

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

The meeting was called to order at 8:15 p.m.

Northwood at Sudbury Extension

Attorney Norman Greenberg was present on behalf of the applicant.

Norman Greenberg: The applicant is seeking an extension for 90 days as has been granted in the past. They are hiring Whitman & Bingham to complete the as-built plan and to set the bounds. The Planning Board holds a cash bond. Whitman & Bingham gave a work authorization form which said 30-60 days to complete. They are asking for 90 days. Then only the walkway remains. It would be pointless to do that; they ask to make a payment to the walkway fund in lieu with the fee based on linear footage. Believes it is 600-700 linear feet. There are no sidewalks on North Road.

Jody Kablack: Bill Place's original bond estimate noted the length of the walkway is 800 linear feet. It goes all the way up the western side of the driveway.

Norman Greenberg: They used 700' in the \$15/linear foot range for about \$10,000.

Jody Kablack: The original estimate was \$20,000. Bill Place scales directly off the plan so it most likely is 800'. She questions the subdivision approval for 142 North Road, 1995 Decision. Is it permissible to administer a change to the decision or would it require a modification? This affects the property owners there but the walkway goes nowhere. Trails and driveways connect the property (Frost Farm trail system). Contributions in lieu of walkway construction wasn't in the 1995 regulations as a requirement.

Lisa Eggleston: What is the threshold for a public hearing?

Jody Kablack: If it affects people outside the property; this does not but it affects residents inside. The Board can further discuss if a public hearing is needed. Tonight, we decide on the 90 day extension request. The applicant knows the Planning Board's concerns and did respond to them very quickly.

Mike Fee: How important is the walkway?

Jody Kablack: It only impacts the immediate residents. .

Mike Fee: We don't need to re-open the public hearing if we elect not to enforce that condition of the subdivision.

Lisa Eggleston: And take a fee in lieu of?

Mike Fee: No, we can't do that. Cash can be deducted from the bond. What is the situation with the Northwood Properties, LLC being in bankruptcy?

Norman Greenberg: It is not being represented by him. (Alan Braunstein). They did file for bankruptcy; it is in the early stages. It has been pending a long time and is going the usual business course.

Mike Fee: Agrees that it does not need bankruptcy approval.

Norman Greenberg: Nothing will change; they will continue to build 3 more buildings.

Mike Fee: We need a public hearing if we are taking a fee in lieu of the walkway. It is a change to the decision, it is a modification.

Norman Greenberg: If that is the case, they will build the sidewalk. They thought the donation would be more desirable.

Mike Fee: We do not want to appear uni-lateral where regulations are stated.

Jody Kablack: A public hearing is little effort on Northwood's part.

Norman Greenberg: He will check with his client.

Lisa Eggleston: If granted a 90 day extension, would you build a sidewalk?

Norman Greenberg: No, would need more time for that. Asking now for an extension on the survey work for 90 days to complete the as built.

The Board requested a signed contract. No extension was granted. The Board agreed to continue discussion on 10/26/05.

Frugal Flower Site Plan Review & Variances

Craig Wambolt (owner) and Joe Peznola of Hancock Associates were present.

Joe Peznola: The site plan was approved in 1997. In 2003, the applicant went to the Zoning Board for a variance for a parking lot in the front of the site. The variance was granted, but the work wasn't done; conditions of approval had to be completed. The variance lapsed so they are now back before the Zoning Board and the Selectmen for a site plan modification. The current gravel area in the front has been used for outdoor retail space since 1997. That business portion has diminished and they now need to separate the customer and business bases. They are proposing to develop one way traffic around the site; two circles around the building site all one way. They have gone to Conservation and were given an Order of Conditions. There is underground infiltration to handle the increase in impervious surface. They have worked out everything with Conservation. There has been a Conservation Restriction under way since 2003. There should be a permanent conservation restriction between the conservation area and the developed portion of the site. There is outside storage in the back of the site. Everything has been outlined in the Order of Conditions. In 2003, the parking plan had retail and office spaces (43 total). A provision of the variance was to eliminate 6 spaces, so they went back and broke down all areas of the building. This showed that 37 spaces would be sufficient.

Jody Kablack: Was that in the original submission?

Joe Peznola: Yes. They are aware of Jim Kelly's concerns and can address them. 37 spaces complies with the original variances.

Chris Morely: What is the wooden trellis shown on the plan?

Joe Peznola: It is for display.

Craig Wambolt: The concept is the same as before. Conservation has been the hold-up.

Joe Peznola: In 2003, a condition of the variance was that they needed to meet with Conservation.

Chris Morely: The Design Review Board had questions on the landscape plan they wanted addressed.

Joe Peznola: They can mimic the landscape plan the DRB wants. If they could delineate where the critical shortcomings are, they could do quantities.

Lisa Eggleston: What about drainage? Is it straight infiltration into the parking lot?

Jody Kablack: Bill Place has reviewed it.

Joe Peznola: There are two deep sump catch basins going into the infiltration system, with medium course sand going to fine then medium.

Lisa Eggleston: What about overflow?

Joe Peznola: No overflow. Catch basins will fill up, spill over and run the course.

Craig Wambolt: Test holes were done in 96-97 at 12'; there was no groundwater.

Lisa Eggleston: The infiltration rate used is too fast according to DEP guidelines. A straight perc rate cannot be used for infiltration; it is not as conservative as DEP guidelines.

Joe Peznola: From drywells into additional trenches designed for the 100 year storm.

Craig Wambolt: Referenced drainage issues at surrounding properties which drain right to his property.

Lisa Eggleston: Hydraulics are more of a concern as opposed to water quality. If the plan is for catch basins into the infiltration, it will clog.

Joe Peznola: The Conservation Commission has requested annual reporting.

Lisa Eggleston: Per Bill Place's comments, what are the parking space dimensions?

Joe Peznola: They are all consistent; 22' long, 18' all-around.

Mike Fee and Chris Morely referenced the Fire Chief's memo of 9/26/05.

Jody Kablack: The lane is 14', one way parking. The intersection of the driveway meets the bylaw criteria, but not the compliance with the Fire Chief. What about the material storage in the back and the fence?

Craig Wambolt: Conservation allowed it; they didn't request the fence be moved.

Jody Kablack: It is in a residential driveway.

Craig Wambolt: It was installed based on the neighbors' desire.

Jody Kablack: What if you put it up against the parking lot, not so far back? The current situation is a violation waiting to happen. This was not the intent.

Chris Morely: In 2003, we wanted to be helpful to businesses; the current situation takes advantage of that.

On motion duly made and seconded, it was unanimously:

VOTED: To recommend approval of the Frugal Flower Site Plan for 11 new parking spaces in the front of the site and improvements to stormwater with the following conditions:

- Subject to Zoning Board of Appeals granting variances.
- The Hancock Plan must be stamped by a registered professional engineer.
- The Planning Board recommends requiring the applicant to relocate the existing fence directly behind the parking area and the refuse container.

- A Landscape Plan must be revised to add several more street trees and shrubs planted along Route 20 as well as additional plantings to what is proposed.
- Enclosure of the trash receptacle.
- Stormwater management system must meet approval of the Director of Public Works.
- Applicant must meet with the Design Review Board for sign approval.
- Selectmen are urged to require a performance bond.
- The 14 foot wide aisle meets Zoning for one-way traffic, however, the Fire Chief is requesting an 18 foot wide fire lane. Applicant should discuss with him.

Committee Updates

Jody Kablack: The Town Center Advisory Committee

They have developed an RFP for the project which they have a consultant doing. The Selectmen will approve it in two phases, the first being a design phase with a public visioning session. Second phase is construction.

Lisa Eggleston: Sewer Assessment/Technical Advisory Committee

They have talked to the DEP and believe the MWRA option is viable. Using a Marlboro treatment plant will be difficult. Sudbury will need to document that. They have exhausted groundwater discharge in town. Sudbury needs to contract out (where parcels have been identified) and evaluate other options.

Chris Morely: Community Preservation Committee

The Committee has doubled its' monies. The State is still giving 100% match for now. They have over 3-4 million in the bank which most likely will not be spent this year.

Mike Fee: Ponds & Waterways

They are drafting a Master Plan; have prepared an outline. They have listed the major ponds in town and are doing a historic background.

Jody Kablack: Community Housing Committee

The CHC has reviewed both 40B proposals. They will have a hearing on 40B guidelines for potential adoption by the Town. They may be proposing 2 Town Meeting articles:

1. Creating a housing trust, and;
2. Inclusionary zoning

Eric Poch: Rail Trail Committee

They have an RFP for feasibility study. They have met with Acton and Earth Tech for proposal information. A sub-committee has been formed for a feasibility study. They will prepare a draft letter for the Selectmen this week.

Minutes for Approval

On motion duly made and seconded, it was unanimously:

VOTED: To approve the minutes of:

4/27/05	6/8/05
5/11/05	6/8/05 Executive Session
5/25/05	6/22/05
5/25/05 Executive Session	7/13/05

Jody Kablack:

There will be two CPC proposals forthcoming that she is looking for the support of the Planning Board from.

1. Walkways
2. Joint proposal with Park & Recreation and the Town Manager for feasibility studies on Mahoney and Melone properties.

ANRs

On motion duly made and seconded, it was unanimously:

VOTED: To endorse the ANR Plan of Land for the Mahoney Development Property, parcel A, open space.

On motion duly made and seconded, it was unanimously:

VOTED: To endorse the ANR Plan of Land for the Mahoney Development Property for Kevin Giblin, lots 5-18.

The meeting was adjourned at 10:20 p.m.