

Present: Chairman Craig Lizotte (7:20 p.m. – 7:50 p.m.), Christopher Morely, Peter Abair, Martin Long, Stephen Garvin, Dylan Remley (Associate Member), Jody Kablack (Director of Planning and Development), and Jim Kupfer (Assistant Planner)

At 7:30 p.m., Chairman Lizotte called the meeting to order. He welcomed new Board member Stephen Garvin, and new Associate member Dylan Remley.

Water Resource Special Permit – Proposed Police Headquarters - Hudson Road - Assessor’s Map #G08-0008

At 7:31 p.m., Chairman Lizotte opened the discussion to review copies previously provided to the Board of a “Decision and Water Resource Special Permit Police Headquarters 77 Hudson Road, dated September 17, 2014.”

Ms. Kablack asked Mr. Long to certify he had reviewed the audio tape and Meeting Minutes of the Board’s August 27, 2014 meeting in order to be eligible to vote on the Decision tonight. Mr. Long so certified.

Mr. Long asked if the guardrail will be part of the plan. Ms. Kablack stated that, although it is not a condition of the Decision, the applicant has agreed to provide it. Mr. Morely suggested it be required to be a wood guardrail. Ms. Kablack stated she believes it will be wood and similar to other guardrails in the project.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the Decision and Water Resource Special Permit for the Police Headquarters, 77 Hudson Road, dated September 17, 2014.

Only Chairman Lizotte, Mr. Abair, Mr. Morely and Mr. Long voted this motion.

Public Hearing: Stormwater Management Permit – Maynard Road, Lots E & F Assessor’s Map #E06-0304 and 0305

Present: Applicant representatives Paul Croft and Derek Dube

At 7:34 p.m., Chairman Lizotte opened the Public Hearing regarding the Stormwater Management Permit application regarding modification of a Stormwater Management Permit for property located on Maynard Road (Assessor’s Map E06, Parcels 0304 & 0305), SF Holdings LLC, Owner, which was continued from August 27, 2014. The Board was previously in receipt of copies of a draft Modification Stormwater Management Permit Lots E & F, Maynard Road, Sudbury, MA dated September 17, 2014.

Chairman Lizotte stated the Board was enthusiastic to receive a progress report tonight on the stabilization plan.

The applicant Paul Croft stated he will do whatever it takes to get the work done before the end of the growing season.

Chairman Lizotte emphasized the last day allowed by the Stormwater Regulations to seed is October 15th, and he noted the Board had expected the work to be well underway by now. He further emphasized the Board has been clear that, if the applicants cannot confirm the work will be completed by October 15th, the work will not be allowed to proceed.

Ms. Kablack read aloud pertinent sections from the draft Decision, noting conditions H. and I., stating the work must be started by October 1st, and any areas disturbed must be stabilized by October 15th.

Chairman Lizotte recommended, and the Board concurred, that the words “at the judgment of the Planning Board” be added to the end of the second sentence of condition H. on Page 3.

Mr. Long recommended, and the Board concurred, that the word “undertaken” in the first sentence of condition I. on Page 3 be replaced with the word “completed.”

Mr. Croft highlighted for the Board that he is at the mercy of contractors, who often fail to perform as expected. He emphasized he does not want to misrepresent any timeframes to the Board, noting delays from others often interfere with meeting deadlines.

Chairman Lizotte stated the Board is requiring compliance with the proposed deadlines so as to avoid problems occurring again as they did last year.

Mr. Dube stated they are awaiting bids from contractors for some aspects of the work.

Ms. Kablack distributed copies of a handout highlighting the two most recent revisions made to the draft Decision, including providing proof of legal authority to use the abutting property to provide temporary construction access.

Mr. Croft stated the applicant has approval from the abutters to access the property from the top.

Chairman Lizotte stated the Board understands the construction challenges the applicant faces, but he emphasized the Board will not waiver on its deadline date requirements as presented in the draft Decision.

Mr. Garvin asked for clarification regarding the history of the project, and Chairman Lizotte provided a brief summary. Given the past history as explained, Mr. Garvin believes the proposed timelines make sense. He also suggested that, if the work cannot commence by October 1st, it might be good to install hay bales at the top of the hill.

Chairman Lizotte asked if there were any comments from the public, and there were none.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the Modification Stormwater Management Permit Lots E & F, Maynard Road, Sudbury, MA dated September 17, 2014 as reviewed and amended tonight, regarding the Stormwater Management Permit modification application for property located on Maynard Road (Assessor’s Map E06, Parcels 0304 & 0305), SF Holdings LLC, Owner.

Only Chairman Lizotte, Mr. Abair, Mr. Morely and Mr. Long voted this motion.

Chairman Lizotte announced he needed to leave the meeting early, and that Vice-Chairman Abair would conduct the remainder of the meeting.

The Cecil Group – Route 20 Zoning Project – Discussion

Present: The Cecil Group Principal Steven Cecil and associate Adam Wynn

At 7:50 p.m., Vice-Chairman Abair opened a discussion with representatives of The Cecil Group regarding the Route 20 Zoning Project. The Board was previously in receipt of copies of a memorandum from Chairman Lizotte to the Finance Committee dated June 26, 2014, regarding a request for a FY14 Reserve Fund Transfer and a letter from The Cecil Group Principal Steven Cecil dated June 25, 2014, and accompanying material regarding approach and scope of services.

Ms. Kablack stated tonight's discussion is intended to review the scope of services for the study in order to better understand how the study will proceed, and to get early feedback from the Board on the properties under consideration for study.

Using a PowerPoint presentation, Mr. Cecil stated the purpose of the study is to evaluate the potential results associated with an overlay zone to better manage development along portions of Route 20. He stated the study would help illustrate the physical design implications of the prospective zoning relative to both the existing conditions and the existing zoning. In response to a request from Vice-Chairman Abair, Mr. Cecil briefly described overlay zoning.

Mr. Cecil reviewed the proposed evaluation process which would study representative parcels or clusters of parcels. He stated existing development patterns would be evaluated, including buildings, parking and open space relative to developable land. Assumptions will be made regarding future development. Mr. Cecil states information will be provided regarding key zoning parameters for uses and mixes of uses, including building heights, setbacks, and parking. He displayed a map of the planned areas of study parcels including, Raytheon, Shaw's Plaza, Interstate Oil, Sudbury Farms, Sudbury Crossing and the Rugged Bear Plaza.

Ms. Kablack stated the study will work off of zoning work done by the Planning Board in 2012 which defined representative areas. It was noted the upcoming changes for the Raytheon property, due to the closing of operations at the site, will be considered in this project and in future planning discussions. Ms. Kablack stated overlay zoning was determined to be a preferred option because business owners do not like rezoning.

Mr. Garvin asked if the 2001 study done by the Cecil Group contemplated the Town's current growth. Mr. Cecil stated the 2001 study was more theoretical regarding if the existing zoning remained or was changed. He further stated the new proposed study will delve into topics in more detail.

In response to a question from Mr. Remley regarding why the study is not taking into account parcels on Union Ave., Ms. Kablack explained properties along Union Avenue tend to be single-site developments and narrow in depth. The study will be looking at the larger commercial properties.

Mr. Morely referenced the displayed map, noting that, for study purposes, the Post Office should be added to #6, and the Sullivan Tire location should be added to #3, as both of these may be opportunities for new development in the near future.

Mr. Cecil highlighted each of the six proposed study parcel areas, and he explained the floor area ratios in relation to site ratios. He stated analysis of this type of information can present predictable levels and help one to get a sense of the scale of potential development.

Ms. Kablack highlighted the study is not trying to create a “downtown” because the length of Route 20 is too long to accomplish this. Sudbury’s vision has always been to improve Route 20 as Sudbury’s “Main Street”. To further this statement, Mr. Morely stated all of downtown Lexington, which is admired by many, fits into the Shaw’s property footprint.

Mr. Garvin asked if Transfer Development Rights (TDR) options have been considered. Mr. Cecil stated TDR’s are interesting, but can present fundamental challenges in suburban settings, as there are fewer “receiver” sites for higher density development.

As the six proposed areas for the study were reviewed, Ms. Kablack stated that if one needs to be eliminated, she would recommend deleting Sudbury Farms. She also stated the owners of Sudbury Crossing are very engaged with this topic and are interested in a sewer option.

Mr. Cecil stated the Rugged Bear Plaza is nearly built-out, but has an interesting shared drive-through feature with abutting properties.

Mr. Cecil displayed a chart, stating information will be collected for an Existing Property Summary, including front yard setbacks, lot frontages, height limits and parking ratios. He displayed a few slides of other locations using overlay zoning, including the Hingham Shipyard, Wayland Town Center, and Linden Square in Wellesley. Mr. Cecil stated data seems to indicate that one-story retail with one-story housing above is not a successful model, and it can be very expensive construction to build. It is more successful to place housing in a separate buildings nearby commercial areas.

Mr. Garvin asked what the size of the Wayland Center development is compared to Sudbury’s Raytheon site. Ms. Kablack stated both parcels are approximately 50 acres.

Mr. Morely stated the fact that Wayland developed its Town Center project first makes him hesitant to think Sudbury could do something similar successfully in such close proximity.

Mr. Cecil stated there is a strong need and appetite for retail in New England. He said the study would also broach other topics including, visions for development patterns, types of regulatory standards, market investment considerations and other factors.

It was noted a lot of newer developments have accomplished creating a village feel off of the main street with creative layouts.

Mr. Garvin noted that, since Route 20 is a State highway, it may limit the options available.

Mr. Morely noted that, even though people say they want a village atmosphere, previous studies have shown they will not walk (what they perceive to be) long distances.

Ms. Kablack believes the ability to make pedestrian connections on Route 20 will become more evident with revitalization.

Mr. Wynn stated he recently parked at the Rugged Bear Plaza and walked to Raytheon. He noted the TD Bank is a good example of development which improves the streetscape.

Mr. Cecil stated a lot can be done with landscaping over time to also make it a feature of the Town.

Mr. Remley stated he questions whether another Wayland Town Center could be successful in Sudbury, and he asked if data would be provided to review.

Mr. Cecil stated market research is not part of his firm's services, but he suggested the Town should secure its own market study.

Mr. Morely stated he is skeptical about a Wayland Town Center-like development for Sudbury. However, he noted many residents from sections of Framingham and Marlboro travel through and shop in Sudbury daily.

Mr. Cecil stated some towns have found it helpful to do an economic strategy plan for their entire community. Giving an example of an 800-acre property in Plymouth, he also stated that, sometimes, the best answer with a large property is to eventually only develop half or a portion of it.

Mr. Cecil stated he believes the Sudbury project is interesting, and he and his colleagues will keep the Town informed on its progress.

In response to comments related to Raytheon, Ms. Kablack noted the property's future will be a consideration for the Town's direction with the Route 20 sewer project. She stated it is possible the property could create its own capacity, and thus no longer need the Town sewer.

Sudbury Finance Committee Chair Susan Berry asked the Board a question.

Charles Katz, owner of the Rugged Bear Plaza, stated he fully supports development opportunities. He noted the major constraints for his property are the septic system and parking. He would like to see more collaborative efforts regarding developing the area.

A brief discussion ensued regarding what incentives could be offered to businesses.

Mr. Remley asked if attaching a time limit for the incentives would stimulate more action. Mr. Cecil stated this could be a viable idea. The consensus was that for the sewer project, time-limited incentives could be helpful to generate commitments for user fees.

Mr. Cecil emphasized it is important in any project study to consider the culture of the location as well.

At 9:12 p.m., Vice-Chairman Abair thanked Mr. Cecil and Mr. Wynn for their presentation, and he concluded the discussion.

Endicott Woods – Request for Extension

Ms. Kablack distributed copies of a letter from Rollins, Rollins & Fox attorney Joshua Fox dated September 11, 2014, requesting a two-year extension of the subdivision approval to complete the infrastructure for the Endicott Woods subdivision. She provided a brief summary of the subdivision's approval in 2004,

endorsement in 2005, and the initial extension until 2010, which was then automatically extended to 2014 pursuant to the Permit Extension Act.

It was noted the plan was designed to conform in 2004 to the Department of Environmental Protection (DEP) stormwater regulations. Mr. Garvin stated DEP changes have since occurred, but they are not substantial.

Mr. Garvin asked if a new road would be brought in. Ms. Kablack stated the road is intended as a Private Way, 18-feet wide.

Mr. Abair asked if the Permit Extension Act of 2010 pertains to residential developments. Ms. Kablack and Mr. Garvin stated it applies to all permits.

Ms. Kablack stated there are no new waivers for the subdivision, and she has no objections to the request.

Mr. Garvin and Mr. Remley believe the applicant may need to go to the Conservation Commission at this point to also be granted an extension.

Mr. Remley stated ten years, or twelve years with the extension, is a long time legally to not review changes which have occurred.

Mr. Abair stated he would prefer to see the plans for what was initially approved before voting a position.

Mr. Morely stated the vote could be delayed until the Board's next meeting, which would allow Ms. Kablack time to receive input from the Conservation Commission.

Mr. Garvin suggested asking the applicant's attorney for a status on where the project stands with the law and the Conservation Commission.

It was noted the Board could make its extension contingent upon the applicant also obtaining the other required extensions.

At 9:22 p.m., the consensus of the Board was to continue this discussion at its next meeting.

Minutes

On motion duly made and seconded, it was
VOTED: To approve the meeting minutes of August 27, 2014.

Upcoming Meeting Schedule

The Board's next regular meetings will be held Wednesday, October 8, 2014 and October 22, 2014, at 7:30 p.m. at Town Hall. Ms. Kablack stated it is possible the October 8, 2014 meeting may be cancelled. However, she asked Board members to keep the second and fourth Wednesday of each month available for meetings. Ms. Kablack also stated a Public Hearing is scheduled for October 22, 2014, and on that evening, The Cecil Group would likely provide another update.

The meeting was adjourned by Vice-Chairman Abair at 9:25 p.m.