

Present: Chairman Peter Abair, Christopher Morely, Marty Long, Stephen Garvin, John Hincks (Associate Member) and Jody Kablack (Director of Planning and Development)

Absent: Craig Lizotte

At 7:35 p.m., Chairman Abair called the meeting to order. He later stated Mr. Lizotte has recused himself from all discussion and votes related to the National Development agenda items, and thus Mr. Lizotte will be absent tonight.

**Public Hearing: Zoning Article Proposed for Special Town Meeting – Changes to Water Resources Protection Overlay District**

At 7:35 p.m., Chairman Abair opened a Public Hearing regarding amending the uses allowed by Special Permit within the Water Resource Protection Overlay Districts – Zone II, and he read aloud the Public Hearing Notice. The Board was previously in receipt of copies of the Public Hearing Notice and the proposed bylaw.

Chairman Abair asked for public comments and there were none offered.

On motion duly made and seconded, it was unanimously:

VOTED: To close the Public Hearing regarding the proposed amendment of the uses allowed by Special Permit within the Water Resource Protection Overlay Districts – Zone II.

**Dudley Brook Preserve SRC, 40 Tall Pine Drive – Conditions for Final Occupancy (Assessor's Map J06-0023)**

At 7:40 p.m., Chairman Abair opened a discussion regarding conditions for final occupancy for the Dudley Brook Preserve SRC, 40 Tall Pine Drive (Assessor's Map J06 – 0023). The Board was previously in receipt of copies of the relevant landscape plan.

Chairman Abair stated a site visit regarding the screening for the front buffer area was held today and Mr. Morely attended.

Mr. Morely stated he met with three representatives of the Green Company and it was discussed that the front area was to have been trimmed back and new vegetation was to be added. A few small plants had been planted, but they were thought to be insufficient. Mr. Morely stated an agreement was reached to add about a dozen small white pines as a reasonable solution.

The Board asked Ms. Kablack to notify the Building Inspector that the Planning Board believes the conditions for final occupancy have been satisfied.

Ms. Kablack noted Article 26 at next week's Town Meeting includes acceptance of Tall Pine Drive as a public way.

**Minutes**

Mr. Garvin requested a revision be made to the first sentence of the fifth full paragraph on Page 3 of the April 13, 2016 Meeting minutes to add the words “civil engineering” before the word “design.”

On motion duly made and seconded, it was

VOTED: To approve the meeting minutes of April 13, 2016, as amended tonight.

**Public Hearing: National Development – 526 & 528 Boston Post Road (Assessor’s Map K07-0011 & K07-0013) - Stormwater Management Permit Application**

Present: National Development Project Manager Steve Senna and National Development Attorney Peter Tamm

At 7:45 p.m., Chairman Abair opened a Public Hearing regarding the application of BPR Sudbury Development LLC c/o National Development for a Stormwater Management Permit pursuant to Article V (F), Section 5.C of the Town Bylaws, to construct a new 45,000 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 April 13, 2016. The Board was previously in receipt of copies of a draft “Decision Stormwater Management Permit Grocery Store at Meadow Walk Sudbury 526 & 528 Boston Post Road” dated April 27, 2016, a letter from Department of Public Works Town Engineer I. William Place dated February 25, 2016, and a memorandum from VHB representative Karen Staffier dated April 12, 2016 and accompanying Water Impact Report. In addition, the applicant distributed copies tonight to the Board of a red-lined revised draft “Decision Stormwater Management Permit Grocery Store at Meadow Walk Sudbury 526 & 528 Boston Post Road” dated April 27, 2016.

Chairman Abair stated he was not at the Board’s last meeting, but he has certified that he has reviewed the videotape and written minutes of the April 13, 2016 Meeting and is thus eligible to vote on this application.

National Development Attorney Peter Tamm stated the redline revisions are cumulative edits from National Development and their Counsel, which were made this week. Mr. Tamm explained the changes made to Page 1 of the draft Decision were to specify more clearly who the applicant is, and that this Permit pertains only to Whole Foods and is on only a portion of the property. He summarized the changes, noting that definitions of the Project and Plan have been clarified.

Mr. Morely stated, and Mr. Garvin concurred, stating the changes proposed are appropriate.

Chairman Abair asked for clarification regarding item F on Page 3 regarding the impervious surface percentages. Mr. Tamm stated the impervious surface on the overall site for this Project will be reduced from 55% to approximately 46%. The consensus of the Board was to further clarify that it is 55% of the total acreage of the Project site (not the entire property) and to move the sentence in item F beginning with “Additional demolition, ...” to be the next to last sentence in that paragraph.

Regarding item C.1) on Page 4, Mr. Tamm asked if it should specify when the applicant should submit the \$5,000. Ms. Kablack stated it is noted that it is prior to any soil disturbance.

On Page 5 item E. 1) and on Page 6 item F, National Development Project Manager Steve Senna stated he suggested eliminating the conditions listed because they are redundant and mentioned in other documents.

Mr. Senna stated it is more difficult to have contractors adhere to requirements if they are given too many different copies of guidelines. His intention in deleting the items was to simplify the process, and just to refer to the standard conditions set forth in the regulations.

Ms. Kablack requested time to review the Operations & Maintenance Plan and to verify the conditions are covered elsewhere. She further stated her preference that the conditions remain included. Mr. Hincks agreed, stating there seems to be no harm in including them in the Decision. It was decided to retain the items deleted on Page 5 and Page 6 as originally presented.

Ms. Kablack also requested that items J and K on Page 7 remain as originally presented, since they have already been reviewed by Town Counsel. In addition, she requested item F. on Page 8 remain the same as originally presented, with the addition of the words “upon written notice to the Applicant,” as proposed in the first sentence.

Mr. Garvin referenced the item #2 in Bill Place’s February 25, 2016 letter, and he asked if this has been verified. Ms. Kablack stated VHB and the Town's peer review consultant have stated that both items #1 and 2 in Mr. Place’s letter were addressed in the design.

The consensus of the Board was Ms. Kablack should review the final revisions one last time and incorporate the edits agreed to tonight into a revised Decision, which she will circulate to the Board tomorrow.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the “Decision Stormwater Management Permit Grocery Store at Meadow Walk Sudbury 526 & 528 Boston Post Road” dated April 27, 2016 as reviewed and amended tonight.

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

VOTED: To close the Public Hearing regarding the application of BPR Development LLC c/o National Development, Owner Raytheon Company, for a Stormwater Management permit pursuant to Article V (F), Section 5.C of the Town Bylaws, to construct a new 45,000 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.

**Joint Meeting with the Design Review Board – National Development – 526 & 528 Boston Post Road – Master Development Plan & Conformance Determination Recommendations & Mixed Use Overlay District Bylaw Discussion**

Present: Design Review Board (DRB) Members Jennifer Koffel, Susan Vollaro and Dan Martin and National Development Project Manager Steve Senna, National Development Attorney Peter Tamm, National Development’s architect David Jelinski and VHB representative Rich Hollworth

At 8:20 p.m., Chairman Abair opened a Joint meeting with the Design Review Board to discuss with National Development representatives the Master Development Plan. The Board was also planned to later discuss Conformance Determination recommendations and the Mixed Use Overlay District Bylaw. The Board was previously in receipt of copies of a memorandum from the Fiscal Impact Analysis Peer Reviewer Robert Brais dated April 20, 2016, a draft of the Mixed-Use Overlay District Bylaw dated April 21, 2016 and accompanying map and a draft letter to be sent to the Board of Selectmen regarding Conformance Recommendations for the redevelopment of the Raytheon site. In addition, National

Development Project Manager Steve Senna distributed copies to the Board tonight of revised supplemental materials for the Master Development Plan Conformance Determination binders, which were previously distributed.

Ms. Kablack announced the Board of Selectmen voted last night to call a Special Town Meeting (STM) for this project on June 13, 2016, distributed copies of the Meadow Walk Timeline dated April 21, 2016 noting items needing completion prior to the June 13, 2016 STM.

Mr. Senna announced information sessions will be held at the Wayside Inn on May 5, May 12 and May 26, 2016 from 6:00 p.m. to 8:30 p.m. and an Open House will be held on May 19, 2016 from 4:00 p.m. to 9:00 p.m., on the Raytheon site. Mr. Senna stated the applicant has begun its public relations campaign and they will work with Town officials who are coordinating a community forum on a date to be determined. He also stated articles will be submitted to the local newspaper.

Mr. Senna and his team reviewed project details through a PowerPoint presentation regarding the Master Plan technical site plan, architecture and public realm, circulation and landscaping. He displayed the Master Plan Zoning Exhibits, the Existing Conditions, and the Current Master Plan.

Ms. Kablack clarified tonight's discussion will focus on the project components other than the grocery store and Avalon Bay. She stated the Board and the DRB need to review, discuss and comment on these components so they can determine if they are comfortable by June 13, 2016 to support the Project. Prior to the STM, Ms. Kablack stated the Planning Board will meet often, and the DRB should discuss if it will need more meetings or would like to schedule more meetings jointly like tonight.

National Development Attorney Peter Tamm emphasized that for the other retail components the plans shown are concepts, because they will remain uncertain until actual tenants are identified. Thus, he highlighted the need for flexibility.

Mr. Senna displayed slides regarding views of the Village Retail component, noting the architecture cannot be finalized until leases are signed with actual tenants.

Ms. Kablack explained that the Special Town Meeting articles will ask Town Meeting to approve the project, which will also clarify that there is a modification process spelled out in the proposed Zoning Bylaw for any changes to the plan from what is approved at Town Meeting.

National Development's architect David Jelinski stated the applicant's approach is to not have the building architecture look the same and formulaic. Mr. Jelinski stated they work individually with each merchant to create a strong identity and a good streetscape.

Mr. Senna stated the applicant will submit a comprehensive signage plan for the full 50-acre site at a later date, through the aforementioned modification process. He highlighted in the Village Retail renderings the signage has been reduced to be more in scale with other properties in Town than from what was originally presented. Mr. Morely stated the revision is noticeable and much better.

Mr. Hincks asked if there are prescribed sizes for the other Village Retail spaces. Mr. Senna stated they have estimates, but the square footage is driven by wastewater capacity, and he noted restaurants are heavy wastewater users.

Mr. Garvin stated he appreciated the variance in exterior facades being mentioned in the Conformance Review.

DRB member Jennifer Koffel stated she liked the combination of natural materials and wood finishes in the grocery store design and she hopes those proportions and aesthetics are maintained in the other Village Retail spaces.

In response to a question from Chairman Abair, Mr. Jelinski stated their approach leans more to a modern design, but one look does not necessarily exclude another, and he emphasized the quality of materials is what should drive the design.

Mr. Senna next displayed slides of the Memory Care Assisted Living component.

DRB member Susan Vollaro asked if there will be more variation in the roof styles, including standing seams. Mr. Senna stated he could revisit this idea with the team.

DRB Chairman Dan Martin stated he thought there seems to be a lot of visible roofing from the renderings and he asked if dormers could be included in the front design. He believes the buildings are more visually interesting from the rear. Mr. Senna stated the team would also revisit this idea. He also suggested accessing the website for Bridges by Epoch, or visiting a similar facility in Westford, to get a better idea of how the buildings will look.

Ms. Vollaro asked if these buildings would have courtyards, and Mr. Senna stated shared and private courtyards are planned.

Ms. Koffel stated she was struggling with the vertical barn-like aesthetic being appealing. Mr. Morely suggested a different color other than brown for the vertical clapboards and a less busy roofing shingle could improve the rendering. Mr. Hincks referenced the full view rendering provided for the Conformance binders, noting it is more appealing than the smaller slide view.

Mr. Senna next displayed slides of the Age-Restricted Residential architectural renderings. Mr. Morely stated the slide rendering is different and more attractive than the updated paper versions distributed tonight. Mr. Senna stated he would correct the exhibits.

Ms. Kablack asked for clarification regarding the front and rear elevations, which was provided. As a follow-up to a comment by Ms. Koffel regarding using a mix of materials, Ms. Kablack requested more specific description of materials be provided by the applicant.

At 9:30 p.m., Mr. Senna displayed slides of the vehicular and pedestrian circulation, which VHB representative Rich Hollworth described. Mr. Hollworth stated the goal is to provide a complimentary landscape environment for the development and to form a streetscape which has more structure and activity closer to Route 20 and becomes more natural as one progresses deeper into the site. Mr. Senna emphasized the applicant has committed to building all the sidewalks and paths shown in the slides. In response to a few questions from the Board, Mr. Hollworth explained the fire emergency exit at the northern edge of the property would be a gated access, which could be used for an emergency, and the applicant will accommodate the requirements of the Fire Department. Slides were shown of the public realm with 24' roadways and 5' sidewalks, and other images to give a sense of the different plantings which would help shield and buffer the view of cars in the parking lot.

Mr. Garvin asked if consideration has been given to bicyclists, since he assumes the site will attract cyclists and it will have cyclists as residents. Mr. Hollworth stated the Mass. DOT requires bike accommodations along roadway improvements and it is hoped to link a few bike paths to the two pending rail trails.

Ms. Kablack stated the Town's peer reviewer has reviewed the circulation information and will be providing their recommendations at a later date.

Mr. Hincks asked what the material will be for the sidewalks, and it was stated they would be concrete.

Mr. Martin mentioned the height of the street light shown in one of the renderings. Ms. Kablack stated a lighting plan has not yet been submitted. Mr. Senna stated the photometric requirements will be submitted after the STM.

Mr. Senna displayed section slides to reflect appropriate buffers will be created, and he stated they have a formal planting plan to submit tonight.

Sudbury resident Joe Scanga, 21 Woodland Road, asked how much say Whole Foods will have about who the other tenants will be and if parking has to be along Route 20. He also asked if this new development will make the Shaw's Plaza condition appear run-down. Chairman Abair stated it is possible this new development will encourage other redevelopment in Town. Mr. Senna explained Whole Foods has requested some exclusivity in the Lease and he stated cars in the parking lot will not be able to be seen from Route 20. Mr. Garvin stated the frontage will be bermed and vegetated. Mr. Senna stated Shaw's has been involved in the process regarding the traffic signalization, and the company appears to want to be a long-term property owner in Town.

Ms. Kablack noted a reservation of vehicular circulation for future use between this property and Chiswick is missing from the Master Plan. She stated it should be reserved for future roadwork improvements. Mr. Morely stated this should be shown on the Master Site Plan.

At 10:00 p.m., this discussion concluded, as did the joint portion of the Meeting with the DRB.

Ms. Kablack stated the Board needs to finalize the mixed-use overlay district bylaw tonight for submittal to the STM warrant.

Chairman Abair referenced the locations for the zoning district provided by Ms. Kablack. All Board members expressed their preference now for a more limited overlay district than had been previously discussed, and it should only include the Raytheon parcels.

Mr. Long highlighted there is always the option to pursue expansion of the district, and he does not believe the Town forsakes anything by initially limiting it.

It was noted that there may not be the appropriate mood in Town at this time to take on risks. Mr. Tamm stated he believes it will be good for residents to understand that an incremental approach has been taken and that Town Meeting will have a say in what the future developments are.

Mr. Morely stated he believes it is important for the bylaw and conformance documents to note that it is for redevelopment, since the Town's entire business corridor is already developed.

Ms. Kablack briefly reviewed the draft Mixed-Use Overlay District Bylaw revisions, with two versions of the first page. Mr. Morely expressed his preference for the version on Page 2. Ms. Kablack emphasized zoning can be changed by a two-thirds vote at any Town Meeting.

Mr. Garvin suggested that the conformance review should be by a super majority of the Planning Board, which would indicate broad support for any proposed plan. This was briefly debated, and it was eventually the consensus of the Board to have the text revised to be by a super majority vote.

Regarding the first sentence of Section 4791B on Page 11, Mr. Garvin suggested, and the Board concurred, to add the words “per conformance with Sudbury’s Stormwater Management Bylaw” after the word “quality.”

Ms. Kablack suggested, and the Board concurred, that the minimum lot area listed in Section 4781 on Page 5 be increased to 40,000 square feet.

Ms. Kablack reviewed Section 4792B regarding the required percentage of pervious area. Mr. Garvin asked if pervious is defined somewhere in the documents. Ms. Kablack stated she would review the material to be sure it is consistently noted as a defined term. Ms. Kablack noted that the current Site Plan bylaw required 30% open space, which is a defined term. However pervious area is a common term, and the new bylaw is requiring 35% pervious area, which is more protective than the current site plan bylaw.

On motion duly made and seconded, it was

VOTED: To ask Ms. Kablack to submit the Mixed-Use Overlay District Bylaw as reviewed and amended tonight for the June 13, 2016 Special Town Meeting Warrant.

Ms. Kablack stated she would schedule a Public Hearing regarding the proposed zoning bylaw on May 25, 2016.

Ms. Kablack stated the Conformance Recommendations will be discussed at a future Board Meeting.

### **2016 Annual Town Meeting/Special Town Meeting – Discussion**

At 10:45 p.m., Chairman Abair opened a discussion regarding items related to the Annual Town Meeting and Special Town Meeting. The Board was previously in receipt of copies of a memorandum from Rosemary Harvell dated April 19, 2016 regarding information from the General Bylaws for dog kennels.

Ms. Kablack stated it appears that the Town’s dog bylaw is not consistent with State law. State law differentiates between personal and commercial kennels, which the zoning bylaw does not. She suggested, and the Board concurred, that it might be better to indefinitely postpone the article at the May 2, 2016 Annual Town Meeting and present something next year to mirror State laws for personal and commercial kennels.

On motion duly made and seconded, it was

VOTED: To move to indefinitely postpone Article 36 at the Annual Town Meeting regarding the Definition of Dog Kennel.

Ms. Kablack stated she will circulate copies to the Board of the presentations for the Board's Annual Town meeting articles.

**Endorse Site Plans- National Development/Meadow Walk Sudbury/Grocery Store**

Ms. Kablack stated this agenda item will be postponed to the May 11, 2016 Meeting agenda.

**Upcoming Meeting Schedule**

Ms. Kablack stated the Board will likely need to meet every Wednesday following Town meeting next week until the STM June 13, 2016. She also stated more time will be needed for public outreach, to address questions the DRB might have, to fine-tune the Conformance Review and prepare the STM presentation. The next meeting is scheduled for May 11, 2016 at the Flynn Building.

**Miscellaneous**

**Village at Sudbury Station LLC Comprehensive Permit**

Copies of a letter from The Village at Sudbury Station's attorney William Henchy and accompanying Fiscal Impact Report were previously provided to the Board.

The meeting was adjourned by Chairman Abair at 10:50 p.m.