

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

Absent: Christopher Morely

At 7:32 p.m., Chairman Fee called the meeting to order.

Public Hearing: Zoning Articles 25-30 for 2013 Annual Town Meeting

The Board was previously in receipt of copies of the Public Hearing Notice, a list of the “2013 Annual Town Meeting Warrant Articles,” dated March 12, 2013, the relevant section of the bylaw for Wastewater Treatment Facilities, a series of emails from Sudbury resident Rebecca Cutting, dated March 29 and April 1, 2013, the Summary of Proposed Regulatory Reform Revisions for Wastewater Programs from the Mass DEP Bureau of Resource Protection, and an email from Sudbury resident Frank Riepe dated April 1, 2013 regarding the proposed change in shed size.

At 7:30 p.m., Chairman Fee opened the Public Hearing regarding zoning-related articles on the 2013 Annual Town Meeting Warrant.

Ms. Kablack stated the Board of Selectmen held a public meeting last night where the 2013 Town Meeting Warrant articles related to zoning and the Community Preservation Act (CPA) were discussed. She stated there were a few questions regarding the proposed article to delete the Wastewater Facilities Bylaw. Ms. Kablack stated the issue that the Curtis School is in a restricted area according to the existing bylaw will need to be addressed at some point in the future to facilitate the Route 20 Sewer project.

There was no one in attendance for public comment, and at 7:49 p.m., the Public Hearing was closed.

Proposed Warrant Article for Construction of a Police Station – Hudson Road

Present: Combined Facilities Director Jim Kelly and Police Station Blue Ribbon Committee Chairman Bill Braun

At 7:49 p.m., Chairman Fee welcomed Combined Facilities Director Jim Kelly and Permanent Building Committee member Bill Braun to the meeting to discuss the proposed warrant article to construct a new police station on Hudson Road. Mr. Kelly distributed copies of a rendering for a new police station, and he announced an Open House will be held April 17, 2013 from 5:00 to 7:00 p.m. at the current station. He stated there was another Open House held a few weeks ago at a time when there were two prisoners in custody. Mr. Kelly stated the housing of prisoners helped to elucidate the need for an upgraded facility. He stated the current Police Station does not meet many new standards for juvenile, female and male retention.

Mr. Kelly reviewed the history of the long-standing request for a new police station in Town. After the last article was presented in 2007 and defeated, a Blue Ribbon Committee chaired by Bill Braun was established to ascertain how the proposal could be altered to garner the support of residents. Mr. Kelly stated that, at that time, it appeared there was not enough knowledge of the project’s benefits, so he is now meeting with various groups in 2013 to help educate the public on the need for a new building. He also stated he hopes the Planning Board could support the project at Town Meeting.

Mr. Lizotte asked if the Board needs to vote on anything tonight, or whether Mr. Kelly's presentation is only informational. Ms. Kablack stated tonight's presentation is informational. Chairman Fee stated the Board would meet prior to Town Meeting to take its position on the article.

Mr. Lizotte stated the current station is old and small, and he asked what other factors are driving the project.

Mr. Kelly stated Mr. Lizotte has highlighted two key factors – the building is small and old. He stated that, although the building has good structural “bones,” it is inadequately small to accommodate the services it provides as a Police Station.

Chairman Fee stated the video tour on the Town website provides compelling images of what the problems are with the current building, and he encouraged people to view it. He further stated the station's current building is inadequate to provide the kind of public services a Town like Sudbury should have.

Mr. Braun stated the current floor plan does not work. He emphasized that the average police force, which is similar in size to Sudbury's, has a Police Station two to three times larger than what currently exists. Mr. Braun noted the project has been on the Town's agenda for a very long time, and he summarized the project's past history. He noted the Blue Ribbon Committee was formed and it reviewed feedback received from citizens. Mr. Braun stated the Committee later presented a more compact space plan, which still maintained necessary building functions.

Chairman Fee asked how much was trimmed off the initial budget with the revised plan. Mr. Braun stated that, in 2007, the original 18,500 square-foot building was estimated at \$8.2 million and the 2010 revision proposed a project scaled down to 14,540 square feet for approximately \$6.9 million. He stated the 2010 proposal has been re-priced for 2014 at approximately \$7.3 million.

Mr. Lizotte asked if there are any plans for the disposition of the current building/land. He suggested that if this is taken into financial consideration, this could possibly be a positive feature for marketing the project.

Mr. Braun stated the proposal does not currently include plans for the disposition of the building or land. However, he further stated the Town would likely not waste this asset. Mr. Braun highlighted that, although the current building does not function well for a 21st century Police Station, the building could possibly be used for other purposes.

Ms. Brown stated she believes the Master Plan had proposed moving Town offices to a Route 20 location. Ms. Kablack stated she would check this, but she does not recall this option as being mentioned in the Master Plan.

In response to a question from Mr. Lizotte, Mr. Braun stated the police and fire dispatches have already been combined as of July 2012. Mr. Lizotte stated this too should be publicized as a feature of a new Police Station.

In response to a question from Ms. Brown regarding the advantages of the revised space plan, Mr. Braun summarized the changes made to the original plan.

Mr. Sziabowski, who was a member of the Blue Ribbon Committee, noted that reducing the plan by 4,000 square feet and realizing cost savings is a significant improvement from the original plan presented to voters in 2007. He emphasized a lot of analysis went into the original proposal and the work of the Committee. Mr. Sziabowski also stated peer communities were studied, and even the revised plan is modest in comparison to other towns of similar size to Sudbury. He urged citizens to consider this project carefully because it is much needed for the Town.

Mr. Lizotte opined that he believes it will be challenging to get the average voter to support the project. He believes the article will need to be better sold to voters, and he suggested some benefits to mention.

Chairman Fee stated feedback received from citizens in 2007 was that the original design was a “Police Palace” with excessive amenities. He suggested this year’s project should be marketed as not the same “Police Palace” design, and the reductions in size and/or of amenities should be highlighted for voters.

Mr. Braun stated the Committee believes it has developed the most economical revised plan possible to efficiently achieve what is necessary for current and anticipated police operations.

Mr. Lizotte asked if the Town owns the land where the current Police Station is located, and whether the revised plan would meet the State’s Stretch Code requirements. The answer was yes to both questions.

Mr. Hunter stated proponents should be prepared to answer feedback from citizens from 2007 regarding why Sudbury needs its own prisoner lock up facilities rather than entering into a regionalization agreement for these services with Wayland. Mr. Kelly stated the Police Chief could better address this issue, but he believes transporting prisoners to another town would leave Sudbury short-staffed for public safety coverage.

Mr. Kelly stated he views one aspect of his new role as helping the Town to do better long-range planning. He emphasized now is the time to consider this type of project because the Town’s debt from prior school projects is decreasing and interest rates are low. Mr. Kelly stated it is not wise for the Town to continue to wait on large projects and potentially have them converge all at the same time.

Mr. Lizotte suggested that it would be helpful for voters to also know at Town Meeting what the ongoing maintenance and repair costs might be for the current building over the next few years, if a new Police Station is not constructed. Mr. Braun and Mr. Kelly stated this figure would need to be estimated, but some numbers could be provided.

At 8:18 p.m., Chairman Fee concluded the discussion.

Public Hearing: Senior Residential Community - Dudley Brook Preserve, Special Permit, Stormwater Management Permit and Water Resource Protection District Special Permit – 40 Tall Pine Drive – The Green Company

Present: The Green Company representatives Alan Green, Dan Green and David Caligaris, Attorney Joshua Fox, Project Engineer Bruce Ey, and residents of the Tall Pine Drive Neighborhood

At 8:18 p.m., Chairman Fee opened the Public Hearings regarding the application of Pickwick Development Corporation for approval of a Definitive Special Permit for a Senior Residential Community (SRC) located at 40 Tall Pine Drive, Assessors Map J06, Parcel 0023, showing 26 residential units for sale to persons 55 years or over on approximately 18.8 acres which was continued from February 27, 2013, and the Public Hearings for a Stormwater Management Permit and Water Resource Protection

District Special Permit for the same development, which were all continued from March 27, 2013. The Board was previously in receipt of copies of the draft Definitive Decision Senior Residential Community Special Permit Dudley Brook Preserve 40 Tall Pine Drive dated April 10, 2013, the draft Decision Stormwater Management Permit Dudley Brook Preserve 40 Tall Pine Drive dated April 10, 2013, and the Decision and Water Resource Special Permit Dudley Brook Preserve 40 Tall Pine Drive, dated April 10, 2013. In addition copies were distributed tonight of revisions to the draft Decision Stormwater Management Permit Dudley Brook Preserve 40 Tall Pine Drive dated April 10, 2013 and a revised draft Definitive Decision Senior Residential Community Special Permit Dudley Brook Preserve 40 Tall Pine Drive dated April 10, 2013 prepared by the Applicant.

The Green Company representative David Caligaris presented a plan exhibit to describe the planned open space. He stated the plans will be more fully revised tomorrow to reflect an 11.5 acre open space plan. Mr. Caligaris stated the applicant wants to more accurately delineate the location of the conservation restriction.

Ms. Kablack noted the plan exceeds the minimum requirements according to the bylaw. Ms. Kablack noted for the board that there will be 2 forms of open space – a conservation restriction area, and the buffer. She asked how the restrictions in the buffer would be handled. Mr. Caligaris stated the plan is to handle it similarly to what was done at Spring House Pond, with the intent to keep it in a natural state.

Mr. Fox's revised red-line draft of the Definitive Decision Senior Residential Community Special Permit Dudley Brook Preserve 40 Tall Pine Drive dated April 10, 2013 was used to refer to item #8 on page 5. Mr. Caligaris explained the applicant's rationale for adding the words "retained predominantly" before in its existing natural state. Chairman Fee and Mr. Lizotte suggested that the plan be specifically referenced in the text and stating what will be kept in its natural state and what exactly the exceptions of the landscape buffer will be. Ms. Kablack also suggested in this paragraph that "certain portions" be revised to reflect on that portion of the Plan not covered by the Conservation Restriction (CR).

Chairman Fee asked if the CR area is a defined area in the Decision. It was thought it was not. Ms. Kablack reviewed what the timeline proposed for the applicant to produce the final CR plan.

The Board proceeded to review each revision suggested by the applicant to the Definitive Decision Senior Residential Community Special Permit Dudley Brook Preserve 40 Tall Pine Drive dated April 10, 2013, with discussion on the major items as follows:

On Page 3, #3b – The Board discussed whether the change of 63 to 60 feet was a material difference. The consensus was that it is an acceptable change within the larger context of the Plan from all members present except Mr. Lizotte. Also regarding this same condition, Mr. Caligaris stated the applicant believes the term dense vegetation screen is subjective. Chairman Fee suggested and members concurred that the language be revised to reflect "which is designed to the greatest extent possible to create a dense vegetation screen over time."

On Page 4 #4f, - "and Architectural Plans" will be deleted since the Design Review Board did not request to have further review of them.

On Page 4, #4g – the Board had a brief discussion regarding whether the plan and profile is necessary. Project engineer Bruce Ey stated the road has been treated as if it is for a Site Plan because a Town road is not being built. Mr. Fox stated this requirement is money and time not well spent. Chairman Fee stated the regulations require this.

Mr. Lizotte agreed with the applicant, and he further explained why the plan and profile would be a waste of time for this project, noting that the as-built plan would contain all the information necessary for future review of the construction. Chairman Fee stated that when the Board grants a waiver a public benefit is typically identified. He asked if the applicant wished to make a donation to the walkway fund as a public benefit. Mr. Fox stated the applicant believes the aggregate benefits derived from the waivers outweigh the burdens for the Town. Chairman Fee asked if any Board member is in favor of the waiver, and none were. After discussion with that the applicant would make a \$1000 donation to the Town's walkway fund as a public benefit to granting this waiver.

On Page 8, #11- Chairman Fee recommended revisions to the farming restriction.

On Page 9, #15, Ms. Kablack stated the originally proposed last sentence is usually required as a condition as a best management practice. The consensus of the Board was that the sentence should be revised to reflect that any stockpiled soil shall be handled in a manner consistent with the DEP's Stormwater Pollution Prevention Plan.

On Page 11, #31d, the consensus of the Board was that the original sentence should be retained, and that the end of the sentence should be revised to note any reasonable and appropriate measures not to exceed a cost of \$1,000 to improve sight line conditions at the intersection shall be made by the Petitioner.

Chairmen Fee asked if any members of the public had any comments on the discussion. Sudbury resident Jerome Paluch, 96 Bridle Path questioned the straight line of the perimeter buffer reflected on the plan exhibit presented tonight. Mr. Ey explained the location of the septic system and the proposed buffer, which will be no less than 50' wide around the development, and in some locations will be wider and will contain additional planted vegetation.

Sudbury resident Rich Testa, 95 Bridle Path, asked if background checks are performed on contractors. Mr. Caligaris stated they have never had a problem with the companies they use. Chairman Fee stated there is no legal requirement to perform background checks unless interaction with children is a factor.

Sudbury resident Nancy McHugh, 96 Bridle Path, asked for assurance that abutters will have some screening in the initial year of the development. Mr. Caligaris explained that they typically plant more than necessary to create a dense screen initially, and then usually have to remove vegetation as it grow in.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Definitive Decision Senior Residential Community Special Permit Dudley Brook Preserve 40 Tall Pine Drive dated April 10, 2013, as amended tonight.

Mr. Fox distributed copies of a draft Decision Stormwater Management Permit Dudley Brook Preserve 40 Tall Pine Drive dated April 10, 2013 revised by the applicant.

Ms. Kablack shared a few revisions suggested by Sudbury's Stormwater Management Peer Reviewer Lisa Eggleston to the original draft Decision.

The Board reviewed the applicant's proposed revisions. A brief discussion ensued regarding Page 4 F3. It was determined the original sentence should be retained, and that it should be revised to add the words "of subsurface infiltration systems" after the word "backfilling."

Sudbury resident Rich Testa, 95 Bridle Path, asked for clarification regarding the type of septic system planned. Mr. Ey stated the proposal is for a pressure-dosed system which will pump the treated effluent from the tanks up to the leaching field located at the front of the site.

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

VOTED: To approve the draft Decision Stormwater Management Permit Dudley Brook Preserve 40 Tall Pine Drive dated April 10, 2013, as amended tonight.

The Board next reviewed the draft Decision and Water Resource Special Permit Dudley Brook Preserve 40 Tall Pine Drive, dated April 10, 2013. In addition, copies of a letter from Rollins, Rollins, & Fox dated April 10, 2013 were distributed which included supplemental information for this permit.

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

VOTED: To approve the draft Decision and Water Resource Special Permit Dudley Brook Preserve 40 Tall Pine Drive, dated April 10, 2013, as amended tonight.

Minutes

On motion duly made and seconded, it was unanimously:

VOTED: To approve the meeting minutes of March 27, 2013, subject to typographical corrections to be made by Ms. Kablack.

2013 Annual Town Meeting – Position on Articles and Determination of Speakers- Discussion

The Board decided to determine its positions for the Annual 2013 Town Meeting articles at its next meeting on April 24, 2013.

Speakers for the articles were determined as follows:

#26 - Amend Zoning Bylaw, Art. IX, sec. 6330, Site Plan procedures to change the voting requirement from unanimous to majority – Ms. Brown

#28 - Amend Zoning Bylaw, Art. IX, sec. 2326, Accessory Structures (sheds) – Mr. Herweck stated he supports the article being indefinitely postponed this year to present more thorough language next year.

#29 - Amend Zoning Bylaw Art. IX – Section 4500 – Wastewater Facilities Bylaw – Deletion – Mr. Lizotte

#30 - Amend Zoning Bylaw – Art. IX – Temporary Moratorium on Medical Marijuana Treatment Centers - Ms. Brown

Miscellaneous

Planning Board - Associate Position

Ms. Kablack stated she would like to advertise the Associate member position now available on the Planning Board's web area, which the Board supported.

Maynard Parker Street Development – Update

The Town of Maynard postponed its Special Town Meeting to be held April 6, 2013 to a later yet-to-be determined date, due to last-minute changes by the developer to scale down the project.

Administration - Suggestion

Chairman Fee suggested the Board consider establishing a regulation that the Board must receive information from applicants at least 24 hours in advance of a meeting for consideration. The consensus of the Board was that tonight's discussion regarding the Tall Pine Permits was necessary, but the process was made more cumbersome by receiving new information and revisions tonight.

Upcoming Meeting Schedule

The Board's next regular meeting is scheduled for April 24, 2013 at Town Hall at 7:30 p.m.

The meeting was adjourned by Chairman Fee at 10:07 p.m.