

Present: Chairman Craig Lizotte, Peter Abair, Martin Long, Stephen Garvin, Jody Kablack (Director of Planning and Development) and Jim Kupfer (Assistant Planner)

Absent: Christopher Morely and Dylan Remley (Associate Member)

At 7:35 p.m., Chairman Lizotte called the meeting to order.

Board Reorganization

Chairman Lizotte stated he is willing to continue to serve as Chairman, but he believes it is important for the Board to consider he will need to recuse himself from every discussion related to the Raytheon property if his company plays a role in the permitting, which is possible.

Mr. Abair stated he is willing to continue to serve as Vice-Chairman.

Mr. Long stated he is willing to continue to serve as Clerk.

Mr. Garvin stated he is new to the Board, but he would be willing to serve in some capacity if someone were no longer interested in doing so.

The consensus of the Board was to leave the Board's organization as is, noting the Board can always revisit the discussion, if needed, at a later time.

Public Hearing: 239 Concord Road – Stormwater Permit Application

At 7:44 p.m., Chairman Lizotte introduced the agenda item for a Public Hearing regarding the Stormwater Management Permit application submitted by Walker Development, Owner and Applicant, to construct a new single-family home and associated improvements which will disturb approximately 48,000 sq. ft. of land, including approximately 1,500 sq. ft. of land on slopes greater than 20% on a 2.2 acre-parcel located at 239 Concord Road (Assessor's Map H09-0016). The Board was previously in receipt of copies of the Public Hearing Notice, the Town of Sudbury Application for Stormwater Management Permit dated May 18, 2015 and accompanying plans and reports as prepared by Onsite Engineering, Inc. In addition, copies of a letter from Sudbury Peer Reviewer Fredric King from Schofield Brothers, LLC dated June 8, 2015 were distributed tonight.

Ms. Kablack announced this application was withdrawn by the applicant today, and there is no need to open the Public Hearing.

Steven Garrity, stated he is the executor of his father's estate and home at 54 Pennymeadow Road, and he came to tonight's meeting as an abutter to learn about the plan. Mr. Garrity stated he was concerned about how much building would be done near the wetlands.

Chairman Lizotte summarized what the application had been for, and using a plan exhibit, he explained where the land protected as conservation is, and he answered a few questions from Mr. Garrity.

Stormwater Management Permit Violation – Maynard Road, Lots E & F –

Assessor's Map #E06-0304 and 0305 – Discussion

At 7:54 p.m., Chairman Lizotte opened a discussion regarding the Stormwater Management Permit application violation regarding Lots E & F, Maynard Road (Assessor's Map E06, Parcels 0304 & 0305). The Board was previously in receipt of copies of a letter of Notice of the Violation from Ms. Kablack to Paul Croft of SF Holdings LLC dated June 2, 2015.

Ms. Kablack referenced her letter, noting conditions of the Permit have not been fulfilled. She stated the site had a previous violation and penalty tickets were issued and paid at a rate of \$200 per day. She asked for the Board's guidance regarding the current violations.

Chairman Lizotte stated the site is in an awful state, and he is inclined to issue violation tickets again until the required work is done and in compliance with the Permit.

On motion duly made and seconded, it was unanimously:

VOTED: To enforce the Stormwater Management Permit issued for regarding Lots E & F, Maynard Road (Assessor's Map E06, Parcels 0304 & 0305) and to authorize Ms. Kablack to act on behalf of the Planning Board to issue violation tickets for each day until the Permit requirements are satisfied.

Weston Zoning Bylaw Regarding Large Houses

At 7:58 p.m., Chairman Lizotte opened a discussion regarding Weston's Zoning Bylaw regarding large houses, noting this had been brought to his attention as a concern in Weston and Wellesley. The Board was previously in receipt of copies of the relevant wording for Weston's site plan approval for large structures. Chairman Lizotte stated he has not noticed this as a problem in Town, but he wanted to also get the perspective of the Board.

Ms. Kablack stated she does not believe Sudbury faces the same issues as in Weston and Wellesley because Sudbury has large lots and there is a process in place for a Special Permit to be approved by the Zoning Board of Appeals for tear downs on non-conforming lots. This process is used regularly and seems to be working to mitigate potential problems with size and scale of new homes.

Mr. Long and Mr. Abair stated they are not aware of this as being a problem in Town. Mr. Garvin concurred, stating it is not an issue in Sudbury currently, but the Board could keep the topic in mind.

Mr. Kupfer stated there is a study underway in Concord, and he will keep the Board apprised of this information.

The consensus of the Board was that no action was needed on this agenda item at this time.

North Ridge Farm Drainage – Discussion

Present: Scott P. Hayes, PE of FORESITE Engineering Associates Inc., Littleton attorney Sherry Gould, the applicant's builder Mike Jeanson and eight Sudbury residents

At 8:03 p.m., Chairman Lizotte opened a discussion regarding drainage for North Ridge Farm. The Board was previously in receipt of copies of a letter from Ms. Kablack to James Fenton of Distinctive Acton Homes, Inc. dated June 2, 2015, two letters and Erosion Control and Site Inspection Report, photographs, a "Groundwater Mounding Analysis for an Existing Retention Basin for the North Ridge

Farm Subdivision,” a “Stormwater Report and Calculations for North Ridge Farm” last revised April 23, 2015, all provided by FORESITE Engineering Associates Inc. dated May 14, 2015, and April 23, 2015 respectively, and a letter from Hancock and Associates Sudbury Peer Reviewer Joseph Peznola dated June 2, 2015.

Ms. Kablack noted the problems that the Board has been following with the construction of the detention basin have not been resolved. Recently reports have been submitted by the developer’s engineer, Foresite Engineering, and these reports have been reviewed by Sudbury’s Peer Reviewer Joseph Peznola. She stated Mr. Peznola believes the mounding analysis provided indicates there should be no impact to abutters. Ms. Kablack stated she visited the site today, and a few items of non-compliance were noted, and she sent a certified letter to the owner for action, particularly the stabilization of the disturbed areas of the site. She noted the site has been open and unoccupied for a few months.

Chairman Lizotte stated the Board has two issues to consider: 1) the basin, which is an engineering issue, and 2) the issue with the site being clear cut last year and not having been stabilized since last fall. He stated the current condition is a mess, and he believes the Board must obtain assurance that the site will be stabilized in the very near future.

Mr. Garvin stated the Board is emphasizing erosion control because, when the agreed upon maintenance is not implemented, eventual issues arise. He asked if there are reports being completed under the SWPPP and submitted to the Town.

Mr. Hayes stated he has been doing inspections and has submitted several months’ worth of reports recently, and he acknowledged the site is more destabilized than he would like. However, he further stated the erosion controls are in good shape, noting the silt sacks have been emptied and the hay bales have been replaced.

Chairman Lizotte acknowledged Mr. Hayes is not the property owner and does not have the power to implement his recommendations.

Mr. Hayes stated all items in Mr. Peznola’s June 2, 2015 letter have been addressed. However, Chairman Lizotte noted the stock piles have not been covered.

Chairman Lizotte presented several options for action tonight by the Board, including deferring the discussion regarding the basin until the stabilization violations are addressed.

Mr. Garvin stated he is inclined to defer the basin discussion and to request that the Board be provided at its June 24, 2015 meeting with substantial evidence of progress regarding site stabilization.

Mr. Hayes stated there will be lots of opportunities to grade and seed the site. He also provided a brief summary of what has been encountered with bedrock regarding the basin. Mr. Hayes also stated he monitored the site during the heavy rains experienced last week, and the basin did not fill up.

Chairman Lizotte questioned whether the water is actually reaching the basin, noting that a visual inspection may be useless unless the water is getting to it. Without the final paving of the road, the catch basins may not be effective in capturing runoff.

Mr. Hayes stated the model which was built was very conservative.

Ms. Kablack noted the catch basin is fairly level with the road.

Mr. Hayes stated he is working through the information with Mr. Peznola, and he believes they are close to reaching mutual agreement.

Mr. Abair asked if raising the berm around the front of the basin should be a requirement, as suggested by Mr. Peznola. Chairman Lizotte suggested Mr. Hayes continues to work with Ms. Kablack and Mr. Peznola to design the berm to increase the volume of the basin. Any changes should attempt to better shape the top of the berm to make it look more natural.

Sudbury resident Marianne Hatton, 20 Willard Grant Road, stated she abuts Lot #3, and she asked about the area behind the berm and stated that large drainage pipes are located there and asked if these will remain permanently.

With the use of a site plan exhibit, Chairman Lizotte and Mr. Hayes addressed several questions from Ms. Hatton and other residents, including assuring them about the drainage on the western side of the property and its design to capture water from this development on the property and not let it flow onto abutting properties. Chairman Lizotte also summarized the mounding analysis which has been provided. The residents also asked about the trees which have been planted and have not survived. Chairman Lizotte stated the trees will be reviewed to be sure they are consistent with the approved plan and the applicant will be asked to replace any dead trees required by the Board, and to remove any construction debris. Mr. Hayes also assured the residents that Sudbury's Stormwater Management Bylaw is quite rigorous and thorough.

The consensus of the Board was to continue this discussion at the Board's June 24, 2015 meeting and to request that the applicant provide a plan to stabilize all bare areas on the site, including, but not limited to, jute netting, hydro-seeding and dust control options and to continue to work with Sudbury's Peer Reviewer on improving the berm aesthetics and the engineering of the basin. In addition, Ms. Kablack will review the issues of the tree plantings and construction piping broached tonight.

Chairman Lizotte asked what the construction schedule is.

The applicant's builder stated he plans to apply for permits next week for Lots #4 and #5 to be built out over the next seven to eight months.

Attorney Sherry Gould noted everything cannot be completed in two weeks' time.

Mr. Garvin stated the Board understands this, but it also knows a substantial amount, including hydro-seeding and covering the stockpile, can be finished in two weeks.

2015 Walkway Forum – Planning

At 8:45 p.m., Chairman Lizotte opened a discussion regarding planning a fall 2015 Walkway Forum. The Board was previously in receipt of copies of a 2015 Town of Sudbury Walkway Planning Initiative spreadsheet draft dated June 2015. Copies of a revised version of this spreadsheet and an email from Sudbury resident Dan DePompei, 35 Haynes Road, dated June 9, 2015 and accompanying slides from his 2015 Annual Town Meeting presentation were distributed tonight.

Ms. Kablack announced a Walkway Forum will be planned for this fall, and she noted the Town last held one in 2011. She referenced the spreadsheet prepared by Mr. Kupfer which reflects the walkway progress

made and the constraints due to wetlands and easements which exist. Ms. Kablack stated the plan is to present this information at the Forum and to be more proactive about identifying walkways which need a neighborhood coordinator.

Mr. Garvin stated it is best to involve neighbors to approach their fellow neighbors for this type of initiative.

Chairman Lizotte asked about the status of the Powder Mill Road walkway. Ms. Kablack explained the interruption in construction was due to a procurement protocol issue. DPW Director Bill Place has estimated the walkway may be completed in approximately 60-90 days.

Ms. Kablack asked Board members to provide any input for the Walkway Forum which they think would be helpful. She also stated the information will be put on the Town website. The Board also suggested the information be submitted to the *Town Crier*, *Sudbury Patch*, and Twitter.

Chairman Lizotte asked if there is a backlog of requested neighborhood petitions for walkways. Ms. Kablack stated there is not, for the first time in several years.

Mr. Long asked if money has ever been offered to obtain easements. Ms. Kablack stated money has never been offered, and Mr. Garvin stated this would be a bad precedence to establish.

Mr. Kupfer referenced Mr. DePompei's email, and he noted there are some erroneous statements presented by Mr. DePompei. Mr. Kupfer stated no Committee has been decided upon and he had not agreed that there had not been enough progress made on walkways. He stated the Fall Forum will emphasize neighborhood coordinators are needed, that the Town has "hit a wall" having completed the easier sidewalks with few constraints, and it will ask if there are any new walkways which should be added to the priority list. Mr. Kupfer also stated representatives from the Schools will also be included in the Forum process.

Miscellaneous

Ms. Kablack reported the road audit was conducted for the Route 20 and Landham Road intersection, and the report arrived today. This study was prepared by a MassDOT consultant, and is a step in the process towards the state improving the intersection. The study will be posted on the Town's website. She also mentioned the State is currently paving Route 20 from the Wayland Town line to the Marlborough line.

Mr. Garvin asked if there are any new plans for Davis Field. Ms. Kablack stated the project is continuing in a scaled back fashion. She stated the Park and Recreation Commission will be discussing these plans at the June 23, 2015 Board of Selectmen meeting, and that they may be proceeding with the elimination of the baseball component. Ms. Kablack stated there is the opportunity for the Town to receive a substantial state grant for the project, so the hope is to proceed. She also stated she has asked DPW Director Bill Place to provide cost estimates for both a paved and unpaved parking option.

Ms. Kablack stated she is researching whether CPA funds could be requested to do a site study regarding contamination at the Melone property and to provide an independent assessment of the historical information regarding groundwater contamination. Chairman Lizotte and Mr. Garvin suggested some types of studies which could be commissioned, and both men offered to review and help edit Ms. Kablack's draft.

The Board was in previous receipt of a letter from Ms. Kablack to Peter Karasik of Eligius Homes Company dated June 2, 2015 regarding Huckleberry Lane drainage. Ms. Kablack stated the letter was sent to put the owner on notice regarding the concerns.

Minutes

On motion duly made and seconded, it was

VOTED: To approve the meeting minutes of April 29, 2015 and May 20, 2015.

Application Not Required Application –Madison Place Sudbury LLC – 189 Landham Road

Copies of the Town of Sudbury Form A Application For Endorsement of Plan Believed Not To Require Subdivision Approval plan submitted by Christa Collins/Sudbury Valley Trustees regarding 25 Christopher Lane, received June 5, 2015, were distributed tonight.

Ms. Kablack summarized the proposal. The property will be sold by the owners to the US Fish and Wildlife Service with funding coming from the NYANZA settlement fund. The property will remain undeveloped.

On motion duly made and seconded, it was unanimously:

VOTED: To endorse and sign the Form A Application For Endorsement of Plan Believed Not To Require Subdivision Approval plan submitted by Christa Collins/Sudbury Valley Trustees regarding 25 Christopher Lane, received June 5, 2015.

Design Review Board - Board Appointments

On motion duly made and seconded, it was unanimously:

VOTED: To appoint Daniel Martin and Jennifer Koffel to the Design Review Board for terms to expire May 31, 2018.

Upcoming Meeting Schedule

Ms. Kablack stated the next meeting will be held June 24, 2015. The Board's first site plan hearing will be commenced that evening.

The meeting was adjourned by Chairman Lizotte at 9:30 p.m.