

Present: Chairman Craig Lizotte, Christopher Morely, Peter Abair, Martin Long, Stephen Garvin, and Jody Kablack (Director of Planning and Development)

Absent: Dylan Remley (Associate Member)

At 7:31 p.m., Chairman Lizotte called the meeting to order.

Public Hearing: 0 & 197 Old Sudbury Road (Assessor's Map H10-0006) - Stormwater Management Permits (2) Applications

At 7:31 p.m., Chairman Lizotte re-opened a Public Hearing regarding two Stormwater Management Permit applications submitted by Walker Development LLC, Owner and Applicant, to construct two new single family homes and associated improvements, which was continued from December 9, 2015. Lot 1 proposes the disturbance of approximately 40,600 square feet of land, including over 25,000 square feet of disturbance on slopes greater than 10%, on a 1.63 acre parcel. Lot 2 proposes the disturbance of approximately 51,200 square feet of land, including over 22,000 square feet of disturbance on slopes greater than 10%, on a 1.91 acre parcel. The properties are located at 197 Old Sudbury Road (Assessor's Map H10-0006). The Board was previously in receipt of copies of a letter dated December 29, 2015 from Onsite Engineering, Inc. and a revised plan and accompanying supporting documents, and a letter from Wetlands Resource Specialist David Burke to Conservation Coordinator Debbie Dineen dated August 20, 2015. In addition, copies of a letter from Sudbury's Stormwater Management Peer Reviewer Janet Bernardo dated January 12, 2016 were distributed to the Board tonight.

Chairman Lizotte stated the applicants are not in attendance tonight. He noted revised information has been submitted since the Board's last meeting and Sudbury's Stormwater Management Peer Reviewer Janet Bernardo has reviewed them and she stated there are still a few items needing to be addressed.

At 7:35 p.m., on motion duly made and seconded, it was unanimously:

VOTED: To temporarily suspend the Public Hearing regarding two Stormwater Management Permit applications submitted by Walker Development LLC, Owner and Applicant, to construct two new single family homes and associated improvements, to attend to other Board business and allow time for the applicants to appear.

Later in the evening at 7:59 p.m., on motion duly made and seconded, it was also unanimously:

VOTED: To resume and immediately continue the Public Hearing regarding two Stormwater Management Permit applications submitted by Walker Development LLC, Owner and Applicant, to construct two new single family homes and associated improvements at 197 Old Sudbury Road to January 27, 2016 at 7:30 p.m.

Board Reorganization

Chairman Lizotte stated he is happy to serve as Chairman, but he is unable to participate in the ongoing agenda items for this year regarding the Raytheon property re-development. He also stated he is about to

start a new job, and he is unsure of what his schedule will require. Thus, he moved to nominate Vice-Chairman Peter Abair as Chairman, and the motion was seconded.

Mr. Abair stated he is willing to serve as Chairman, but he is sorry to lose Chairman Lizotte as a colleague. Board members expressed Chairman Lizotte's expertise would be missed as Chair.

On motion duly made and seconded, it was unanimously:

VOTED: To appoint Peter Abair as Chairman of Sudbury's Planning Board.

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

VOTED: To appoint Stephen Garvin as Vice-Chairman of Sudbury's Planning Board.

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

Cail Farm Subdivision – Concord Road - Request for Bond Release

At 7:40 p.m., Chairman Abair opened a discussion regarding the request for a bond release for Cail Farm Subdivision, Concord Road. The Board was previously in receipt of copies of two letters from The Eligius Homes Company President Peter Karassik dated November 9, 2011 and December 7, 2015 respectively, and a letter from Department of Public Works Director/Town Engineer I. William Place dated December 14, 2015, recommending release of the bond.

Ms. Kablack stated this agenda item can be skipped over because the bond was already released in 2012.

Olde Bostonian Estates – Bostonian Way – Request for Bond Release

At 7:41 p.m., Chairman Abair opened a discussion regarding the request for a bond release for Olde Bostonian Estates – Bostonian Way. The Board was previously in receipt of copies of a letter from Burkhard Corporation Projects Director Tom Bucknall dated December 1, 2015 and a letter from Department of Public Works Director/Town Engineer I. William Place dated December 4, 2015.

Ms. Kablack stated Mr. Place reports the drainage system is working properly, and thus the berm and inlet conditions are recommended to no longer be required.

On motion duly made and seconded, it was unanimously

VOTED: To approve a release of the bond for Olde Bostonian Estates – Bostonian Way, as recommended by Town Engineer I. William Place in a letter dated December 4, 2015.

82-84 Maynard Road Subdivision – Request for Bond Release

At 7:44 p.m., Chairman Abair opened a discussion regarding the request for a bond release for the 82-84 Maynard Road Subdivision. The Board was previously in receipt of copies of an email from Developer Robert Roth dated December 23, 2015.

Ms. Kablack stated the remaining items previously discussed by the Board in September 2015 have been completed, noting bounds were set and they are now shown on the as-built plans and the trench in Maynard Road has been repaired.

On motion duly made and seconded, it was unanimously

VOTED: To approve a release of the bond for the 82-84 Maynard Road Subdivision.

Lot 3 Newbridge Road – Stormwater Permit - Request for Bond Release

At 7:46 p.m., Chairman Abair opened a discussion regarding the request for a bond release for Lot 3 Newbridge Road – Stormwater Permit. The Board was previously in receipt of copies of a letter from Thomas P. DiPersio, Jr. P.E. dated December 18, 2015 stating all improvements are in substantial conformance with the approved plan.

On motion duly made and seconded, it was unanimously

VOTED: To approve a release of the bond for Lot 3 Newbridge Road – Stormwater Permit.

2016 Annual Town Meeting – Discussion

The Board was previously in receipt of copies of a draft article for the Annual 2016 Town Meeting entitled, “Amend Zoning Bylaw, Article 7000, Definition of Dog Kennel.” In addition, copies of the current Wireless Services Overlay District bylaw were distributed to the Board tonight.

Ms. Kablack stated the Town Clerk has requested the Dog Kennel article be submitted again this year. She and Mr. Lizotte explained a similar article was supported by the Board last year, but the Board eventually passed over the article at Town Meeting because of the timing of the vote on the general bylaw regarding dogs, which was eventually passed. Ms. Kablack highlighted this year’s article would bring the Town’s bylaw into compliance with the general bylaw and State regulations.

Ms. Kablack stated the Telecommunications Act of 2012 gave cell tower owners’ rights to modify the towers through the Building Permit process. She referred to the current Wireless Overlay bylaw, noting Town Counsel advised revising the bylaw to note that a minor Site Plan review would only be needed.

On motion duly made and seconded, it was unanimously:

VOTED: To submit the draft article for the Annual 2016 Town Meeting entitled, “Amend Zoning Bylaw, Article 7000, Definition of Dog Kennel,” as reviewed tonight, and to have the Planning Director prepare an amendment to the Wireless Services Bylaw for review at the next meeting.

2015 Planning Board Annual Town Report

The Board was previously in receipt of a Draft Sudbury Planning Board 2015 Annual Report.

Ms. Kablack suggested the Board should review the draft Report and vote it at its next meeting.

Adoption of 2016 Bonding Policy

The Board was previously in receipt of copies of a letter, dated December 28, 2015, from Town Engineer/DPW Director William I. Place, which updated the 2015 Bonding Policy to reflect 2016 unit prices and a copy of the current 2015 unit prices as presented in a letter from Mr. Place dated December 19, 2014.

Mr. Morely noted there appears to have been an error on the Unit Price listed of \$82.50 for Gravel Borrow on the 2015 Bonding Policy.

On motion duly made and seconded, it was unanimously:

VOTED: To accept the 2016 Bonding Policy unit prices as presented by Department of Public Works Director/Town Engineer William I. Place, in a letter dated December 28, 2015.

Minutes

Chairman Abair thanked the Recording Secretary for the thorough meeting minutes provided, since he was unable to attend the December 9, 2015 meeting.

Mr. Garvin recommended, and the Board concurred, that a revision be made to the fifth paragraph on Page 7, which he gave to Ms. Kablack.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the meeting minutes of December 9, 2015, as amended tonight.

Joint Meeting with the Design Review Board and Public Hearing: Site Plan Application – National Development – 526 & 528 Boston Post Road (Assessor’s Map K07-0011 & K07-0013) and Stormwater Management Permit Application

Present: Design Review Board (DRB) Chairman Dan Martin, DRB Members Jennifer Koffel, and Deborah Kruskal and National Development Project Manager Steve Senna, National Development’s Attorneys Peter Tamm and Kristofer Machado, National Development architect Michael Giardina, VHB representative Karen Staffier and Whole Foods Construction Coordinator Jim Strain

Mr. Lizotte recused himself from the discussion, and he left the Meeting for the remainder of the evening.

At 8:00 p.m., Chairman Abair opened a Public Hearing regarding the application of BPR Development LLC c/o National Development, Owner Raytheon Company, for Site Plan approval pursuant to Section 6300 of the Zoning Bylaw, and a Stormwater Management permit pursuant to Article V (F), Section 5.C of the Town Bylaws, to construct a new 40,000 square-foot grocery store, parking and associated improvements on property located at 526 and 528 Boston Post Road, zoned Limited Industrial, Town Assessor’s Map K07-0011 and K07-0013, which was continued from December 9, 2015. He also announced this portion of tonight’s meeting has been scheduled as a Joint Meeting with the Design Review Board (DRB). The Board was previously in receipt of copies of a letter from BPR Development LLC c/o National Development dated December 29, 2015, an email from Sudbury resident Binbin Liu

dated December 4, 2015, an email from Sudbury resident Jim Gish, 35 Rolling Lane, dated January 1, 2016, a letter from the State's Department of Environmental Protection (DEP) Northeast Regional Office to Sudbury resident Robert Abrams dated December 30, 2015, the "Meadow Walk 526-528 Boston Post Road Sudbury, Massachusetts Traffic Impact and Access Study" prepared by VHB, two memoranda from VHB, both dated January 7, 2016, a letter from Engineering Advantage, Inc. dated December 28, 2015, and exhibit photographs and renderings of the grocery store and elevation plans and exterior materials exhibit. In addition, National Development Project Manager Steve Senna distributed copies to the Board of the PowerPoint slides for his presentation tonight.

Mr. Senna reintroduced the proposed grocery store project, noting supplemental applications materials have been provided since the Board's last meeting, the applicant has responded to comments received from Town Departments, and a "full-build" traffic report has been completed. It was noted the traffic report would be reviewed at the Board's January 27, 2016 Meeting, when the consultant and Sudbury's Peer Reviewer can both be in attendance. An aerial photo of the existing conditions was displayed as well as the Initial Master Plan and Grocery Store – Retail Site Plan renderings.

Mr. Senna explained the applicants are looking at possibly relocating the driveway to a different location, which is more acceptable to the owner of the Shaws' plaza across the street. Mr. Garvin asked if this information has been shared with the Peer Reviewer. Mr. Senna stated the Peer Reviewer has been informed to focus on a report which reflects a relocated driveway. He further stated the traffic report and appropriate documents will be amended accordingly, once this decision is made.

Mr. Senna provided a brief update on the applicant's permitting efforts with the ZBA, noting a slight tweak to parking counts from 298 spaces to 291 spaces has been recommended. He also displayed slides of the existing evergreen vegetative buffers, which they will be obligated to maintain. Mr. Morely highlighted an additional buffer should be considered along the first 150 feet where there is no green fence, and where there is an abutting home within view. He and Ms. Kablack noted a site visit prior to the Board's next meeting would be helpful to assess this situation and other factors.

Mr. Senna explained current utility lines do not allow for additional buffers in certain locations.

In response to a question from Mr. Garvin regarding whether the swales would be part of the pre-treatment plan, however Ms. Kablack stated the full Stormwater Management Plan has not been submitted yet.

Mr. Senna noted additional sidewalk options have been discussed with the ZBA, and this will be re-evaluated.

Mr. Morely suggested that if the driveway is relocated the buffer he previously mentioned would be even more important. He suggested the applicant might want to consider and inquire about a planting easement on the abutter's land to the east.

Design Review Board (DRB) Chairman Dan Martin asked if questions could be addressed regarding the landscape plan. Mr. Senna stated they are not prepared tonight to discuss the landscape plan, but there would be an opportunity to do so at a future meeting, once the driveway decision is made. He further stated previous concerns expressed about the types of trees to be planted along Route 20 and the need for more shade trees have been taken into consideration. DRB member Debbie Kruskal stated attention to

the streetscape is important so that it does not feel drastically different than the rest of the Town. Ms. Kablack stated a final landscape approval will be subject to final approval before implementation.

Mr. Garvin stated his strong preference for having the utility poles along the frontage of the property relocated underground. Mr. Senna stated they are aware of this preference, and they have reached out to the relevant utility companies. He further stated they have already met with Comcast and Sudbury's Fire Chief, but the cost seems prohibitive.

National Development architect Michael Giardina from Jacobs provided a summary of the revisions which have been made to the architectural design, based on feedback received. He noted comments were received regarding scale, the lack of a traditional roof and a sensitivity about the amount of white exterior material proposed. Mr. Giardina stated he drove around Sudbury to get a better feel for existing architecture, and he was inspired by the Town's barns and agricultural nature. Slides of architectural renderings were displayed reflecting revisions made to the exterior design and materials. Mr. Giardina highlighted the new form, which allows internal trusses to be visible, and that much of the exterior white material has been replaced with glass, laminated woods, and/or composite woods, which are used judiciously. He circulated material samples to the Boards for review. Mr. Giardina stated a taupe/gray color scheme has been proposed with accents of a vibrant green.

Ms. Kablack noted the proposal for signs has changed, and the ZBA has continued its Special Permit Public Hearing regarding signage.

Chairman Abair and Mr. Morely highlighted the need for the south side rear exterior design to be attractive to the many residents who will view it as neighbors and/or from Route 20. Mr. Morely suggested utilizing more differentiation of materials across the southern elevation to result in a more interesting appearance. Mr. Senna stated they would consider the suggestion. However, he further stated Whole Foods has requested some blank exterior space which does not allow the internal space to be publicly viewed.

Mr. Garvin stated he likes the revisions which have been made. Chairman Abair concurred, and he thanked the applicants for listening to feedback from the Town.

Mr. Morely stated he liked the revisions too, but he asked where the shopping carts will be stored outside and inside the store. It was also asked if outside storage will impact the parking spaces count. Mr. Senna stated some cart corals are planned in the parking lot. Whole Foods Construction Coordinator Jim Strain stated they would check how parking is impacted. Mr. Morely also asked what the pictured exterior louvers are made of, and Mr. Giardina stated they are made of wood.

Ms. Kruskal opined that the proposed road in front of the grocery store seemed very wide. Mr. Senna stated Whole Foods has requested the proposed 30-foot width, based on its prior experiences. He also stated they have proactively conducted a full access life safety plan study, which he will provide to Ms. Kablack. Ms. Kablack noted that when Sudbury Farms reconfigured its front roadway to 24 feet, it was perceived as too narrow.

Mr. Martin stated he is impressed with the revisions made by the applicant regarding massing and materials since the last meeting.

Mr. Senna reviewed the next steps for the project, including continuing the ZBA Public Hearing on January 25, 2016 to present revised signage designs and conditions for approval of a major commercial Special Permit. He also stated the Planning Board and DRB Public Hearings would continue on January 27, 2016 to review the traffic report and Peer Reviewer comments, present an updated Site Plan (hopefully with a driveway decision) and revised signage designs. Mr. Senna stated the Conservation Commission's Notice of Intent is anticipated to be filed on February 8, 2016 and the Planning Board Public Hearing to discuss open items and the stormwater management report and Peer Reviewer comments is scheduled for February 10, 2016.

A site visit was scheduled by the Boards tentatively for January 19, 2016 at 8:00 a.m., and Ms. Kablack stated she would send along a confirmation email.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the Public Hearing regarding the application of BPR Development LLC c/o National Development, Owner Raytheon Company, for Site Plan approval pursuant to Section 6300 of the Zoning Bylaw, and a Stormwater Management permit pursuant to Article V (F), Section 5.C of the Town Bylaws, to construct a new 40,000 square-foot grocery store, parking and associated improvements on property located at 526 and 528 Boston Post Road, zoned Limited Industrial, Town Assessor's Map K07-0011 and K07-0013 to January 27, 2016 at 8:00 p.m.

National Development – 526 & 528 Boston Post Road – Proposed Zoning Changes for Raytheon Property – (Assessor's Map K07-0011 & K07 -0013 - Discussion

Present: National Development Project Manager Steve Senna, National Development's Attorneys Peter Tamm and Kristofer Machado, National Development architect Michael Giardina, VHB representative Karen Staffier and Whole Foods Construction Coordinator Jim Strain

Mr. Lizotte had already recused himself for the previous agenda item and this one. At 9:05 p.m., Chairman Abair opened a discussion with National Development representatives regarding proposed zoning changes for the redevelopment plans for the Raytheon property, which was continued from December 9, 2015. The Board was previously in receipt of copies of a memorandum from Ms. Kablack dated January 6, 2016 and a working draft of a Mixed-Use Overlay District Bylaw, for discussion purposes only.

Attorney Tamm summarized some of the changes made to the draft bylaw since December, including deadline dates, definitions and uses, dimensional and height revisions, and parking restrictions.

As part of the negotiation process with the Town, Mr. Senna stated Town Manager Rodrigues requested an itemization of the zoning requests and an accompanying assignment of proposed delivery dates. He stated a draft is underway and it will be submitted soon to Town Manager Rodrigues and Ms. Kablack.

Mr. Garvin asked if there are plans to include compact parking spaces in the plan.

Ms. Kablack stated this has been included, and it is a requirement of the Town's bylaw.

Ms. Kablack stated most of the changes needed to the underlying zoning will be for uses, and they will likely be for less intensive uses than what is currently allowed in the Limited Industrial District (LID). In

addition, the LID setback and dimensional requirements are not compatible with a commercial streetscape appearance, hence the need for flexibility.

Mr. Garvin stated it is important, if possible, to consider and implement protections for abutting residential zones through the proposed zoning. Mr. Tamm stated this would be further reviewed.

Ms. Kablack suggested, and the Board concurred, that it would be helpful for the Board to see a plan that grays out the Comprehensive Permit component, so the focus can visually be only on the items under consideration. She further noted the zoning for the senior housing component will need to be created. Mr. Senna stated the senior housing component currently proposes 54 units, and the Master Development Plan would need to conform to whatever zoning is approved.

Ms. Kablack highlighted there is a lot to accomplish in the process before the Annual Town Meeting, including the Board receiving the Master Development Plan and determining if it is in compliance with a bylaw which has not been finalized yet. It was noted the information which can be completed in the next two to three weeks will be critical to the project's timeline. Ms. Kablack stated that if the Board finds itself in a time crunch, it would be possible to conduct the conformance review after Town Meeting.

Mr. Long asked if Town Counsel has given an opinion on the Board taking action before the bylaw has been adopted. Mr. Tamm stated it is a fair question to ask if the Board can undertake an action which has not been authorized. He further stated it could be possible to do so, pending authorization. It was also noted that project plans in Westwood and Lynnfield were recommended for Town Meeting and then subsequently reviewed.

Mr. Morely stated the process goals are great, if they can happen in time for Town Meeting. He noted the modification parameters will need to be well defined.

Ms. Kablack concurred, stating she is already working on this with Town Counsel.

Ms. Kablack stated the goal is to write the bylaw so that it serves this redevelopment and so that it can also be utilized for any other parcel of land in Town. It is important to note that this bylaw can provide the opportunity for other parcels to be redeveloped.

Mr. Garvin stated this bylaw will be the blueprint for future development along Route 20. He reiterated the idea of graying out areas not under consideration on the Master Development Plan in order to help focus the public's attention. Mr. Garvin also stated he is interested in being provided with Town Counsel's opinion on the bylaw. Mr. Long concurred, and he suggested Town Counsel be invited to attend a future Board Meeting when the bylaw draft is more advanced.

Upcoming Meeting Schedule

Ms. Kablack stated the next meeting will be held January 27, 2016 at 7:30 p.m. She reminded the Board to hold the second and fourth Wednesdays of each month for potential meetings leading up to the Annual Town Meeting.

A tentative site visit at the Raytheon property was scheduled for Jan. 19, 2016 at 8:00 am.

The meeting was adjourned by Chairman Abair at 9:45 p.m.