

Present: Michael Fee (Chairman), Lisa Eggleston (arrived 8:30 p.m.),
Christopher Morely, Michael Hunter, Eric Poch (arrived 7:50, left at
9:50 p.m.), Joseph Sziabowski (Associate), Jody Kablack (Planner)

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

Sudbury Village 40B Proposal (Boston Post Road)

Present for the applicant: Dave Wallace, Russ Tanner, Willie Sclarsic

Dave Wallace (attorney):

They had a preliminary meeting with Conservation; the wetlands line was approved. They met with the Board of Selectmen on September 20th and received endorsement in theory to Massachusetts Housing. They have also met with Department Heads and the Community Housing Committee. They are requesting input from all Boards and Committees.

On August 18, 2005, they submitted an eligibility application to Massachusetts Housing. The proposal is for 66 units, with 17 of those being affordable units. Three parcels are under option; they want a fourth one if they are able to get an agreement on the price. There is a 200' setback from HopBrook (in back). The Town of Sudbury does not meet Massachusetts criteria for affordable housing even if the other current 40B applications are approved.

Russ Tanner (developer):

When the process began, we worked with staff and now we are working with all Boards. In general, the project has been supported. This project is consistent with the Route 20 Study Report in which the Town reports a need for mixed uses on Route 20 and multi-family housing uses. It is also consistent with the Community Housing Plan where dense multi-family housing is an objective.

Mark Boudry (Meridian Associates):

The context plan for these 3 parcels involves 275, 289 and 303 Boston Post Road. They will go around the Kriesel property at 295 Boston Post Road. There are wetlands by the brook and MBTA tracks. They want to demolish the homes at 275 and 289 Boston Post Road and retain the home at 303. Drainage runs towards the railroad tracks and wetlands then falls away to the west and south. It is a 66 unit proposal with two entrances onto Route 20, one at the Feinberg driveway and one just west of the 289 property. The driveway at 275 has inadequate sight distance. They are proposing a ring-road configuration which is slightly different from the State application. They propose a 22' roadway with a one foot wide Cape Cod berm. They have met with the Fire Chief and he has accepted the plan. It will be town water with an on-site sanitary disposal. Bedroom count does exceed Title V; they will be applying for a groundwater discharge permit from the DEP. It will be an on-site treatment plant, underground utilities, all units will have garages and a driveway for 1-2 cars. They are working on the plan for visitor parking to

go into the layout. The planting plan will have street trees around the development and screening on the edges; they will retain mature trees. Stormwater management will meet requirements including recharge. There will be an open detention basin plus sub-surface units for recharge. The septic reserve area will also be constructed. The applicant wants a pedestrian connector to the Route 20 village shop area. There are no units in the 100' buffer; it has a riverfront area they don't want to disturb it.

Willie Sclarsic (Architect/designer):

The applicant is familiar with the character of the neighborhood. The Feinberg house will remain and the view from the street will be discrete faces of buildings. It will be similar to "The Meadows" in Wayland. Entry to the out parcel is set back from the road. There will be a wide variety of unit types. Some will have the master bedroom on the first floor and 1-2 car garages. This will allow an opportunity for cars to pull off the main loop road.

Mike Fee asked for public comments and questions; there were none.

Russ Tanner: He had a good feel for the site from a planning standpoint. They have tried to be product driven.

Mike Hunter: What are the prices for the market rate units?

Russ Tanner: Between \$500,000-700,000 with square footage between 1600-2300.

Mike Hunter: What is the timeframe?

Russ Tanner: That is dependant upon the permitting process. They are hoping to build in the summer.

Chris Morely: Is the Kriesel property still in discussion?

Russ Tanner: Yes, it is a nice house as it is (2 units). They would maintain that plus additional units and consolidate open space.

Jody Kablack: There is a list of references that was submitted with the application.

Chris Morely: What about a buy-down of units?

Russ Tanner: They met with the Community Housing Committee and look forward to working on a package to achieve something.

Joe Sziabowski: Aesthetically, it is a good idea to turn the ends of the clusters to Boston Post Road. No sidewalks are proposed?

Russ Tanner: Yes, there are plans for sidewalks. They would like to connect them to the shopping village.

Joe Sziabowski: The elongated units, why are they configured that way, is there a purpose?

Mike Sclarsic: There was discussion of a wide range of unit design in which two factors repeated:

1. Variety while fitting in
2. People want end units; take advantage of views and window opportunities

Russ Tanner: The function of having a corner is to put an end to the building. It creates a cluster, a visual break-up.

Joe Sziabowski: It doesn't quite complete itself. It is unfortunate that it is a garage as opposed to something with life inside. They should be enlivened, not just functional. The front elevation is choppy; there are vertical lines consistently shown. The plan could use horizontal architecture with more attention to unit entries as opposed to garages and driveways.

Mike Fee: Traffic mitigation problems will need to be addressed. Have there been any efforts to do so? How far from the next Generation Children's Center is the most westerly driveway?

Mark Boudry: It is a couple of hundred feet between the two driveways.

Russ Tanner: Abend Associates (traffic engineer) has been engaged and will look at the traffic issues. They spoke with Bill Place about doing an intersection analysis at King Philip and Route 20.

Mike Fee: What is the topographic challenge? On that sketch it seems flat but it is not.

Mark Boudry: There is some relief; it drops by the Feinberg house and is not bad until the slope area near the riverfront (back of site). The garages work well there. The wetland resources are the biggest constraint.

Jody Kablack: Are the buildings within the height limitations?

Russ Tanner: They are examining the possibility of one being a two-story. If it exceeds limitation it would only be by a few feet.

Joe Sziabowski: Is it too early in the project for façade materials?

Russ Tanner: That has not been determined yet; they want to avoid vinyl.

Grouse Hill Incentive Senior Development Preliminary Plan – Public Hearing

Mike Fee read the notice into record and listed the file documents. He read the purpose of the Incentive Senior Development criteria under section 5400 of the bylaw.

Bill Pezzoni: One year ago, we approached this project and were advised to look at the Incentive Senior Development (ISD) bylaw. We became excited about it and have had much contact with residents. The proposal is for 2,000 square foot units with 2 bedrooms, 2 car garages and 2 baths. There are 52 units in total.

Mike Sullivan: The four parcel area consists of 30 acres with the Newell property being the major piece of land. There is a single house to the south of the Newell property which is under agreement to provide a wildlife corridor. There are also two ANR lots. Under the ISD bylaw, four units are permitted per conventional lot. They are proposing 52 units. Each lot percs; they have 13 lots, 13 buildings with 4 units per building. The topography slopes from the street to the wetland, gets steep by the wetlands and flattens at the rear of the property. They are proposing a 30' entrance off Old Framingham Road with a large landscaped area. It will be a 400' cul-de-sac with 24' of pavement; 120' in diameter. The entrance road coming into the development is at 4% (requirements are 2%). The southern roadway is 550' and is less than 4% with a cut of 8'. The northern roadway is 2% going to 4% at the cul-de-sac and leveling back at 2% with a 6' cut, 6' of fill and a 6' cut around the main area. Road drainage does not have a definitive plan yet.

The preliminary plan has catch basins discharging into a detention basin. Each unit has a subsurface basin. Sewerage is 150 gallons per unit; under Title V 7,800 gallons per day are permitted. It is a pressure dosed system; not in Zone II so no innovative septic is necessary. It will be Town water going in the main entrance and will loop out to Old Framingham Road. Mahoney Farm entrance is directly across the street. Open space requirement is 25% of uplands. They have 8 ½ % of the 6 acres as open space which exceeds the requirement. The septic is not in Zone II, but parts of the property are in Zone II where it can be no more than 15% impervious. They are only 9%. Waivers they are looking for:

1. Entrance way is at 4% grade (should be 2%)
2. 8" trees are not located in the proposed open space
3. sidewalk

Jody Kablack: Referenced her memos dated 9-1 and 9-26-05. She has not looked at the plan changes. She is concerned that all abutters within 300' were notified; that needs clarification. Item 8 on her 9-1-05 memo regards the Conservation Commission's consent for clearing in the 100' wetland buffer. Consent of the owners in writing is required. Memo item 20; buydown of unit(s).

Also referenced on the memo of 9-26, was the easement on the northern property line of the development. There were 2 ANR lots which had problems meeting frontage requirements. There is a large stone wall within the 30' strip, that is the Town's access, which the Board does not want to see come down. Also referenced on that memo is the Fire Chief's request for a contribution.

Mike Fee: Has the preliminary subdivision plan been satisfied?

Jody Kablack: As of September 1, no. The new plans have not been reviewed yet. The criteria for the 10 lots on the Newell property have been met. They need a plan showing the 13 lots with soils testing.

Mike Sullivan: The applicant has assumed the Board was comfortable with it since the ANR plan was signed. They will compile a plan.

Mike Fee: The Conservation Commission appears to have a discrepancy with the extent of the wetlands.

Bill Pezzoni: That had been delineated last summer, at which point there were no concerns from Conservation.

Mike Fee: That needs to be clarified with the Conversation Commission as soon as possible.

The chairman opened the hearing to the public.

David Segal, 111 Old Framingham Road:

What is the setback on Old Framingham Road and the how will it be maintained?

Mike Sullivan: The closest building from the edge of the pavement is 60' (50' to the street). The trees can be preserved, similar to what happened with Mahoney development.

Jody Kablack: It is a scenic road; the trees will need to be defined.

Maryann Clark, 118 Nobscot Road:

She has density concerns. 52 units, 52 driveways; it will be a sea of asphalt. There is no berm, no sidewalk and no street drainage on Old Framingham Road. She is also concerned with traffic issues. This alters the character of the neighborhood; it is much too dense for the area. Where the former strawberry field was it is 400% more than what was represented. This proposal is 16 cars versus 4 under the settlement agreement. It was to be 2 house lots. It had gone to the Zoning Board of Appeals for a frontage deficiency; they were granted the variances. They cannot be represented as ANR lots when they were supposed to be single family house lots. It is not within the decision granted by the Zoning Board. These should remain as single family house lots or it should be cut back to two house lots with duplexes, but not 8 units.

Ray Bachand, 63 Old Framingham Road:

He has many of the same feelings as Maryann Clark. This proposal changes the character of the neighborhood. The density and proximity is too much. He would like to see the density on the northern end be moved to the southern end or reduced. This will be on his "front door".

Mike Sullivan: It is 85' to the front property line.

Ray Bachand: It is too close, too dense.

Leigh Dunworth, 78 Old Framingham Road:

She has the same concerns with the overlay, too dense, changing the character. She also would like to lessen the impact. An open field is symbolic – views while walking would change. She would like to see more single family homes. A balance is needed to favorably affect the field. She would like the Board to insist traffic be directed through the Mahoney Farms Development.

Adam Miller, 1 Nobscot Road:

Can he get an explanation on the open space corridor on the southern end and how it relates to the Mahoney Farms Development (width)?

Mike Sullivan: It narrows down from across the street, where it is 650'. The 75' corridor was negotiated with the Conservation Commission.

Chris Morely: It is quite narrow in comparison to what's across the street.

Erica Ferencik, 58 Harrington Road, Framingham:

She walks that road every day with her husband. This proposal will make it unrecognizable. All abutting streets, neighbors, feel this way.

Leigh Dunworth: The wildlife corridor; this open field is across from another open field (Boy Scouts). Another solution is needed.

Ray Bachand: What is the 300' setback that was referred to?

Jody Kablack: That was for abutter notification. For special permits all abutters within 300' must be notified.

Bill Pezzoni: We obtained a certified list from the Town Clerk.

Jody Kablack: The list from the Sudbury Assessor's office does not say 300'. It needs clarification.

Mike Fee: This needs to be resolved prior to the next meeting.

George Ferencik, 58 Harrington Road, Framingham:

There is no specified safety with respect to the wildlife activity. What about affordable housing? There is no calculation for the two car garages which shows driveway coverage.

Ray Bachand: What about cuts on the northern end (Mahoney) across from the strawberry field?

Mike Sullivan: There is no grade change between the building and the road; grades of road regarding cut are in regard to fill.

Eric Poch: What about the northern cul-de-sac?

Mike Sullivan: At the end of the cul-de-sac it is a difference of 4' (they are raising it 4'). Only the road in front of the units; the driveways will be higher than current. In the back, behind the building the grade will change slightly.

Ray Bachand: That will be a problem. If it were lower, it would be better.

Chris Morely: It will be level at Old Framingham Road.

Leigh Dunworth: She has a small horse farm on her property and is planning on expanding the riding arena. This proposal could affect the use of her property, the two are not compatible.

Maryann Clark: The northern side of the parcel was acquired by Capital Group?

Mike Sullivan: No, it is under agreement.

Harvey Epstein: He is not an abutter; he is from the City of Newton housing authority. He is interested in the Incentive Senior Development program; has an affordable housing interest. As an interested bystander, he sees this as a great project. He feels for the neighborhood and can appreciate their comments. He believes this should have sidewalks. He would like to be a resident there.

Erica Ferencik: She would like to maintain the character of the neighborhood for new residents as well.

Mike Fee: This has been great feedback and will help the Planning Board as the project moves forward.

Chris Morely: The side view of the development shows levels of foundation from Old Framingham Road to the left of the circle. What is the top of the foundation?

Mike Sullivan: It is self contained for roof drainage. From the road, drainage goes to a low point then discharges.

Lisa Eggleston: Cautions surface drainage towards foundation. You do not want low points around the units. It will need surface grading.

Mike Sullivan: Walk outs are on that side (westerly). Grading will be at a 50 scale. The grades are different there; they work.

Lisa Eggleston: The 2 lots (the strawberry field); can they be included in terms of agreement?

Jody Kablack: It will meet the base lot count.

Chris Morely: The owner secured rights and sold those rights to the current owner/applicant. What happened with the Zoning Board is not important.

Mike Fee: He is not sure, it may be relevant.

Bill Pezzoni: He will document it.

Lisa Eggleston: Suggest showing build out of lots as single family homes; preserves the view scape, but this adds density while clustering. Single family homes could be closer to the road and have more impact.

Bill Pezzoni: Jody Kablack asked for units to be filtered back so this was their attempt at a compromise. They will address Lisa's suggestion.

Mike Fee: We will need the following:

1. Discussion of agreement/lot count
2. Zoning Board of Appeals Decision that Maryann Clark had and referred to
3. 3460b – Septic capacity sufficient, confirmation

Jody Kablack: We will need the 13 lot plan; currently have the 10 lot plan.

Bill Pezzoni: We will focus on that.

Mike Sullivan: Wants to clarify regarding the Zoning Board of Appeals decision. They had no intention to mislead anyone. They had to go in with 2 lots; there is no land plan on this or on Mahoney Farm. The Assessor's sheet showed 2 ANR lots without approval and then was found to be erroneous. Paul Kenny supported it.

Maryann Clark: The owner knew the parcel was deficient for 2 house lots.

Mike Fee: What the Zoning Board of Appeals decision means and the significance of it need to be added to the file.

Lisa Eggleston: A traffic impact analysis should also be submitted. It can be incorporated with the work on Mahoney Farm.

Bill Pezzoni: They have made arrangements for people to access straight across with Mahoney Farms via easements (this was a Planning Board requirement).

Eric Poch: Concerned with;

1. Density
2. The northerly end, positioning of units. They face Ray Bachand and the other faces the horse farm.

Look at the corridor of the roadway; Nobscot Road has seen an increase of 127 units in the last 5 years. Access to the field and back of the lots; what level of utilization does the Town expect? There is no potential for access at the southern end. The scope of change here is important. There is no pedestrian access, this is a problem.

Mike Hunter: If you walk the property, the land drops rapidly (behind the main entrance).

Mike Sullivan: They brought fill in. It will be cut and filled in the lower area. The existing grade is 186; it will be brought across and tied into buildings on the downside of the basin at a 2-1 slope. There will also be a walk-out basement at a 2-1 slope.

Mike Hunter: There are 2 very old trees near the septic. Wants to be sure 10-14" diameter trees are identified. Also on the southern side fill area, is that part of the corridor or the cul-de-sac?

Mike Sullivan: The Newell house, trailer, tent and what is the existing house, then the abutter's house, are all by open space. The existing cover is all trees.

Mike Hunter: The wildlife corridor starts down in front of the building with a natural separation of 2 uses of land. Are there any plans for a fence in the edge of the corridor?

Mike Sullivan: That has not been discussed yet.

Joe Sziabowski: He is trying to get a handle on the character of the proposal which seems to have a lot of volume on parts. He is somewhat oriented with the buildings back on the road and the neighbors. How does it look from the other side? As it is now, it is ad-hoc; need an underlying order.

Bill Pezzoni: Will bring a cross section of buildings and landscaping for the next meeting as well as other pictures and projects they have done.

Joe Sziabowski: Elevations would be better but a cross section for site and topo would be helpful.

Chris Morely: There are 5 buildings at street grade which face the neighbors. It would be a nice break if density was moved away from Mr. Bachand and the horse farm.

Leigh Dunworth: How will the grade change by the catch basin and septic look?

Mike Sullivan: The drainage and septic have to be maintained. It will stay as part of the project with the 75' corridor being gifted to the Town and remain untouched. Where the grade changes (2-1), it will be grass mix or a retaining wall so it doesn't erode.

Jody Kablack: A wildflower mix mostly; will clear trees but have a natural mix.

Ray Bachand: The view from his house crossing over Old Framingham Road will be drastically different. This is well above street level; he won't see roof lines but will see a street, the whole development. Even a 20' berm on their side won't block his view, it continues to rise there.

Chris Morely: The units across the street from Mr. Bachand will be street level or lower.

Joe Sziabowski: Can the applicant break the 4 unit cluster into 2 or 3 units?

Betty Byrne, 26 Stone Root Lane:

She has been a resident for 31 years and has been waiting for something like this. The taxes are driving her out of Sudbury and she does not want to leave. As a non-abutter, she appreciates the comments but sees more to the big picture. She is excited about this project; feels it is needed. It is interesting though that the development is all in the same area. It is a huge increase but there was not much there to begin with. Need to be realistic working with Massachusetts Housing to keep the prices down.

Glen Murphy, 14 Karen Ave.:

He is from out of Town and is hoping to move here for the schools, the ambiance. What he sees now is what people buy on Nobscot Road. Abutters are not fighting the project but want to keep the look of the neighborhood. Horses get skittish; people need to remember that. It is a real risk for Leigh Dunworth and her clients. This project is not doing anything for affordable housing. He would also fight the look, not the project. 55+ does not draw on the school system, but there is a drawback to reduce seniors' taxes as the town ages.

Mike Fee: We are not debating the policies of the bylaw; we are interpreting it.

Framingham Resident: Has a question on the elevations. The southern end has an opportunity for a 3rd level which could reduce the number on the northern end. Is there a way to move them?

Adam Miller: The 75' wildlife corridor – he disagrees with Conservation that this is a sufficient width.

Ray Bachand: The land that is proposed to be deeded to the Town, can it be traded to build elsewhere?

Mike Sullivan: There is not adequate area for septic testing in front of that land. The agreement was limited to 88,000 square feet which was established to meet the lot requirement for septic.

Ray Bachand: If traded, the Town could get a right-of-way.

Lisa Eggleston: Could tighten the cul-de-sac and create more field.

Mike Fee: The applicant is comfortable with the feedback tonight?

Bill Pezzoni/Mike Sullivan: Yes.

Mike Fee: The next steps:

1. Clarify the abutters issue (notice)
2. Legal analysis of the Zoning Board variance and the settlement agreement
3. Land swapping potential (needs Town Meeting); re-shape lot and pull cul-de-sac down to lower fields for land along road. Get the 30' strip the Town needs.
4. The Town Planner's memo dated 9-1-05; issues # 4, 8, 16, 18 & 19
5. Leave a copy of the file at the Town library at the applicant's expense with reduced copies of the plan
6. Applicant must meet with the Conservation Commission
7. Traffic analysis

Maryann Clark gave the Board a copy of the Zoning Board application filed with the Town Clerk.

A site visit was scheduled for 10-26 at 8 a.m.

Sudbury Village (40B)

Jody Kablack: Referred to the Selectmen memo, specifically restricting units in the development for age 55+. There is a need for alternative housing which is not age restricted.

Russ Tanner: There will be units with ground floor masters. There is a questionable illegality to separate out units in senior housing.

Lisa Eggleston: Too many alternative housing projects get age restricted.

The Planning Board had the following comments to be noted to the Selectmen:

- The Board disagrees with the advisability to require developers to age restrict.
- Ensure unit design which may encourage empty nesters
- The Board supports any efforts to increase the percentage of buydowns (over 25%). This adds to the number of housing units in town.
- Reserve septic area concerns; need to meet all groundwater discharge requirements
- Traffic is the biggest concern; what does the analysis say? What are mitigation proposals?
- Walkway

The Board also noted the need for an overall traffic plan in Town.

Subdivision Extension, 142 North Road

Mike Fee: If the entity that holds a bond is not in bankruptcy, we should pull the bond. The Board did not want to grant the extension; want the as built plan.

Jody Kablack: Will relay to Town Counsel and the applicant that the as built must be produced (under contract) by October 1, 2005 (2 weeks) or we will take the bond.

Mahoney Farm Plan

On motion duly made and seconded, it was unanimously:

VOTED: To endorse the plan for Mahoney Farm Senior Residential Community.

Donneyvalle Farm Subdivision

On motion duly made and seconded, it was unanimously:

VOTED: To release the \$1,000 maintenance bond for Donneyvalle Farm.

The meeting was adjourned at 11:00 p.m.