

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

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

Metropolitan Area Planning Council – Route 20 Zoning District Local Technical Assistance Project

Ms. Kablack announced this agenda item would need to be rescheduled due to the representative of the Metropolitan Area Planning Council (MAPC) being ill.

Johnson Farm Comprehensive Permit, 189 Landham Road – Comments for the Zoning Board of Appeals

Ms. Kablack distributed copies to the Board of a draft letter dated February 9, 2012, to be sent from the Planning Board to the Zoning Board of Appeals (ZBA) Chair, commenting on the Johnson Farm Comprehensive Permit project. Chairman Fee asked Ms. Kablack her opinion of the conclusions the ZBA hearings are inclined to reach.

Ms. Kablack reported the hearings have been technical in nature, primarily focusing on wetlands issues. She stated a tremendous amount of information has been produced by the applicant, much of which has not been agreed with by the Town's consultants. Ms. Kablack summarized issues of concern, such as the lack of acknowledgement and delineation of known vernal pools on the property. In response to a question from the Board, she noted that, under local bylaws, several waivers would be required. Ms. Kablack stated two extension requests have been declined by the applicant.

Mr. Lizotte has reviewed and discussed the plans with Ms. Kablack. From the material he has reviewed, Mr. Lizotte is inclined to believe the Department of Environmental Protection (DEP) would have serious concerns regarding the proposal as it currently exists. Given the proximity of the vernal pools to the proposed project, he does not believe the project can be constructed according to the stormwater designs he has seen to date.

Ms. Kablack stated the ZBA hearings will begin to discuss stormwater-related issues next week. She further stated the Town's consultant has noted a significant number of deficiencies in the plans provided to date.

Mr. Sziabowski asked what happens if the applicant is unable to meet the Town's stormwater requirements. It was noted the ZBA would need to decide if it would deny a

waiver based on the potential impact to the wetlands being more significant than the Town's need for affordable housing.

Chairman Fee noted the property contains some of the most significant wetlands areas in Sudbury. He stated the draft letter is good, however, he believes the letter should include a broader perspective of the Board's opinion of the project.

Chairman Fee asked if any member of the Planning Board is in favor of this project proposal. No one responded. However, Mr. Lizotte stated that, although it is possible he could support a smaller project, he believes what has been submitted is inappropriate. Chairman Fee concurred.

In response to a comment by Mr. Morely, Chairman Fee stated the Board's letter will be part of the public record regarding this project, if it proceeds to the point of appeal and litigation. Thus, Chairman Fee believes it is important for the Planning Board to express a strong position of unanimous opposition to the project. He suggested the letter be revised to convey the Board has followed the project through the ZBA hearing process, and it has concluded the project plan and design has not evolved in an appropriate manner for the community, and that the Board has deep concerns regarding the protection of Sudbury's wetlands and water supply and that these issues are delineated as major goals within the Town's master plan. In addition, Chairman Fee suggested the letter include language to reflect that the Town has made progress in recent years towards its housing plan and affordable housing goals. He further recommended the letter state the Planning Board questions a project such as this, which is so divergent from local needs, and thus the Board would support a denial of the application by the ZBA.

The Board concurred with Chairman Fee's revisions. Mr. Poch suggested the emphasis of the letter begin with the progress Sudbury has made towards its affordable housing plan and that the project does not enhance the Town's needs. The Board agreed.

In response to a question from Mr. Lizotte, Ms. Kablack explained the Fire Department has expressed its concerns about potential excavation planned over a gas line and that there is only one egress proposed. Mr. Lizotte noted that NFPA standard recommends no more than 100 units when only one egress is planned.

Chairman Fee stated the letter should also include language to convey the Planning Board considers public safety aspects of the project to be of extreme importance, and that having only one access road for emergency vehicles, which is compromised by the need to cross wetlands, is inadequate and unacceptable. Mr. Lizotte agreed, stating good design practices call for typical requirements. Mr. Sziabowski concurred, stating designing for two exit points is common practice in the industry and is imbedded in most interpretations of the building code.

Mr. Morely recommended the Board use this opportunity to succinctly state what it believes is wrong about this project for Sudbury.

Chairman Fee and Ms. Kablack will revise the letter to reflect tonight's recommendations.

Miscellaneous

Application Not Required Application – 181 Dutton Road

Ms. Kablack briefly reviewed with the Board the Form A Application For Endorsement of Plan Believed Not To Require Subdivision Approval plan submitted by Michael J. and Katherine M. Lague, 9 Marlborough Road. Ms. Kablack recommended approval.

On motion duly made and seconded, it was unanimously

VOTED: To approve the Form A Application Endorsement of Plan Believed Not To Require Subdivision Approval plan submitted by Michael J. and Katherine M. Lague, 9 Marlborough Road.

Public Hearing: Mahoney Farm Senior Residential Community (SRC) – Special Permit Modification and Stormwater Management Permit Applications

At 8:00 p.m., Chairman Fee opened the public hearing regarding the application of Mahoney Farms LLC for a modification to an approved Senior Residential Community Special Permit, Mahoney Farms, dated June 22, 2005, and a Stormwater Management Permit.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the public hearing, with no testimony given or received, regarding the application of Mahoney Farms LLC for a modification to an approved Senior Residential Community Special Permit, Mahoney Farms, dated June 22, 2005, and a Stormwater Management Permit to April 11, 2012 at 8:00 p.m.

Upcoming Planning Board Meeting Schedule

The Board's upcoming meetings are scheduled as follows: March 21, 2012 and April 11, 2012. Town Meeting begins on May 7th.

Public Hearing: Stormwater Management Permit – 56 Bigelow Drive

At 8:01 p.m., Chairman Fee abstained from the discussion since he was absent at the Board's last meeting. Vice-Chairman Poch opened the Public Hearing regarding an application submitted by William Senecal, Trustee, to construct one (1) new single family

dwelling on Lot 56, Bigelow drive (Assessor's Map L-03, Lot 356), which will involve the disturbance of approximately 18,725 square feet of land with slopes greater than 10%, which was continued from January 25, 2012. The Board was previously in receipt of a draft "Decision Stormwater Management Permit 56 Bigelow Drive Sudbury, MA dated February 8, 2012."

On motion duly made and seconded, it was unanimously:

VOTED: To close the Public Hearing regarding the application submitted by William Senecal, Trustee, to construct one (1) new single family dwelling on Lot 56, Bigelow Drive (Assessor's Map L-03, Lot 356), which will involve the disturbance of approximately 18,725 square feet of land with slopes greater than 10% for a Stormwater Management Permit.

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

VOTED: To approve the Stormwater Management Permit application submitted by William Senecal, Trustee, to construct one (1) new single family dwelling on Lot 56, Bigelow drive (Assessor's Map L-03, Lot 356), which will involve the disturbance of approximately 18,725 square feet of land with slopes greater than 10%.

Potential Articles for 2012 Annual Town Meeting

Ms. Kablack distributed copies to the Board of a listing of "2012 Annual Town Meeting Warrant Articles" dated February 3, 2012. The Board reviewed the list. Ms. Kablack reviewed the few articles submitted by the Board to amend various zoning bylaws. The Board will assign speakers at a later meeting.

Village Green - Update

In response to a question from the Board, Ms. Kablack provided a brief update regarding the Village Green (29 Hudson Road). She stated there have been numerous problems, including the situation she and Mr. Morely explained of numerous trees having been cut and removed from the property, along with the removal of several trees in the surrounding neighborhood, which were not on the Village Green site. This was done without providing the Town with any plans or obtaining a permit. Ms. Kablack stated a Site Plan has not been submitted to date, but is expected at a later date.

The meeting was adjourned by Chairman Fee at 8:32 p.m.