

Present: William Keller, Jr. (Chairman), Elizabeth Eggleston, Christopher Morely, Michael Fee, Eric Poch (Associate), Jody Kablack (Planner)
Absent: Michael Hunter

The meeting was called to order at 7:45 p.m.

Lawhorn Definitive Subdivision – Continuation of Public Hearing; Review Draft Decision

Present on behalf of applicant: Attorney Myron Fox; Bruce Ey, Schofield Brothers.

The Board reviewed the draft decision prepared by the Town Planner and minor changes to the draft. Board members had the following comments on the site visit for the members who were not able to attend:

Lisa Eggleston: The access worked; there is room to widen the driveway if needed in the future.

Mike Fee: Concurred with Lisa.

On motion duly made and seconded, it was unanimously:

VOTED: To close the Public Hearing on the Lawhorn Definitive Subdivision.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the Decision for the Lawhorn Definitive Subdivision.

Attorney Myron Fox requested the Board sign the plan at the March 19th meeting in advance of the 20 day appeal period. The Town Planner will hold the plan in escrow until the appeal period is over. The Board approved the request.

2003 Bonding Policy

Jody Kablack: Reviewed the Town Engineer/Director of Public Works memo regarding the Bonding Policy. The Town incurs the costs to record street, deeds and plans. There is a drive to have the developers incur these fees, not the Town, but it is unclear if it will be bonded. Town Counsel has advised the Planning Boards Rules and Regulations need to be revised.

On motion duly made and seconded, it was unanimously:

VOTED: To adopt the 2003 Bonding Policy as prepared by Bill Place.

Sudbury Housing Authority Proposal Discussion with Residents

This was a follow-up to the Board's meeting of February 5th, 2003 at which a discussion took place between the Board, the Housing Authority and residents on the affordable housing proposal submitted by the Housing Authority. Residents asked the Planning Board to meet with them again when they felt they had more time to prepare for a discussion.

John Floyd; 68 Longfellow Road

Handed out maps to address issues in the area known as "Longfellow Park".

Brian Swords; 76 Longfellow Road

Began by thanking the Board for their time and agreeing to hear the residents again. There has been much printed in the newspapers about this issue. They (residents) want to be clear their issue is not with affordable housing. They are here tonight to talk about the use of "Longfellow Park". The neighborhood is contiguous to the park with approximately 325 homes there, 800 adults and 360 children. The neighborhood is completely built out with a mixed style of houses. People in the neighborhood utilize the path to the Greenwood Club on a regular basis. It has been close to 50 years residents have used this park as well as the woods. This is the last piece of publicly owned open space in the area. It is an important wildlife habitat and the Conservation Commission has said there is a vernal pool there. The residents feel the area is too crowded already; the north side of the access path is not a feasible place to build. Under the proposal, there would be 4 buildings/8units on approximately 2.57 acres. That would be potentially 30-40 people on a space that should be no more than 2 lots under zoning regulations. The access to the area is heavily traveled. In addition to the concerns for the children there would be building; roof run-off and septic concerns. It has not even been determined to be buildable – this should be done prior to being transferred. An additional 18-20 children would be an additional impact on the school system. Budget cuts and the fact the Housing Authority doesn't pay taxes will further stress the schools. To summarize:

- No frontage on Longfellow Road; clustering in a public park.
- Poor access
- Far away from commercial district
- Legal issues; property was deeded to the Town as a playground. This was accepted at Town Meeting. It would be a violation of trust and moral obligation. Chapter 97 of State codes prohibits the transfer of land for other than intended use and would require 2/3 of vote of the Legislature.
- Public Bidding Law: To transfer out of Town (the Housing Authority is not part of the Town) it has to go to fair bidding. This has been discussed with Town Counsel.

- Concerns with funding (\$1 million from the State/\$325k from CPA funds). May not have the money to complete.
- CPA funds were voted for Open Space Preservation – would need to explain this use to residents.
- Money doesn't go away, it stays with the CPA. A better use would be to create a comprehensive plan. Better if spent with Town vote on a plan.
- The Housing Authority has apologized for the “rush”; the residents feel it has been very rushed. They are trying to catch up on public input.
- This proposal is not a long term plan. It has a take it or leave it nature. There are other options (teardowns, second floor condos)
- The Sudbury Housing Authority is acting like a developer – using funds voted for open space.

Mr. Swords ended in asking how we got here; we need affordable housing but we need a plan the Town can vote on including funding.

John Floyd: In follow-up to Mr. Swords, he would like to reemphasize the fact that their issue is not with affordable housing but with the park and its use. In 1958 it was donated with an explicit intent and was accepted by the Town for such (in the deed). He has lived there for 20 years. On a walk with the Conservation Commission, Deb Dineen thought there was a vernal pool and salamanders on the property. The residents' prime goal is to leave the land as it is. They have spoken with Town Counsel.

- It is an issue of public trust and the way in which was deeded presents issues.
- Moral obligation; Park & Recreation didn't see it as usable when they could not do a park – the Town has changed much since 1958.
- Chapter 97 issue, transfer of land other than intended use to a non-town agency – is the Board familiar with that? Bill Keller responded that he will read that prior to a decision being rendered.
- Housing issue: The minutes from the September Housing Authority meeting show a change in property proposal because those abutters didn't want any more town buildings (Pine Ridge Road).
- Access for Longfellow Road would be insufficient.

They have covenants on their houses which prohibit much. If the houses are put there, they would be looking at the Greenwood Club – these people would probably be more comfortable abutting something else.

- Quality of life
- The park is actively used
- There is an obligation for intended use – should the Town violate the trust it could prevent future donations of land.

They are attempting to bring out more issues for Boards to consider.

Bill Keller: You mentioned Pine Ridge and Washbrook; do you feel they are more appropriate locations for this proposal?

John Floyd: Yes.

Bill Keller: Are there any other locations proposed by the Housing Authority that you favor?

John Floyd: No.

Eric Carlson: 8 Harvard Drive

Has lived there for 12 years. He is not a direct abutter of Longfellow Road but was attracted to the open land. This proposal runs counter to community preservation and what it is that attracts people to move into town. He does not feel it is right to take away the open space. New communities on Route 20 have open space around new development – this scenario is taking it away.

John Floyd: The housing issue – the housing community talks about police/fire/teachers, none of which live in these units. There have been 5 chapter 40B developments in Sudbury. This will not stop 40B development. Doug Floyd's article in the Boston Globe recognizes the difficulties towns/cities have in meeting the required 10%. He specifically mentioned the Framingham area. Many people live in apartments, another opportunity for housing. The Housing Authority has picked 2 areas; Longfellow Road specifically. JoAnn Howe has told them what locations have been eliminated due to open space issues and the Authority continuing to investigate other opportunities.

Eric Carlson: As a buyer in that area, zoning is for single family homes only. The Town would be waiving those zoning rights when residents bought the property in good faith that the zoning would be respected.

Bill Keller: It is in the state law that zoning regulations can be waived for affordable housing projects.

Myles Halsbond: 38 Willow Road

Thanked the Board for their time. Although the Hemlock proposal is a little smaller than Longfellow Road (there are only 9 abutters which circle the lot) there are many of the same concerns and issues.

- Legal issue (he handed out the deed for the Hemlock property) in which it was stated "no use other than park and playground". He understands there are different legal opinions regarding this law but even if it can legally be changed, should it be?
- No long term plan – parachuting houses on lots must be a short term plan. If there are no more available lots, we will need another solution.
- Access concerns. The Fire Chief said there is an 18' requirement for common driveway for proper access of emergency vehicles – there is only a 10' access easement.

(Mr. Halsbond)

- The Housing Authority said a 2 family unit typically has only 1 or 2 cars; however, conceivably it could be up to 12 cars.
- Septic system concerns

Does it make sense to lose this land for this plan? The Housing Authority doesn't want larger units but maybe they should. With respect to Mr. Fee's comment that the state is looking for progress Mr. Halsbond fears if a developer comes in it will not be seen as progress. The state is also looking for long-term plans. There is also the "Not in my back yard" issue and he feels they should suggest other alternatives. He does not have the qualifications to do that but asked what other towns are doing? Can we work with a developer and solicit bids? Would have liked the Housing Authority to inform the abutters as soon as they knew.

Bill Keller: Asked residents if they approved any of the other sites the Housing Authority proposed? There were no proponents for the other sites.

Brian Swords: Would question if they are Park & Recreation or School sites. Why are there just limited sites? What are other opportunities?

Mike Fee: The Board is in agreement there is a need for a greater comprehensive plan to deal with affordable housing. What is it you would like for the Planning Board to do at Town Meeting?

Brian Swords: Oppose the Longfellow Road proposal.

Mike Fee: The Planning Board is committed to the Master Plan and the fundamental goal for the building of affordable housing wherever possible. It was a long, complex process to draft the Master Plan. If you are asking the Board to stand against this aspect of the Master Plan you will create a high barrier; if you are asking the Board to take no position you will have a better chance.

Eric Carlson: There are x number of properties proposed, all on a relative basis. The Housing Authority said these are best without any type of standard. Other values not considered that should be as previously discussed. There are 300 people being affected with this proposal; where are their interests? It is said to be a modest proposal by the Housing Authority but it is not so for residents. It seems to him to be pitting neighborhoods against the community.

Lisa Eggleston: Where in the community can we fit affordable housing? It is economics that lots with frontage are not affordable.

John Floyd: Washbrook & Pineridge. It is only by a quirk meeting that he knows of the locations which were deleted.

Lisa Eggleston: You are having input now to town vote. The Planning Board is committed to affordable housing. We need affordable options, land values are exuberant. The idea of high density is not feasible for septic systems – that would require sewers.

John Floyd: How did Longfellow Glen happen?

Lisa Eggleston: That pre-existed Title V.

Chris Morely: The majority of the Town does not want a big development.

John Floyd: That's changing.

Mike Fee: You are reading minutes from old meetings and have said you are disappointed with the process. We need a comprehensive solution to a complex problem. When you repudiate the Housing Authority and their agenda, it does not help the situation. Suggests accepting where we as a Town are and go on from there. Rather than hear that the process is disappointing, it could be suggested that we need more people involved in the process.

John Floyd: We are very defensive; we feel it has been fast acting. At the CPC meeting, they were asked for suggestions and they have been running around in attempts to give suggestions. Agrees the process has to involve more people.

Mike Fee: You could counteract that by saying we need affordable housing and here's how to do it.

Eric Poch: Would like to echo Mike Fee. When you base argument out of emotion it is not good. There are better ways with more opportunity to get involved in the community. The CPA was voted down before for affordable housing. Increase communication and options by continuing to meet with Boards and the Housing Board. It is unfortunate you feel the Housing Authority has not opened communication to the community. We all as taxpayers face these issues. The input to the process for the Planning Board is limited.

Eric Carlson: The CPC said other properties are potentially coming into play – could they integrate them for affordable housing?

Lisa Eggleston: They aren't existing Town owned lands. Part of the logic of the Master Plan is to defray costs of affordable housing development.

John Floyd: What about the Cutting Property or the Melone Property?

Lisa Eggleston: The Melone Property is in Zone II – there are issues with that property.

Brian Swords: Thanked Mike Fee and Eric Poch for their suggestions. From the residents point it feels like an out of control train. They do not want to be adversarial.

Bill Keller: As long as we continue to vote down proposals for a comprehensive plan, we may never get one. May want to look again at the other sites the Housing Authority proposed.

Myles Halsbond: Has the Planning Board voted yet?

Bill Keller: No, we have not but bear in mind the Master Plan is in favor of affordable housing.

Myles Halsbond: If there are issues with other properties in Town; what would we do?

Mike Fee: The Selectmen have created a committee strictly for the purpose of looking at affordable housing intensively consisting of various Board members and residents. The Town is not headed into a vacuum on this issue.

2003 Town Meeting Articles

The Town Planner and the Board reviewed the Planning Board articles and speakers. A public hearing was scheduled for the WRSP Petition article submitted by Ralph Tyler for April 7, 2003 at 7:00 p.m.

ANRs

Applicant: Eligius Homes; to create one new building lot.

On motion duly made and seconded, it was unanimously:

VOTED: To endorse the ANR for 19 Dakin Road as submitted.

The meeting was adjourned at 10:00 p.m.