

Present: Michael Fee (Chairman), Lisa Eggleston, Christopher Morely,
Michael Hunter, Eric Poch, Jody Kablack (Planner)

The meeting was called to order at 7:35 p.m.

Miscellaneous

Dakin View Bond Request

The applicant has asked for a conditional release of \$30,000 from their bond amount of \$65,000. It will cost approximately \$30,000 for completion of work they have to do. They are requesting the voucher be processed and the check is held until Bill Place approves the work they complete.

On motion duly made and seconded, it was unanimously:

VOTED: To conditionally release \$30,000 from the Dakin View Bond subject to completion of work.
The applicant will not receive the check until the DPW Director approves.

Water Resource Protection District Zoning Bylaw Proposal

Jody Kablack: The Town Manager has to sign the contract with Horsley & Witten. There will be \$4,000 coming from the Selectmen's budget for funding the project. The first meeting is scheduled for June 24.

On motion duly made and seconded, it was unanimously:

VOTED: To recommend the Town Manager sign the contract with Horsley & Witten to revise the WRSP bylaw.

Meeting Schedule

The Planning Board will meet on the following dates:
July 14, July 28, September 8 and September 22.

Interviews for the Associate Member vacancy will be conducted on July 14.

London Taxi Water Resource Special Permit – Public Hearing
Site Plan Recommendations to Selectmen

The hearing was called to order at 7:55 p.m. Mike Fee read the notice into record and reviewed all file documents.

Paul Finger, architect with Paul Finger Associates described the project. The applicant was before the Board one year ago. They have made improvements in usage with a change in tenancy. London Taxi occupies the two bays that were used by Santangelo Construction. No construction will take place with this proposal; it is only a change in use. All site permits which were issued to Santangelo are in process. Stormwater management improvements and other site improvements are underway. Larry Smith; London Taxis North America: Two years ago when the engineering and development company owned London Taxi, there was a meticulous process in which multi-tests were performed. They are just completing that process and are now ready to sell vehicles. They would like to expand the business from engineering and development to sales and service. They are proposing some body trim and a/c work. Their customers are from all over the U.S. and Canada. The vehicles will only be in a few days at a time and back out.

Paul Finger described how the site would be used. London Taxi North America is a new dealership. The Zoning Board of Appeals permit is specifically for London Taxi North America and no other dealerships. They will be smaller than a typical auto dealership. There is no potential for customers with the exception of a possible single visitor. There will be office space located in the front, with 4 bays in the back for minor repair work. They will be limited to the amount of repair work to a single bay. Next week they will be meeting with the Board of Selectmen to obtain a license for dealership. It will not be required to meet with the Design Review Board as the proposal is not within their realm. They have obtained a fuel permit from the Fire Department. They will meet with the Conservation Commission to discuss wetland regulations in July and intend to comply with what the Commission says. The Conservation Commission will also be reviewing the change of use.

Sale of new vehicles will be a clean use as opposed to a contractor use (as previously discussed). They will be using a portable ramp to unload cars. The number of vehicle trips generated will be minimal. Both Santangelo and Union Trust have committed to landscaping upon receipt of the Certificate of Occupancy. There will not be any body repair. They are before the Board tonight for approval of a change in use from research and development work to a new car dealership. The Santangelos have agreed with the conditions of the proposal. The current applicant, London Taxi North America, overlaps the previous applicant.

Jody Kablack: The Zoning Board of Appeals is comfortable with this proposal?

Paul Finger: They have requested that we send them all past permits. The ZBA has stipulated conditions including that paving of the site be complete within one year and that a stormwater maintenance system be installed and functioning. The applicant

anticipates this being done within 3 months. The water quality inlet is in place currently but they need to raise grades. Three of the four bays will be used for minor assessment and the other bay for periodic maintenance. The likelihood of hazardous materials entering the stormwater system, one of the Town Planner's concerns, is not probable. All floor drains have been abandoned and there is no discharge from the bays. The applicant does not see the necessity for observation wells since this proposal is a clean use. There is an observation manhole in the recharge trench. Necessary safe guards are in place to prevent any hazardous release, a requirement of Operation and Maintenance Plan.

Jody Kablack commented to the Board that both she and Jim Kelly, the Zoning Enforcement Agent, have spent much time to entail safeguards on this site. The site has multi-uses which the owner has committed to manage. They have taken on the liability for the tenants, who are also co-signers for this liability. She can attest to the fact that it is a much cleaner site as a result of the applicant's efforts.

Eric Poch: You mentioned there will not be any body work done on premises; what about painting?

Paul Finger: No.

Chris Morely: What type of repair work will be performed?

Larry Smith: General auto repair; tune-up work, oil changes.

Chris Morely: Most of your customers are tourist demand?

Larry Smith: Yes, including taxi, livery, hotel/hospitality and assisted living.

Mike Fee: Any and all repair work is to be done inside; could you provide information on the hydraulic situation?

Paul Finger: The hydraulic ramp is the same as a new car carrier. It is above ground with 2 pistons to raise and lower. It is contained equipment and should not leak. If a little were to go into the water inlet which has a backflow system, it would be removed overtime. The co-applicant (Santangelo) has already signed and is a party now to this application.

Jody Kablack: Regarding the Zoning Board's condition for paving, is it the applicant's intent to store vehicles prior to paving?

Paul Finger: Some car storage may occur in back. They may need to relocate cars as the construction takes place. It was a wet spring which impedes the paving process; need to let it dry and have water table lower. Mr. Kearney will need to remove some items off site; it will require a phased approach.

Chris Morely: Would assume that London Taxi would want it done by September.

Paul Finger: They have tied into a one year deadline for permit re-issuance reasons. They intend on doing it sooner.

Larry Smith: Within the next few months; they had 90 days to provide a response. If the special permit was not in place, it would be the termination of the lease.

Lisa Eggleston: Where will the water quality inlet be and is it only a water quality inlet being proposed?

Paul Finger: It is a concrete tank going into the water quality inlet with a planted basin and deep sump.

Lisa Eggleston: What is the detention time?

Paul Finger: Do not know off-hand. The pavement is out so it won't flood – bypass system for a larger storm. The discharge system ties into Hop Brook.

Lisa Eggleston: The oil storage – what is the volume of the tank for floatables?

Paul Finger: It is included in the configuration of prior approval. It exceeds the amount necessary to treat and collect from all impervious surfaces on site.

Larry Smith: Vehicles go through quality control tests for leakage prior to arriving off the boat. There is no more than 1 ½ gallons of fuel; they are not stored with full tanks.

Chris Morely: Feels this proposal is a great idea for expansion. Would like to see the previously approved work completed as soon as possible.

Paul Finger: The basin needs to be graded; roof drain recharge is not in place.

Lisa Eggleston: What about new curbing/pavement?

Paul Finger: Temporary curbing can be installed around the perimeter; feels that is a reasonable request.

The Chairman opened the hearing to the public. There were no comments.

On motion duly made and seconded, it was unanimously:

VOTED: To close the public hearing and direct the Town Planner to draft a Water Resources Special Permit Decision with the conditions discussed.

***The Meadows Senior Residential Community (Maple Ave.)
Public Hearing Continuation***

Mike Fee opened the hearing; reviewed file materials submitted since the last hearing.

The Board reviewed the conditions memo dated June 9, 2004, prepared by the Town Planner. Comments were made on the timing for completion of the project.

Item 4: No restrictions on the Fred McCarthy property for a phase II.

Lisa Eggleston: The Phase II reasoning is if it is proposed to be developed, it can be added onto this. Would like a lot base count only on conditional land.

Myron Fox responded to the June 9 memo:

Items 8-10 (fence, emergency access and lighting detail) were provided; item 15 will be submitted; items 19-21 the applicant would request providing money in lieu of installing walkways.

Eric Poch: Item 19, walkway on Route 20 from Maple Ave. to TJ Maxx. He would prefer to have money used on something else opining this is excessive.

Chris Morely: Items 21/22, can Bill Place get the easements and crosswalks at the same time?

Myron Fox: Items 20 & 23 will require easements. Will Conservation need to be included?

Jody Kablack: No, Bill Place may co-apply but responsibility is on the applicant.

Myron Fox responded the applicant will apply to Conservation for the pedestrian bridge.

Myron Fox: Item 24; the applicant also met with the Design Review Board this evening to discuss architecture, lighting, landscaping and signage. It was opined the stone wall entrance (item 27) did segregate the SRC from the rest of the neighborhood, therefore, the applicant will eliminate the stone wall and extend the fence. The applicant was in agreement with the sign changes suggested, including the sign on a post and color changes. Open space will be owned by the condo association.

Chris Morely: What about a trail?

Myron Fox: It is being questioned whether it will be owned by Sudbury Valley Trustees. Deb Dineen from the Conservation Commission does not want it to be open to the public as that could cause disturbance.

Chris Morely: Maple Ave. residents will want to use it; urges the applicant not to hide behind the Conservation Commission.

Lisa Eggleston: If it were designated as private property that would be respected. Unless it is made public, the residents won't use it.

Myron Fox: The applicant does not want to be caught in the middle of this issue. He continued with items on the Planner's memo. #27; the applicant will change the name of the development to integrate with the community as well as reviewing stone wall versus split fence. The utilities are sufficient as proposed, however, attempts to have N-Star put it in writing have been unsuccessful. Item 30; the applicant has a letter from KeySpan which states the proposed servicing is okay but will need to know additional capacity. Item 33; solid waste disposal will be by individual unit. Item 34 has been done and a letter was sent to the Conservation Commission recently. Item 36 will be completed (registered architect stamp).

Bob Elliott: Item 31, venting for odor control; fill tanks with water and vent to the side then to the rooftop.

Jody Kablack: Is the manufacturer aware of how close the units are?

Bob Elliott: Yes.

Mike Coutu commented on the landscape planting plan. It was revised with Deb Dineen's recommendations. It was also her recommendation to have native material below and above the 200' riverfront.

Mike Fee opened the hearing to the public, asking comments be kept to relevant issues raised by the Planner's memorandum.

Kirsten Van Dijk, 37 Landham Road: Inquired about the correspondence from the Conservation Commission and the Historic Districts Commission; was not aware of it.

Mike Fee: The comments were read this evening and are part of the public record.

Kirsten Van Dijk: The June 9 decision, item #7 references a second phase. She had never been aware of that prior to this evening. Selectmen Larry O'Brien commented on the daily increase of trips; with a second phase it could now be more.

Chris Morely: This has been discussed prior.

Lisa Eggleston: It was previously stated the owner of the abutting land does not want to develop a second phase at this time. However, we as a Board must look at ultimate build-out. The abutting property does not qualify on its own merit without being part of this proposal.

Kirsten Van Dijk: Also has a signage comment. The Historical Commission could be a great resource for signs.

Mary Ainsworth, 44 Maple Ave.:

Also wanted to comment on the second phase issue. Is this giving permission for a second phase to happen? The Board replied it does not.

Mary Ainsworth: The entryway crossing is located at my property line. Is a road there?

Chris Morely: The original plan showed grass; Jody Kablack is saying in this decision that the applicant does not own that. That portion of the right-of-way is private.

Harry Ainsworth: The Selectmen promised construction traffic would go through Feeley Field; demolition vehicles were included in that. The developer could possibly do demolition late in the project and the filling of the wall would require southern access being cut off. If they go to the east side of the property, it would mean continuous trips up and down Maple Ave. The Planning Board should limit the southern access until excavating and leaching field work is complete. An access road is needed or construction should be limited. The applicant responded that demolition was to be done in the very beginning and will put that in writing.

Chris Morely: Suggests putting additional chain link or barrier at the other end, past the private end.

Jody Kablack: Commented on the construction of the reserve system and servicing.

Lisa Eggleston: It would be the same as if your system in your house failed, same equipment would be going in. This is new construction with access via a gravel path to the development.

Bettina Westerberg: Is it possible to work around Saturday? Is Saturday construction typical?

Mike Fee: It is undertaken in accordance with state law.

Bettina Westerberg: Since it is Town owned land, can the Selectmen over-ride?

Lisa Eggleston: The Selectmen will establish restrictions on use access.

Bettina Westerberg: Do the Selectmen also establish Feeley Field access?

Mike Fee: Yes.

Bettina Westerberg: Will the tree line be seasonal for the Feeley Field screening?

Mike Coutu: It will be evergreen and all native white fern.

Bettina Westerberg: What will be the height of the trees when they are put in?

Mike Coutu: They will start at 7-8 feet; they are fast-growing species.

Myron Fox showed a sketch of the proposed view from the field screen.

Bettina Westerberg: Construction access will start from Feeley Field then Maple Ave.?

Jody Kablack: Once the first occupancy is in, Maple Ave. access will be open. The length and duration scope is the Selectmen's determination.

Ursula Lyons: Is the drainage plan an open issue prior to endorsement?

Jody Kablack: Bill Place has received the information and is satisfied with the plan. That will be put in writing.

Ursula Lyons: Have the drainage concerns been reviewed by the Board of Health?

Myron Fox: Conservation has reviewed and issued an Order of Conditions.

Danny Vellom, 28 Maple Ave.:

Item 28 on the decision; does the Water District have a say in the final approval of the drainage plans?

Jody Kablack: Underground sprinklers cannot be hooked into public water. This will require Board of Health review. Regulation requires it to be 100' from septic system and 100' from wetlands. The depth of the well is not tied into the Water District's jurisdiction.

Helga Andrews: Does Maple Ave. get widened before or after construction?

Jody Kablack: Our perspective is prior to first occupancy. The Arborist states it will be done in the fall.

Myron Fox: They can do it fall/winter of 2004.

Jeff Jacobson; 36 Maple Ave.:

Why can't it be done in 2005? Is the construction schedule available? Has builder research been done by the Planning Board; are there resumes on file?

Jody Kablack: The construction schedule has not yet been received, but will be. There is information in the file about the builder but resumes are not required.

Amy Galblum; 19 Maple Ave.:

Submitted a list to file, much of which has been covered by Jody Kablack. She would like for the trees to be bonded (value and appraisal) and an inch for inch compensation for homeowners who lose trees. This is a significant change for Maple Ave.

Mike Fee: Have you seen the Arborist's final report?

Amy Galblum: Have only glanced at it. Would like the inch by inch compensation on there as well as tree evaluation.

Lisa Eggleston: For trees in the right-of-way?

Mike Fee: The Board will review your list and take it into consideration.

Steve Bradford: Item 25 was the neighbors' issue in response to Officer Conrado's letter dated February, 2004 in which safety issues on Maple Ave. were noted.

Where does pedestrian traffic go?

Jody Kablack: Either Feeley Field via a public connection or Maple Ave. through the tennis court parking lot.

Steve Bradford: Is the proposed street light (via Officer Conrado's letter) proper?

Chris Morely: That is the neighbors' decision.

Steve Bradford: Then can we also determine the road width?

Jody Kablack: The Fire Chief and the Department of Public Works Director standards must be taken into account.

Lisa Eggleston: The Planning Board hears input from the neighbors and then makes a decision.

Chris Morely asked the residents for a show of hands for anyone who wanted more street lighting. One resident wanted additional lighting.

Graham Taylor; 221 Goodman's Hill Road:

Is against access at Maple Ave., does not want Maple Ave. widened. He believes access should be through the field. If construction can go through the field, why can't all traffic?

Bettina Westerberg: Has comments on the tennis court design, before and after. When you play tennis it will be bare ground; may want additional screening required. The trees lose leaves in the winter so everything is in view. What about a tree line?

Mike Coutu: The study was done for massing purposes to show buildings and not a tree line or vegetative screening. Existing vegetation will be preserved and additional screening added.

Greg Lowenberg: There is a resource area in the development 200' from the riverfront; a stonewall is within 100' of wetlands. There is no delineation where the property can be fertilized and gardened by individual residents. Who will monitor for compliance?

Chris Morely: That is Conservation's jurisdiction.

Michael Fee: The Planning Board's power is in approving the landscape plan.

Eric Poch: Open Space is referenced in the condo association documents.

Jody Kablack: From Conservation's view, there is significant open space in this proposal which mitigates minor buffer zone intrusion.

Lisa Eggleston: Enforcement by Conservation is easier under a condo association versus individual homes.

Chris Morely: The plan needs both Boards' approval.

Carl Lowenberg: Comment on the final width; would like to see the road as narrow as possible. Sited King Philip and other roads which were not widened.

Jody Kablack: It is the opinion of both the Fire Chief and the Town Engineer that the current width is not adequate.

Mary Ainsworth: The Fire and Police have access through the field.

Lisa Eggleston: They have secondary access but it is a question of balance. Trucks (Fed Ex), buses, the number of vehicles compared with the Fire Chief's 24' width recommendation for adequate access.

Danny Velom: Is the greenhouse included in the demo plan, including removal of any hazardous material?

Mike Fee: It is done in accordance with State Law for hazardous substance removal.

Jody Kablack: There are no underground storage tanks, no oil in the ground. There is not a huge amount of hazardous waste.

The Chairman asked for any further comments. There were none.

Mike Fee: The next step will be to draft a decision for the next hearing to be reviewed at that point.

Jody Kablack: The Design Review Board's input is still needed.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the public hearing for The Meadows Senior Residential Community to June 23 at 8:30 p.m. at Town Hall and to instruct the Town Planner to draft an affirmative decision.

Dan Barton from Mangel Architects presented photographs of the church. The property is just under 6 acres. Phase I involves demolishing the administrative core (two floors) and replacing it with a 5,000 square foot addition (two floors). They would reconfigure the site which houses the existing administrative office by demolishing the existing piece. This piece currently presents issues due to the flat roof. The roadway grade would be lifted to provide stairless access to the front of the church, with parking to the east at a lower grade.

Existing conditions were reviewed. Currently there are 90 parking spaces which they are proposing to reduce to 68. This meets zoning regulations without reducing service to patrons. The Morse Road parking area will go from 30 to 12 spaces (in front) in addition to the two small gravel areas on either side of the church, with a modest increase in parking on the west side. This provides better circulation, allowing vehicles headed west to go east without going back onto Morse Road. The road width will be 20'. There is a vernal pool on the Morse Road portion which required reconfiguration of the plan.

Chris Morely: What about the entrance and exit?

Dan Barton: Both have shifted to the east with the westerly entrance as a drop-off and the eastern side an exit only. The distance between the exit and Concord Road is more than adequate.

Chris Morely: Is there an internal driveway regulation?

Jody Kablack: No, there is a requirement of 125' from an intersection for a new driveway. This is 75' edge to edge (less than 75' centerline).

Lisa Eggleston: Water quality inlet – oil and sand separators; is the drainage collected and discharged?

Dan Barton: Currently it runs into Concord Road.

Lisa Eggleston: Is it your intent to keep all the drainage on site?

Dan Barton: Yes.

Jody Kablack: The Town Engineer is not happy with the grading. He has items listed in his memo of 5/27 he would like addressed.

Lisa Eggleston: Would like to see detail on the particle separators and drainage plan.

Dan Barton: They have taken all the various Town departments responses into account. There are no town regulations for treatment for the first inch of run-off; they are not discharging within 100' of wetlands.

Lisa Eggleston: This proposal is not subject to state stormwater run-off standards. Would like the applicant to work within the standards for discharge of the paved portions of the site.

Chris Morely: Will trees be planted where the old parking was?

Dan Barton: They will put seed to stabilize, not for lawn reasons.

Karl Loos; 30 Thoreau Way: He is a member of the church and sited 3 objectives of this proposal:

1. Curb appeal – currently is an uncared for wooded state. Additional landscaping on the northerly side of the parking lot will be visually attractive.
2. Handicapped access
3. New office space for administration

Jody Kablack: It is accommodating for parishioners; the proposed 12 spaces provide circulation. The location of both new entrances (grade issue) seems marginal. The large tree at the stone wall will have to come down. The Fire Chief had some issues (June 4 memo).

Circulation flow was discussed.

Jody Kablack: The other exit to the east should be a one way for queuing purposes.

Dan Barton reviewed elevations. There is a steep roof on the steeple; a portion of the parish house has a pitched roof. They are proposing large windows with more trim on the building and canopies with a curved roof. The plan conceals the flat roof so it won't be in view from the street. There will be 4 roof drains going into a dry well.

Lisa Eggleston: Morse Road is a scenic road. Any new driveway entrances that require tree or stone wall removal requires a public hearing.

Jody Kablack: The Historic Districts Commission is having a hearing on June 17th. The Design Review Board has stated they would like the parking in the front to be eliminated.

Lisa Eggleston: Drainage should be reviewed by the Town Engineer to ensure the design is adequate for the site. In addition, he should review the oil and sand separator information.

Chris Morely requested a more detailed landscape plan be submitted with a final recommendation from the Design Review Board. The Historic Districts Commission has planting jurisdiction in front.

Mike Hunter: The connector is 15' lower than the earth berm on the North side?

Jody Kablack: Can push parking up further on that side by Morse Road to maximize the buffer.

Mark Donohue: The property size has been resolved but Acton Survey used what was draining towards Morse Road.

On motion duly made and seconded, it was unanimously;

VOTED: To direct the Town Planner to draft a letter to the Board of Selectmen recommending acceptance of the application of St. Elizabeth's Church with the following recommendations:

- Upon completion it is verified that it is built in compliance to the plan
- Drainage and stormwater management are of adequate design and confirmed by the Department of Public Works Director.
- The eastern access is changed to an exit only
- The western curb cut is not changed and greater curb cut detail be submitted
- Landscape Plan be provided
- Morse Road is a scenic road; minimal changes should be made
- Approval from the Historic Districts Commission
- Circulation review; the new parking and access proposed provides safety with no circulation onto Morse Road
- Eastern and western side vegetation remain natural

- Walkway easement granted to the Town
- Overall, the proposal is an enhancement of the site

The Board also noted its enthusiasm in recommending approval.

London Taxi

The Board reviewed the conditions to be listed to the Selectmen in the recommendation for approval discussed earlier in the meeting.

1. All site improvements related to stormwater management, including pavement and drainage, are complete prior to site plan being effective.
2. No on street loading or unloading.
3. 34 new vehicles and limit of 5 used vehicles.
4. All repair work and maintenance work shall be done inside.
5. Storage of parts shall be inside.
6. Adequate spill control materials kept on site and personnel trained on their use.

The meeting was adjourned at 11:15 p.m.