

Present: Chairman Michael Hunter, Christopher Morely, Pat Brown, Craig Lizotte, Peter Abair, and Jody Kablack (Director of Planning and Development)

At 7:33 p.m., Chairman Hunter called the meeting to order.

Associate Member – Interview

The Board was previously in receipt of copies of the Application for Appointment to Associate Planning Board Member received from Martin Long, 26 Pennymeadow Road.

Chairman Hunter stated he is pleased an attorney is interested in the position, because legal expertise is very helpful to the Board on a variety of issues. Ms. Kablack concurred, noting it is helpful for her to have someone pass along relevant legal opinions/articles for consideration. She also noted Town Counsel provides information as well.

Mr. Long stated he works primarily with insurance companies, has handled some personal injury and workers' compensation cases and has a little experience in real estate.

Mr. Morely noted Mr. Long's interest in land use, as noted on his application, and he asked Mr. Long to elaborate. Mr. Long stated he took a course on land use long ago, and has remained interested in the topic since he finished law school.

Mr. Lizotte and Mr. Abair stated they met Mr. Long during the election campaign, and believe he would be a good addition to the Board.

Ms. Brown asked what brought Mr. Long to Sudbury. Mr. Long stated he had lived in Natick, and he and his family moved here, primarily for the schools.

Ms. Kablack asked Mr. Long if he has areas of particular interest. Mr. Long stated he is interested in the Town's pending Town Center and Route 20 sewer projects.

Ms. Kablack stated the Board would be discussing tonight goal-setting for the coming year, and she invited Mr. Long to stay for the remainder of the meeting.

Ms. Kablack noted the position for an Associate Member has been advertised for several months, and Mr. Long was the only applicant to come forward.

On motion duly made and seconded, it was unanimously:

VOTED: To appoint Martin Long, 26 Pennymeadow Road, as Associate Member of Sudbury's Planning Board for a two-year term.

Ms. Kablack advised Mr. Long he will need to be sworn in prior to assuming his responsibilities.

FY14 Projects and Priorities

At 7:45 p.m., Chairman Hunter opened a discussion regarding FY14 Projects and Priorities. The Board was in previous receipt of copies of an updated listing of FY12 Planning Board Projects and Priorities dated June 8, 2011 and a relevant section of the Board's May 23, 2012 meeting minutes. In addition, Ms. Kablack distributed copies tonight of the "Statement of Mission and Values for Determining Goals of the Board of Selectmen," the "Town of Sudbury FY11 Board of Selectmen Goals Adopted August 24, 2010," and the "Master Plan Implementation Schedule: As of June 2013."

Ms. Kablack noted the Board's goals have typically been in alignment with those of the Selectmen. She referenced the Master Plan Implementation Schedule, noting much has been accomplished, and much of what remains to be completed relates to Route 20 issues.

Mr. Lizotte asked how the Route 20 issues stack up against the Town's Chapter 40B issues as a priority.

Ms. Kablack stated an Economic Development Committee worked over four years on several of the Route 20 issues with business owners. The eventual outcome was the message was clear from businesses that the Town needed to get a sewer, and then they would participate in a dialogue. Ms. Kablack highlighted the Town has virtually no vacant commercial land, with the exception of the 1/3-acre former gas station on the corner of Route 20 and Nobscot Road. Ms. Kablack reported there is energy currently behind the sewer project and the Route 20 Steering Committee has been doing good work, and it has formed subcommittees to address particular issues. She believes a Route 20 sewer needs to be a priority.

Mr. Lizotte stated there is a lot of interest too in the Town attaining its 10% threshold for affordable housing.

Mr. Abair stated he believes the Chapter 40B discussion needs to occur as part of the sewer discussion, and that the affordable housing concerns will need to be addressed as part of any Route 20 development.

After listening to discussion at a recent Candidate's Night, Mr. Lizotte stated he believes there is much about Chapter 40B and affordable housing which many people do not fully understand. He emphasized the Town must come to terms with the knowledge it cannot meet the 10% goal without building possibly four medium-sized rental developments.

Mr. Abair stated the location of the developments and their impact on schools is key, and the Town should be proactive about choosing the locations.

Ms. Kablack noted the Town has very few parcels available which could accommodate a 50-unit development. The options are on Route 20, a few locations on Route 117 and the Melone property.

Ms. Brown highlighted the need and challenge for the Town to attain the 10% affordable housing goal and to maintain this status in the long-term.

Mr. Lizotte opined that, from a housing standpoint, Sudbury is built out. He stated a Route 20 sewer needs to be built to revitalize commercial businesses. Board members noted that this plan will need to include a residential, mixed-use component.

Mr. Abair suggested the Town identifies parcels where there would be consensus that housing density could be supported. He believes as part of a presentation of a sewer project to the public, residents will want to know what the zoning will allow and what it would look like.

Ms. Brown emphasized citizens will want to receive financial data to help them assess how a sewer will alleviate their tax burden.

Ms. Kablack stated it would be possible to present a potential financial scenario for a particular parcel, but providing some of this information could be complicated. She noted previous data has indicated that Chapter 40B housing is less revenue-negative than traditional subdivisions.

Mr. Lizotte asked what the estimated cost is for the sewer project. Ms. Kablack stated approximately \$15 million. Mr. Lizotte highlighted the scale of affordable housing development Sudbury would be considering is small from a developer's perspective. He emphasized that it is unlikely the Town would receive significant mitigation from a developer to help support the sewer infrastructure.

Mr. Lizotte stated the Town owns the Melone property, and he suggested an effort be made to use this property to construct more affordable housing units. Ms. Kablack noted an outside consultant stated the property would be ideal for multi-use housing, however the Board of Selectmen did not act on this information. She stated any option for the Melone property must be supported by the Board of Selectmen.

Mr. Lizotte stated he believes the Planning Board should push the agenda forward with the Selectman, that attaining the Town's 10% affordable housing goal is important, and that the Melone property could be instrumental in reaching this goal. He suggested the Town could consider structuring a Request for Proposal (RFP) and release it for developers to compete with each other by submitting projects to the Town to consider.

Mr. Lizotte offered a further suggestion that the Town could present the idea of wanting 100 units of housing and two recreational fields, or another type of proposal, and then see what developers submit.

Ms. Brown stated it is important that any proposal targets down the number of family-type units which might add children to the school system. Ms. Kablack stated it is always the goal to limit the number of three-bedroom units.

Mr. Morely noted there are impediments to proceeding with the Melone property which must be addressed by the Town, such as taking the privately-owned small parcel in the center of the property. He also noted there is a large public contingent which only wants to build recreational fields on the site.

Mr. Lizotte suggested the Town should go out to the marketplace with an RFP and see what is submitted. Ms. Kablack will check this option with Town Counsel.

Ms. Brown asked what control the Town would have after it sells the property. Ms. Kablack and Mr. Lizotte explained that it is sold with a contract, which would require permits, and that plans would have been reviewed as part of the sale negotiations.

Ms. Brown reiterated her concern about more children being directed toward the Haynes School. Mr. Lizotte stated the Town could mandate the number of three-bedroom units to be constructed. He emphasized data indicates there is virtually no children impact from one and two-bedroom units.

Mr. Lizotte stated the Town is in an affordable housing pickle, and it needs to increase its percentage, and thus action must be taken. Mr. Morely stated the problem cannot be wished away.

Ms. Brown stated she wants to manage the number of bedrooms in developments as much as possible.

Mr. Hunter stated that, in the past, 13 locations were identified as viable for affordable housing, and every option was received negatively by the public.

Ms. Kablack stated there are significant obstacles to overcome, noting this is a Town which likes being a single-family home community, and it is not supportive of rental and multi-family options. However, she did note the Town is receptive to senior-citizen rental projects.

Mr. Lizotte stated it is possible a proposal could have a senior market-rate component. He believes the reality is that these housing units will need to be developed along the major arteries.

Ms. Kablack emphasized we are not talking about the Town becoming a developer because it is not equipped to do so. She asked the Board if it believes the Town will receive serious proposals if there is not an initial commitment from the Board of Selectmen. Ms. Kablack stated this has been previously noted as a concern by Town Counsel.

It was suggested the Board could prepare a proposal to present for Town Meeting authorization to further pursue the RFP idea.

Mr. Abair stated he believes this approach could help to educate the public more about the issue, and he supports pursuing it.

Mr. Lizotte stated he believes the Planning Board must help to drive the process forward, and tell the Selectman what actions it recommends.

The consensus of the Board is that one of its priorities this year is to work to help the Town achieve its 10% affordable housing goal.

Ms. Brown stated she would like to follow-up on the zoning-related issues for the medical marijuana and shed issues presented at this year's Town meeting. Ms. Kablack stated she attended a recent seminar regarding the medical marijuana regulations. She stated the regulations are extremely onerous, and she summarized a few of them. Ms. Kablack asked if the Board wishes to ignore the issue or whether it wished to proceed with preparing a simple bylaw. Ms. Brown and Mr. Morely stated they believe a simple bylaw should be drafted for review. Ms. Kablack also stated a simple bylaw will be prepared for sheds to mirror the State code, and the wastewater treatment facilities bylaw will be monitored.

Ms. Brown asked if the Master Plan will be worked on this year as a goal. If not, she believes a statement should be made by the Board that it is not being worked on at this time.

Ms. Kablack believes there should be a new public goal-setting process for a new Master Plan. She noted the last time the process include much of the community and strategic planning meetings were held monthly for several 7 months with 75 people in attendance. Ms. Kablack stated the process was positive in nature and led by an outside consultant. She believes many newcomers to Town did not live in Sudbury at the time and are not aware of how far-reaching the input was for the Master Plan which was drafted.

Ms. Brown asked if the State has a recommended process for a Master Plan. Ms. Kablack stated it does not, and communities all approach it differently.

Mr. Abair stated a new Master Plan discussion will take several years. However, he noted the two priorities broached tonight, i.e., the Route 20 sewer and affordable housing,

will be very large public discussions to reach consensus, and they are key elements of a strategic plan for the Town. He asked if there is any funding available to produce a Master Plan. Ms. Kablack stated The Sudbury Foundation has been supportive in the past.

Ms. Brown cautioned that public buy-in is important and this is not always the result when outside consultants are involved in the process. Mr. Abair concurred that the process used is critical in keeping the public engaged in the outcome.

Mr. Morely suggested a statement be made that the Board will work toward an updated Master Plan in the near future.

Ms. Kablack asked the Board for its opinion whether progress can be made on the two issues prioritized tonight, the Route 20 sewer and affordable housing, without engaging the public in a broad way. She believes outside professional help will be needed for this effort. The consensus of the Board was the person would need to be quite knowledgeable and dynamic.

Board members expressed interest in working on the following areas of interest noted on the "FY12 Planning Board Projects and Priorities," Community Housing, Mr. Abair and Mr. Lizotte; Economic Development/Route 20, Mr. Abair, Ms. Brown and Mr. Lizotte; Environment and Historic Town Center Restoration, Mr. Morely; Transportation, Ms. Brown and Mr. Lizotte; Subdivision Regulations, Chairman Hunter; and Bylaw Changes, Chairman Hunter and Mr. Long

Ms. Kablack suggested, and the Board concurred, that this discussion be continued at the Board's next meeting on July 31, 2013, and that a draft memorandum to be sent to the Board of Selectmen be prepared for review.

Committee Assignments

Ms. Kablack noted she has been the interim representative of the Board to the Route 20 Sewer Steering Committee. She asked if Mr. Abair wished to replace her, and she asked if the Board wished to create a Route 20 zoning subcommittee.

Mr. Abair stated he would need to resign as a member of the Route 20 Sewer Citizens' Advisory Committee, but he is willing to do so.

On motion duly made and seconded, it was unanimously:

VOTED: To recommend appointment of Peter Abair as the Planning Board's representative to the Route 20 Sewer Steering Committee.

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

VOTED: To establish a Planning Board Route 20 Zoning Subcommittee, naming Mr. Abair, Ms. Brown and Mr. Lizotte as its members.

As the Board's MAGIC representative, Ms. Brown later stated she is unable to attend the MAGIC July 11, 2013 meeting, in case someone else would like to attend.

Miscellaneous
Board Changes – Discussion

Chairman Hunter recommended, and the Board concurred, adding an educational element to the Board's meetings, on occasion, by inviting speakers on relevant topics.

Chairman Hunter also suggested the Board institutes a regulation, requiring that all information must be received 72 hours in advance of a meeting, or the Board will not consider the material for the applicable agenda item. He also suggested the Board consider instituting as part of its regulations that, if an applicant requests a waiver, the applicant must also indicate a public benefit which the Town will receive as part of the waiver request.

Ms. Kablack stated she will research the Zoning Board of Appeals regulations, and she will prepare draft Planning Board regulations for review.

Minutes

Chairman Hunter asked that the May 29, 2013 Meeting Minutes be revised on Page 1, in the next to the last sentence of the second paragraph under the Peakham Road Walkway – Discussion section, to replace the sixth word of this sentence with the word "appraiser" instead of the word "realtor."

In response to a few questions from the Board, Ms. Kablack provided a brief update on the Peakham Road Walkway subsequent conversations she and DPW Director Bill Place have had with Rebecca Capone, and alternative options suggested.

Mr. Morely noted Mr. Place believes the original plan presented was the best option and he is displeased with alternative plans. Mr. Morely believes revisions to the original plan should not be made to satisfy only one homeowner, and that precedent has shown it is a mistake to do so, because often the complaining party ends up moving.

Chairman Hunter asked for a straw vote, and he, Ms. Brown and Mr. Morely voted in favor of not building anything along Ms. Capone's property at this time.

Ms. Brown asked that the May 29, 2013 Meeting Minutes be revised on Page 3, to add the following as the second sentence of the eighth paragraph, "Ms. Brown stated it is her opinion that the report focuses on affordable housing, rather than fair housing practices."

On motion duly made and seconded, it was unanimously:

VOTED: To approve the meeting minutes of April 10, 2013 and May 6, 2013.

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

VOTED: To approve the meeting minutes of May 29, 2013 as amended tonight.

Miscellaneous

Brewster Road Stormwater Permit – Modification

At 9:30 p.m., Chairman Hunter recused himself from the miscellaneous discussion regarding a modification to the Brewster Road Stormwater Permit.

Ms. Kablack stated an easement has been negotiated on the property to the west. She stated she would schedule a Public Hearing for the modification request at the Board's next meeting on July 31, 2013.

Landham Road/Route 20 Intersection Project

The Board was previously in receipt of copies of a letter from the State Department of Transportation Highway Division dated June 3, 2013, regarding engaging a consultant to complete design for the Landham Road intersection project.

Upcoming Meeting Schedule

Ms. Kablack stated the next meeting will be held July 31, 2013 at 7:30 p.m.

The meeting was adjourned by Chairman Hunter at 9:32 p.m.