

Present: Michael Fee (Chairman), Lisa Eggleston, Christopher Morely,
Michael Hunter, Eric Poch (arrived 7:45 p.m.), Joe Sziabowski (Assoc.)
Absent: Jody Kablack (Planner)

The meeting was called to order at 7:40 p.m.

Site Plan Recommendations – Sprint Spectrum Wireless, 16 North Road

No representative was present for the applicant.

The Board discussed the application for the addition of 3 flush-mounted antennae to the existing tower on North Road which includes the installation of interior cables and base transceiver station units mounted on a concrete pad.

On motion duly made and seconded it was unanimously:

VOTED: To recommend approval by the Selectmen with the following recommendations and comments:

- Comments received by the Selectmen from the pre-application meeting on January 27, 2005 are implemented.
- Post construction structural analysis is done.
- The project should be bonded for cost of post-construction structural analysis.
- Opinion from the Building Inspector should be obtained regarding the possible need for a Water Resource Special Permit.
- Installation of a jersey barrier in front of the existing Verizon propone tank prior to issuance of a building permit.
- Receive recommendations from the Police and Fire Departments as to their present needs to locate equipment on this tower.

Appointments

On motion duly made and seconded, it was unanimously:

VOTED: To reappoint Chris Morely as Planning Board representative to the Community Preservation Committee for a second term of three years.

On motion duly made and seconded, it was unanimously:

VOTED: To reappoint Abner Salant to the MetroWest Growth Management Committee for a term of one year.

Planning Board Re-organization

On motion duly made and seconded, it was unanimously:

VOTED: To re-appoint Michael Fee as Chairman of the Board,
Elizabeth Eggleston as Vice-Chair and Christopher Morely as Clerk.

Mahoney Farms Definitive Senior Residential Community – Public Hearing

Michael Fee read the notice into record.

Mike Fee: For residents in attendance, there have been significant changes to the plan. Additional materials were submitted tonight which include a revised hydrologic analysis. All materials will be available in the file for public access. In addition, comments from the Conservation Coordinator were received late this afternoon via email to the Town Planner.

The Chairman read the email into record. Among the commentary in this email from the Conservation Coordinator was the area south of the small well to the southern property line being they identified as the most critical upland habitat. It is within this area the plan has 10 units, roadway and retaining wall. The Conservation Commission would like to meet with the applicant to discuss options. The second issue in the Conservation email regarded the wildlife corridor and what it will accomplish.

Kevin Giblin (applicant): Is extremely distressed by this email from Conservation. He owns 78 acres of land of which he is giving 48 to the Town for open space. He bought the Shulkin house solely for the purpose of creating a wildlife corridor (600'). The isolated wetland referred to is not under state regulation. The Conservation Coordinator's requests are not feasible. He cannot give up any more acreage; he is only developing 9 out of 78 total acres, and still have the project be feasible.

Mike Fee: Understands the applicant's concerns, however, these are not the Planning Board's issues. It was read into record to alert all parties it has been communicated.

Mike Sullivan (Sullivan, Connors Engineering): He is also very surprised by the Conservation Coordinator's comments. They were under the impression that the plans were mutually agreeable thus far after much previous communication. They will address with the Conservation Commission.

Mr. Sullivan described the changes to the plan. With the last plan, there were 2 detention basins for drainage, which has changed. All road drainage will now discharge into the existing farm pond, which will be improved to meet stormwater standards. With the definitive plan, 52% of the 24 acres are in open space (the field area is not counted in that percentage). Brendon Homes is developing 9 acres and are protecting the rest. The plan still has the double barrel road; 18' pavement on each side and 28' landscaped in the

middle. It is 1250' with the road itself having 24' of pavement which ties the two developments together to avoid going onto Old Framingham Road. The road profile is a 1% off Old Framingham Road then goes to a 6% grade and winds down at 2%. The largest station will have 6-7' of fill, then it mimics existing conditions and then 2-4' of fill. The drainage is the major change which was done to coincide with the Conservation Commission. The plan preserves 2 wetlands with the compliment of a pond with a detention basin. The conservation amenities as well as aesthetics are much better with this plan. The hill drainage trench will discharge in an area of wetland with no disturbance or development in the wetland. Drainage will go Old Framingham Road then to a forebay into a detention basin which is designed to mitigate the 100 year storm. Drainage from the cul-de-sac will end in the same path. There will be roof drains; sub-surface drainage and a leeching pit. They are working on a more definitive design for the septic plan to get increased buffers. The system will be more efficient and will protect the water quality. Town water is available on both Old Framingham Road and Nobscot Road. They will be meeting with the Water District as well. With regard to the open space issue, Mr. Giblin and Mr. DiPitrie purchased the existing Shulkin home specifically to provide a corridor. The waivers they are requesting are:

- 2% level area from intersection
- 8" trees shown on the plan
- Separation between road and buildings, less than 200' (Old Framingham Road)
- Walkway (applicant feels it detracts from aesthetics and does not get utilized)
- Traffic study: They did not do one on this project but did one on a parallel development in Westboro and at Walker Farm which showed 5.4 cars/day generated approximately 180 trips/day. It was a fairly small number which did not impact peak hour traffic as it is a senior residential community which involved off normal peak hours of 9:30-11:30 a.m. and 1:30-3:15 p.m.

Benefits for the Town:

- Tax Monies
- 40 acres of land being donated
- Drainage/pavement improvements on Old Framingham Road
- A \$500,000 home was purchased to provide an animal corridor
- A road connection to the Grouse Hill project to help the traffic flow

The contribution to the Town exceeds what the applicant will receive.

Kevin Giblin: There are landscape plans as well as individual unit plans for submission. The entrance is highly landscaped; the area around the old farm house will be bermed and have trees and shrubs for screening down Old Framingham Road. The general architecture is done by Campbell Smith and consists of a traditional design. They will be using solid plastic composite materials on the trim which is more expensive but avoids rot and lamination. Windows will be cottage style and the color chart will consist of beige/taupe/gray/off-white. (An architectural plan was submitted to file). The back sides of the houses will have kick-outs and not straight backs. Also submitting condo trust documents to the file.

Lisa Eggleston: Will the yards be private gardens or maintained by a Homeowners Association?

Kevin Giblin: A Homeowners Association, however if they find a need, they will do a common garden.

Lisa Eggleston: The leveling waiver request; Bill Place's memo dated March 25, 2005 encourages a 2% leveling area for the first 50' then steeper. She would defer to Bill Place's opinion.

Mike Sullivan: Will need clarification on that memo. He had met with Bill Place prior to this design at which time Bill said 4% would be acceptable as there is a vertical curve which is not conducive to 2%. He will re-visit with Bill for clarification.

Lisa Eggleston: Regarding stormwater – paved areas will be discharged to the existing pond? (TSS)

Mike Sullivan: There will be forebays with deep sump basins.

Lisa Eggleston: This is a private development, the Town will not maintain without easements? (Bill Place memo)

Mike Sullivan: Mr. Giblin will put this requirement in writing; easements will be provided to the Town. They are planning on having the Town maintain the system and be paid by the Condo Association.

Lisa Eggleston: The applicant will also need to submit roof drainage, subsurface infiltration rates. Could you explain the proposed wall and its cut?

Mike Sullivan: They are proposing an 18' cut with 1-1 riprap wall. It is not definite at this stage; need to go for geo-tech design prior to showing plan of what may or may not be built.

Lisa Eggleston: The purpose of this wall is to preserve vegetation in the buffer?

Mike Sullivan: Yes. The structural analysis and aesthetics of the wall is still being discussed.

Kevin Giblin: They will not use a riprap wall. Most likely it will be a stone wall, 4' above ground level, fistula mix with less than a 1-1 slope with loam and seed to germinate it.

Lisa Eggleston: Need to provide more detail on that. What exactly is underneath that?

Mike Sullivan: They will provide that information. The applicant is looking for preliminary approval on this plan to proceed.

Lisa Eggleston: Likes the improvements made; minimizes the area of impact but still needs buffering and septic grading at Nobscot Road to the adjacent neighboring farmhouse. The 8" trees right along that roadway are worth preserving to mitigate the reduced setback proposed.

Chris Morely: That reference would be the trees along Old Framingham Road as you go west; if not preserved then substitute with trees and shrubs.

Mike Fee: The traffic is a major concern. The increase on Old Framingham Road impacts the road design, especially at the Old Framingham Road and Nobscot Road intersection. What's appropriate and necessary is unknown without an impact analysis.

Lisa Eggleston: Which way will the traffic turn?

Mike Fee: Exiting the development from the cul-de-sac they most likely will not use Old Framingham Road. However, the homes on the hill may. The applicant needs to submit a quantitative analysis at the intersections. The intersection in particular is a valid concern.

Kevin Giblin: Will hire a traffic engineer. They have spoken with Bill Place in length about the intersection; Bill was going to do a concept design of the intersection.

Eric Poch: He also has concerns with the back-up of traffic and grading design.

Lisa Eggleston: Is there a way to distribute traffic between the development entrance and the intersection?

Chris Morely: Old Framingham Road traffic is less impacted by this development; it would be more feasible for people to go onto Nobscot.

Lisa Eggleston: The development across the street will have legal access to this?

Mike Fee had the concept road design prepared by Bill Place and asked Mike Sullivan to present it.

Mike Sullivan: The width of the road is 18' and connects Old Framingham with Nobscot and shows a 90° intersection onto Nobscot Road. This would require an easement from the Dunworths; going approximately 50' onto their property.

Mike Fee: The intersection reconfiguration requires the easement, not the widening of the road.

Lisa Eggleston: There are grading issues as well. Drainage onto Nobscot Road concerns; On Old Framingham Road where do the catch basins that are provided connect to and go?

Mike Sullivan: Bill Place wants catch basins every 300' (1200' feet total for 4 areas) which will go into the brook.

Mike Fee: Bill Place did 2 plans for Old Framingham Road; one with an 18' widening, the other 22'.

Kevin Giblin: This is not part of our project, would like to make that clear. It is the Town Engineer's input.

Mike Fee: It is being explored because of the traffic issues, it is very relevant.

Kevin Giblin: The 22' would require moving poles.

Mike Sullivan: That would be problematic and would also involve stone walls.

Lisa Eggleston: That would require a scenic road public hearing. Town standards are a 24' wide road, the Fire Chief is adamant about that width. Springhouse Pond may be a good parallel for a traffic study.

Chris Morely: A traffic study was done for Maple Ave. that was comparable.

Lisa Eggleston: That was volume only; Springhouse would include Framingham and Sudbury. The Maple Ave. application reviewed traffic counts on Springhouse Pond that this applicant can build on.

Eric Poch: Would like Dudley Road to be considered in the study.

Mike Sullivan: Does the Board want both projects looked (Newell and Mahoney) for road evaluation?

Mike Fee: Yes.

Chris Morely: Both should be done at the same time; could divide the cost. Will need a more extensive study for the Grouse Hill application.

Mike Fee suggested to the applicant to check with the Town Planner prior to undertaking the study.

Chris Morely: Concur about Dudley Road and the proximity of the two intersections.

Joe Sziabowski: Comment on the building elevations; with the two units shown currently it is quite massive already. If a third unit is added that will worsen. Is there any way you could take it down so it is not so massive? He has concerns with the building visibility from Nobscot Road.

Kevin Giblin: They are planning on roof rakes on the back side of the roof which will help the visual impact. The third unit is not yet fully designed.

Joe Sziabowski: He is concerned with the visibility of the building from Nobscot Road; would like it considered when doing the design.

Kevin Giblin: They are also planning on shed dormers with sash windows.

Mike Hunter: Is there a rough design of the septic area?

Mike Sullivan: The tree line abuts the buildings. The road, the buildings and the septic have to be designed together. It doesn't appear they will be able to save the existing tree line, but they are hoping to condense the septic system with buffers from Nobscot Road. They will speak with the Board of Health.

Chris Morely: The stone wall could be relocated and put back.

Joe Sziabowski: Is curious why you are requesting a waiver for the walkway?

Kevin Giblin: In other projects he has done, i.e. Southboro and Westboro which are 40 and 60 units, the walkways are not used. This is very similar to those and would impose maintenance on the Condo Association for something that doesn't get used.

Mike Sullivan: The development road is 24' per the request of the Town Engineer and the Fire Chief. They have included that in the drainage calculations.

The hearing was open to the public.

Adam Miller, 1 Nobscot Road:

Has a question on the alteration to the existing pond; will the detention basin handle extra flow or recede back? What about the elevation fill-in and its height?

Mike Sullivan: The line on one side of the pond will remain the same, raises slightly with a 25 or 50 year storm. With a 100 year storm it raises a bit more. It is graded up 3% with plantings on the sides. The storm event predicts how high the tide comes (sheets 7-10 of the plan outlines what is proposed).

Dave Siegel, 101 Nobscot Road: Has any thought been given to pedestrian activity on Old Framingham Road?

Mike Fee: Old Framingham Road is a valid issue to consider. Currently it is 16-18' wide; they are considering widening up to 22'. Also being considered is a walkway on Old Framingham Road if deemed practical. Not at that level of analysis yet.

Leigh Dunworth, 78 Old Framingham Road:

Would you clarify how the two projects are joined (Grouse Hill and Mahoney Farms)? Are we approving anything here tonight for the other proposal with this application?

Mike Fee: No. The other proposal is a separate application and will have to go through the process.

Leigh Dunworth: Are they linked?

Mr. Giblin: In terms of conservation only, they are linked. For habitat preservation, they needed a permanent easement for the wildlife. They made the entrances compatible only because the original proposed entrance was up and down Old Framingham Road. The Town Planner wanted it through the project for better connectivity and less impact.

Mike Fee: The reason was for conservation land and traffic flow link? There is no common ownership between the two entities?

Kevin Giblin: No. There is an agreement for Brendon Homes to sell just over 3 acres to Capitol Group Properties. Currently, it is in agreement and has not been sold.

Mike Fee: Are there contingencies? Is the applicant locked into the Purchase & Sale?

Kevin Giblin: If the SRC proposal is not approved, they can get out of the Purchase & Sale agreement.

Lisa Eggleston: Wanted to reiterate whatever the Planning Board voted on this proposal does not apply to the other application (Newell property). That will have to go through the process for approval.

Mike Fee: Are the Purchase & Sale agreements something you would be willing to share?

Kevin Giblin: Yes.

Leigh Dunworth: Expressed continued concerns with the change of character in the neighborhood. In addition, with the knowledge of the Newell proposal coming up. She did want to state that the Conservation land exchange under this proposal is very nice. She credits the applicant for doing that.

Mr. Giblin: He is concerned with the traffic outlet onto Nobscot Road. Feels it could be alleviated if they could get an easement to go through her property.

Leigh Dunworth: The separation of the developments is very important.

Lisa Eggleston: For public safety reasons, 2 viable entrances are required. Road improvements will be necessary for that as well as for traffic.

Chris Morely: There are two different developments for which we are trying to look ahead and direct traffic away from existing residencies as much as possible. The preliminary design had two entrances onto Old Framingham Road. This design eliminated that and directs all traffic onto Nobscot Road.

Mike Fee: If we build out Old Framingham Road, people from the new development will most likely use it.

Lisa Eggleston: Most of the traffic from this development will use Nobscot Road. The Newell property will have the opportunity to use this if residents are going north to Sudbury. They could also use Old Framingham Road, which will be easier. We need to know the traffic direction in order to distribute the traffic.

Chris Morely: The shortest distance is through this development.

Kevin Giblin: It is not a public right-of-way but it will be documented that it can be used, for maintenance also. The applicant wants the two to be compatible as they are both senior developments; same age groups, common interest.

Leigh Dunworth: Would prefer to see scattered developments on a smaller scale.

Board members responded that a minimum lot size is required.

Chris Morely: These are actually smaller; the applicant could do more units.

Leigh Dunworth: Feels as if they are taking away from her property via the easement but nothing is being added to her quality of life.

Chris Morely: Every study shows this would generate less traffic than single family homes.

Mike Fee: When comparing a special permit with a standard subdivision, there is much more open space emphasis with this. The Zoning Bylaw encourages this type of application for less development.

Leigh Dunworth: Dudley Road and Nobscot are big concerns; traffic does not stop for you and they drive too fast.

Lisa Eggleston: Would like the applicant to include single family traffic generated in the study.

Ray Bachand, 63 Old Framingham Road:

Would like to comment conceptually regarding traffic. Two driveways towards Nobscot Road – both developments will go to Nobscot. Old Framingham Road is an existing, scenic road with farms, horses – conducive to the road type. There are 75+ units coming in. Why is the burden of the driveway put onto Old Framingham Road? Why isn't there a proposal for a Town Road to Nobscot? Nobscot is designed for that traffic already. It has been mentioned repeatedly that this proposal will cause less traffic than subdivision; however, the percent difference onto Old Framingham Road is huge with all this development.

Chris Morely: That is a road, a 24' road being proposed. It is not a Town road, but it is a road.

Mike Fee: We are attempting to preserve the character of Old Framingham Road as much as possible; we are open to ideas.

Ray Bachand: He is suggesting making it a Town road. What about a Town road along the border, not a private driveway, but a Town maintained road?

Board members Eric Poch and Chris Morely opined if a road went through the development onto Nobscot Road traffic would not go Old Framingham Road.

Ray Bachand: Would like efforts to not get traffic to go on Old Framingham Road.

Mike Fee: What about a sign at the end of Old Framingham Road saying no entrance?

Lisa Eggleston: If they propose a straight shot through without a curve it creates environmental issues, driveways would be needed and in actuality, the whole development spreads.

Ray Bachand: Mr. Giblin does not want a straight road through the development as it will lower the value which is understandable. What about behind the units rather than between them?

Lisa Eggleston: That would also require driveways – the development would spread.

Resident: What about speed bumps to mitigate traffic on Old Framingham Road?

The Board opined speed bumps were not favorable to the DPW director.

Ray Bachand: Asks that the Board be sensitive to the fact it changes the character of the neighborhood, destroys it. Regarding the waiver request for the walkway. What if they

do a path rather than a walkway that meanders into the development back across the street? It could also be used as a bike path.

Lisa Eggleston: It could be a possibility but there may be wetland issues and stone wall issues.

Eric Poch: Nobscot has the largest area of development and is one of the two entryways into South Sudbury. There is a need to accelerate the CSX lines or to do paths. There is a dire need for pedestrian traffic alternatives.

Dr. Rabaut: Thinks the plan has good value as change is inevitable. She finds the curved road more aesthetically pleasing. As it is a senior community, the main flow will be off hours but it will be congealed. Perhaps some yield signs or other traffic signs would help. Would like to keep Old Framingham Road in its current state as much as is possible. No entrance onto Nobscot Road creates problems for Framingham residents traveling to Sudbury to go all the way up to make necessary turns. It would drive Framingham residents through the development.

Ray Bachand: Likes the plan overall with the exception of the traffic concerns.

Mike Fee: May 9th is the Conservation Commission's meeting which will be a very important factor in how the Planning Board proceeds. The Planning Board is pleased with the plan; however, if Conservation does not approve of it then the plan may need to be re-done. The Board would like to have the following information from the applicant for the next meeting:

- Traffic study
- Resolution with the Town Engineer regarding the leveling area at the Nobscot entrance and the intersection of Old Framingham and Nobscot (may need an easement alternative)
- Septic design and screening needs to be more defined
- Roof drain calculations
- Rear exposure of the north facing units
- Preliminary drawing on the retaining wall

On motion duly made and seconded, it was unanimously:

VOTED: To continue the public hearing on Mahoney Farms to May 25th at 8:00 p.m.

Sudbury Meadows Comprehensive Permit

Mike Fee: This application was on the agenda for discussion for the purpose of providing recommendations to the Zoning Board. However, we have just learned today that a new plan was submitted by the applicant to the Zoning Board which the Planning Board has not seen. With that, the Board will not be able to make recommendations nor discuss the plan but will entertain the concerns of the residents who have attended this evening.

Michael Garrett, 21 Mary Catherine Lane:

The Town has thought of buying plans prior to CPA funds (per Jody Kablack's memo). He is concerned that resident input is eroded.

Chris Morely: There were no concessions to the plan based on the fact we would like to buy-down units. There were 3 conceptual 40B plans; CPA funds were in response to plans.

Michael Garrett: Is that common practice?

Mike Fee: It is common practice for the Town to talk to a developer on anything and everything. It doesn't mean it is an approval from the Town.

Mike Fee outlined what the Planning Board will input on when they see the new plan which include:

- Density
- Interaction with the neighborhood
- Traffic
- Public safety
- Drainage

Mike Fee: The Conservation Commission has the greatest impact on 40B proposals. The applicant has to comply with the Wetlands Protection Act and Title V (wastewater disposal).

Michael Garrett: According to Deb Dineen, the local bylaw is also applicable however, he is unclear as to whether the ZBA and Conservation have enough knowledge of who has jurisdiction.

Lisa Eggleston: Conservation will go to the fullest extent of its jurisdiction.

Eric Poch: The Zoning Board deals in areas that are less defined; ad-hoc, unprecedented decisions.

Marc Calandrella, 59 Powder Mill Road:

Under the latest 40B revision, the term "economically unfeasible" shows everywhere. What does that mean?

Mike Fee: The Zoning Board is the Special Permit granting authority. The Planning Board is here to make recommendations only. The law says the Town cannot deny an application but sometimes Towns deny out of principal when they feel an application is so outrageous. The term "economically unfeasible" is when the Town puts so many restrictions on a development. The development gets approval if the Town does this.

Michael Garrett: Does the Town have a consultant?

Chris Morely: Not on retainer.

Michael Garrett: He remains concerned the Zoning Board members are not familiar enough with a 40B application. It will be their learning process.

Mike Fee: Yes, current Zoning Board members have not had many 40B applications before them, but they have tools and can require things of the applicant. They are a very competent Board.

The Planning Board members discussed prior 40B applications with residents.

Chris Morely: CPA funds cannot increase density merely to add units.

Board members Chris Morely and Mike Fee spoke about the Town's Housing Plan. The history of appeals is such that the State looks favorably on denial of 40B applications if

the Town is making efforts to acquire affordable housing. This is why the Town did a Housing Plan.

Michael Garrett: One abutter approached the applicant and he wouldn't respond.

Lisa Eggleston/Mike Hunter: When the Purchase & Sale isn't finalized it can't be interfered with.

Marc Calandrella: The letter addressed to the Town mentions Zoning Exemptions?

Mike Fee: Yes, they are exempt from zoning regulations and are only governed by State wetlands and State septic.

Lisa Eggleston: The only potential item the Planning Board may be able to address would be under the Water Resource Protection bylaw. This is a Zone II recharge area; septic maybe too high. They have to meet State Title V requirements.

Michael Garrett: What types of discussion would be worthy for residents to bring forward?

Michael Fee: When we see the plan, we will write recommendations which will be available in the file. You can base discussion items from that.

Lisa Eggleston: Abutters can always ask for things, for example, screening, etc.

Mike Fee: Keep in mind, only 25% is affordable. The developer will want to maximize the development so interests between the developer and residents overlap somewhat.

Joe Sziabowski: It is such a small footprint and so much wetland, they may be challenged to thin the density.

Resident: There is also an 18° drop; how can they meet Title V? There doesn't appear to be sufficient space for a reserved leeching field.

Chris Morely: Not being age restricted may reduce the density.

Mike Fee: There are also water quality issues.

Lisa Eggleston: The grading between this property and Mary Catherine Lane drops; the rate of run-off and volume are valid concerns that can be controlled.

Dave Stewart: Are there other properties that this developer may have built?

Mike Fee: That is a credibility issue. If it is not listed with the application, the Zoning Board will inquire.

Discussion was concluded.

The meeting was adjourned at 10:45 p.m.