

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

At 7:36 p.m., Chairman Hunter called the meeting to order. He congratulated Ms. Brown on being elected to the Board of Selectmen and Mr. Long on being elected to the Board.

Ms. Kablack stated both seats will be advertised. The Planning Board Associate Member position is appointed by this same Board. The Planning Board full member position is a joint appointment of the Planning Board and Board of Selectmen. Ms. Brown's term has one-year remaining, after which the new person would need to run for election.

Ms. Kablack reminded the Board Town Meeting is scheduled for May 5, 6, and 7, 2014.

Public Hearing: Scenic Road Application – Town Center Intersection Project

Present: Sudbury resident Andrea Jewett

At 7:38 p.m., Chairman Hunter opened the Public Hearing regarding a Scenic Road application, submitted by the Department of Public Works, concerning the removal and replacement of stone walls on Concord Road, a designated Scenic Road in Sudbury, for the construction of the Town Center Intersection Project, and he read aloud the Public Hearing Notice. The four walls under consideration tonight are located as follows: 102 ft. of wall at 327 Concord Road, First Parish, 335 ft. of wall at Grinnell Park, Hudson and Concord Roads, 95 ft. of wall at 308 Concord Road, and 230 ft. of wall at Heritage Park, Concord, Road. The Board was previously in receipt of copies of the Scenic Roads Application for Approval under M.G.L. Chapter 40, Section 15C and Sudbury Bylaws Article VIII (B) and accompanying Progress Prints dated March 28, 2014.

Due to a professional conflict of interest, Mr. Lizotte recused himself from the discussion.

Ms. Kablack reviewed the plans with the Board, explaining the proposed relocation of the walkway. She explained there are also 2 trees within the right of way in front of 308 Concord Rd, one of which is dead and will be removed, and the other which will attempt to be preserved. There is also a conflict between the relocation of the stone wall and walkway at the property boundary of 308 Concord Rd and Heritage Park which necessitates the removal of a large spruce tree.

Sudbury resident Andrea Jewett, 308 Concord Road, asked if a wall could be built around the tree to preserve it.

Mr. Morely suggested meandering the walkway and wall around the tree as an alternative. Ms. Kablack will discuss this with Bill Place and will report back to the Board whether this is feasible.

Ms. Kablack noted the Town will provide some plantings for Ms. Jewett to replace the trees removed. She also circulated photographs to the Board, showing examples of possible stone wall designs which could be constructed. It was noted the Sudbury Historic Districts Commission will advise on this aspect of the project.

In response to a few questions from the Board, Ms. Kablack described the single-arm masthead now proposed for the intersection, which should create more efficiency and safety in the intersection.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the Scenic Road application, submitted by the Department of Public Works, as shown on the plan reviewed tonight, concerning the removal and replacement of stone walls on Concord Road, a designated Scenic Road in Sudbury, for the construction of the Town Center Intersection Project, with the intention to avoid the removal of the large spruce tree, pending the landowner's approval, and pending further review of the extension of the stone wall at First Parish along Hudson Road.

Mr. Morely thanked Ms. Jewett for her concern and desire to maintain the character of her new home.

Minutes

At 7:58 p.m., Mr. Lizotte returned to the Meeting.

Ms. Brown noted two typographical errors in the minutes to be corrected.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the meeting minutes of March 26, 2014, as amended.

Public Hearing: Definitive Subdivision and Stormwater Management Permit – North Ridge Farm – 338 North Road - Assessor's Map #C09-0031

Present: Applicant's civil engineer Scott Hayes

At 8:00 p.m., Chairman Hunter opened the Public Hearing regarding an application submitted by Distinctive Acton Homes, Inc. (applicant) and Cavooto Sudbury Realty Trust (Owner) for approval of a Definitive Subdivision and Stormwater Management Permit known as "North Ridge Farm Definitive Subdivision Plan". The Board was previously in receipt of copies of a letter from Department of Public Works (DPW)/Town Engineer I. William Place dated April 1, 2014, a letter from Sudbury Stormwater Management Peer Reviewer John Boardman dated April 2, 2014, a memorandum from Ms. Kablack dated April 3, 2013, noting comments and recommendations, an email from Board of Health Director Bob Leupold dated April 4, 2014, a letter from FORESITE Engineering dated March 14, 2014, and accompanying revised plans, an email from Sudbury Fire Chief Miles dated April 3, 2014, noting the name Anthony Drive is acceptable, an email from the applicant's engineer Scott Hayes to Ms. Kablack dated April 3, 2014, and a letter from FORESITE Engineering dated April 3, 2014 and an accompanying revised plan. In addition, copies of an email from Mr. Hayes to Ms. Kablack dated April 8, 2014, an email from DPW Town Engineer Bill Place to Ms. Kablack dated April 7, 2014, and copies of a revised Drainage and Grading Plan were distributed tonight. Ms. Kablack stated a site visit was conducted by the Board this morning.

Mr. Hayes displayed an exhibit of the draft revised progress plan, and he reviewed the substantive changes made. He explained several outstanding issues have been resolved. Mr. Hayes stated the stone wall along the North Rd frontage of Lot 1 was surveyed and there is likely adequate clearance to construct a walkway, however there is only 36" of clearance due to 2 utility poles. Based on feedback from the Town Engineer, the walkway has been eliminated and crosswalk has been added to the plan. He further stated the rain gardens on Lots 2 and 3 have been removed, and the discharge will be managed by drywells on Lot 3. Mr. Hayes also stated the lot line between Lots 3 and 4 has been straightened.

Mr. Long asked if it is certain the drywells on Lot 3 are sufficient. Mr. Hayes stated he believes they will be adequate, but calculations will be done to support this assumption. He also stated sub-surface infiltration could be added, if necessary.

Mr. Morely asked if 20 Willard Grant Road will still be located uphill and will not be impacted by the proposed construction. Mr. Hayes stated this location is uphill, and any potential ponding would be designed to stay on the applicant's lot and not travel onto adjacent properties.

Chairman Hunter asked for clarification regarding proposed drainage near 12 Willard Grant Road where the lawn is below the meadow. Mr. Hayes explained this lot drains to the rear and he indicated where a proposed swale is planned.

Mr. Abair summarized that the original plan had suggested a crosswalk but it was changed to a walkway. It was noted construction of the walkway does not seem feasible, given the current location of two utility poles and that the abutter is not inclined to grant an easement. The abutter, Sudbury resident Bob Wilson, was in attendance, and he confirmed for the Board that he would not grant an easement for a walkway.

Mr. Lizotte asked for an update regarding the road width as 22 or 24 feet. Ms. Kablack stated Mr. Place has recommended 24 feet, but this would be an issue for the Board to decide. Mr. Hayes stated he believes 22 feet would be a sufficient width and that the existing shoulder is substantial to handle heavy amounts of snow. He also stated reducing the width to 22 feet reduces the amount of paved surface. Mr. Lizotte stated he would be inclined to support Mr. Place's recommendation.

Mr. Lizotte referred to item #8 on Page 2 of the April 3, 2014 letter from Hancock Associates, asking if the mounding calculations have been completed. Mr. Hayes stated they have not, and that he was waiting for more definitive information. He further stated he would provide this information at a later date.

Mr. Lizotte asked if Mr. Hayes is confident the proposed drainage infrastructure will be effective, and Mr. Hayes responded affirmatively.

Mr. Lizotte noted there are some details which need to be finalized regarding the plans. Ms. Kablack concurred, asking when the applicant could resolve the outstanding items. Mr. Hayes stated he will try to supply the missing details by early next week to then be reviewed by Mr. Boardman, and considered by the Board at its next meeting.

Mr. Morely requested, and the Board concurred, that Mr. Place is asked again about the importance of the road width as 22 or 24 feet. Mr. Hayes stated he believes the 22 width is adequate to service six lots, and he would prefer to see less pavement. Ms. Kablack will contact Mr. Place tomorrow to resolve this issue.

Sudbury resident Derena Drake, 12 Willard Grant Road, stated she had experienced water in her basement in the past, but this has not been the case in recent years. She asked for assurance that she will not have water in her basement again as a result of this project. Chairman Hunter stated the intent of the Town's bylaw is to ensure water from this project does not flow onto her property. At the request of Mr. Morely, Mr. Hayes indicated to Ms. Drake on the exhibit where the water will be channeled and how it will be far enough away from her property. Mr. Morely emphasized the water will flow in two directions away from Ms. Drake's home.

In response to a question from Mr. Lizotte, Mr. Hayes clarified how the runoff will be handled from the driveway coming down from Anthony Drive.

Mr. Abair referred to the second general comment of the Hancock letter. Ms. Kablack stated this could be considered by the Board to be added to the Decision as a restrictive covenant.

Chairman Hunter presented a few observations and requests as a result of the Board's site visit, including more screening at the back of Lots 2 and 3, removing the invasive plants at the back of Lot 3, spreading out the new plantings of trees in a more random and naturalistic manner, and on Lot 6, moving the septic area back towards the garage and away from the lot lines. Chairman Hunter also stated the Board would like to leave the view as is at the back of Lot 4, behind the residences at 30 and 38 Willard Grant Road. Mr. Hayes stated these items could be accommodated.

Ms. Kablack suggested the stop sign noted on the plan be removed, since the Planning Board is unable to approve it, or the Board could petition the Selectmen to grant the sign. Mr. Lizotte questioned whether the sign should be removed from the plan. Mr. Hayes stated this could be addressed at the time of street acceptance.

Ms. Kablack noted there will be a payment required to the townwide stormwater maintenance account for maintenance of the street drainage, currently estimated at \$16,300 for a 2 year period, which will be a condition of approval.

Chairman Hunter asked about soil piles during construction, and he suggested the areas be hydro-seeded. Mr. Hayes stated there are three designated stock pile areas noted on the plan with appropriate sedimentation control. Ms. Kablack noted there will be a construction monitor assigned to the site to be paid for by the applicant.

Mr. Lizotte noted the visibility of the basin area abutting North Road. He suggested, and the Board concurred, that the shape be more naturalized to improve the aesthetics of the area.

Mr. Hayes further stated the street name was changed to Anthony drive per the current owner's request.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the Public Hearing of North Ridge Farm Definitive Subdivision and Stormwater Management Permit to April 23, 2014 at 7:30 p.m. and to instruct Ms. Kablack to prepare a draft decision for the Board's review.

Scenic Road Application – 199- Concord Road – Informal Review

Present: Applicant Sudbury residents Susan Litowitz and Jim Hill

At 8:34 p.m., Chairman Hunter opened an informal review regarding a Scenic Road application, submitted by Sudbury resident Susan Litowitz, 199 Concord Road, to remove and replace approximately 200 feet of stone wall. The Board was previously in receipt of copies of the Scenic Road Application.

Ms. Kablack circulated photographs and copies of the plan to the Board. She explained a Public Hearing is not required, nor is notice to abutters. She further stated the intent is to temporarily remove and replace a wall with the same stones and to remove some trees. Ms. Kablack also stated the proposed work is not in the Historic District, and there are no trees being removed which are subject to the bylaw.

Sudbury resident Jim Hill stated some of the old stones have disappeared and the wall will be replaced using the existing stone. He assured the Board he will adhere to the Scenic Road Bylaw, noting he helped to draft the original bylaw. Mr. Hill answered a few questions from the Board, stating it will be a fieldstone wall with antique granite posts. He will utilize a stone mason who has done other work for the Sudbury Historical Commission.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the Scenic Road application, submitted by Susan Litowitz, 199 Concord Road, for the temporary removal and replacement of a stone wall.

Stormwater Management Permit Violation – Maynard Road, Lots E & F – Assessor’s Map #E06-303 & 304 – Update

Ms. Kablack stated the applicant has begun some remediation efforts, which the Town is monitoring. The applicant has been ticketed by the Building Inspector. Ms. Kablack stated Sudbury’s Stormwater Management Peer Reviewer John Boardman visited the site today, and he reported the silt barrier had been fixed. Ms. Kablack reported she has been informed that another engineer has been hired to review the slope and stabilization, but she has yet to receive a revised plan. The Town intends to keep ticketing until the violations are resolved.

Executive Session – Litigation

At 8:45 p.m., Chairman Hunter announced the suspension of the regular meeting and it was on roll call unanimously

VOTED: To go into Executive Session to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the bargaining position of the public body and the Chair so declares, Chairman Michael Hunter, aye, Christopher Morely, aye, Craig Lizotte, aye, Pat Brown, aye, Peter Abair, aye, and Martin Long (Associate Member), aye.

Chairman Hunter announced regular session would reconvene following Executive Session.

At 9:03 p.m. the regular session meeting reconvened.

Miscellaneous

Maple Meadows Senior Residential Community Phase 2 – Accept Performance Bond

At 9:03 p.m., Ms. Kablack stated the Board had previously voted to reduce the bond from \$142,000 to \$61,766.25 for Maple Meadows SRC Phase 2. Now, the Board needs to vote to accept the bond. Ms. Kablack also stated the applicant has recently submitted the as-built plan and is working on its last occupancy permit.

On motion duly made and seconded, it was unanimously

VOTED: To accept the new surety performance bond for Maple Avenue Meadows LLC of \$62,000.00, as previously voted.

Upcoming Meeting Schedule

The Board’s next meeting is scheduled for April 23, 2014 at 7:30 p.m...

There being no further business, the meeting adjourned at 9:05 p.m.