

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

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

***BMW Dealership Site Plan – Recommendations to Selectmen***

Present on behalf of the applicant was Joshua Fox (Attorney), Bruce Ey (Engineer) and Fred Tierney (applicant).

Josh Fox: This is the same team which the Town did business with for the LandRover Dealership site.

Bruce Ey: For orientation, the parcel of land in discussion is the StanMar Office Park on Boston Post Road near Old County Road. Wingate Nursing Home abuts the property. The existing buildings in the office park will be demolished. The proposal is for a 79,745 gross square foot building with 50 service bays and auxiliary office space. Currently, the septic system is in the middle of the property; 1/3 of the property in the rear is a construction staging area with inappropriate materials in the staging area (not paved).

There is no formal drainage; run-off flows to the northern corner where there are wetlands; salt and sand runs into it. The area is stockpiled with fill, stumps and landscape materials (Zen Associates and DiModica). This would all be addressed and cleaned up under the proposal. It is 7.3 acres, comprised of 2 parcels. There is a 1.25 acre parcel to the east which is under a conservation restriction and will be purchased to comply with the open space requirement. The property is zoned Industrial District 11.

There is an internal car wash on the back portion to be solely for business use. The site is flat with good soils in the back. There is a 4-5' separation to the water table in the front; 10-12' in back which drops significantly to the wetlands. A brief history of StanMar included dairy, industrial use and New England Research. Groundwater was monitored. The BMW Dealership wants a building in the center of the property with floor elevations 1.4' higher than the existing grade in the parking lot. It pitches to the northeastern corner where all run-off goes (into wetlands); they want to clean it up. The wetlands have been flagged. The parking is proposed near wetlands in an area already disturbed. They have filed with Conservation as well as with the State. Fish & Wildlife wants the grading plan before they comment. Tree removal is needed around the side and back of the property, so the applicant is looking for approval to move the parking lot back into the required buffers. They do not believe any 6" trees will be coming down or that they are disturbing habitat. The proposal is for 291 active parking spaces (won't need that many) and 138 vehicle storage spaces (critical). Drainage is a formal series of deep sump catch basins with traps and storm ceptors. They are not required to get a permit to go into the flood plain.

Board members Chris Morely and Lisa Eggleston commented on the poor septic conditions at Wingate.

Bruce Ey: Mounding will be accounted for in their septic design calculations. They are putting out different waste from Wingate. The leaching field is a large facility. It is designed for the maximum number of employees.

Jody Kablack: Bob Leupold accepted the septic proposal.

Chris Morely: Can you move the stormwater system to the right to increase its setback to the Wingate site?

Bruce Ey: We would have to bring in new material; remove unclean material. The proposed location is the best location. The proposed building has floor drains; oil/gas separator.

Lisa Eggleston: A Spill Prevention Pollution Control Permit should be required for this proposal as there will be oil changes, etc. done on the premises.

Bruce Ey: We will also need a permit for storage of inflammable materials. This will be addressed with the Fire Chief. The entrance to the car wash will be on the western side and goes all the way through. It will be self contained; drip water but not soap. They are also planning installation of a dryer. Foreign Motors will utilize the car wash as well.

Jody Kablack: What size is the tank in the area underneath the car wash?

Bruce Ey: They will find out and provide information to the Board.

Jody Kablack: It is not in Zone II; not a prohibited use.

Bruce Ey: Waivers they are requesting include:

- Side yard distance from proposed parking lot to Wingate less than 30'
- Landscape distance to rear lot line
- Open Space buffer to the east; the buffer strip is adjacent to the open space

Jody Kablack: You are considering vehicle storage not to be parking?

Bruce Ey: Correct; the vehicle storage spaces are smaller than a standard parking space.

Jody Kablack: The items in her memo of 2-28-06 still need to be addressed for the most part. The Conservation Commission has concerns with the issue of subdivision of the Conservation Restriction. A legal opinion should be sought.

Joshua Fox: That will be addressed.

Jody Kablack: The timing of the Special Permit needed from the Zoning Board for the automotive uses may require an extension from the Board of Selectmen to continue concurrent review of the project by all Boards.

Jody Kablack: Item 5 of her memo addresses the Traffic Impact Study which was submitted. It did not include Goodman's Hill Road or mitigation for this use on the Old County Road/Route 20 intersection. It should also include consideration of Landham Road traffic. An independent traffic analysis may be warranted.

Bruce Ey: He will review that with Jennifer Conley's office.

Eric Poch: None of the metrics make sense in the traffic report. There is a 40B proposal right down the road. We need to be realistic with the traffic issue. Keep in mind also Old County Road is a scenic road.

Bruce Ey: There is currently an office park there. They looked at peak morning and evening hours and included build-out projections with the proposed 40B.

Jody Kablack: There is an overall impervious surface concern at any threshold. The entire site is too crowded; need appropriate buffers. Would like to see it opened more. Impervious pavers are not a good idea next to a sensitive site (flood plain, wetlands) as well as the abutting stormwater/wastewater at Wingate.

Bruce Ey: We may be able to do a small grass paver area in the front. We want to avoid impervious pavers as well; agree that they don't work well. It would need full depth of washed stone underneath. They have extended the leaching system for roof run-off and will treat containment.

Mike Fee: There is overall congestion in the area. What is the motive for this design?

Fred Tierney: BMW assigns allocation of vehicles for the market area. It is ultimately to get the space requirement for the market penetration in the demographic area.

Chris Morely: Have you inquired about a possible agreement with Sky restaurant to use or purchase a portion of their property? It would be a good access and density solution.

Fred Tierney: Yes, we tried but were not successful.

Chris Morely: It would be worth further effort.

Bruce Ey: It would increase the cost of the project. There are septic and soil issues at Sky.

Jody Kablack: The other issues in her memo dated 2/28/06 will need to be addressed.

Mike Fee: The Selectmen are scheduled to meet before the next Planning Board meeting. The issues flagged tonight should be sent to the Selectmen. It should also be noted that the proposal is consistent with the Master Plan. The Planning Board finds it to be an excellent high end commercial use with high tax revenue benefit to the Town; also, Foreign Motors West has an excellent reputation in Sudbury. However, there are concerns as noted.

Lisa Eggleston: The traffic analysis should also include Goodman's Hill Road as it will be affected by the project.

Chris Morely: Also for reference to the Selectmen, possibly having vehicle storage in the back of the lot and a larger car wash if it is utilized by LandRover.

The Board directed the Town Planner to send these comments to the Selectmen.

### ***Cail Farm Definitive Subdivision – Continuation of Public Hearing***

Mike Fee called the hearing to order; no new materials since the last meeting. A site visit was conducted by the Planning Board this morning.

George Dimakarakos: Has the Board seen the memo from Deb Dineen and their opinion on pushing the houses back?

Jody Kablack: They granted the Order of Conditions.

Mike Fee: Deb Dineen was opposed to moving the houses closer to the open space. He doesn't disagree with preservation, but if the houses are moved slightly closer, it will not look differently at all. The designation of the area didn't speak of any species, only that it should not be disturbed.

George Dimakarakos: She identified some areas we're trying to preserve.

At the last meeting, the Board had asked that we work on the cul-de-sac radius. We have increased the radius to a full 60'. It is similar to the 40' plan with the exception of house orientation. The houses face Concord Road; away from abutters.

Lisa Eggleston: What is the difference between the 60' circle and the original plan you submitted?

George Dimakarakos: Basically, the front setbacks have changed. The houses are oriented parallel to the street. Setbacks can be met and are quite similar to the 40' radius plan.

Mike Fee: What is the downside of the 60' circle?

George Dimakarakos: It constrains the front yard setback on lot 1 slightly.

Lisa Eggleston: That was an important hurdle. While it may not be particularly attractive, it shows that with the submission of the 60' radius plan, it is demonstrated that a conventional zoning plan can be met.

The Board discussed the impacts to the neighbors in both the 40' and 60' radius cul-de-sac schemes. The 60' radius moves the houses farther back on the property. The 40' radius aligns lots 1 and 3 with the abutting houses on Concord Road.

The Board discussed other considerations for approving a waiver on the size of the cul-de-sac.

Joe Sziabowski: The orientation of the 2 front houses is important for creating a good street line. It is better to align the new houses with the neighbors. It would create uniformity of character. The only issue may be lot 1 having a possible awkward view; could possibly turn that house.

Lisa Eggleston: The Fire Chief is on record saying a 45' paved radius would meet fire truck needs with this driveway design.

Mike Hunter: He disagrees; believes we should stick with the 60'. Approving the 40' would set a precedent.

Lisa Eggleston: Whitehall Subdivision was a paper cul-de-sac which we specifically said would not be built out. It was important for the applicant to establish a 60' cul-de-sac radius could be built.

Jody Kablack: Whitehall and Dakin View Subdivisions were existing conditions. They were different; they just created frontage.

There was discussion on similar waivers for previous subdivisions. The Town Planner will review.

Lisa Eggleston: Prefers the 60' cul-de-sac with no build out.

George Dimakarakos: By demonstrating we can do it, does it open a door? Specifically, with the condition of the narrow lot? Since we have shown it can be done, he doesn't believe it sets precedence; doesn't allow the next applicant to lessen the radius requirement.

Tom Geagan, 809 Concord Road:

The Board may want to consider it is a southbound lane which will need the site line on a 60' radius if it is built out.

Lisa Eggleston: We wouldn't be decreasing the traffic sight distance. That is a factor either way.

Mike Fee: Both houses to the east and west are fairly elevated. He doesn't think the new houses will tower over the existing.

Dominic Zaia, 818 Concord Road:

The current topography will be 5' higher than the existing. It won't be much different.

Doug Kennedy: Can the trees proposed to be planted be higher when they are put in on lots 1 & 3?

George Dimakarakos: They are proposing trees 7-8' high.

Doug Kennedy: If you double that height it would satisfy the abutters; also a fence.

An aerial photo was shown by the applicant which showed the house height.

The Planning Board asked about the house located on lot 3.

Jody Kablack: The Historical Commission may want to move it. The applicant was advised not to demolish it until it can be assessed.

Lisa Eggleston: What about stormwater for the cul-de-sac? It grades toward Concord Road?

George Dimakarakos: There are two catch basins on lot 3; stormwater drains to the back lot. There are dry wells for all houses.

Doug Kennedy: How far back are the existing houses from the road?

George Dimakarakos: From the Kennedy's house it is about 90'; from the Geagans' it is about the same; lot 3 to the road is around 145' and lot 1 to the road is approximately 95'. The Association will maintain the drainage system annually.

Doug Kennedy: There is one street tree slated to be taken down?

Jody Kablack: Yes, that Scenic Road hearing will be held on March 22 in concurrence with the subdivision continuation.

The Board further discussed the request for waiving the cul-de-sac size.

Mike Fee: Read Section 5110 of the bylaws; Cluster Development and the Planning Board's regulation on waivers (21C). If the Board waives, it must be justified. The impact would be an enhanced design to lessen the impact to the neighbors. In addition, it would be more aligned with Concord Road. We need additional information from the applicant at the next hearing.

Jody Kablack: The developer also has to work with the neighbors for the buffer screening as well prior to the next meeting.

Dominic Zaia: Requested the applicant to pencil in the proposed houses on the aerial photo to visually aid the abutters with how the proposal would look.

George Dimakarakos will pencil them in on the photo.

Jody Kablack: Needs the plan to review before the next meeting. Most zoning requirements are met with the 60' radius.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the public hearing on Cail Farm to March 22, 2006 at 7:30 p.m. at Town Hall.

***Demolition Delay Bylaw – 24 Pelham Island Road***

The owner of the property located at 24 Pelham Island Road wants to demolish the barn and garage. The barn was constructed in 1860 and was determined to be historically significant. The Historical Commission has requested the Planning Board to make recommendations on how they could preserve it.

The Board had the following suggestions for the Historical Commission to consider:

- Market the barn on the internet; take digital photos of interior and exterior as well as a narrative description of its historical significance;
- Contact “This Old House”, known for preservation of historically significant buildings;
- Negotiate for purchase directly with the owner;
- Solicit a target audience to contact for their ideas on preservation: Sudbury Valley Trustees, Landvest, Wayside Inn and the Sudbury Agricultural Commission;
- Submit a letter to the Town Crier for plea to preserve or relocate in Sudbury.

Preservation of historically significant structures is consistent with the Master Plan.

***2006 Town Meeting***

Jody Kablack: The Board of Selectmen wants the Irrigation Bylaw article on the consent calendar.

***Miscellaneous***

***Goodman Hill Road ZBA Application***

The applicants, Alexandra and Martine Cherau have a variance application currently before the Zoning Board of Appeals. They have requested that the Planning Board make a recommendation on their behalf.

The Planning Board members opine that it would be inappropriate to comment on the matter, which is clearly within the jurisdiction of the Zoning Board of Appeals. It has no relevancy to the Planning Board. The letter dated 1969 from the Planning Board Chairman did not have the effect of a Planning Board Decision.

No current members of the Board are capable of offering insight nor would the Board offer opinion when it is a topic out of its realm.

***Mahoney Farms Senior Residential Community***

Jody Kablack: The final architectural plan from Capitol Properties is drastically different. The Board previously had major comments on the backs of the buildings. The Board would like the developer to come before them to present sample boards, materials, perspectives and elevations. The developer also needs to meet with the Design Review Board.

***Willis Road Walkway***

The Board is in receipt of an email dated 2/22/06 from Judith Johnson regarding issues with the walkway construction.

Jody Kablack reported that it was her opinion that construction had been proceeding smoothly. The Board questioned Ms. Johnson's complaints. Jody Kablack reported that Bill Place said all construction was within the town right of way; stones that were found buried were being used as a retaining wall on Ms. Johnson's property, but the integrity of the stone wall has been maintained. The Board did not take any action.

The meeting was adjourned at 10:30 p.m.