

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

At 7:30 p.m., Chairman Fee called the meeting to order.

Public Hearing – Stormwater Management Permit – Solar Sudbury One LF LLC - a/k/a Ameresco, 20 Boston Post Road

Present: Ameresco representative John Bamman and environmental and permitting consultant Rob Bukowski of AMEC, Department of Public Works Director Bill Place and Energy and Sustainability Green Ribbon Committee Chair Bill Braun

At 7:30 p.m., Chairman Fee opened the Public Hearing regarding the Stormwater Management Permit application submitted by Solar Sudbury One LF LLC a/k/a Ameresco, applicant, and the Town of Sudbury, owner, to construct a 1.5 megawatt solar photovoltaic array on a parcel of leased land at the Town's Landfill, located at 20 Boston Post Road, zoned Limited Industrial district, Town Assessor's Map K12, Parcel 0002, which will involve the disturbance of approximately six acres of land. The Board was previously in receipt of copies of the Permit Application and accompanying appendices, a letter from Sudbury Planning Board's Stormwater Management Peer Reviewer Lisa Eggleston dated March 21, 2013, and a "Draft Decision Stormwater Management Permit Solar Sudbury One LF LLC 20 Boston Post Road, Sudbury, MA" dated March 27, 2013.

Ms. Kablack noted site plan approval from the Selectmen has been obtained. This application has received peer review by Eggleston Environmental and a report has been submitted indicating minimal impact from the project. Ms. Eggleston then summarized her findings and recommendations.

Pat Brown inquired about who keeps records of inspections, and will they be provided to the Town? Ms. Eggleston stated that the owner's representative is responsible for monitoring the project. Ms. Eggleston recommended that the Planning Board receive inspection reports, which has been incorporated into the draft decision, along with several other minor edits suggested by the applicant.

The Board reviewed the draft permit and had no comments. There were no public comments on the proposal as well.

On motion duly made and seconded, it was unanimously:

VOTED: To close the Public Hearing regarding the Stormwater Management Permit application submitted by Solar Sudbury One LF LLC a/k/a Ameresco, applicant, and the Town of Sudbury, owner, to construct a 1.5 megawatt solar photovoltaic array on a parcel of leased land at the Town's Landfill, located at 20 Boston Post Road, zoned Limited Industrial district, Town Assessor's Map K12, Parcel 0002, which will involve the disturbance of approximately six acres of land.

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

VOTED: To approve the "Decision Stormwater Management Permit Solar Sudbury One LF LLC 20 Boston Post Road, Sudbury, MA" dated March 27, 2013, as amended.

Public Hearing: Senior Residential Community - Dudley Brook Preserve, Water Resources 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 and Sudbury Planning Board Peer Reviewer Lisa Eggleston

At 7:45 p.m., Chairman Fee opened the Public Hearing regarding the Special Permit Application in the Water Resource Protection District Zone II for a Proposed Senior Residential Community, 40 Tall Pine Drive, Sudbury, Massachusetts, submitted by Pickwick Development Corporation. The Board was in receipt of copies of the Application package and accompanying exhibits and supporting documents.

Chairman Fee also re-opened the SRC Special Permit hearing and Stormwater Management hearing which had been continued since February 27, 2013. Chairman Fee designated Associate Member Craig Lizotte to be a voting member for these Special Permit applications, as there may be a member absent from future meetings. Chairman Fee announced the Board conducted a site visit to the project site earlier this evening. All Planning Board members were present for the purposes of evaluating whether or not a walkway was appropriate for the site.

Chairman Fee then noted items submitted to the file since the last hearing.

From the discussion at the February 27, 2013 hearing, the Board had directed the applicant to further consider the following issues:

- Perimeter buffer requirement and request for a waiver
- Water Resource Protection District Special Permit
- Additional refinements to the stormwater management plan
- Walkway along the frontage of the property

The Board took up the discussion of the Stormwater Management Permit first. Ms. Eggleston made final comments based on her March 14, 2013 memo to the Board. She has verified that her punchlist of items in that memo have been added to the plan and her review is complete. She further noted that the Water Resource Special Permit is in compliance with the bylaw since the stormwater management system has been designed in accordance with DEP and the local Stormwater Regulations. There were no further comments on the Stormwater Management Permit.

The Board next discussed the perimeter buffer requirement and request for a waiver. Mr. Fee thanked the applicant for providing additional information on the viability of constructing a berm on the subject property, and the impacts associated with such construction. He stated that the memo provided from Schofield Brothers was well thought out, and concluded that a berm is not necessary. The Board will now need to determine if a waiver is supported by the Board, and if so, which type of screening is preferred.

Bruce Ey described the current proposal, particularly noting the infringements on the buffers. The south, west and east sides all propose a 50' wooded buffer, which will include existing vegetation and additional landscape plantings. The west side of the property contains drainage structures at 50', but the closest building is 101' to the property line. The south side of the property (along Tall Pine Drive) proposes buildings at 63 feet. The east side contains wastewater treatment tanks at 50', but the closest structure is 85'.

Rich Testa, 95 Bridle Path, asked if the Board has decided whether to require a walkway be constructed within the buffer on Tall Pine Drive, and if so, will this decrease the width of buffer? Mr. Fee said the Board will discuss that particular question later this evening.

Jerry Paluch, 96 Bridle Path, asked if Tall Pine Drive will be widened? Bruce Ey described the scope of work on Tall Pine Drive, which includes repaving and moving drain lines, but does not propose widening of the pavement. Mr. Paluch asked whether any of the front buffer be will removed? Mr. Ey answered that no existing vegetation will be removed from the front of the site, but additional plantings will be added to create a denser screen. Mr. Paluch concluded with the desire to see more trees planted in the front, and would entertain the applicant planting trees on his property if possible.

Chairman Fee reminded the audience why the Planning Board is considering a waiver of the perimeter buffer. Wetland constraints push the development forward and away from brook, minimizing the amount of land to work with. The Planning Board has always been aware and understood that waivers would be required to make this development work. Chairman Fee then took a straw poll of the members, all of who indicated they were supportive of granting waivers of the perimeter buffer, with certain conditions related to planting of additional vegetation.

Next Mr. Caligaris described their plans for screening on each side, using the Landscape Plan to show what is planned in terms of natural vegetation and proposed plantings. They investigated the installation of a berm on the eastern property line, but it will require the removal of all the existing vegetation between the homes and the property line, which is not desirable. They have also proposed to include a Farming Disclosure into the Master Deed, which has been revised to include language regarding potential morning and night farming activities. Mr. Caligaris stated that the disclosure will also be used during marketing of the homes.

Along Tall Pine Drive, additional plantings will be added if needed. A note is on the Landscape Plan indicating that additional screening will be added based on field observation. Ms. Kablack added that a condition in the decision will include a Board site visit after substantial construction to determine if additional screening is needed. Mr. Caligaris next addressed the issue of a walkway within the Tall Pine Drive buffer. The Board saw at the site visit that this is a short run, and the land slopes up from road pavement so that construction of a walkway will impact some of the mature vegetation in this area. Mr. Caligaris noted that pedestrian opportunities through the development will be created without construction of this walkway segment, and they are not opposed to allowing the public to walk through the development to create a pedestrian loop.

Craig Lizotte added that there is a trade-off between screening and the need for a walkway. He feels that screening should be the priority in this location. The walkway segment is short and there is not much traffic in this part of the neighborhood. Several Board members concurred, noting that the site visit clarified the issue and the difficulty in construction due to the slope. It was suggested that the proposed highway easement to be granted should allow for the construction of a walkway if the Town or if the neighborhood wants one in the future.

Rich Testa agreed that the walkway is not necessary, but he would like to see traffic calming on Tall Pine Drive. It is his opinion that vehicles travel too fast on the road.

Joshua Fox noted that the Town's DPW Dept. is typically opposed to installation of speed bumps. Chairman Fee noted that the Tall Pine improvement plan has been discussed and does not propose any traffic calming.

Jerry Paluch asked what kind of vegetation will be planted? Mr. Caligaris replied that it will be professionally done, and typical plants were noted, including sizes. Board members noted that the Green Company has a history of doing great landscaping. All proposed plants have been approved as native by the Sudbury Conservation Commission. Along the western property line, plantings will be supplemented where necessary as shown on the Landscape Plan.

Chairman Fee again reiterated that wetland sensitivity in the northern portion of site has dictated the location of buildings. The development cannot be pushed back any further into the site.

The Farming Disclosure was discussed next. Chairman Fee had suggested a few minor changes to make sure that future owners are fully aware of the abutting farm and the town's policy towards farms. Board members and the applicant indicated they have no problem with the changes.

Chairman Fee then asked if there were any other concerns with this proposal that have not been adequately addressed?

A question was asked how will the Planning Board enforce the allowance of the public to walk through the development in lieu of the walkway construction. Ms. Kablack noted this will be a condition of approval to be included in the condominium documents.

Ms. Kablack asked the application what the ownership of the open space will be. Mr. Fox indicated that a Conservation Restriction will be granted to the Sudbury Conservation Commission and will be owned by the condominium association. Paths within the CR will be open only to residents of the development.

On motion duly made and seconded, it was unanimously:

VOTED: To direct the Planning and Community Development Director to prepare decisions in the affirmative for the Water Resource Protection District Special Permit Application, the Senior Residential Community Special Permit and the Stormwater Management Permit for 40 Tall Pine Drive.

Mr. Fee commended the applicant on the comprehensiveness of the application materials and the willingness to work with the neighbors.

Mr. Fee noted that anyone who would like to review the draft decisions should contact Ms. Kablack.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the Public Hearings regarding the Water Resource Protection District Special Permit Application, the Senior Residential Community Special Permit and the Stormwater Management Permit for 40 Tall Pine Drive, Sudbury, Massachusetts, submitted by Pickwick Development Corporation to Wednesday, April 10, 2013 at 8:00 pm at Town Hall.

2013 State of the Town Forum - Discussion

The Board was previously in receipt of copies of an email from Ms. Kablack dated March 19, 2013 explaining the Board of Selectmen are considering holding a State of the Town Forum next fall. Ms. Kablack stated the intention is for residents to have the opportunity to hear about Town projects and to

ask questions about Town government issues. The Board indicated their agreement that such a forum would be advisable, and they would participate. They had no further comments on this item.

2013 Annual Town Meeting – Potential Articles - Discussion

Ms. Kablack stated Town Counsel has opined that the bylaw language suggested by Chairman Fee for Article 27 (Site Plan Authority) is not within the four corners of the article originally submitted, and he was not favorable to splitting the permit granting authority. Chairman Fee noted the Selectmen are tepid in giving up this authority and he had drafted some language that he thought they would consider it if they could maintain some control. However, without unanimous support from the Selectmen, it does not feel like this will be a passable article. A 2/3 vote is difficult, even though the article makes sense. The Board concurred.

On motion duly made and seconded, it was unanimously:

VOTED: To withdraw article 27 from the 2013 Annual Town Meeting Warrant, and to notify the Selectmen's office of this action.

Route 20 Zoning/Sewer - Update

Ms. Kablack stated 25 responses have been received to date of the Route 20 Sewer Project surveys which were distributed to the business community. Analysis continues from the responses received, and preliminary results were distributed.

Chris Morely reminded the Board that the former Economic Development Committee found that sewer was the limiting factor in any redevelopment of Route 20. This survey seems to be confirming that.

Peter Abair noted that even business owners on the sewer committees currently are not planning for redevelopment, nor do they understand what the zoning limitations are.

Chairman Fee suggested that the results should be published, even preliminary results. Getting information to residents is very important and can be a sales tool for the project.

Mr. Abair noted that the Route 20 Sewer Citizen's Advisory Committee has formed sub-committees. He is working on the Zoning Sub-committee, which envisions their role in showing residents what we will have for commercial development without a sewer, and what we could have with a sewer. Visualization will be important for residents to understand the complex issues associated with the sewer project.

The Board discussed what funds might be available to help with the visualizations? Ms. Kablack noted MAPC has funded our Route 20 zoning work recently, with the forum held in the fall of 2011, DHCD has the Downtown Initiatives program, as well as the Sudbury Foundation. Chairman Fee noted that there is a pending \$10 million Bond Bill for water and sewer infrastructure sponsored by Senator Jamie Eldridge.

Minutes

On motion duly made and seconded, it was unanimously:

VOTED: To approve the meeting minutes of March 20, 2013.

Miscellaneous

Ms. Kablack noted that with the election of Mr. Lizotte as a full member of the Planning Board, the board will be seeking a new Associate Member. She will advertise for the position, and will notify Martin Long of this opening.

Upcoming Meeting Schedule

The Board's next regular meeting is scheduled for April 10, 2013 to be held at Town Hall at 7:30 p.m. to conduct the Public Hearing on the zoning-related 2013 Town Meeting articles.

The meeting was adjourned by Chairman Fee at 9:00 p.m.