

Present: Michael Fee (Chairman), Lisa Eggleston, Eric Poch,
Christopher Morely, Michael Hunter, and
Jody Kablack (Director of Planning and Development)

Absent: Joe Sziabowski (Associate)

At 7:42 p.m., Chairman Fee called the meeting to order.

Middlesex Savings Bank - Site Plan Discussion

Present: Alan Popkin, Maugal Architects, Brian Milisci, PC, Whitman & Brigham Associates and Bruce Weisberg, Middlesex Savings Bank Senior Vice-President

At 7:43 p.m., Chairman Fee opened a discussion of the application for Site Plan Review submitted by Middlesex Savings Bank for renovation to a new bank site of the former Clapper property at 454 Boston Post Road.

Ms. Kablack reviewed the following materials received to the file to date:

Ms. Kablack's memorandum to the Board dated September 14, 2007, summarizing the application and offering comments and recommendations; an email message from Building Inspector James Kelly dated September 7, 2007, noting several comments regarding signage approval and permitting, handicap parking, curb cuts, refuse area, landscape buffers, aisle width, and suggesting a bond be required; letter from Fire Chief Kenneth MacLean dated September 4, 2007, noting that the building will require specific sprinkler and fire alarm systems, and that removal of a roof overhang should be considered; letter from Department of Public Works Director William Place dated August 30, 2007, noting that the easterly entrance should be designed in conformance with the Massachusetts Highway Design Manual and have signage instructing "Right Turn Only," (with a corresponding "No Left Turn" sign on Boston Post Road facing eastbound traffic), all exits should be via the westerly access road, and that a "Do Not Enter" sign be posted on the Bank side; email message from Conservation Commission Coordinator Deborah Dineen dated June 15, 2007, noting that the plan to reuse the storage area for parking will require a new wetlands Notice of Intent and a new survey of the site elevations to determine/design runoff direction and mitigation options, and that the Commission would like to discuss the possibility of a connecting trail to the proposed Rail Trail on the eastern side; minutes from a May 24, 2007 Pre-Application Meeting with Town Department Heads. Ms. Kablack also distributed a letter from the Design Review Board dated September 14, 2007 noting that greenery should be added in front of the building and that dimensions of columns and the cupola need to be enlarged.

Ms. Kablack briefly noted that the intent is to renovate the existing site with some architectural changes and remove a portion of the side and rear of the building to

construct a drive-through service area. Construction plans are designed to fit the existing building footprint. She stated there are also plans to re-landscape the front of the site. Ms. Kablack reported that the applicant has been working with the Planning Office for several months in anticipation of their application submission.

Architect Alan Popkin presented several exhibits to the Board depicting the existing structure. He highlighted the portions to be preserved and those which will be renovated. Mr. Popkin explained that the present building is 8,000 square feet of which 2,000 square feet will be removed to enable construction of a two-car, drive-through service area. There will be a fenced dumpster and eight angled parking spaces added to the rear of the site. Mr. Popkin also stated that there will be no changes to any impervious areas.

Mr. Popkin further described that the gabled ends of the present building plans will be removed. This will likely also necessitate the removal and redesign of the entire roof. Mr. Morely opined that these changes are welcomed improvements to the current building façade. Mr. Popkin also reported that the intent is to create a front appearance which will be more retail-oriented. The proposed design will result in approximately 2,500 square feet to be used by Middlesex Savings Bank and 3,500 square feet to be available for future retail use. In response to a question from Ms. Eggleston, there are no pending retail prospects at this time. In addition, Mr. Popkin reported that the applicant has agreed to provide a sprinkler system for the proposed building as requested by the Sudbury Fire Chief.

Mr. Milisci reported to the Board that the site will be serviced by the existing septic system. He stated that the system is adequate and passed a recent Title V inspection. He said that the present catch basin locations will not be changed, but drainage upgrades are proposed consisting of replacement of existing catch basins with water quality inlets. Mr. Milisci also reported that the applicant is in the process of filing with the Conservation Commission.

Mr. Milisci reported that there is no report available tonight from their traffic engineer, but hopes to have that report for the Selectmen's meeting on September 25, 2007. The applicant plans to file with the Massachusetts Highway Department regarding the eastern access opening with two curb cuts. The Zoning bylaw allows two curb cuts on commercial properties with greater than 200 feet of frontage. The parcel has only 175 feet of frontage, however the property used to have 2 accesses but one was closed when the Nobscot Road light was installed. Department of Public Works Director William Place recommends if the second curb cut is allow, the inclusion of signage instructing "Right Turn Only," (with a corresponding "No Left Turn" sign on Boston Post Road facing eastbound traffic), that all exits should be via the westerly access road, and that a "Do Not Enter" sign be posted on the Bank side. Ms. Kablack stated that the Selectmen will likely want to express the

Town's recommendations regarding the curb cuts, and that only right-turn-in access is preferred, to Mass. Highway to be considered in the Division's decision deliberations.

Ms. Eggleston asked for clarification regarding the septic system and the parking lot. Mr. Milisci responded that the present septic system is adequate for office and/or retail use and all other uses other than restaurants. He also replied that the parking lot will be restriped and repaved. Ms. Eggleston requested that front parking for the facility be designed as unobtrusively as possible. Ms. Kablack briefly listed the proposed choices for the trees and landscaping grasses.

Ms. Kablack reported that the parking space allocations have been based on retail/office use, and she foresees no change to the current area traffic conditions.

Mr. Morely emphasized the Town's preference to pursue the suggestion presented in Ms. Dineen's June 15, 2007 message regarding the possibility of seeking a right of way or walkway easement in the rear of the site to connect to the proposed rail trail on the eastern side. He also highlighted the need to incorporate the Design Review Board's suggestions for the cupola and column dimensions.

Mr. Poch emphasized the importance of limiting the access to the site with the right-hand only entrance to facilitate traffic flow since that entrance will be in close proximity to other highly-frequented areas such as the Sudbury Farms exit and Nobscot Road. He further stated that the site will be very close to an already difficult intersection and thus, should have as much signage to mitigate potential hazards as possible. Mr. Poch wants to make sure that the curb cut is designed to avoid the ability to bypass the traffic light by driving through the site.

On behalf of the Board, Chairman Fee declared that the Board is pleased to have the Bank interested in renovating this key location in Town. He told the applicant that the Board is inclined to support this proposal, subject to recommendations similar to those already expressed in Ms. Kablack's September 14, 2007 memo. He asked that any additional site plan comments from any party be submitted to Ms. Kablack by the end of the week so as to be incorporated into pending communication to the Selectmen.

Ms. Kablack stated that a positive letter of support for the site plan, subject to a few conditions, will be drafted to be sent to the Board of Selectmen from the Planning Board by September 21, with a copy also sent to the applicant.

At 8:10 p.m., Chairman Fee closed the discussion

Present: Paul F. Alphen, Balas, Alphen & Santos, P.C. representing Mr. Karasik and Eligius Homes

At 8:11 p.m., the Chairman opened a Public Hearing in connection with the application of Eligius Homes Company, for approval of a Definitive Subdivision Plan of Land, entitled "Pine Grove," property located at 293 and 301 Old Lancaster Road, drawn by Thomas Land Surveyors and Engineering Consultants, Inc., dated April 9, 2007, and showing six lots on approximately 7.19 acres, which had been continued from September 12, 2007 due to religious-observance schedules. Chairman Fee reported that the only correspondence added to the file since the last discussion was a letter dated August 15, 2007 from Attorney Alphen to Ms. Kablack confirming the September 12th meeting agenda.

Attorney Paul Alphen declared to the Board that the applicant wishes to request a withdrawal of this application, without prejudice, this evening.

Chairman Fee explained that to withdraw the application without prejudice allows the applicant to submit the application again at a future date.

Craig Blake, 300 Old Lancaster Road, along with a few other abutters, asked to see the original plans submitted by the applicant, which were provided by Ms. Kablack. The abutters briefly reviewed the plans and returned them to Ms. Kablack.

On motion duly made and seconded, it was unanimously:

VOTED: To grant the applicant's request to withdraw the Pine Grove Definitive Subdivision application, without prejudice.

Olde Bostonian Estates Definitive Subdivision (Goodman's Hill Road) - Public Hearing

Present: Thomas DiPersio, Sr., Thomas Land Surveyors, Frank and Karen Gazarian, Property Owners

At 8:30 p.m., Chairman Fee noted for the record that although the Board's agenda lists this public hearing to begin at 8:45 p.m., the official public hearing notice, which was published in the *Sudbury Town Crier*, listed the hearing to begin at 8:30 p.m. Consequently, at 8:30 p.m., the Chairman opened the hearing. He read the public notice as published for a Public Hearing in connection with the application of Frank Gazarian & Karen Lento Gazarian, for approval of a Definitive Subdivision Plan of Land, entitled "Olde Bostonian Estates," property located at 267 and 273 Goodman's Hill Road, drawn by Thomas Land Surveyors and Engineering Consultants, Inc., dated June 19, 2007, and showing three lots on approximately 3.48 acres. Said property is also shown on Town of Sudbury Property Map H09, Lots 29 and 30. The legal notice was duly published in the *Sudbury Town Crier* on August 23 and August 30, 2007. The Chairman announced that

copies of the plan and application are on file in the Town Planning Office, and may be inspected during office hours.

Chairman Fee briefly reviewed the materials previously provided to the Board for review which included: a letter to Department of Public Works Director William Place from Thomas DiPersio, Sr., Thomas Land Surveyors, dated September 7, 2007, addressing Mr. Place's comments stated in his July 18, 2007 letter (also enclosed); a set of the revised Definitive Subdivision Plans and Form C application dated June 29, 2007; a memo from Conservation Coordinator Deborah Dineen to Ms. Kablack dated July 18, 2007, noting that the subdivision was designed without regard to the wetland resource areas and requesting specific information regarding irrigation, drainage calculations, limits of clearing and methods of slope stabilization; minutes from a November 9, 2006 Pre-Application Meeting with Town Department Heads; and the Town Evaluation Form for Subdivisions.

Mr. DiPersio provided the Board with a brief explanation of the proposed project. He described the 3.48-acre site, which includes two parcels, each of which has an existing home on it. Mr. DiPersio explained that the proposal is to develop a cul-de-sac road to provide frontage for three lots. He displayed several exhibits, including depictions of an existing conditions plan, an erosion sedimentation plan and construction details.

Mr. DiPersio further reported that the property borders vegetative wetlands. He stated that an NRAD (Notice of Resource Area Delineation) hearing with the Conservation Commission was held in March 2007, which confirmed the wetland line proposed by the applicant's botanist. He also noted that the septic system on Lot 3 will remain in its same location, and that the road and drainage for the road are outside of the wetland buffer area.

Mr. DiPersio stated that the proposal does request a waiver for the full construction of the roadway, asking that it be allowed as a Private Way, once the applicant has demonstrated that the road and driveways are capable of complying with all regulations.

Mr. DiPersio opined that he was unable to make all the required plan revisions due to an inadequate amount of time since receiving the Town's recommendations. Ms. Kablack confirmed the delay in communicating with Mr. DiPersio, and offered the Town's apologies. She acknowledged that in spite of the lateness of communication, Mr. DiPersio has in fact, addressed many of the comments suggested in the Town's correspondence. In particular, frontage calculations have been corrected. Ms. Kablack emphasized that the Board is concerned that the property slopes steeply in the rear. She stated that the Board will subsequently need to evaluate accurate grading plans and additional information regarding retaining wall heights for full compliance prior to issuance of building permits.

Chairman Fee noted that the Department of Public Works (DPW) Director William Place has expressed his support of the waiver request. However, Mr. Fee continued to say that it has been this Board's precedent to ask applicant's to articulate a discernable public benefit to be gained from granting the waiver. Mr. DiPersio responded that less Town infrastructure will be utilized, and less maintenance by the DPW will be required, if the waiver request is granted.

Ms. Kablack reported that plans have shown that the proposed road can be built to full specifications. However, she stated that the Private Way must also be held to road compliance standards and that the grade of the Private Way exceeds the maximum grade of 6%.. She further stated that although the Board might waive width and curb requirements for road standards, it is not apt to waive grading requirements.

Ms. Eggleston noted that under current zoning bylaws, no more than two lots are allowed off of a common driveway, which is one reason why this road is not a common driveway. The consensus of the Board was that more analysis will need to be evaluated prior to a decision on the waiver request.

Chairman Fee highlighted interesting comments from Ms. Dineen's July 18, 2007 memo regarding significant work being planned within the 100-foot buffer on Lot 1 and Lot 2. Mr. DiPersio responded that he and the owners met with Ms. Dineen since then and demonstrated that Lot 1 is outside of that buffer. All parties recognize that Lot 2 is more problematic, but that options can be pursued to minimize detrimental impact to the wetlands. Mr. DiPersio reported that Ms. Dineen suggested that the applicants ask for relief from setback requirements from the Zoning Board of Appeals, which will be pursued. The applicants will also file a Notice of Intent at the appropriate time with the Conservation Commission. Chairman Fee advised and encouraged the applicants to commence these pursuits as soon as possible so that multiple boards discussions and reviews can occur concurrently. He explained that this better enables Town boards and committees to make consistent and cohesive decisions that are not in opposition to each other.

Mr. Hunter asked for clarification of the three lots and their frontages. Mr. Morely asked for clarification regarding the retaining wall locations and heights. Mr. DiPersio explained that the retaining walls are planned as four-foot high fieldstone walls in some locations, but will be seven-feet high at the highest point behind the house on Lot 1. Mr. Morely cautioned the applicant to plan for adequate room for cars to back out of the driveway.

Ms. Eggleston stated that the slope of the property is key since the water will follow the slope. She emphasized that the plans must not make the existing drainage issues worse than they are, and she hopes that the situation might even be improved. She is concerned that the plan exhibited tonight does not reflect the same drainage patterns that were

originally modeled. She suggested that test pit data for the septic system should be reviewed and that substantial water table and grading information will need to be evaluated. Ms. Eggleston reiterated that the drainage calculations need to be consistent with the proposed plan. She also asked whether a homeowners' association is planned to be responsible for maintenance of the water quality inlets into the ponds, to which Mr. DiPersio replied affirmatively. Mr. DiPersio stated that he will provide the summarized drainage calculations for the Board's next meeting on this matter. He was also asked to incorporate the Department of Environmental Protection regulatory infiltration rates within those calculations.

Ms. Eggleston further questioned whether there is drainage onto the driveway from Goodman Hill's Road. Mr. DiPersio responded that he met with DPW Director William Place to demonstrate that the curb side is elevated and that the water does not come down the driveway.

Mr. Morely asked about the proximity to the Plantation Circle neighborhood which has experienced water issues. Mr. DiPersio responded that the two vernal pools that are part of the Plantation Circle area are approximately 180 feet from the back property line.

Craig Gruber, 187 Goodman Hill's Road, thanked the applicants for a thoughtful presentation which he thought was indicative of a significant amount of preparation. Chairman Fee confirmed that many meetings have occurred with the applicants to help formulate a well-designed concept. However, Mr. Gruber did state concerns regarding increased development in the neighborhood related to traffic and safety issues. Mr. Gruber noted a preponderance of septic trucks and Land Rovers that traverse the road making it very difficult to cross the street with children. He would prefer if the area is not overdeveloped and maintains some of its bucolic atmosphere. He asked if speed bumps and/or sidewalks could be installed to enhance safety on the road. Chairman Fee replied that speed limits and traffic issues are not within this Board's jurisdiction since the Selectmen (who control speed limits) and Planning Board function independently. However, Chairman Fee continued to state that sidewalks are within this Board's jurisdiction and the Board is willing to explore the possibility for sidewalk enhancements on both sides of the road. Chairman Fee also noted that speed bumps are not readily used on Town roadways because of the difficulties they pose for snow plow and maintenance vehicles. Mr. Gruber suggested that if sidewalks cannot be installed, then perhaps frequent crosswalks could be painted along the road.

Steve Brunner, 263 Goodman's Hill Road, reported to the Board that he has experienced drainage issues different from those expressed this evening by Mr. DiPersio. There is significant runoff that cuts through his property from the site under discussion. Mr. DiPersio stated that he thought all the water that drops on the property runs east to west. Mr. Brunner said that is not what he has observed and described the present water patterns dropping onto his property to the Board with the assistance of Mr. DiPersio's

exhibits. Mr. DiPersio assured Mr. Brunner that he and the applicants will review the plan to be sure not to augment the current situation. Mr. DiPersio further suggested that perhaps a swale could be designed to also intercept the water at the property line and direct it into the detention basin.

Chairman Fee thanked Mr. Brunner for his input, which he said reinforces the need for accurate site drainage calculations to determine that the plan is sufficient to not allow water to flow towards Mr. Brutter's property at a higher rate.

Ms. Eggleston opined that the plans presented tonight affirm Mr. Brunner's description. She noted that it is critical for the plans to pay particular attention to the water being directed properly.

Paul McCree, 173 Goodman Hill's Road, asked if any abutters from Concord Road have expressed opinions on the site plan. The answer was none have to date. Chairman Fee repeated that the site plans and file are available for inspection during regular office hours in the Planning Office, and that citizens can write their concerns to the Board if they are unable to attend a public hearing. All direct abutters were notified of tonight's hearing.

Chairman Fee recommended, and the Board agreed, that a site visit would be beneficial to the decision process prior to its next discussion on this matter. The Board scheduled a site visit for Friday, October 5, 2007 at 8:00 a.m., subject to change once personal calendars are reviewed. Ms. Kablack informed Mr. DiPersio that no additional staking would be required prior to the site visit. She also advised the Board to wear appropriate boots or footwear for the site visit. Chairman Fee announced that the site visit is part of the public discussion process and thus, the public is also invited to attend.

Chairman Fee summarized that prior to the October 10, 2007 meeting, the Board will formalize its position regarding the waiver request and will consult with the Police Chief and DPW Director regarding safety and traffic issues. Also prior to that meeting, the applicant will work with Ms. Kablack to seek a waiver for a private way, investigate further the roadway Town regulations, provide the Board with drainage calculations, provide the Board with soil data in the vicinity of the basins, provide the Board with estimates for the amount of fill required, consider a contribution related to sidewalks, and provide further information regarding the planned homeowners' association.

Ms. Kablack stated that complete grading plans depicting pre-construction of the homes will be a condition of approval. She also reported that Goodman's Hill Road is a Scenic Road and will require an application to be filed and a separate public hearing to be scheduled regarding stone wall removal for construction of the Private Way.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the Olde Bostonian Estates Definitive Subdivision Public Hearing on October 10, 2007 at 7:45 p.m.

On motion duly made and seconded, it was also unanimously:

VOTED: To schedule the Scenic Road Public Hearing regarding removal of a stone wall in connection with the Olde Bostonian Estates Definitive Subdivision Public Hearing on October 24, 2007 at 7:30 p.m., subject to an application being filed prior to September 30, 2007.

Chairman Fee advised that no further notice will be published regarding the continuance date. However, it should also be noted that the Planning Board Meeting Agendas are posted on the Town's website.

Minutes

On motion duly made and seconded, it was unanimously:

VOTED: To approve the minutes of June 13, 2007, June 27, 2007 and August 13, 2007.

Miscellaneous

Young Property -Right of First Refusal

Ms. Kablack distributed to the Board, for informational purposes, copies of the letter sent from the Sudbury Housing Trust to the Board of Selectmen recommending that the Town exercise its option to purchase the parcel. She also announced that at a Joint Meeting of the Selectmen, Community Preservation Committee and the Sudbury Housing Trust on September 17, 2007, the Board of Selectmen voted to exercise the Town's right of first refusal to purchase the property located at 804 Boston Post Road.

Open Space and Recreation Plan Survey

Ms. Kablack announced that the surveys are now available on the Town's website. She encouraged the Board to complete the survey online.

Design Review Board - Appointment

Ms. Kablack announced that Frank Riepe has agreed to serve on the Design Review Board for another three-year term.

On motion duly made and seconded, it was unanimously:

VOTED: To appoint Frank Riepe, 54 Newbridge Road, as a member of the Design Review Board for a three-year term.

Wayland-Sudbury Septage Committee - Appointment

Ms. Kablack reported that efforts are underway to contact James Occhialini to confirm his agreement to continue to serve as a member of the Wayland-Sudbury Septage Committee. She anticipates Mr. Occhialini will agree to serve.

On motion duly made and seconded, it was unanimously:

VOTED: To appoint James Occhialini, 411 Hudson Road, to serve as a member of the Wayland-Sudbury Septage Committee.

Community Preservation Committee (CPC) - Applications Due

Ms. Kablack reported that the CPC will meet on September 19, 2007 and begin its funding deliberations for FY09. Applications for funding are due by the end of October. This year, Ms. Kablack will submit a walkways request in the amount of \$200,000.

Scenic Road - Stone Wall Restoration

The Board questioned work recently completed at 233 Concord Road on a stone wall. The wall appears to have been rebuilt and mortared in a manner which is inconsistent with scenic road guidelines.

On motion duly made and seconded, it was unanimously:

VOTED: To authorize Ms. Kablack to draft and send a letter, on behalf of the Planning Board, to the property owners informing them that Concord Road is a scenic road, which requires that an application be completed and filed for a public hearing to be scheduled regarding the stone wall.

Grouse Hill - Performance Bond Assessment

Ms. Kablack distributed to the Board, for informational purposes, copies of a request sent to the Director of Public Works by Capital Group Properties for an assessment of a performance bond for Grouse Hill, the development located at 32 Old Framingham Road in Sudbury. The Board will review this material at a later date.

Route 20 Wastewater Options

Ms. Kablack distributed to the Board, for informational purposes, copies of the letter sent on July 16, 2007, on behalf of the Planning Board, by Chairman Michael Fee to the Board of Selectman. The letter expresses the Planning Board's disappointment that Route 20 Wastewater issues were not more prominently prioritized in the Selectmen

FY08 Goals and that the Board believes wastewater to be the threshold issue, which must be resolved by the Town before any other significant planning can be done regarding Route 20. Suggestions are also offered within the letter for future action steps.

Planning Board - Membership List Contact Information

Ms. Kablack distributed to the Board, for informational purposes, copies of an updated membership list with accompanying contact information.

Assistant Town Planner - Resignation

Ms. Kablack distributed to the Board, for informational purposes, copies of the letter of resignation submitted by Assistant Town Planner, Jenny Burney, dated August 21, 2007. Ms. Kablack is actively recruiting to refill the position.

Metropolitan Area Planning Council (MAPC) - MetroFuture Leadership Roundtable

Ms. Kablack distributed to the Board, for informational purposes, an invitation to the MAPC MetroFuture Leadership Dialogue of Selectmen and Planning Board members on Wednesday, September 26, 2007, from 6:30 p.m. - 9:00 p.m. at the Procter Elementary School in Topsfield.

UMass - Citizen Planner Training Collaborative - Fall 2007 Workshop Schedule

Ms. Kablack distributed to the Board, for informational purposes, the Fall 2007 Workshop Schedule offered by the UMass Citizen Planner Training Collaborative. The complete brochure is available from Ms. Kablack for anyone interested in further information.

Maple Meadows Senior Residential Community - Town Counsel Opinion RE: Potential Modification

Ms. Kablack distributed to the Board, for informational purposes a letter from Town Counsel Paul Kenny responding to the Rollins, Rollins & Fox request of June 12, 2007, for legal opinions on several questions as to whether or not the Planning Board has the authority to act pursuant to several matters. Chairman Fee was pleased to receive the response regarding acreage definitions for density calculations. Ms. Kablack provided a very brief update on the project. Mr. Hunter reported that the development units are very attractive.

Upcoming Planning Board Fall 2007 Meeting Schedule

The Board's next meeting will be September 26, 2007.

Chairman Fee adjourned the meeting at 9:45 p.m.