

Present: Michael Fee (Chairman), Joe Sziabowski, Christopher Morely,
Michael Hunter, Jody Kablack (Director of Planning and
Development), and Craig Lizotte (Associate)
Absent: Eric Poch

At 7:38 p.m., Chairman Fee called the meeting to order.

Bond Reduction – Faucher Woods

The Board was previously in receipt of a letter from Tom Diskin, dated September 20, 2010, requesting a release of bond for the Faucher Woods development and a letter from Town Engineer/DPW Director Bill Place, dated October 13, 2010, recommending that the bond be reduced to \$16,503.75. Ms. Kablack stated the project is not completed, and she recommended the bond be reduced.

On motion duly made and seconded, it was unanimously:

VOTED: To approve a reduction in bond for the Faucher Woods development to \$16,500.00 as recommended in a letter from Town Engineer/DPW Director Bill Place, dated October 13, 2010.

Bond Reduction – Grouse Hill

The Board was previously in receipt of an email message from Michael Cremin dated October 6, 2010, requesting a reduction in bond for Grouse Hill. Ms. Kablack distributed copies of a letter from Town Engineer/DPW Director Bill Place, dated October 13, 2010, recommending that the bond be reduced to \$31,641.10. Ms. Kablack stated the intersection has been completed, and Mr. Place will complete the walkway and possibly install a wood guardrail. She further stated that work yet to be completed includes the final coat of pavement on the main road, loam borrow, seeding and shade trees. Ms. Kablack recommended reduction of the bond.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the request of Michael Cremin dated October 6, 2010, requesting a reduction in bond for Grouse Hill to \$32,000.00 as recommended in a letter from Town Engineer/DPW Director Bill Place, dated October 13, 2010.

Minutes

On motion duly made and seconded, it was unanimously

VOTED: To approve the regular meeting minutes of September 14, 2010.

Annual 2011 Town Meeting – Potential Warrant Articles

Accessory Dwelling Units - Ms. Kablack distributed copies to the Board of “Accessory Dwelling Guidelines VO.3 (ETQ Comments) October 2010” prepared by the Zoning Board of Appeals (ZBA) to help inform applicants of issues considered by that Board when reviewing applications. She stated these guidelines would likely satisfy the

ZBA's issues regarding the exterior appearance of the house not looking as if it is a multi-family structure, the size of the dwelling, parking and neighborly cooperation.

Chairman Fee stated the ZBA had concerns when reviewing the size of the units being applied for throughout the past year.

Mr. Morely stated he supports the guidelines, but does not agree with the last sentence of the "Size of accessory dwelling unit" section. He noted that "intended use by a family member" should be deleted and is not a reason to waive requirements. Chairman Fee concurred, noting it is not a valid zoning consideration.

Chairman Fee stated it would seem that the Planning Board would not need to submit a revised bylaw to the 2011 Town Meeting if these guidelines are implemented.

Ms. Kablack stated she believes the ZBA would concur. She further stated that she will confirm this at the next ZBA meeting, and she will inform the ZBA that the Planning Board supports the guidelines, but recommends that the words "intended for use by a family member or is" be deleted from the last sentence in the "Size" section.

Mr. Hunter and Ms. Kablack stated that the guidelines would help the ZBA's application review process.

Outdoor Wood Boilers – Ms. Kablack reported that she discussed the idea of presenting an article to ban the use of outdoor wood boilers with Building Inspector James Kelly.

Mr. Kelly suggested allowing their use by a permit approved by the Board of Health and not submitting a Town Meeting article to prohibit them. Mr. Kelly believes that there are some large parcels in Sudbury which have enough space to house the boilers without bothering neighbors. Ms. Kablack is researching bylaws in other towns for more information.

Chairman Fee stated he believes it is easier to regulate the use of the boilers by banning them, until evidence can be provided establishing a benefit for having them. He also believes that there should be scientific data to support that the boilers are not harmful to the surrounding air quality.

Mr. Lizotte stated that, although the boilers create more visible smoke, he is not certain they generate more harmful substances into the air than do old oil burners or other heating devices. He further stated that the environmental impact caused by one would be small compared to what is generated by a diesel truck. Mr. Morely noted, however, that the boilers are next to other houses.

Mr. Sziabowski asked if a requirement could be considered for a Special Permit. Chairman Fee stated that, currently, the boilers are possible as of right.

Mr. Hunter noted that the use of the boilers is not regulated by any safety reviews. The consensus of the Board was that some oversight is needed.

Ms. Kablack will gather additional information from the Board of Health, other towns and the Fire Chief for further consideration.

Chairman Fee stated that, although he is inclined to believe the boilers should be banned, he is open to considering a proposal to restrict their installations to certain dimensions and on certain types of properties.

Mr. Morely asked if the three existing Sudbury outside wood boilers would remain in operation. The consensus was that they would be grandfathered under any new regulation.

Mr. Sziabowski stated that he is supportive of the use of alternative fuel sources.

Chairman Fee stated that the undeniable impact of the boilers on the surrounding neighborhood needs to be considered. He further stated that it could be a nuisance to live next to one. Chairman Fee believes use of the boilers should be further investigated.

Mr. Morely stated he is inclined to support that an article be presented at the Annual 2011 Town Meeting to ban the use of outside wood boilers. Mr. Hunter concurred.

Mr. Sziabowski reiterated that it is important to support the use of heating sources other than fossil fuels. If properties are located close to each other, he acknowledged they could be a nuisance, but the boilers might be acceptable on larger parcels.

Mr. Morely stated that, although there may be a few large residential parcels in town, not many of them could accommodate an outside wood boiler without it being located near the home and the edge of the property. Mr. Morely does not see a need to make an exception to allow something for which there does not seem to be a demand. Chairman Fee concurred.

Ms. Kablack will compile more information and report back to the Board at a later date.

Sudbury Housing Trust – 278 Maynard Road – Comprehensive Permit

The Board was previously in receipt of a Grading, Drainage and Utility Plan, a Landscape and Lighting Plan and an Erosion and Sedimentation Control Plan prepared by Meridian Associates, regarding the proposed Comprehensive Permit application for

278 Maynard Road by the Sudbury Housing Trust (SHT) and a memorandum from Ms. Kablack dated October 13, 2010, noting project revisions since the Board's last review.

Ms. Kablack stated the project will next be discussed with the Zoning Board of Appeals on November 1, 2010, and thus this Board should provide now as much feedback regarding conditions as possible. She noted that the revisions to the plan have resulted in compliance with the provisions of the Water Resource Protection District. The driveway location has been moved from Marlboro to Maynard Road and does not require removal of any trees within a Scenic Road Bylaw. She noted that the majority of her comments and recommendations for conditions are related to stormwater management.

Mr. Lizotte asked Ms. Kablack to electronically send him the Stormwater Report prepared by Meridian Associates. Ms. Kablack noted that Department of Public Works Director Bill Place is also reviewing the revised plans.

Ms. Kablack recommended drafting a letter, to be sent to the ZBA, expressing the Board's support of the project, if the conditions noted in Ms. Kablack's memo of October 13, 2010 are incorporated.

Chairman Fee noted that a tremendous amount of work has been done to reduce the original plan from six units to three units, and he is confident that the stormwater plan and the environmental impact of the revised project are acceptable. He emphasized that it is important for this property to receive the comprehensive permit. Chairman Fee asked the Board to also consider expressing in its letter that this project is consistent with Sudbury's Master and Housing Plans and fulfills the mission of creating affordable housing as the Planning Board had envisioned the Trust would do.

Ms. Kablack briefly reviewed the proposed architecture for the units and she circulated a copy of the Architectural Plan to the Board for review. She also noted that the Design Review Board has expressed initial support of the plan and will review it again soon. Chairman Fee stated the neighbors now appear to be supportive of the revised plan.

Chairman Fee recommended, and the Board concurred, that the letter to the ZBA should express that the Planning Board is cognizant the project has undergone intense public scrutiny and discussion, and it believes that the project is consistent with the goals of the Town, and that the success of this development is critical to the Town's efforts to create affordable housing, as is the purpose of the SHT.

In response to a few questions from Mr. Lizotte regarding the sponsor and ownership of the development, Ms. Kablack provided a brief history of the SHT and its projects completed to date. It was noted that this project and the SHT received strong public opposition at last year's Town Meeting, and the SHT anticipates possible dissent again at the 2011 Town Meeting.

Mr. Sziabowski stated the architectural design looks good, and he asked if an "L" design was considered. Ms. Kablack stated it was, but the eventual design was deemed to be more favorable for the site.

Mr. Lizotte stated that, as a result of tonight's discussion and review of the plans, he does not believe a further review by him is necessary. Ms. Kablack stated she will still receive feedback from Mr. Place.

Ms. Kablack noted there is a small concern regarding potential seepage from the hill. She stated that a geotechnical report has been completed. Ms. Kablack further stated that Building Inspector Kelly has suggested that the grade of the structure be raised, since the units have basements, in order to avoid any groundwater issues. All the hill the seepage will be directed to swales, as will the driveway runoff.

Mr. Lizotte suggested that snow management for late winter/early spring be reviewed and documented appropriately.

In response to a question from Mr. Hunter, Ms. Kablack stated that it is anticipated that the November 1, 2010 meeting discussion should conclude the ZBA's deliberation of the project.

Miscellaneous **Open Meeting Law Materials – Certificate of Receipt**

The Board was previously in receipt of copies of the "Certificate of Receipt of Open Meeting Law Materials" and the "Open Meeting Law Guide" for review and completion purposes. Ms. Kablack reminded members to complete and submit the form if they have not already done so.

Wind and Solar Energy Options

A brief discussion ensued regarding the possible use of the closed landfill as a resource for wind energy. Mr. Morely stated that he was informed it was not possible to incorporate wind energy at the site due to the inability to penetrate the clay and soils.

Mr. Lizotte opined that the use of wind energy at the landfill should be possible if the foundation is designed properly.

Ms. Kablack stated that there are plans to develop the landfill site as a solar energy resource.

FY12 Capital Budget Funding Requests

The Board was previously in receipt of a Capital Improvement Budget Request Form, submitted by Ms. Kablack, for FY12 Capital Budget funding for the Design and Permitting Phase of the Route 20 Sewer Project in the amount of \$1,000,000. She has also submitted requests for \$1,000,000 for the Town Center reconstruction, \$200,000 for walkways and \$50,000 for a Town Hall Design Study.

FY11 Board of Selectmen Goals - Update

The Board was provided copies, for informational purposes, of the letter sent to the Board of Selectmen from the Board dated September 27, 2010, providing feedback regarding the FY11 goals of the Selectmen, noting that the Planning Board supports the Route 20 sewer project and wished it had appeared more prominently on the list of goals.

Ms. Kablack stated the Selectmen have not yet responded to the letter. She further stated that Town Counsel Paul Kenny has suggested that a bid go out to hire a consultant to work on the next \$90,000 phase of developing and implementing a Route 20 sewer system. Ms. Kablack stated the Town will also proceed with continued testing of the Curtis School location as a leaching field and submission of the first phase of the Department of Environmental Protection application. She also plans to present the topic for discussion at an upcoming Selectmen's meeting. Chairman Fee suggested that Planning Board members attend the Selectmen's meeting when this project discussion next appears on the agenda.

In response to a question from Mr. Lizotte, Ms. Kablack stated that Sudbury has had discussions regarding the coordination of a wastewater facility and system with both Marlborough and Framingham.

Eastern Massachusetts National Wildlife Refuge Complex Visitor Center – Grand Opening

The Board was previously in receipt of copies of an invitation to the public from the U.S. Department of the Interior dated September 8, 2010, to attend the grand opening of the Eastern Massachusetts National Wildlife Refuge Complex Visitor Center at the Assabet River National Wildlife Refuge, 680 Hudson Road, on October 17, 2010 from 1:00 p.m. to 4:00 p.m. for informational purposes.

Citizen Planner Training Collaborative – Fall 2010 Workshops

The Board was previously provided copies of the Citizen Planner Training Collaborative Fall 2010 Workshops brochure for informational purposes.

FY12 Budget Calendar

The Board was previously in receipt of copies of the FY12 Budget Calendar for informational purposes.

Upcoming Planning Board Meeting Schedule

The Board's next meeting is scheduled for November 10, 2010.

The meeting was adjourned by Chairman Fee at 8:44 p.m.