBA Supplemental Rules, however it will be beneficial for the Town to obtain professional advice from the following consultants as the application review proceeds:
 - a) Engineering Consultant to review stormwater management, soils information, groundwater impacts, wetland impacts and waiver requests from the Sudbury Wetlands Administration Bylaw, grading and other engineering issues. The Town is already engaged in a contract for similar services on other projects with the firm Horsley & Witten, and it is recommended to utilize this firm for the Avalon project. Stormwater review will include the master stormwater plan for the entire redevelopment project. I will provide the applicant with the Scope of Services and cost estimate for this work prior to execution of a contract by the Town Manager.
 - b) Traffic Consultant to review traffic impacts. The Town is already engaged in a contract for these services with the firm Vanasse & Associates, which is reviewing the master traffic plan for the entire redevelopment project.

As noted above, estimated consultant fees will likely be greater than the initial deposit made. Additional funds will be requested from the applicant once the estimated costs are provided.

B. Application Materials - Prompt submittal of this information is critical to technical review of this proposal, and delays in obtaining this information will hinder the Town's ability to ascertain basic feasibility of the proposal. There may also be additional information that will be needed as review proceeds.

1. Pursuant to 760 CMR 56.05(2), the Applicant must submit the following additional information:
 - a) Description of materials for streets, drives and parking areas;
 - b) Construction type of buildings and exterior finishes;
2. Pursuant to the Board's Supplemental Rules, the Applicant must submit the following additional information:
 - a) Materials proposed for streets, drives and paved areas;
 - b) Location and details of all proposed signs and exterior lighting;
 - c) Construction type of buildings and exterior finishes.
3. The Determination of Project Eligibility Letter issued by MHP dated December 23, 2015 requires the Applicant to address the following issues during the public hearing process:
 - a) The affirmative fair housing marketing and resident selection plan will ensure that the units will be made widely available to all populations.



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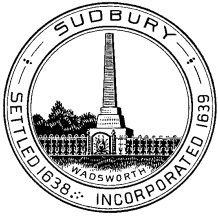
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- b) Local preference will be permitted in accordance with the Comprehensive Permit Rules to the extent that satisfactory evidence of the need for local preference is demonstrated by the Town.
 - c) Lease terms should not permit occupancy of dens as bedrooms;
 - d) The bedroom mix has been adjusted so that there are 7 affordable 3-bedroom units.
 - e) Issues such as mitigation of school, public safety and resident service costs are outside the scope of Chapter 40B.
4. Additional materials which will assist the Board in understanding the impacts of this development are requested to be submitted, including:
- a) Cross section analysis of the anticipated visual impacts of the proposed development at several locations, including Horse Pond Road and Trailside Circle.
 - b) A Stormwater Plan has been prepared for the full redevelopment plan, which includes the Avalon Sudbury development. The applicant is urged to submit this plan as an official part of the Comprehensive Permit application so it is fully understood how the drainage system will work.
 - c) A Traffic Impact Study has been prepared for the full redevelopment plan, which includes the Avalon Sudbury development. The applicant is urged to submit this plan as an official part of the Comprehensive Permit application so it is fully understood how the traffic from the development will be mitigated.
 - d) Proposed cross-section for the construction of the development roadway.
 - e) A fiscal impact analysis describing impacts from the development on the Town's infrastructure, school system, public safety departments, Board of Health and other areas that will be impacted by the inclusion of 250 new housing units.
 - f) Submittal of a Water Impact Report to the Sudbury Water District.
5. The applicant has requested numerous waivers from the local bylaws and regulations, but has not supplied information on the extent of the waivers. For example, a waiver is requested on the height limitation in the Zoning Bylaw, but the total height of the buildings is not indicated. Other variances from the Zoning Bylaw, including setbacks, building coverage, parking, stormwater management requirements, etc. should be described in sufficient detail so that the Board can make a determination on its relevance and impact. Extraneous waiver requests should be removed from the list.

C. Additional Recommendations

1. The Board should consider requiring a connection from the development property to the abutting Mass Central Rail Trail corridor for future access.
2. It is noted that the proposed development will utilize the existing Raytheon wastewater treatment plant, which has a design capacity of approximately 50,000 gallons/day. It is also noted that the applicant has requested an increase in the capacity of the treatment plan to DEP. This system does not require a permit from the Sudbury Board of Health, but is under the jurisdiction of Mass DEP. It is recommended that all actions and correspondence directed to DEP on this property be submitted to



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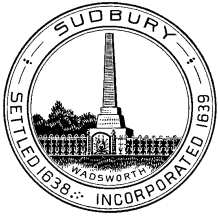
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the Board and the Sudbury Health Director so that the Town is well informed on the progress and outcomes.

3. A Stormwater Pollution Prevention Plan (SWPPP) is required for the proposal.
4. The applicant should submit additional details on the Preliminary Subdivision Plan so that the Town can ascertain compliance with the Regulations, including frontage measurements, metes and bounds of all lots lines, and radii at street intersections.
5. The plan proposes 582 parking spaces, which is greater than the requirement of 2 spaces/unit in the Zoning Bylaw. Approximately 60 spaces are located along the main roadway in the development. It appears that all units have at least 1 space in a parking garage attached to the unit. Some units have driveways for additional tandem parking. There are also small parking lots scattered around the development. It is recommended to discuss the removal of the on-street parking, which creates an urban feel to the development. This would result in a narrower roadway and decreased impervious area, and may create a more suburban environment along the street.
6. It is questioned if the internal road will be named?
7. Many details of the development are contained on the plans, including construction details, landscaping details. One such detail is the development entrance sign, which is shown on Sheet C-7.2. The sign is 24 sq. ft., and not illuminated.
8. Details on the exterior lighting are requested.
9. Tenancy data from similar developments in Massachusetts is requested so the Town can better understand the population of residents who will live in the development, and any particular municipal needs that the development will require.
10. Many units in the development contain 3 stories, and are of concern for fire protection and public safety response for medical calls, as the buildings do not contain elevators.
11. The Townhouse buildings along the western property line should be setback further from the property line, or the landscaping behind these buildings should be enhanced, to minimize intrusion onto the open abutting farm property. These units will be visible from Horse Pond Road as there is minimal natural vegetation along the property line.
12. All utilities must be installed underground. A notation to this effect should be included on the Notation Sheet of the Site Plan.
13. Development of this property would normally require applications in front of the Planning Board (Stormwater Management), Conservation Commission, and Design Review Board. However, under MGL c. 40B, s. 21, the ZBA has the authority for the comprehensive approval of the development.



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These other boards shall make recommendations to the ZBA, and the ZBA can attach conditions to the permit regarding height, site plan, size or shape, or building materials.

I expect that additional comments will be forthcoming once the Town officials have had the opportunity to fully review the proposal.

cc: DPW Director
Building Inspector
Conservation Coordinator
Health Director
Fire Chief
Police Chief
Town Counsel
Board of Selectmen
Sudbury Water District
Planning Board
Applicant