

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

At 7:35 p.m., Chairman Fee called the meeting to order.

Mahoney Farm Senior Residential Community (SRC) – Special Permit Modification and Stormwater Management Permit Application – Vote Decisions

Present: Developer Martin E. Loiselle, Jr., Capital Group Properties

At 7:35 p.m., Chairman Fee opened the discussion 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. He stated he could not vote on the applications due to his absence at the Board's last meeting, however, he would preside over tonight's discussion. The Board was previously in receipt of copies of a memorandum from Scott Peoples, P.E. of Peoples Engineering LLC dated October 11, 2011, a letter from Project Engineer Vito Colonna, P.E. of Sullivan, Connors & Associates dated April 27, 2012, describing revisions to the stormwater detention basin to meet Sudbury regulations and an accompanying revised plan, a draft "Modification Senior Residential Community Special Permit Mahoney Farms dated May 23, 2012," and a "Draft Decision Stormwater Management Permit Mahoney Farms Modification dated May 23, 2012."

Ms. Kablack stated the Board closed the Public Hearings at its last meeting. She noted neighbors had provided significant input to the Board. Ms. Kablack referenced the draft "Modification SRC Special Permit Mahoney Farms, dated May 23, 2012" and she reviewed the conditions. She noted a few minor revisions to the draft decision.

Regarding the Special Permit Modification, Mr. Lizotte suggested a second sentence be added to condition #4 on page two stating, "The location to be determined based on an actual field survey." He also suggested condition #6 on page two begin with the words "A minimum of two inspections...." The Board concurred with both revisions.

Ms. Kablack asked that condition #12 on page three be revised to not include conditions #4 and #5 as needed for compliance, and rather to include conditions #4 and #5 to condition #13 as necessary for compliance. She noted Mr. Loiselle and Mr. DiPietri are amendable to this change.

Chairman Fee asked that the last words of condition #12 on page three be changed to read "have been satisfied," instead of "have been complied with." The Board concurred with all suggested revisions.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft "Modification Senior Residential Community Special Permit Mahoney Farms dated May 23, 2012," as amended tonight.

The Board next reviewed the draft "Decision Stormwater Management Permit Mahoney Farms Modification dated May 23, 2012." Ms. Kablack stated revisions would be made to conditions #3 and #4 on page three to mirror the changes made to the Special Permit.

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

VOTED: To approve the draft "Decision Stormwater Management Permit Mahoney Farms Modification dated May 23, 2012," as amended tonight.

Ms. Kablack presented the Board with the plans for endorsement.

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

VOTED: To endorse the plans for the draft "Modification Senior Residential Community Special Permit Mahoney Farms dated May 23, 2012," as amended tonight, and the draft "Decision Stormwater Management Permit Mahoney Farms Modification dated May 23, 2012," as amended tonight.

Public Hearing: Maple Meadows Senior Residential Community – Phase 2 –

Present: Developer Robert Roth

At 7:48 p.m., Chairman Fee opened the Public Hearing regarding an application for modification to the Maple Meadows Senior Residential Community (SRC) Special Permit dated June 29, 2004, said property located at 35 and 55 Maple Avenue and shown as parcel 20 on Assessor's Map K08 (#35) and Parcel 74 on Assessor's Map K09 (#55), and he read aloud the public notice. Ms. Kablack reviewed the materials which the Board had previously received, including copies of the Public Hearing Notice, a letter from Assistant Fire Chief John Whalen dated May 17, 2012 noting conditions for approval, a letter from Department of Public Works (DPW) Director Bill Place dated May 2, 2012 noting comments and recommendations, an "Application for Approval of Special Permit for a Senior Residential Community dated April 24, 2012," an "Application for Stormwater Management Permit submitted April 20, 2012," and a letter and accompanying Stormwater Permit Application documentation and revised plans from Drew Garvin of R. Wilson & Associates, Inc. dated April 26, 2012, the Planning Board minutes of December 14, 2011, the "Maple Meadows Modification Senior Residential Community Special Permit issued April 13, 2011," the "Definitive Decision Senior Residential Community Special Permit The Meadows dated June 29, 2004," and a memorandum from Ms. Kablack dated May 21, 2012 describing the application proposal and offering comments and recommendations. In addition, copies of a letter from Drew Garvin dated May 21, 2012 and an email message from DPW Director Bill Place dated May 22, 2012, stating issues raised have been adequately addressed were distributed to the Board.

Ms. Kablack's memo stated the property is a 2.1 acre parcel on Maple Avenue owned by Maple Meadows Two Trust. The intent is to construct five additional SRC units to be added to the original 23-unit development owned by Maple Avenue Meadows LLC, which is adjacent to this property. She noted the Board granted a previous Special Permit modification in April 2011 which enlarged the condominium property and contemplated the addition of 5 SRC units. This application is for the final approval of units, including building placement, landscaping and installation of driveways and utilities. In her memo, Ms. Kablack stated the property is in an A-Residential zoning district and it is within Zone II of the Water Resource Protection District. She described it as mostly fields and woodlands containing slopes in excess of 20% in some areas.

Developer Robert Roth summarized the process to date. Mr. Roth stated the Board conducted a site visit in January and issues were discussed, including trying to reduce the amount of pavement. He also met with the Fire Department which asked for a form of egress that was less challenging. Mr. Roth suggested hard pack gravel be used which was accepted as a fair compromise. He also stated the Department asked for more fire hydrants, which have been incorporated into the plans. Mr. Roth reported test holes were done in March, and the septic location was witnessed by the Board of Health in April. He stated the site passed the inspection and soil tests.

Mr. Roth also reported the Conservation Commission conducted a site walk. He explained the property has no wetlands, but it does have a small portion of a buffer that abuts it. Conservation Coordinator Debbie Dineen asked the applicant to modify the NRAD to include the isolated wetlands, and this was also incorporated into the plan. Mr. Roth also met with DPW Director Bill Place to address drainage concerns, and the plans were accordingly modified.

Mr. Roth stated he met with neighbors, and as a result, efforts will be made to move the driveway approximately five feet farther away from the abutting single family residence. This will require execution of a revised easement. He displayed exhibits and indicated the proposed driveway location is to be situated between #50 and #55 Maple Avenue.

Mr. Roth stated the site has good soils, the water table is five feet from the surface, and a landscape plan has been submitted. He also discussed raising the existing berm.

Mr. Roth acknowledged receipt of Ms. Kablack's May 21, 2012 memo, and he is working to address all items noted. He proposed that the lighting and signage be consistent with what exists for Maple Meadows, and he will present a sign plan to the Board at a later date. Mr. Roth will continue to work with the Police and Fire Departments to comply with all regulations, and he has the certificate of title and a construction schedule.

Mr. Morely asked for further clarification regarding the driveway location. Mr. Roth stated the neighbors requested the proposed driveway location be moved to fall between the two homes at #50 and #55 Maple Avenue. Mr. Roth further explained that a consent for an easement from 55 Maple Avenue's mortgage holder is needed.

Mr. Morely stated it is important the applicant resolves the Fire Department's request for paving the "gravel fire road." Mr. Roth stated the plan was submitted to the Fire Department, and he is unaware of any unmet conditions. Mr. Sziabowski suggested grass pavers be considered.

The applicant's engineer, Drew Garvin, stated the Board of Health would prefer there not be any paving done over the septic system areas. Mr. Morely and Ms. Kablack encouraged the applicant to discuss this matter again with the Fire Department to mutually agree on the final surface material. During its site visit, Mr. Morely stated the Board firmly stated its opposition to a hard top surface.

Mr. Lizotte noted the applicant should determine if the Fire Department will also want the road plowed. If so, Mr. Lizotte's experience has indicated grass pavers will be destroyed after one winter and will need to be replaced.

Ms. Brown asked if it is a public road. Ms. Kablack stated the road is private.

Ms. Brown also asked if the plowing could be made the responsibility of the residents. The answer was that the condominium association will be responsible for all maintenance, including plowing, of the driveway. Mr. Hunter suggested stone be used. Mr. Morely noted the emergency access road, leading from the existing development to the tennis courts, is hard pack gravel.

Mr. Sziabowski stated he likes the architecture plans for the buildings, and he commended the applicant on a well done proposal. He also stated he agreed with the concerns expressed by Mr. Morely.

Mr. Hunter asked about the hiking trail which was supposed to lead to the cul de sac. Mr. Roth explained a trail does extend from the lower section and follows the river. Mr. Hunter suggested the trail be noted on the plans, and Chairman Fee stated this is also the request of the Board.

Ms. Kablack asked if the plan has been revised to reflect the swale. Mr. Garvin stated it is shown in the cross section, which he exhibited.

Ms. Kablack referenced the landscape plan, noting 57 trees and 29 shrubs are planned along the berm. She asked the applicant to have the landscape plan stamped by an architect and to reflect the property lines. Mr. Roth stated he has passed along these requests to the landscape architect and is awaiting a response.

Mr. Morely and Ms. Kablack questioned the plan for snow storage. Ms. Kablack stated it should be reflected on the landscape plan, as should the lighting.

Sudbury resident Henry Liebowitz, 50 Maple Avenue, asked if the plan includes the changes previously discussed with him and other neighbors regarding the location of the driveway. Mr. Roth provided clarification regarding how far the driveway location could be skewed to the edge of the easement.

Joanne Gillespie, 35 Maple Avenue -Unit 102, stated she and her husband Dennis Rapa were the first residents to move into the development. Ms. Gillespie stated she believes future development was misrepresented four years ago to suggest it would not impact her location. She believes this proposal greatly impacts her views, and she would like assurance that new buildings will be blocked from her sight.

Chairman Fee asked if Ms. Gillespie has seen the landscape plan, and she stated she had not. Mr. Morely provided Ms. Gillespie with a copy of the plan. Chairman Fee stated the developer is taking into account the visual impact and has proposed numerous plantings on the berm. Mr. Roth stated he too is concerned with the visual aesthetics of the units, which is why he has proposed so many plantings on the existing berm which will extend to the detention basin. Mr. Roth assured residents they would be protected from view of the new buildings. He also noted the new units would be stepped, so as to appear to be at a lower elevation.

Mr. Rapa asked if the large pine trees will remain. Mr. Roth stated some trees have been deemed unsafe to keep, but better trees will be planted to replace them. Chairman Fee clarified several pines and birch trees are noted on the plan as intended to remain.

Mr. Roth confirmed the nice large trees on the existing berm would remain. Chairman Fee encouraged residents to review the landscape plan and contact Mr. Roth to discuss any concerns. He also emphasized the Board can note conditions in its decision to mitigate planting damages.

Sudbury resident Jennifer Ward, 35 Maple Avenue - Unit 101, asked where the driveway goes, which Mr. Roth explained.

Chairman Fee summarized the applicant needs to resolve some technical issues, have further discussion with the Fire Department and discuss screening with Ms. Gillespie prior to the Board's next meeting.

Ms. Kablack noted stormwater management has been reviewed by DPW Director Bill Place, who is now satisfied with the plan. However, she did note the plan has not been sent for peer review.

Mr. Lizotte stated he believes a few items are missing such as an emergency overflow for the detention basin, vehicular access to service the area, and a 72-hour drawdown calculation of water quality treatment to meet Department of Environmental Protection (DEP) standards.

Ms. Kablack asked Mr. Lizotte to further review the information submitted and provide any further comments to the applicant's engineer.

Mr. Morely reminded the applicant that, if a decision is made to hard top the road, then Mr. Place has requested the calculations be revised accordingly.

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

VOTED: To continue the Public Hearing regarding the application for modification to the Maple Meadows Senior Residential Community (SRC) Special Permit dated June 29, 2004, said property located at 35 and 55 Maple Avenue and shown as parcel 20 on Assessor's Map K08 (#35) and Parcel 74 on Assessor's Map K09 (#55) to June 27, 2012 at 7:30 p.m., and to further instruct Ms. Kablack to prepare an affirmative decision for the Board's review on June 27, 2012.

Chairman Fee invited Sudbury residents in attendance to attend the public hearing continuation on June 27, 2012.

Board Appointments

On motion duly made and seconded, it was unanimously:

VOTED: To appoint Craig Blake to the Permanent Building Committee for a three year term.

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

VOTED: To re-appoint Dan Martin to the Design Review Board for a three year term.

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

VOTED: To appoint Patricia Brown as Sudbury's representative to the Minuteman Advisory Group on Interlocal Coordination (MAGIC) Committee of the Metropolitan Area Planning Council.

Ms. Brown stated she regularly attends the MAGIC meetings, and she announced the June 14, 2012 MAGIC meeting will be held in Sudbury at 7:00 p.m.

The Committee briefly discussed whether to also appoint Gary Hall, who is unknown to the Board, to the Design Review Board (DRB). Chairman Fee recommended the DRB open position be advertised, and that all interested candidates be interviewed at the Board's June 27, 2012 meeting.

Ms. Kablack stated the open position has been posted on the Town website, and no other candidates have come forward.

Miscellaneous
Ledgewood II

Ms. Kablack explained the Board's signature is needed to accept a cash bond in the amount of \$18,000 regarding the Ledgewood II development. Chairman Fee opined the Board's endorsement may not be necessary, but doing so probably has no detrimental consequences.

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

VOTED: To endorse the assignment of check # 2238 in the amount of \$18,000 to the Town of Sudbury for the completion of the roadway for the Ledgewood II development.

Route 20 Zoning – Recommendations from Metropolitan Area Planning Council – Form Subcommittee

At 8:48 p.m., Chairman Fee opened the discussion regarding the Metropolitan Area Planning Council (MAPC) for District Local Technical Assistance project recommendations for Route 20 zoning. The Board was previously in receipt of copies of two memoranda from MAPC Senior Regional Planner Cynthia Wall, both dated March 26, 2012, a handouts entitled "Sudbury Center Site Plan and Design Overlay District DRAFT Concept Language" and "Draft Sudbury Overlay Zoning Concepts for Discussion."

Ms. Kablack stated MAPC has delivered its final work product, and although it is not as detailed as the Town needs, it does provide a basis from which to work. She summarized the narrative presented by MAPC. Ms. Kablack stated the Town had provided good input to MAPC, including maps of where specific uses would be and where trending uses could be established. She stated MAPC basically provided an overlay bylaw, and she asked for comments from the Board.

Mr. Sziabowski stated he does not believe enough analysis has been done regarding density requirements and massing of buildings which could result from this project. He believes the MAPC report does not provide answers as much as it raises more questions.

Mr. Lizotte questioned whether the report should be paired with design guidelines. He also believes graphics and examples are needed.

Later in the meeting, Mr. Hunter stated he believes the material provided by MAPC could be reworked by the Town for public presentation by next year.

Mr. Morely asked if a subcommittee should be formed. Ms. Kablack stated she believes formation of a subcommittee could be a useful next step.

Mr. Sziabowski stated it is important to establish whether the Board has the authority to do what is needed to move the Route 20 sewer project forward, and whether a zoning report will provide sufficient guidelines to steer development appropriately.

Mr. Lizotte noted this is all part of the Special Permit process, and the entire district should be considered.

Chairman Fee stated the MAPC material could be used as a reference but not as a guide. He stated it is critical to determine what the goal is for the overlay district, i.e., is it to be visually appealing, is it to promote business, or is it to enhance tax revenue, etc.

Mr. Lizotte stated a list of goals "A through G" could be presented. Chairman Fee and Mr. Sziabowski stated this would be too many to present to the public.

Chairman Fee stated a connection needs to be made for why the Town needs the sewer district. He believes economic development must be the primary goal for implementing the sewer system. Mr. Sziabowski concurred.

Mr. Morely noted the public has commented in the past that it wants Route 20 to feel like a downtown.

Mr. Lizotte opined Route 20 will never have the same feel as downtown Concord. He believes the zoning needs to be put in place first, and then it will be easier to explain to the public why the Town needs the sewer project.

Ms. Brown stated she believes presenting a primary goal and clarity of purpose is important.

Ms. Kablack asked for Board volunteers to work on the subcommittee with her. It was noted the Route 20 Sewer Committee hopes to present something to the public at the 2013 Town Meeting. Mr. Sziabowski, Mr. Lizotte and Chairman Fee later volunteered.

Ms. Brown asked if the Town could try again to define to MAPC what it needs. Ms. Kablack stated it is possible to try to do so within the existing contract.

Chairman Fee reiterated the key question to be answered is why does the Town need to put a sewer on Route 20, and he suggested that it is for the purposes of economic development to increase commercial tax revenues and water protection. Ms. Kablack stated the intent of this project was to increase commercial development in certain targeted areas, and discourage sprawl in other areas.

Chairman Fee suggested establishing a proposal that is staged around a central district. He noted it might be easier to focus on a smaller section, and one goal, as a test pilot.

Ms. Kablack and Mr. Lizotte noted the Town's current zoning protects the entire area.

Ms. Brown stated that she is concerned about high density housing along Route 20 once a sewer is put in. Mr. Sziabowski stated this could be construed as an argument to do nothing.

Chairman Fee stated it will be important for the Route 20 Sewer Committee and the Planning Board to communicate throughout the year if anything is to be presented at the 2013 Town Meeting. It was noted

Eric Poch had been the Board's designee to the Route 20 Sewer Committee, and Chairman Fee asked if anyone is interested in filling this role.

Ms. Kablack stated she is willing to represent the Board. Mr. Morely stated he supports Ms. Kablack's participation.

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

VOTED: To appoint Jody Kablack as the Planning Board's interim representative to the Route 20 Sewer Committee.

Mr. Lizotte asked if there are Town funds available to hire a consultant. Ms. Kablack stated there are not. However, Ms. Kablack also stated it is possible The Sudbury Foundation could be approached for a donation later on in the process.

Chairman Fee recommended, and the Board concurred, that the Board draft a letter to be sent to the Board of Selectmen, on a monthly basis, apprising them of the Planning Board's progress on this project and its future plans.

Master Plan Update

At 9:20 p.m., Chairman Fee opened a discussion regarding updating the Town's Master Plan. The Board was in previous receipt of copies of the Massachusetts legislature website Section 81D description relevant to a Master Plan. In addition, Ms. Kablack distributed copies of the "Master Plan Implementation Schedule: As of June 2011," and she had a copy of the complete Master Plan available for reference. Mr. Lizotte asked if the Master Plan is available on the Town website, and Ms. Kablack responded affirmatively.

Chairman Fee asked Ms. Kablack to summarize the previous Master Plan creation process and what has happened in the interim.

Ms. Kablack stated there had been no such document for 37 years until a Strategic Planning Committee was formed in 1996. She stated the Committee had 75 members, and it utilized grant funding from The Sudbury Foundation. Ms. Kablack emphasized several public discussions were held and task forces were formed to research topics. The reports and information were provided to the Master Plan Committee, which then drafted the Master Plan.

Mr. Morely recalled the public outreach was extensive. Ms. Kablack stated she visited with neighborhoods to apprise them of the Committee's work, and eventually over 500 citizens were involved in the process.

Chairman Fee noted the Planning Board is the approving authority for a Master Plan, and that it does not need to be brought to Town Meeting.

Ms. Kablack referenced the "Implementation Schedule," noting many of the items have been completed or are nearly finished. She suggested a 10-year update of the Plan could be produced. Ms. Kablack stated the goals of an updated Master Plan would remain fairly similar, but the policies and strategies could be updated to reflect new ideas and issues. The Housing Production Plan and Open Space and Recreation Plan could be used as updates to those corresponding elements of an updated Master Plan. She asked for

the Board's thoughts as to whether there is a public energy to complete such a task at this time, noting that a Master Plan is always more effective if there has been broad public participation in the process. Ms. Kablack also noted it is helpful at Town Meetings to be able to state a project is consistent with the Town's Master Plan. Mr. Morely concurred later in the discussion.

Mr. Lizotte suggested new chapters could be inserted regarding the Route 20 Sewer project and the Housing Production Plan. Ms. Kablack stated work on these sections could be done concurrently with the projects, but other, newer topics would also need to be included related to energy, stormwater and utilities. She also noted the Selectmen are planning to create a strategic investment plan for Town projects, which could also be incorporated into a Master Plan.

Mr. Morely suggested the Board continue its work on the Route 20 zoning issue this year and work on the Master Plan next year.

Chairman Fee stated he believes the Board should begin work on a Master Plan Update now.

Mr. Lizotte suggested setting a two-year timeline.

Ms. Kablack stated the Board could do some initial work and then ask for involvement from the public.

Chairman Fee emphasized public input will be important. He stated the process to update the Plan does not need to necessarily replicate the original process.

Ms. Brown highlighted that a Master Plan can be sometimes problematic because of the numerous goals listed which can be competing at times. Ms. Kablack agreed, and she emphasized the consensus-building component of the process is critical.

Chairman Fee asked if updating the Plan is possible in the current Town environment.

Mr. Hunter stated one of the positive aspects of a Master Plan is that it includes a lot of items which benefit the entire community.

At 9:41 p.m., the discussion was closed.

Board Reorganization

As required annually by the State of Massachusetts, the Board reappointed Board members as follows:

On motion duly made and seconded, it was unanimously:

VOTED: To re-appoint Michael Fee as Chair, Michael Hunter as Vice-Chair, and Christopher Morely as Clerk of the Sudbury Planning Board.

The reappointments will be filed with the state Land Court and Registrar of Deeds as appropriate.

Minutes

On motion duly made and seconded, it was unanimously

VOTED: To approve the regular meeting minutes of April 11, 2012, subject to changing the word “intended” to read as “unintended” in the first sentence of the last paragraph on Page 2, and to approve the regular meeting minutes of May 8, 2012.

Upcoming Meeting

Ms. Kablack will send Board members a message tomorrow suggesting dates for the July and August meetings. Please notify her as soon as possible of your date preferences.

Miscellaneous

Metropolitan Area Planning Council – Wind Power Development

Copies of a flyer highlighting upcoming workshops and seminars from the Mass. Audubon organization were distributed to the Board for informational purposes.

Raytheon Corporation – Delegation of Stormwater Management Permit Review

Ms. Kablack stated Raytheon has submitted a Stormwater Management Permit Application to repave a small portion of its property. She noted the proposed project should improve the property’s overall stormwater management strategy, and a peer review will be conducted. Ms. Kablack stated a Request for Proposal was issued for stormwater consultants, and Lisa Eggleston was the only responder. It has been recommended that the Board delegate its review authority to the Conservation Commission for the Raytheon application. It is anticipated that Ms. Eggleston will review this project for the Conservation Commission.

On motion duly made and seconded, it was unanimously

VOTED: To delegate the Planning Board’s authority for Stormwater Management Permit review to the Conservation Commission regarding the application filed by Raytheon Corporation.

Application Not Required Application – 94 Butler 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 Maillet and Sons for 94 Butler Road.

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 for the application submitted by Maillet and Sons for 94 Butler Road.

The meeting was adjourned by Chairman Fee at 9:55 p.m.

