

Town of Sudbury

Planning Board

TOWN CLERK
SUDBURY, MASS.
2019 SEP 27 AM 11:17

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

PlanningBoard@sudbury.ma.us

www.sudbury.ma.us/planning

September 25, 2019

SITE PLAN REVIEW DECISION 554 BPR, LLC 554 Boston Post Road

DECISION of the Planning Board of the Town of Sudbury, Massachusetts (Board) on the application of 554 BPR, LLC (Applicant) and Anne Stone (Owner) for Site Plan Review for the property at 554 Boston Post Road. The subject property is located in the Single Residence A-1 Zoning District and within Zone II of the Water Resource Protection Overlay District, and is known as Assessor's Map K00-0602.

This Decision is in response to an application filed under Section 6300 of the Town of Sudbury Zoning Bylaw by the Applicant on June 10, 2019 to demolish the existing buildings and construct a new self-storage building with associated parking, drainage, landscaping, and other improvements, which will disturb approximately 132,500 square feet of land, including approximately 7,800 square feet of land area on slopes exceeding 10%, with a proposed net increase in impervious area of approximately 47,800 square feet, on an approximately 3.1 acre parcel.

After causing notice of the time and place of the public hearing and of the subject matter thereof to be published, posted, and mailed to the Applicant, Owner, abutters, and other parties in interest, as required by law, the public hearing was conducted on July 17, 2019, and continued to August 21, 2019, September 11, 2019, and September 25, 2019, when it was closed. The Board deliberated on the proceedings on September 25, 2019. The following members of the Board were present throughout the proceedings: Stephen Garvin, Charles Karustis, Justin Finnicum, and Nancy Kilcoyne. The record of the proceedings and submissions upon which this Decision is based may be referred to in the office of the Town Clerk or the Planning Board.

After due consideration of the application, the record, Planning staff's report, and based upon the findings set forth herein, the Board voted 4 to 0 to **GRANT** conditional approval of the Site Plan on September 25, 2019 pursuant to the following findings and conditions:

COMPLIANCE WITH SECTION 6380 SITE PLAN REVIEW APPROVAL

Site Plan approval shall be granted upon determination by the Planning Board that the plan meets the following objectives. The Planning Board may impose reasonable conditions at the expense of the Applicant, including performance guarantees, to promote these objectives. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and stormwater drainage consistent with the functional requirements of the Planning Board's Subdivision Rules and Regulations. New building construction or other site alteration shall be designed in the Site Plan,

after considering the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the development, so as to:

6381. Minimize the volume of cut and fill, the number of removed trees 6" caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, the extent of stormwater flow increase from the site, soil erosion, and threat of air and water pollution.

The Applicant is proposing to remove a net 1,550 cubic yards of cut for the proposed project. As such, the Board has included a condition which requires the Applicant/Owner to obtain an Earth Removal Permit before any site work can commence on the property. A substantial portion of this cut is due to the creation of the infiltration basins at the rear of the property as well as for the self-storage facility itself. The infiltration basins allow the project to infiltrate 100% of the stormwater generated on-site, which is an improvement over existing conditions for water quality as well as groundwater recharge. Little vegetation will need to be removed from the subject property as part of this proposal. Much of the vegetation along the front of the property is being retained and most of the vegetation at the rear of the site has already been removed as part of the previous uses related to the farm. Additionally, the proposed project is not proposing to displace any wetland vegetation. Therefore, the Board finds the proposed project minimizes or eliminates the volume of cut and fill, the number of trees removed, the length of stone walls removed, the area of wetland vegetation displaced, and other alterations to the property.

6382. Maximize pedestrian and vehicular safety both on the site and egressing from it.

The proposed traffic circulation plan for the property calls for a driving lane of at least 24 feet in width around the entire site. The property will primarily function with a one-way traffic pattern in a clockwise fashion around the site, with the exception of those traveling directly to the self-storage facility office or the farm stand. However, a 24-foot-wide drive aisle would more than accommodate two-way traffic. The proposed project will also help to establish a single entry/exit point from the property which currently has wide, informal, and unidentified entry/exit points. The proposed location for the new entry/exit point will allow for easy vehicle access and a natural traffic flow throughout the property. Even though the use of the self-storage facility will primarily be by those with vehicles, pedestrian access from the sidewalk along Boston Post Road/Route 20 to the site has also been accommodated. A pathway from the sidewalk along Boston Post Road/Route 20 has been provided which allows access to the self-storage facility office building and the farm stand. Based on the above, the Board finds the proposal maximizes pedestrian and vehicular safety both on the site and egressing from it.

6383. Minimize obstruction of scenic views from publicly accessible locations.

The parcel immediately to the north of the subject property has an Agricultural Preservation Restriction on it. This 56-acre lot is currently an open agricultural field which creates a significant scenic vista from the Boston Post Road/Route 20 right of way. The proposed size of the self-storage facility is larger than any building currently on the subject property or in the surrounding area, and would somewhat block the view of this open space from Boston Post Road/Route 20. However, the number, location, and positioning of the existing buildings on the subject property, as well as the existing vegetation along the roadway, already create a

significant visual barrier of this agricultural field from Boston Post Road/Route 20. The barns on the western half of the property, and the Stone Tavern building and outbuildings on the eastern half, minimize the current view of the property to the north. The proposed project aligns the proposed self-storage building with the Stone Tavern building and farm stand, which should minimize the visual impact of these structures on the view as much as possible. In fact, the proposed new positioning of the proposed buildings will likely not create any increase in the visual barrier from Boston Post Road/Route 20 compared to what already exists. As such, the Board finds the proposed project will minimize the obstruction of scenic views from publicly accessible locations.

6384. Minimize visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas viewed from public ways or premises residentially used or zoned.

The proposed locations for the project's parking spaces are behind proposed buildings or towards the rear of the property. Both the Stone Tavern building and the relocated farm stand will provide screening for 10 of the exterior parking spaces. Additionally, eight of the parking spaces are provided for inside of the self-storage facility itself and the exterior parking spaces are broken into groupings no larger than six spaces. Breaking up the size of the parking blocks helps to reduce their overall visual intrusiveness. Further, the Board has included a condition which prohibits exterior storage of any kind (equipment, materials, products, etc.) on the subject property. The only exception would be one (1), enclosed/screened rubbish bin/dumpster permitted on the property. Therefore, based on the above, the Board finds the proposed project minimizes the visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas.

6385. Minimize glare from headlights and other light sources from the site onto other properties.

The proposed traffic circulation plan for the property calls for a driving lane around the entire site. The property will primarily function with a one-way traffic pattern in a clockwise fashion around the site, with the exception of those traveling directly to the self-storage facility office or the farm stand. The location of the self-storage building should help to block headlights from impacting the abutting properties. Additionally, the loading and unloading area being inside the building will minimize the possibility users of the facility who might leave their vehicles' lights on when visiting the site after dark would impact abutters. Further, the retention of existing and implementation of new vegetation along the front, sides, and rear of the subject property should help to greatly minimize the impacts of lighting on neighboring lots. The Board has also included a condition which requires all lighting on the subject property be Dark Sky Compliant per the International Dark Sky Association. Based on the above, the Board finds the proposed project minimizes glare from headlights and other light sources from the site onto other properties.

6386. Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places.

The proposed self-storage building is designed to mimic the look and feel of a barn with gable roof lines, cupolas, and cementitious clapboard style siding. The proposed color of the self-storage facility should also help to retain the feel of the former use of the subject property as a

farm. To the immediate west of the subject property is a large commercial enterprise, J.P. Bartlett's Wholesale Greenhouse operation. This large-scale commercial greenhouse operation is authorized to operate here because of agricultural zoning exemptions. The size and materials of the proposed self-storage facility should relate well to the greenhouse buildings of the Bartlett's operation. Additionally, the use of stone veneer, a standing seam metal roof, and the garage doors should help the proposed self-storage building relate to the newly constructed Meadow Walk development, in particular the Whole Foods, to the east. Further, the rehabilitation of the Stone Tavern building and farm stand will help to retain the historic and agricultural feel to the subject property and area. Therefore, the Board finds the proposed project minimizes the unreasonable departure from the character, materials, and scale of buildings in the vicinity.

6387. Minimize contamination of groundwater from on-site waste-water disposal systems or operations on the premises involving the use, storage, handling, or containment of hazardous substances.

To manage stormwater and improve groundwater quality, the Applicant is proposing a stormwater management system which includes the collection of runoff from the paved driveway through two infiltration basins at the rear of the site. The basins have been designed to mitigate peak flow rates and volumes through the 100-year storm event. Roof runoff would be directed to a large drywell at the front of the building. The proposed system would infiltrate 100% of the stormwater generated on-site and this is considered an improvement over existing conditions for water quality as well as groundwater recharge. Based upon the above, the Board finds the proposed project will minimize the contamination of groundwater from on-site wastewater disposal systems or operations on the premises.

6388. Ensure compliance with the provisions of this Zoning Bylaw, including parking and landscaping.

The proposed use (a self-storage facility), while typically not permitted in the Single Residence A-1 Zoning District, has obtained Constructive Approval from the Zoning Board of Appeals. The proposed plan calls for 24 total parking spaces on the property, with eight on the interior of the self-storage facility and 12 on the exterior, and four gravel parking spaces just north of the relocated farm stand. Based upon the size of the proposed self-storage facility and the farm stand, these uses require 22 parking spaces on the property. The location of these spaces also meets the requirements of Section 3144 to have parking spaces located to the side or the rear of buildings. Additionally, the proposed location and height of all new and relocated buildings meet the dimensional requirements of the Zoning Bylaw. Further, the Landscape Plan provides adequate screening along the property's frontage through a combination of new plantings and the retention of existing vegetation. Therefore, the Board finds the proposed project is compliant with the provisions of the Zoning Bylaw.

CONDITIONS OF APPROVAL

This Site Plan Review Decision is subject to and with the benefits of the following restrictions:

1. Approval is based upon the following Plans and Documents:
 - a. Existing Conditions Plan, Proposed Site Plan, 554 Boston Post Road in Sudbury, MA prepared by Sullivan, Connors and Associates (Sheet 1 of 5) dated August 8, 2018 with a revision date through August 8, 2019 and a Planning Board date stamp of August 15, 2019.
 - b. Proposed Site Plan of 554 Boston Post Road in Sudbury, MA prepared by Sullivan, Connors and Associates (Sheet 2 of 5) dated August 8, 2018 with a revision date through August 20, 2019 and a Planning Board date stamp of September 10, 2019.
 - c. Erosion Control Plan of 554 Boston Post Road in Sudbury, MA prepared by Sullivan, Connors and Associates (Sheet 3 of 5) dated August 8, 2018 with a revision date through August 8, 2019 and a Planning Board date stamp of August 15, 2019.
 - d. Construction Details of 554 Boston Post Road in Sudbury, MA prepared by Sullivan, Connors and Associates (Sheet 4 of 5) dated August 8, 2018 with a revision date through August 8, 2019 and a Planning Board date stamp of August 15, 2019.
 - e. Construction Details of 554 Boston Post Road in Sudbury, MA prepared by Sullivan, Connors and Associates (Sheet 5 of 5) dated August 8, 2018 with a revision date through August 8, 2019 and a Planning Board date stamp of August 15, 2019.
 - f. Landscape Plan of 554 Boston Post Road in Sudbury, MA prepared by Schreiber Associates dated August 26, 2019 with a revision date through August 26, 2019 with a Planning Board date stamp of September 11, 2019.
 - g. Sudbury Self Storage Building Photometric Plan prepared by Bagby dated September 11, 2019 with a Planning Board date stamp of September 11, 2019.
 - h. Self Storage Office, Stone Tavern, 554 Boston Post Road, Sudbury, Massachusetts Plan Set prepared by Dickinson Architects, LLC (Sheets A1 through A5) dated June 6, 2019 with Planning Board date stamps of June 10, 2019.
 - i. Exterior Renderings (North, South, East, and West) prepared by Boardwalk Storage Solutions dated September 5, 2019 with Planning Board date stamps of September 10, 2019.
 - j. Plant List with a Planning Board date stamp of August 15, 2019.
 - k. New England Stone Source, New England Blend Sample with a Planning Board date stamp of August 15, 2019.
 - l. Standing Seam Metal Roofing Sample Sheet by MBCI with a Planning Board date stamp of August 15, 2019.
 - m. Rytec Corporation Spiral High Performance Rigid Rolling Door Cut Sheet with a Planning Board date stamp of September 10, 2019.
 - n. DBCI Doors, Light Duty Roll-Up, 650 Series Cut Sheet with a Planning Board date stamp of September 10, 2019.
 - o. Scope of Services, 554 Boston Post Road, Sudbury, Massachusetts – Cultural Resources Assessment and Consultation prepared by Public Archaeology Laboratory dated September 16, 2019 with a Planning Board date stamp of September 19, 2019.
2. **Prior to the commencement of any site work**, the Applicant/Owner shall record the Decision with the Middlesex South Registry of Deeds and provide verification of recording to the Building Department and Planning and Community Development Department.
3. **Prior to the commencement of any site work**, the Applicant/Owner shall obtain an Earth Removal Permit from the Earth Removal Board, if necessary.

4. Conditions required under Section 4261 of the Zoning Bylaw pertaining to Earth Removal in the Water Resource Protection Overlay District:
 - a. Proper and reasonable surface drainage of the land shall be provided during and after construction, and all drainage provisions shall comply with the requirements of the Rules and Regulations for Special Permits in the Water Resource Protection Overlay District.
 - b. Areas that have been compacted by heavy machinery shall be scarified to a depth of at least twelve (12) inches before topsoil is replaced.
 - c. At the conclusion of the excavation operations, or of any substantial portion thereof, the whole area where excavation has taken place and which is not intended for a building footprint, other impervious surfaces, or the infiltration basins, shall be covered with not less than six (6) inches of top soil and seeded with a suitable cover crop, except where ledge rock is exposed, and that all large stones and boulders which protrude above the finished grade are to be removed or buried.
 - d. Activities ancillary to the excavation, including, but not limited to, equipment and vehicle maintenance and storage of lubricants, fuels, solvents and other chemicals associated with earth removal operations are prohibited in Zone II.
 - e. **Prior to the commencement of any site work**, the Applicant/Owner shall post a bond with the Treasurer of the Town in an amount determined by the Planning Board as sufficient to guarantee conformity with the provisions or conditions of the permit, the amount of the bond to be not less than \$5,000 per acre of land from which earth is to be removed.
 - f. Any fill material used in the Water Resource Protection Overlay District shall contain no solid waste, toxic or hazardous materials, or hazardous waste. Adequate documentation shall be provided to the Planning Board to guarantee the chemical quality of the fill. The Planning Board may require testing by a certified laboratory at the Applicant's/Owner's expense.
5. **Prior to the issuance of a Building Permit**, the Applicant/Owner shall conduct the Cultural Resources Assessment in accordance with that certain proposal dated September 16, 2019 by Public Archaeology Laboratory, Inc. (PAL) for the subject property to determine the necessity, if any, for further archaeological studies at the subject property. The Applicant/Owner shall obtain a summary report of the assessment with findings which shall be provided to the Planning and Community Development Department for their review. In addition, any artifacts found on the subject property during such assessment or during construction shall be offered to the Town for preservation purposes.
6. **After installation of the foundation**, the Applicant/Owner shall install rough asphalt around the building site to accommodate the Town's emergency services vehicles during

construction. The Fire Department shall sign off on the installation of this asphalt prior to any further construction under the issued Building Permit.

7. **Prior to the issuance of a Building Permit**, the Applicant/Owner shall provide a private easement for access or egress by foot or vehicle to and from the subject property to the rear property which contains the Agricultural Preservation Restriction. The easement shall be binding on the Applicant/Owner, the Owner of the rear property, their heirs, successors, and assigns. The language of the easement shall be reviewed and approved by Town Counsel as to form and be recorded with the Middlesex South Registry of Deeds.
8. To alleviate excessive noise generated from the proposed activity, all construction activity shall take place on weekdays between the hours of 7:00 am and 6:00 pm, and on Saturdays between 9:00 am and 5:00 pm. There shall be no construction on Sundays or holidays. Construction activities include delivery of materials; idling of machinery; removal of trees; grubbing; clearing; grading; filling; excavating; import or export of earth materials; installation of utilities on the property; removal of stumps and debris; and the erection of structures. Notwithstanding the above, the above restriction on the hours of construction activities shall not apply to any work undertaken off the property that is normally or customarily conducted during hours other than the hours permitted for such work set forth above.
9. Hours of operation for the self-storage facility shall initially be 6:00 am to 10:00 pm, Monday through Friday, and 7:00 am to 8:00 pm on Saturdays and Sundays. After the first anniversary of commencement of commercial operations, the Applicant/Owner may request an extension of the hours of operation from the Planning Board.
10. All utilities for the project shall be located underground.
11. **Prior to the issuance of a Certificate of Occupancy**, the Applicant/Owner shall install solar panels on the flat portion of the roof of the self-storage facility in all feasible locations.
12. **Prior to the issuance of a Certificate of Occupancy**, the Applicant/Owner shall install a black vinyl chain link fence on the west, north, and east sides of the subject property.
13. Exterior storage of any kind (equipment, materials, products, etc.) on the subject property is prohibited. The only exception is one (1) rubbish bin/dumpster, which shall be enclosed/screened.
14. The storage of hazardous or toxic materials, or hazardous wastes, as defined in Section 7000. Definitions of the Zoning Bylaw, in quantities greater than household use, and the storage of vehicles or tires on the subject property is prohibited.
15. The operation of a business out of a self-storage facility unit(s) or people using a unit(s) within the self-storage facility as living space is prohibited.

16. There shall be no parking on Boston Post Road/Route 20 by those using the self-storage facility or the self-storage facility's offices located in the Stone Tavern building, or by those accessing the farm stand.
17. All heavy trucks (non-passenger vehicles, tractor trailers, etc.) shall only conduct loading and unloading on the subject property through the internal access loading/unloading area within the self-storage building.
18. The Planning Board reserves the right, after one year of commercial operations, to implement conditions regarding the permitted hours of access for heavy trucks (non-passenger vehicles, tractor trailers, etc.) to the subject property in the event there are complaints regarding the noise of these vehicles.
19. The four (4) gravel parking spaces immediately north of the farm stand shall have signs indicating "Farm Stand Parking Only".
20. There shall be no traffic hazards created by the use as defined by the Police Chief.
21. The Applicant/Owner may operate the farm stand from April 1st through November 2nd during hours not to exceed the operating hours of the self-storage facility, except the farm stand shall not operate after sundown.
22. All signage at the subject property shall comply with Section 3200. Signs and Advertising Devices of the Zoning Bylaw.
23. All lighting shall be consistent with the provisions of Section 3427.f. of the Zoning Bylaw. Lighting shall be extinguished or dimmed during non-business hours to the greatest extent possible so as to provide minimum lighting for security proposed consistent with adjacent properties. Lighting on the premises shall be Dark Sky Compliant per the International Dark Sky Association, such as the Fixture Seal of Approval lighting standard that has a correlated color temperature of less than 3000K (ANSI C. 78.377). **Prior to the issuance of any Certificate of Occupancy**, Planning and Community Development Department staff shall inspect the lighting at the facility and work with the Applicant/Owner to determine the appropriate minimization of lighting, and again after one year of operation.
24. **Prior to the issuance of any Demolition or Building Permit for the Stone Tavern building**, the Applicant/Owner shall provide reasonable and timely access to member(s) designated by the Town of Sudbury Historic Districts Commission and Historical Commission, in connection with the plans to renovate the Stone Tavern building, to be used as an office for the self-storage facility, to determine, to the extent possible, what interior elements of historical significance may be preserved during such renovations.
25. **Prior to the demolition of the Stone Farm barn**, the Applicant/Owner shall remove, stabilize, and safeguard the cupola on top of the Stone Farm barn, and erect such cupola as a freestanding structure and place it on a base on the subject property as shown on the Landscape Plan.

26. Following completion of construction for the self-storage facility, the Applicant/Owner shall cooperate, assist, and otherwise promote the actions of the Historic Districts Commission to place the Stone Tavern building and Stone Farm barn cupola within the jurisdiction of the Historic Districts Commission in accordance with Massachusetts General Laws Chapter 40C. In addition, following completion of construction, the Applicant/Owner shall, with input from the Historic Districts Commission, install next to the cupola or at the Tavern, a historic photo of the site, along with a description of the property's history.
27. To the extent possible, timbers from the Stone Farm barn shall be reused as part of the construction of new buildings at 761 Boston Post Road (Orchard Hill Assisted Living at Sudbury).
28. As-Built drawings shall be submitted to the Building Department and Town Engineer, and the plans shall be certified by a Registered Professional Engineer or Registered Land Surveyor of record, who shall certify the work has been done in accordance with the approved Plan and this Decision, as well as verifying the drainage system has been built in accordance with the design and is in compliance with all applicable regulations.
29. Violation of any of the conditions of this Decision, as acknowledge by the permit holder or determined by a court of competent jurisdiction to have occurred, shall be grounds for enforcement of this Decision, or of any Building or Occupancy Permit granted hereunder. The Town may enforce compliance with the conditions of this Decision by any action of injunctive relief before any court of competent jurisdiction.

The authority granted to the Applicant/Owner by this Decision is limited as follows:

This Decision shall not take effect until a copy has been recorded with the Middlesex South Registry of Deeds and until a certified copy of the recorded document is submitted to the Board. The Applicant/Owner, by acceptance of this Decision and recording thereof, acknowledges the binding effects of the conditions of this Decision.

APPLICABILITY OF SITE PLAN APPROVAL: This Site Plan approval applies only to the site which is the subject of this application. All construction to be conducted on the site shall be conducted in accordance with the terms of this Decision and shall be limited to the improvements shown on the plans.

OTHER PERMITS OR APPROVALS: This Decision applies only to the requested Site Plan approval. Other permits or approvals required by the Sudbury Zoning Bylaw, other governmental boards, agencies, or bodies having jurisdiction shall not be assumed or implied by this Decision.

BYLAW COMPLIANCE: The foregoing conditions are stated for the purpose of emphasizing their importance, but are not intended to be all inclusive or to negate the remainder of the Sudbury Zoning Bylaw.

TOWN CLERK
SUDBURY, MASS

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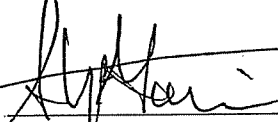
AMENDMENT OF THIS DECISION: Any changes to the physical conditions of the site, including changes in the location or design of structures or systems, or changes to the conditions of approval, following initial approval of the Site Plan will require approval of the Board as specified in Section 8 of the Planning Board Site Plan Review Rules and Regulations.

LAPSE OF THIS DECISION: This Site Plan approval shall lapse two (2) years from the date this Decision is recorded with the Town Clerk unless a substantial use thereof has commenced except for good cause or any construction has begun by said date except for good cause. Any request for an extension of the time limitation set forth herein shall be made in accordance with Section 9 of the Planning Board Site Plan Review Rules and Regulations, and the Board reserves its rights and powers to grant or deny such request without a public hearing.


Appeals, if any, shall be made pursuant to Massachusetts General Laws Chapter 40A, Section 8 and shall be filed within twenty (20) days after the date of filing of the above-referenced Decision with the Town Clerk.

Witness our hands this 25th day of September, 2019.

SUDBURY PLANNING BOARD

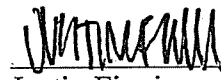


Stephen Garvin, Chair

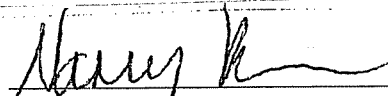


Charles Karustis, Vice Chair

John Hincks, Clerk



Justin Finnicum



Nancy Kilcoyne

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|-----|---|-------------------------|
| cc: | Town Clerk | Conservation Commission |
| | Board of Health | Sudbury Water District |
| | Department of Public Works | Board of Selectmen |
| | Building Inspector | Fire Chief |
| | Planning & Community Development Department | Applicant |