

Town of Sudbury

Planning and Community Development Department

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3387
Fax: 978-443-0756

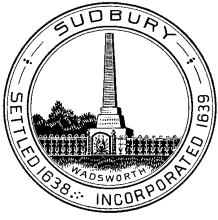
Jody A. Kablack, Director

<http://www.sudbury.ma.us/services/planning>
kablackj@sudbury.ma.us

TO: Zoning Board of Appeals
FROM: Jody Kablack, Director of Planning and Community Development
DATE: June 20, 2016
RE: Village at Sudbury Station Comprehensive Permit Application

Significant information has been received on this application since the last hearing held on May 23, 2016. The correspondence list is attached. In order to process the information in a logical manner, I offer the following comments and recommendations, which can be discussed in this order at the June 20 hearing:

1. I recommend that the stormwater and architectural discussions be moved to the July 25 meeting. The Town's peer stormwater engineer has not completed their review, and it will be more productive for both engineers to be in attendance when that topic is discussed. A presentation by the applicant's engineer should not be entertained until the Board's engineer is in attendance. The architectural discussion may be more productive once the layout plan is more definitive. However, it is noted that the June 18, 2016 report from Davis Square Architects does contain several good suggestions for mitigating the visual impact of the development, including adding more townhouse style units, creating flat roofs on the tall buildings, and modulating the façade of the large buildings.
2. The ZBA members who attended the work sessions on June 1 and 14 (Jeff Klofft and Jon O'Brien) should recap those meetings for the rest of the board, including a discussion on any alternative plans that they feel have merit.
3. Fire Chief Bill Miles will be in attendance at the meeting this evening, and can answer questions related to fire safety and access.
4. The Board's traffic peer reviewer, Jeffrey Dirk, will be in attendance at the meeting this evening, and can discuss the most recent modifications to the plans suggested by the developer, as well as answer any questions on outstanding traffic issues.
5. Public comments should be heard next.
6. There are a number of open issues that the Board should recognize, and seek resolution on:
 - a. Hudson Road driveway realignment – requires DOT approval; potential exclusive use by the owners of Ti-Sales should be determined before proceeding further.
 - b. Request for letter from Town to DOT for Hudson Rd access – the Board of Selectmen will discuss this request on June 29 with their attorney, if requested by the ZBA.
 - c. Request for letter from Town to DOT for grading – until a grading plan is submitted, it is unclear as to the impacts that this will mitigate, or cause. The Board has not had the opportunity to review grading across the site to understand if this is in the Town's best interest. This affects the wastewater leaching field, the retaining wall, and the location of the buildings along the railroad right of way.
 - d. Request from the Sudbury Water District for a Water Impact Study – The Board should not allow this application to proceed without such a study to assure water conservation methods are employed, as this is the new normal going forward due to the state's Water Management Act provisions for water withdrawal.
 - e. Conservation Commission and Board of Selectmen request for the ZBA to require a hydrogeological peer review/study impacts from the stormwater and wastewater on the adjacent town lands, wetlands and the proposed retaining wall.
 - f. Final design modifications to site, buildings and/or density.



Town of Sudbury

Planning and Community Development Department

Jody A. Kablack, Director

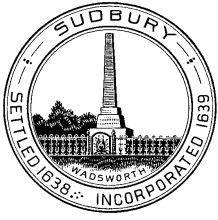
Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3387
Fax: 978-443-0756

<http://www.sudbury.ma.us/services/planning>
kablackj@sudbury.ma.us

7. There still remain items that are required by the DHCD Regulations, 760 CMR 56.05, and the ZBA Supplemental Rules for Comprehensive Permits which have not been submitted, including:
 - a. The extent of grading and vegetation removal that will be required to construct the development on slopes of greater than 15%.
 - b. The proximity of the development to restricted agricultural land and the potential impacts of construction on the restricted land.
 - c. Final waiver list to include specific provisions of local bylaws and regulations where the proposal does not comply.
8. The hearing schedule currently is as follows:
 - **Hearing 6, July 25** – Stormwater Peer Review, Architectural Peer Review, resolution of open issue/any additional information, begin deliberations. Hearing must be closed unless extended.
 - **Hearing must be closed by July 28.**
 - **Decision must be issued by September 3 (or September 6 due to Labor Day).**

The Board should consider scheduling 2 meetings after the public hearing closes (but before Sept. 6) to (1) deliberate and provide Town Counsel with a framework for a decision, and (2) to vote the decision.

9. Additional items which have not been discussed yet, but which need some mention prior to the close of the public hearing include:
 - Request for mitigation/project enhancement funds – as we have received in every private-for-profit 40B development, impact mitigation has been contributed by each developer commensurate with the projected impacts of the development. In this case, a predominant resource in proximity to this development will be the Bruce Freeman Rail Trail. The Town is in the process of design of the rail trail, but will require an additional \$150,000-\$250,000 in order to complete the 75% plan. A second issue is the construction of the History Center and Museum at the Loring Parsonage, which is seeking funds to complete the restoration of the Loring Parsonage. A third issue is the potential need for a traffic signal at the Hudson Road/Peakham Rd intersection. Design funds for this intersection may be appropriate, estimated at \$200,000.
 - Review of the final engineering plans prior to issuance of building permits will be needed by the Town's peer reviewer. The applicant is requested to fund this work and deposit \$10,000 into an escrow account for this work.
 - The plan should be required to meet all DEP and Town of Sudbury stormwater requirements.
 - A new Agricultural Preservation Restriction should be recorded which complies with MGL c. 182, s. 21-23.
 - Submittal of a final Landscaping Plan, including signage, outdoor lighting compliant with Dark Sky Initiatives.
 - Signature blocks must be added to the plans.
 - Local preference for 70% of the affordable units, to the extent allowed by law.
 - All units must have similar interior amenities. No distinguishing between market and affordable units.
 - Submit earth migration figures - # of trucks, routes, mitigation methods to reduce dust and noise.



Town of Sudbury

Planning and Community Development Department

Jody A. Kablack, Director

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776
978-639-3387
Fax: 978-443-0756

<http://www.sudbury.ma.us/services/planning>
kablackj@sudbury.ma.us

- Installation of all utilities underground.
- A performance bond shall be required to ensure proper functioning of the roadway and drainage system; proper installation of screening, landscaping, and walkways, and compliance with all other conditions required by the decision that are not fully completed prior to issuance of the first occupancy permit for the Project.

Attachment – Correspondence List

cc: DPW Director
Building Inspector
Conservation Coordinator
Health Director
Fire Chief
Town Counsel
Historic Districts Commission
Board of Selectmen
Planning Board
Applicant

The Village at Sudbury Station
Peters Way and Peters Way Extension
Materials received as of 6/20/16

The Board of Appeals is in receipt of the following:

1. Comprehensive Permit Application under M.G.L. Chapter 40B, Sections 20-23 (received January 29, 2016) that includes:
 - Project and development team summary
 - Applicant Qualifications
 - Project Eligibility Letter
 - Evidence of Site Control
 - Preliminary Site Plans for The Village at Sudbury Station, prepared by Sullivan, Connors and Associates, dated January 18, 2016, consisting of 3 sheets (unstamped).
 - Landscape Plan prepared by The Cecil Group, dated January 22, 2016 (unstamped)
 - Narrative and Plans on Existing Conditions
 - Existing Conditions Plan of Peters Way & Peters Way Ext., prepared by Sullivan, Connors and Associated, dated July 8, 2015, last revised October 26, 2015, consisting of 4 sheets (unstamped)
 - Preliminary Architectural Drawings prepared by Cube 3, dated January 20, 2016 and January 31, 2016, consisting of floor plans and parking plans dated January 20, 2016, and building elevations
 - Waivers and Exceptions Requested
 - Certified List of Abutters
 - DHCD'S Subsidized Housing Inventory of Sudbury
 - Traffic Report Summary
 - Endangered Species Act correspondence
 - Traffic Impact and Access Study prepared by MDM Transportation Consultants, Inc., dated December 2015.
2. Comments from Town Engineer/DPW Director, William Place, dated February 9, 2016.
3. Email from William Hench to Town Manager regarding Peer Reviewers, dated February 4, 2016
4. Memo from Jody Kablack, Director of Planning and Community Development, dated February 17, 2016.
5. Email from resident David Hornstein, dated February 17, 2016.
6. Conflict of Interest disclosure from Jonathan F.X. O'Brien, dated February 18, 2016.
7. Memo from Mark Herweck, Building Inspector, dated February 18, 2016.
8. Full sized, stamped Landscape Plans prepared by The Cecil Group, dated January 22, 2016, submitted on Feb. 22, 2016.
9. Email from Melissa Rodrigues, in regards to a call from a resident, Mr. Robert Noyes, opposing this project; dated February 22, 2016.

Items received since Public Hearing on February 22, 2016

10. Full sized, stamped Preliminary Site Plans prepared by Sullivan, Connors and Associates, dated January 21, 2016, submitted on Feb. 22, 2016.
11. Memorandum from William C. Henchy; dated February 22, 2016, 4 pages.
12. Email from William Henchy, Ref: Sudbury Station-peer review follow up; dated February 23, 2016.
13. Letter from John Whalen, Sudbury Fire Department; dated February 24, 2016.
14. Letter from MHP approving the 40B Technical Assistance Grant.
15. Form 11- Soil Suitability Assessment for On-Site Sewage Disposal. Received on 2/29/16 from William Henchy via email. 17 pages.

16. Traffic Engineering Peer Review, Vanasse & Associates, dated March 3, 2016.
17. Email from resident Sherry Weiland, dated March 5, 2016.
18. Memorandum from Conservation Commission, Charles Russo; dated March 18, 2016.
19. Letter from the Board of Selectmen to ZBA, dated March 8, 2016.
20. Email from Jody Kablack to applicants, requesting Steve Cecil's Cross sections presentation of the development that are not in our files; dated March 8, 2016.
21. Hancock Associates Contract for Peer Review Services; dated March 9, 2016.
22. Revised Preliminary Site Plans by Sullivan, Connors and Associates (7 pages); dated January 25, 2016, last modified March 14, 2016.
23. MDM Transportation Consultants Memorandum, Response to Peer Review Comments; dated March 15, 2016. (14 pages)
24. MDM Transportation Consultants Memorandum, response to Peer Review Comments; dated March 15, 2016. (Full Report-Spiral bound book)
25. Email from Jody Kablack to Sullivan Connors and Associates; dated March 15, 2016, requesting cover memo detailing changes made to the plan since previous submittal date.
26. Email from William Henchy; dated March 16, 2016, Transportation Peer Review Responses.
27. Email from Chris Claussen; dated March 16, 2016, with a list of site plan revisions.
28. Email from Fire Chief William Miles; dated March 17, 2016, in regards to raised cross walks.
29. Memorandum from William Henchy; dated March 21, 2016 summarizing progress since the last hearing date.
30. Nancy Rubenstein's signed certification form for missed hearing February 22, 2016; dated March 21, 2016.
31. Supplemental Traffic Engineering Peer Review Report from Vanasse & Associates; dated March 21, 2016.
32. Memo from Jody Kablack, Director of Planning and Community Development dated March 21, 2016.

Items received since Public Hearing on March 21, 2016

33. William Ray's signed certification form for missed hearing February 22, 2016; dated February 26, 2016.
34. Memo from Jody Kablack, Director of Planning and Community Development dated April 15, 2016, with attachments.
35. Letter from Sudbury Historical Commission to Mass Historical Commission; dated March 4, 2016.
36. Memo from Jody Kablack, Director of Planning and Community Development; April 20, 2016.
37. Letter from William Henchy, RE: Fiscal Impact Report; dated April 20, 2016.
38. Fiscal Impact Report, prepared by John W. Connery, Connery Associate, dated January 23, 2016, received April 20, 2016.
39. Letter from William Henchy, dated April 19, 2016, received April 20, 2016.
40. Sudbury Station revised Architectural Plans, containing 16 pages; dated April 18 2016. Received April 19, 2016.
41. Visual Impact Analysis from The Cecil Group, consisting of 14 pages including cover letter; received April 19, 2016.
42. Letter from Leonard Simon dated April 25, 2016.
43. Email from William Henchy, replying to Leonard Simon letter; dated April 25, 2016.
44. Revised Preliminary Plans from Sullivan, Connors & Associates; last revised April 22, 2016; received April 25, 2016.
45. Memorandum from Barbara Saint Andre, Response to Attorney Henchy's Memorandum; dated April 25, 2016.
46. Email from David Hornstein, Grading and Excavation-Layout; dated April 21, 2016.
47. Email from resident Larry Robiner, 56 Crescent Lane; dated March 22, 2016.

48. Email from resident Leslee Halleran; dated March 22, 2016.
49. Email from resident Robyn Lewis, 10 Birchwood Ave; dated March 22, 2016.
50. Email from resident Colin Anderson, 63 Walke Robin Road; dated March 22, 2016.
51. Email from resident Amber Fairbanks, 34 Goodmans Hill Road; dated March 22, 2016.
52. Email from resident David Hornstein, dated March 23, 2016.
53. Email from Maura Carty, 15 Stonebrook Rd; dated March 29, 2016.
54. Email from Jemimah Milburn, 103 Water Row; dated March 29, 2016.
55. Email from Qi Jin, 2 Meachen Rd; dated March 29, 2016.
56. Email from Kristin Schenider, 30 Rice Road; dated March 29, 2016.
57. Email from Christian and Darlene Tupta; dated March 29, 2016.
58. Email from Andrea Jewett, resident; dated March 29, 2016.
59. Email from Leah Ciappenelli, 268 Old Sudbury Rd.; dated March 29, 2016.
60. Email from Teresia LaFleur, 80 Moore Road; dated March 29, 2016.
61. Email from Christy Webster, 18 Suffolk Road; dated March 29, 2016.
62. Email from Colleen Mazin, 56 Butler Road; dated March 29,2016.
63. Email from Susan Kennedy, 40 Bowditch Road; dated March 29, 2016.
64. Email from Chris Caliri, 48 Newbridge Road; dated March 29, 2016.
65. Email from Robert Lee, 38 Candy Hill Road; dated March 29, 2016.
66. Email from Mary Sadri, resident; dated March 29,2016.
67. Email from Marlin Griffin, 25 Clark Road; March 30, 2016.
68. Email from Jenn Sneath, 279 Old Sudbury Road; March 30, 2016.
69. Email from Laurie Caliri, resident; April 1, 2016.
70. Email from Casey Boardman, 260 Peakham Road, April 4, 2016.
71. Email from Scott Sawin, 52 Puffer Lane; April 5, 2016.
72. Email from Taryn Trexler, 253 Concord Road; April 7, 2016.
73. Email from Ed Chao, 365 Hudson Road; April 9, 2016.
74. Email from Christina Weeks, 272 Concord Road; April 10, 2016.
75. Email from Kristin Grill, 40 Clark Road; April 12, 2016.
76. Email from Jill Falvey; April 12, 2016.
77. Email from Dana Judge, 60 Willis Road April 13, 2016
78. Email from Linda Dubois, 18 Lafayette Drive; April 13, 2016
79. Email from Gerry Connors, 7 Brookdale Road; April 13, 2016
80. Email and video from David Hornstein; April 14, 2016.
81. Email from Glenn Merrill, 18 Allen Place; April 14, 2016.
82. Email from Joyce and Pierre Fricke, 39 Candy Hill Road; April 15, 2016.
83. Email from Lisa Vitale_286 Old Lancaster Road; April 15, 2016.
84. Email from Shirley Huettig, 54 Wake Robin Rd.;April 15, 2016.
85. Email from Tiffani Bonk, 49 Willis Road; April 15, 2016.
86. Email from Sharon Schmidt-Gross, 298 Maynard Road; April 15, 2016.
87. Email from Christine Barrett, 151 Peakham Road; April 15, 2016.
88. Email from Pierre Fricke, 39 Candy Hill Road; April 15,2016
89. Email from Mary-Michael Merhige; April 15, 2016.
90. Email from John Parker, 14 Deacon Lane; April 15, 2016.
91. Email from Valerie Friedholm, 59 Shadow Oak Dr.; April 15, 2016.
92. Email from Jenn Munroe, 36 Thunder Road; April 15, 2016.
93. Email from Kristin Dolan; April 15, 2016.
94. Email from Tracey Cacciatore, 165 Marlboro Road; April 15, 2016.
95. Email from Alison Thompson, 6 Old County Road #31; April 15, 2016.
96. Email from Steve Logan, 33 Virginia Ridge Road; April 15, 2016.
97. Email from Lisa West, 42 Hawes Road.; April 15, 2016.
98. Email from Sarah Troiano, 342 Lincoln Road; April 15, 2016.

99. Email from Christine Barret, 151 Peakham Road; April 15, 2016.
100. Email from Sharon and Ray Schmidt-Gross, 298 Maynard Road.; April 15, 2016.
101. Email from Tiffany Bonk, 49 Willis Road; April 15, 2016.
102. Email from Shirley Huettig, 54 Wake Robin Road; April 15, 2016.
103. Email from Mark Waiting, April 16, 2016.
104. Email from Laurel MacKinnon; April 16, 2016.
105. Email from Leah Ciappenelli; 268 Old Sudbury Road; April 16, 2016.
106. Email from Dan Velonis, 3 Basswood Ave; April 16, 2016.
107. Email from Tracy and Rick Billig, 79 Robert Best Road; April 16, 2016.
108. Email from Emily Reith; April 16, 2016.
109. Email from Maria Iglesias, 230 Peakham Road; April 17, 2016.
110. Email from Erin Channel, 16 Stock Farm Road; April 18, 2016.
111. Email from Richard Granfield, 20 Read Road, April 18, 2016.
112. Email from Craig Gruber, April 18, 2016.
113. Email from Jim, Sue, Derek and Kristin Richards, Codman Dive, April 20, 2016.
114. Email from Ray Liberatore, 41 Codman Drive;
115. Email from The Ewings, 23 Codman Drive; April 20, 2016.
116. Email from Lisa Mudrick, 9 Codman Drive; April 20, 2016.
117. Email from Emma Wang, 22 Codman Drive; April 20, 2016.
118. Email from Daniel Petitt, 66 Robins Road; April 20, 2016.
119. Email from Vivian Yee, April 20, 2016.
120. Email from Nathan Goldstein, 32 Beechwood Ave; April 20, 2016.
121. Email from Christina Wusnow, April 20, 2016.
122. Email from Skyhorse Chen, 71 Brimstone Lane; April 20, 2016.
123. Email from Shaoli Fu, 39 Great Lake Drive; April 20, 2016.
124. Email from Chris Wu, 23 Pinewood Ave; April 20, 2016.
125. Email from Jackie Wu, 62 Phillips Road; April 20, 2016.
126. Email from Claudia Libertore, 41 Codman Drive; April 20, 2016.
127. Email from Robert Ewing, 23 Codman Drive; April 21, 2016.
128. Email from Helen Huang, 15 Hollow Oak; April 21, 2016.
129. Email from Jean Guan, April 21, 2016.
130. Email from Sherry Shy, 135 Morse Road; April 21, 2016.
131. Email from Judith Harris; April 21, 2016.
132. Email from Mara Huston; April 22, 2016.
133. Email from Jason Bernard; April 22, 2016.
134. Email from David Hornstein; April 25, 2016.
135. Email from Jennifer and Barry Murphy; April 25, 2016.
136. Email from Chris Cox; April 25, 2016.

Items received since Public Hearing on April 25, 2016

137. Frank Riepe comments, dated April 26, 2016 and received May 17, 2016.
138. Email from Chris Claussen, Traffic; dated May 17, 2016.
139. Email from Jody Kablack, future meeting dates; dated May 17, 2016.
140. Board of Health, Memorandum; dated May 18, 2016.
141. Provencher Engineering, LLC. Summary of Wastewater Treatment & Effluent Disposal Design; dated May 18, 2016.
142. CUBE3 Studio 3D perspectives of the proposed typical 3-Story, 4Story and Townhouse Buildings; received May 19, 2016.
143. CUBE3 Architecture and Exterior Materials Narrative; received May 19, 2016.
144. CUBE3 LEED and Environment Narrative; received May 19, 2016.

145. CUBE3 Exterior Light Example; received May 19, 2016
146. The Cecil Group 3-D model screenshots; dated May 18, 2016; received May 19, 2016.
147. Sudbury Water District letter; received May 20, 2016.
148. Email from Nicholas Tritos, 46 Hudson Road; April 25, 2016.
149. Email from Christina Granahan, 95 Shadow Oak Drive; April 25, 2016
150. Email from Taryn Trexler, Concord Road; April 25, 2016
151. Email from David Hornstein; 22 Candy Hill Road; April 26, 2016.
152. Email from Sue Abrams; 24 Hudson Road; April 29, 2016.
153. Email from William LoVerme, 295 Concord Road; April 30, 2016.
154. Email from Betty Mecler, 7 Pennymeadow Road; May 2, 2016.
155. Email from David Hornstein; 22 Candy hill Road; May 4, 2016.
156. Email from Linda and Kermit Dubois, 18 Lafayette Drive; May 9, 2016.
157. Email from Don Stein, 17 Oakridge Road; May 9, 2016.
158. Email from Samantha Karustis; May 12, 2016
159. Email from Laurie Roberts, 411 Concord Road; May 13, 2016
160. Email from Alex Smith. 90 Pelham Island Road; May 16, 2016.
161. Email from William Mack, 51 Hudson Road; May 18, 2016.
162. Email from Roberta Glass; dated May 19, 2016.
163. Email from Rebecca Chizzo, 21 Whitetale Lane; dated May 19, 2016
164. Email from Jamie Simeone, 200 Mossman Rd; dated May 23, 2016.
165. Email from Oppose Sudbury Station Steering Committee; dated May 23, 2016.

Items received since Public Hearing May 23, 2016

166. Email from Michael O'Malley, 177 Plympton Road, June 2, 2016.
167. Emails from David Hornstein, June 3, 2016 and June 17, 2016.
168. Email from Jacqui Steele-Gratzer, June 8, 2016.
169. Letter from Historic Districts Commission to ZBA, June 7, 2016.
170. Email from Craig Gruber, June 9, 2016
171. MDM Memorandum, Supplemental Transportation Responses, dated May 31, 2016
172. Construction Management Plan and Logistics Plan, dated June 10, 2016
173. Letter from Attorney William Henchy, RE: Village at Sudbury Station Stormwater Management Plan, June 13, 2016.
174. Hydrologic & Hydraulic Analysis prepared by Sullivan Connors & Associates, dated June 10, 2016
175. Preliminary Site Plan for The Village at Sudbury Station, and Off-Site Drainage Areas, Revised: June 10, 2016.
176. Vanasse and Associates Supplemental Traffic Engineering Peer Review, June 14, 2016.
177. Letter from the Sudbury Conservation Commission dated June 15, 2016.
178. Letter from Attorney William Henchy, RE: Village at Sudbury Station; Workshop Meetings and Alternate Plans, June, 16, 2016.
179. Public Archaeology Laboratory, Historic Property Effects Assessment, June 16, 2016.
180. MDM Transportation Consultants, Second Response to Peer Review Comments, June 16, 2016.
181. Letter from Kopelman and Paige, Jonathan Silverstein, June 17, 2016.
182. Letter from Attorney William Henchy, RE: Village at Sudbury Station; MassDOT, June 17, 2016.
183. Letter from Attorney Jason Talerman dated June 20, 2016.
184. Letter from Taryn Trexler on behalf of The Oppose Sudbury Station Steering Committee, June 20, 2016.
185. Architectural Peer Review, Davis Square Associates, report dated June 18, 2016.
186. Vanasse and Associates Supplemental Traffic Engineering Peer Review, June 20, 2016
187. Memo from Jody Kablack, Planning and Community Development Director, dated June 20, 2016