

Present: Michael Fee (Chairman), Christopher Morely, Michael Hunter, Pat Brown, and Jody Kablack (Director of Planning and Development)

Absent: Joseph Sziabowski and Craig Lizotte

At 7:35 p.m., Chairman Fee announced a quorum of the Board was present, and he called the meeting to order.

The Green Company – 40 Tall Pine Drive – Potential Senior Residential Community (SRC) - Discussion

Present: The Green Company Owner Alan Green and its President David Caligaris, Attorney Joshua Fox and Engineer Bruce Ey

At 7:37 p.m., Chairman Fee opened a discussion with representatives of The Green Company and its attorney, Joshua Fox, and its engineer, Bruce Ey, regarding the possibility of developing the old Jones and Bartlett Publishing Company building on Tall Pine Drive as a potential Senior Residential Community (SRC). He noted the pending application for this proposal was made possible by a vote at the 2012 Town Meeting to amend the bylaw to allow for this type of development on a ten-acre parcel rather than the previous minimum of twenty acres. Chairman Fee stated the Board sponsored this article at Town Meeting, and it is pleased to see a proposal put forth so soon. He further stated tonight's discussion is preliminary in nature in order to provide some feedback to the applicant. The Board was previously in receipt of a letter from Schofield Brothers of New England, Inc. Senior Vice President Bruce Ey dated July 20, 2012 and accompanying drawings, an email and letter from Attorney Joshua Fox dated July 25, 2012, a memorandum from Conservation Coordinator Debbie Dineen dated July 24, 2012, and a memorandum from Board of Health Director Robert Leupold dated July 24, 2012.

Attorney Joshua Fox introduced the applicant team members in attendance. Mr. Fox described the property as 18.84 acres, which includes a vacant 25,000 square-foot office building and parking to accommodate 115-120 vehicles. He further stated the site is zoned as residential. Mr. Fox provided the Board with a signed letter of consent of the owners for this proposal presentation.

Mr. Fox highlighted Sudbury's past successes with SRC developments, noting they have been well received, with few objections expressed by citizens. He stated the proposed development would include 24 two-bedroom homes and 2 one-bedroom homes. Mr. Fox reinforced Chairman Fee's earlier comment that this project is now feasible due to the revision made to the bylaw for the minimum lot size for SRCs to ten acres. He noted SRCs provide alternative housing options for senior citizens and positive tax growth for the Town. Mr. Fox emphasized infrastructures for these types of developments are eventually maintained by the condominium associations, so there is little to no impact on municipal cost centers.

Mr. Fox briefly described the need to determine the minimum lot count which would determine the number of bedrooms in the development. He summarized the applicant's analysis regarding whether the 100 and 200 foot wetland buffer areas should be included within the definition of "wetland resource" regarding this determination, and their conclusion that the buffers should not be included. Mr. Fox referenced Section 5334 of Sudbury's Zoning Bylaw, stating the minimum lot area for each buildable lot

shall not contain more than 25% which is underwater land or "wetland resource as defined by G.L. c. 131, s. 40, or in the Sudbury Wetlands Administration Bylaw." He stated this issue was discussed by the applicant with the Conservation Commission, and that the Commission unanimously agreed with the applicant's conclusion that buffers should not be included within the definition of "wetlands resource," and that the ten-lot plan presented is viable. Mr. Fox further stated his letter of today to the Board provides several reasons for reaching their conclusions.

Schofield Brothers of New England, Inc. Senior Vice President Bruce Ey summarized the proposal with the use of exhibits. Mr. Ey stated his firm has long been acquainted with this property, and it delineated the wetlands 12 years ago. He described access to the site off of Tall Pine Road. Mr. Ey stated his company re-delineated the wetlands by survey means for the Conservation Commission. He also stated further detail would be provided to the Commission for review and the applicant will subsequently file a Notice of Intent.

Mr. Ey stated his company ran test holes and percolation tests in the spring. He stated the site is within a Zone II, and thus would require a Water Resource Protection District Special Permit filing. Mr. Ey stated the applicant views its proposal as a re-development project. He further stated testing indicates a house and a septic system could be placed on each lot proposed. Mr. Ey indicated the tree line on the drawings, and he described the two wetland areas -- one which is natural, and the other which is man-made. He emphasized the proposal does not violate any wetland buffer or riverfront regulations. Mr. Ey further stated the property lends itself to several mitigation options, which the applicant would explore with the Conservation Commission, if needed.

Mr. Ey briefly displayed exhibits of the proposed SRC homes. He highlighted the large open space area proposed. Mr. Ey stated the initial plan calls for retaining the same driveway entrance location, but the office building, parking lot and current septic system would be removed. He emphasized the applicant's goal to protect Dudley Brook, which is an important resource. Mr. Ey stated he believes the proposed homes would complement well the existing homes in the neighborhood, and he believes there is no better use than a SRC for this property.

Chairman Fee asked the Board if it had any comments at this time regarding the project concept.

From a zoning perspective, Mr. Morely stated the plan appears to be viable. He further stated the property has been underutilized for decades.

Mr. Hunter commended the applicant on the design for the development. He asked if it would be part of the Tall Pines Association. Mr. Fox stated this possibility is currently being pursued. Chairman Fee asked if the current property owner is a member of the Tall Pines Association, and several people responded that the owner is not a member.

Mr. Hunter noted a large berm that is along the abutting Cavicchio property, and he asked if this berm would be continued along the property line to further screen this development from the Cavicchio operation. Mr. Ey displayed the location of the berm on the plans, stating the applicant would be willing to consider working with the Cavicchios, but it may not be necessary. He further stated the berm would be reviewed in detail as they proceed with their plans.

Chairman Fee stated he was formerly an abutter to this property. He expressed how beautiful the Dudley Brook area is and his preference to protect this important resource. Chairman Fee also believes the

property has been underutilized, and he is pleased a company with such a fine reputation and portfolio of work has presented this proposal. He asked if the applicant has spoken and/or met with abutters.

The Green Company President David Caligaris stated not yet, and that the company wanted to first meet with the Conservation Commission and the Planning Board to have more to report. Mr. Caligaris further stated the property owner has sent a letter to the Association introducing the project.

Chairman Fee emphasized application processes for developments tend to go more smoothly when there is early and ongoing communication with abutters. He asked if the potential rail trail would be near this location. Several people stated it is not.

Chairman Fee also asked if a price point has been determined for the units. Mr. Caligaris stated the price is yet to be determined, but homes would start possibly in the lower \$500,000 range.

Mr. Morely advised the applicant to be prepared to discuss potential traffic issues, noting it could be a key concern.

Chairman Fee asked the Board to next comment on the base lot count analysis presented by Mr. Fox.

Mr. Hunter asked if Dudley Brook is intermittent. Mr. Ey stated it is perennial, and thus the applicant would work with the Conservation Commission. He noted that no aspect of the plan conflicts with riverfront performance standards.

Ms. Kablack stated she met with the applicant's team briefly to discuss the wetlands resource definition. She agrees with the conclusion presented by Mr. Fox in his July 25th letter to the Board. However, Ms. Kablack further stated she would complete a full zoning analysis once an application is formally submitted.

Chairman Fee concurred with the analysis provided by Mr. Fox, and commended the applicant for providing such compelling information at this preliminary stage. He encouraged the applicant to put the information in writing as part of its formal application.

Ms. Kablack reviewed the process requirements, noting the Town requires a preliminary Public Hearing, which will be scheduled for the Board's next meeting on August 22, 2012, as well as a second public hearing process when the definitive plan and application are submitted.

Chairman Fee asked the applicant's team if they had received adequate feedback tonight with which to move forward. The applicant's team responded affirmatively, and Chairman Fee concluded the discussion.

Maple Meadows Senior Residential Community – Phase 2 – Stormwater Management Permit

At 8:07 p.m., Chairman Fee opened the discussion regarding the copies of the draft "Decision Stormwater Management Permit Maple Meadows Phase II," dated July 25, 2012, which the Board had previously received for review. Ms. Kablack noted the Public Hearing on this issue was closed.

Chairman Fee recommended, and the Board concurred, that a sentence be added to the third paragraph of the first page of the draft Decision to clarify that, at a subsequent meeting of the Board on July 25, 2012,

Board members Michael Fee, Chris Morely and Pat Brown voted to support the Stormwater Management Permit Decision, and Joseph Sziabowski was not present.

Ms. Brown noted a typographical error on #11 on page 3. Ms. Kablack stated she would correct the error.

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

VOTED: To approve the Maple Meadows Senior Residential Care (SRC) – Phase II Stormwater Management Permit Decision, as modified tonight.

Mr. Hunter did not vote on the Decision.

Application Not Required Application – Willis Hill Trust – 272 Willis Road

Ms. Kablack reported a Form A Application For Endorsement of Plan Believed Not To Require Subdivision Approval plan was submitted by Willis Hill Trust for a property owned by Robert Quirk at 272 Willis Road. She stated back taxes are owed on the property. Thus, on behalf of the Board, a letter will be drafted to inform the applicant that the Board has declined to endorse the plan until the back taxes are paid.

Mr. Morely asked if the Board has the legal right to decline to endorse the plan.
Ms. Kablack stated it does pursuant to Town Bylaws, Article XVIII.

Minutes

The draft Meeting Minutes of June 27, 2012 was reviewed.

Mr. Hunter asked that the spelling of his last name be corrected on Page 1.

Chairman Fee recommended approval of the minutes be held until all missing information is completed.

Miscellaneous

Open Meeting Law Receipt

Ms. Kablack reminded Board members to complete the required information.

U. Mass/Amherst Planning Program

Ms. Kablack reported the U. Mass/Amherst Planning Program has announced an opportunity for 12-15 students to assist a town which is in the initial stages of creating a master plan. Ms. Kablack asked for feedback from the Board as to whether Sudbury should pursue this. She noted there are usually pros and cons to becoming involved in such programs.

Mr. Morely asked if managing the project and students would be a con.

Ms. Kablack stated the number of students would be more manageable than with previous projects. She suggested it could be useful for Sudbury to ask the students to do some demographic analysis of how the

project accomplishments of the initial Master Plan have impacted Sudbury. Ms. Kablack explained it could be a study to help measure the results of the Town's 2001 Master Plan efforts.

Chairman Fee suggested it could be useful to do a statistical update according to the same categories which were relied upon for Sudbury's first Master Plan.

Ms. Brown asked the students level of education. Ms. Kablack stated they are typically candidates for Master's degrees in planning.

Chairman Fee asked if the students are supervised. Ms. Kablack stated two professors would supervise the students. Chairman Fee opined that participation in the program could be beneficial.

Mr. Morely noted the students could possibly gather a lot of demographic data from existing sources at the Council on Aging and the Town Clerk's Office.

Ms. Brown asked whether Ms. Kablack would begin by helping to collect the information for the students. Ms. Kablack stated she would begin by asking the program to prepare a project scope for Sudbury. The consensus of the Board was that Sudbury should pursue participation in the program.

Upcoming Meeting

Ms. Kablack asked Board members to hold their calendars free for the next meeting scheduled for August 22, 2012 at 7:30 p.m. at Town Hall, and to notify her as soon as possible if they are unable to make the meeting. She noted there is a full agenda planned with possibly three Public Hearings.

The meeting was adjourned at 8: 29 p.m.