

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

At 7:36 p.m., Chairman Abair called the meeting to order, and he welcomed Mr. Carty as the newest Board member tonight.

National Development – 526 & 528 Boston Post Road – Conformance Review of Master Development Plan

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

At 9:48 p.m., Chairman Abair opened a discussion with National Development representatives regarding the Conformance Recommendation of the Master Development Plan. The Board was previously in receipt of copies of a draft letter to the Selectmen regarding "Conformance Recommendation – Redevelopment of the Raytheon Site," a letter from BPR Sudbury Development LLC c/o National Development dated April 25, 2016 regarding Fiscal Impact Analysis Peer Review Responses, a memorandum from ConsultEcon, Inc. dated May 3, 2016 regarding the Peer Review of the RKG Associates Fiscal Impact Analysis, an email from National Development Project Manager Steve Senna dated April 26, 2016 and accompanying letter and environmental status summary from TRC Environmental dated April 8, 2016, an email from Mr. Senna dated April 25, 2016, regarding Route 20 travel times, and an email from Vanasse & Associates, Inc. representative and Sudbury Peer Reviewer Jeffrey Dirk dated April 26, 2016. In addition, copies of a draft memorandum from Ms. Kablack to the Selectmen dated

May 9, 2016 and accompanying article to "Amend Article IX, the Zoning Bylaw, Section 4700, Mixed-Use Overlay District" to be referred to the Planning Board and two articles to be submitted by the Town Manager, a 5/9/16 version 4 draft of the Mixed-Use Overlay District Bylaw, a revised "Meadow Walk Sudbury Forum Outline" and an email from The Ciccolo Group describing the Op-Ed pieces for the *Town Crier* were distributed tonight. Mr. Morely had also sent the Board an email dated May 10, 2016, noting his suggestions for revisions to the Planning Board Report to the article to Amend Article IX.

Ms. Kablack announced the Board would meet every week until the Special Town Meeting on June 13, 2016, noting the Board needs to issue its Conformance Recommendation for Article 2 to pass. She suggested the Board should focus its attention on reviewing all aspects of the development plan, and she listed its four components. Ms. Kablack stated the Board has spent significant time reviewing the retail components (architecture, signage, etc.) and the Design Review Board (DRB) will generate its final comments. She stated she has done a preliminary review of the materials received for compliance with the Town's bylaw. Ms. Kablack also emphasized the entire Master Development Plan Conformance Determination binder has been posted to the Town website along with many other documents regarding this project.

Mr. Garvin asked if hard copies of the project documents are available to the public anywhere in Town. Ms. Kablack stated the information is available at her Office.

Ms. Kablack stated the plan has been submitted to the Town Manager, and Ms. Kablack has spent significant time engaging peer reviewers to look at numerous aspects of the project. She noted the Town's peer reviewer's comments regarding the fiscal analysis has been received, and the peer review regarding environmental information is underway. Ms. Kablack stated the final peer review report will be regarding groundwater protection for Zone 2.

Chairman Abair asked the Board if anyone had questions or comments.

Mr. Garvin provided several suggested revisions to the draft Conformance Recommendation letter, noting some of them are changing the word “will” to “may” to provide a more flexible tone.

Mr. Hincks stated he found the description of the project to be confusing reading, and he recommended that the language be simplified and more clearly defined. He suggested labeling the project as “Meadow Walk,” to be more fully explained as the first application received for the Mixed-Use Overlay District (MUOD).

Chairman Abair asked if the planned Public Forum will be a formal Public Hearing.

Ms. Kablack stated the forum will be combined with the statutory public hearing on the zoning articles. Both meetings will be held at Town Hall starting at 6:30 p.m. Mr. Hincks stated he would be unable to attend. National Development Project Manager Steve Senna asked if other Boards/committees will also be present. Ms. Kablack stated it is possible Selectman Simon and/or Selectman Haarde may be present. She stated she also plans to invite members of the School Committees, Finance Committee, Conservation Commission, and she will reach out to the DRB.

Mr. Carty asked for clarification of #4 on Page 3 of the draft Conformance Recommendation letter, stating he believes it is important to state what is, and is not, subject to a Special Permit. Ms. Kablack stated the Special Permits refer only to Whole Foods.

Mr. Carty suggested, and the Board concurred, to delete the word “generally” from #5 on Page 3. Mr. Hincks suggested the “individual components” noted in #5 on Page 3 should be defined somewhere. He also asked where a citizen should go first for project information. Ms. Kablack stated they should access the Town website project introduction, followed by the plan and then the technical documents.

Mr. Garvin suggested, and the Board concurred, there needs to be an Executive Summary of what is proposed. Mr. Morely stated the town of Westwood produced a very effective five-page package describing a similar project. Mr. Senna stated they will have handouts for the Special Town Meeting (STM).

Chairman Abair stated the May 25, 2016 Forum should be approached as a pilot for the STM. A brief discussion ensued regarding how the presentation should be structured and presented for the Forum. Mr. Garvin suggested including in the introduction that the Planning Board and Selectmen wrote a joint letter to Raytheon regarding what the Town would hope for in a redevelopment plan, and the proposed project is almost a complete blueprint or what was solicited by the Town. He believes it is important to let citizens know the Town worked proactively with the developer.

Mr. Hincks agreed that the presentation needs to be well prepared to describe the timeline of how this project has come to be and that the Town has been actively engaged in the process. He stated often there is a misconception that these types of projects are “being done” to the Town, but the Town has worked with the applicant on this proposal.

Mr. Morely noted Raytheon has been the Town’s highest taxpayer for 50 years.

It was suggested to provide examples at the Forum of similar projects done very well by the developer elsewhere.

Chairman Abair stated the technical and zoning aspects will also need to be covered.

Ms. Kablack stated the Development Agreement will also need to be addressed, and she noted Selectman Haarde and Mr. Morely are on that committee. She referenced the revised Forum Outline, and she suggested

to the Board that each member pick a topic to be presented for approximately 3-5 minutes. Chairman Abair asked Ms. Kablack to provide the Board at its next meeting with a draft PowerPoint presentation to review and critique. Mr. Garvin suggested it might be more effective to use a "buddy" system and have two people present each topic. Mr. Hincks stated he thinks only two voices should make the entire presentation, noting people often tune out too many speakers. It was also noted that it will be important to get out the message at the Forum that a good turnout is needed at the STM to ensure passage of the articles by two-thirds. Ms. Kablack suggested, and the Board strongly concurred, that the presentation should also include what the ramifications for the Town would be if this project is not approved. The Board requested that consequences of the project not being approved be added as a topic to the Forum Outline.

Mr. Garvin asked about the proposed outdoor areas regarding the condition on Page 5. It was noted this condition should clarify it is intended along the retail area. Mr. Garvin also suggested, and the Board concurred, that the architectural elevations for the future retail areas should require a review by the Planning Board and the DRB.

Mr. Carty asked if there is any detail regarding #15 on Page 4 (Additional walkways – CVS to Nobscot Road). Ms. Kablack stated there is not at this time. Mr. Morely stated there is a gap to be filled between Sullivan Tire and Nobscot Road. National Development Attorney Peter Tamm stated it would need to be written to reflect that it be subject to obtaining easements and Department of Transportation (DOT) approval. Ms. Kablack stated the Town could also consider taking a payment in lieu of this condition. Mr. Tamm and Mr. Senna stated they would continue to work with the Town on this item. Ms. Kablack opined that it should be a simple walkway to construct.

Mr. Carty asked if there are hours for Sundays to be noted in # 21 on page 5. Ms. Kablack stated she will review the language for consistency with the Whole Foods language.

Mr. Morely requested a revised draft be circulated by email to the Board reflecting tonight's discussion.

Ms. Kablack stated next week's Meeting packet has been distributed tonight. Mr. Senna stated he would provide Ms. Kablack with new drawings for the May 18, 2016 meeting.

Ms. Kablack stated her preference for it to be noted that there is the ability in the future to create a road to Chiswick and an easement. Mr. Tamm stated he is not sure this type of easement would actually be granted and recorded. Mr. Garvin suggested the right-of-way and parcels could be fleshed out on the subdivision plan.

Mr. Morely stated it is likely this option would never be exercised, and he referenced information he heard from Town Counsel Barbara Saint Andre. Ms. Kablack stated she would work with the Development Team on this and possibly add it as a condition.

Chairman Abair asked that, if the draft PowerPoint presentation for the Forum is available before the next Meeting, it would be helpful to circulate it to the Board by email. He believes the entire Forum presentation should be no more than 15 minutes and then the discussion should be opened to public comments and questions.

Mr. Carty stated he believes a lot of citizens are confused about this project and the Sudbury Station proposal. He recommended starting the presentation simply and then describing the zoning changes needed. Mr. Hincks concurred, stating the fundamental information will be very important. Mr. Morely stated the presentation should cover what the project is, and what it is not.

Mr. Senna asked if Board members received or have seen marketing material that National Development was circulating in Sudbury, including flyers distributed at the Annual Town Meeting, and email blast, and the half-page ad in the newspaper. Some members stated they did note some of this activity, while others stated they did not. Mr. Senna stated an Open House is planned at the site for May 19, 2016 and there will be an information session at the Wayside Inn tomorrow from 6:00-8:00 p.m. He also stated approximately seven people attended last week's information session. Mr. Senna stated it is possible the May 26, 2016 pre-publicized information session may be cancelled and rescheduled in June. In response to a question from Chairman Abair, Mr. Senna described his presentation for these sessions, noting an Avalon representative has also attended and been a supportive partner. Mr. Hincks stated the Avalon presence will be beneficial. Mr. Senna emphasized STM will be voting on the two least impactful project components from a financial and school impact standpoint. He also stated the information session led him to conclude that the residents were well versed in the project concerns, but not necessarily with the responses which have been provided.

Chairman Abair asked Ms. Kablack to research how many meetings the Board has had regarding this project, which she stated she would do.

At 8:35 p.m., this discussion was concluded.

Forum on Meadow Walk Sudbury – May 25, 2016

This agenda item was discussed during the previous agenda item's discussion.

2016 Special Town Meeting – June 13, 2016

At 8:35 p.m., Chairman Abair opened a discussion regarding items related to the June 13, 2016 STM.

Ms. Kablack referenced the copies of the articles distributed tonight, noting she and Mr. Morely worked on the May 9, 2016 version 4 of the Mixed-Use Overlay District (MUOD) bylaw. She reviewed her change to Page 1 to reflect parcels with frontage in specific zoning districts.

Mr. Garvin asked if a plan will also be presented with the bylaw.

Mr. Carty suggested possibly noting that the MUOD may be extended to the other listed districts as of this date. Ms. Kablack stated she wants to keep the language flexible. Mr. Hincks stated the revision still notes the control of Town Meeting approval.

Mr. Morely stated he studied all the zoning districts, and he believes the only other singly-owned parcel which could consider this is Chiswick. He emphasized the Raytheon project is unique because of its timing, the Town was below its 10% mandated affordable housing quota, current zoning allows a grocery store, and it has an existing treatment plant.

Mr. Garvin stated it is also important for the public to know the overlay does not allow multi-family housing. He also thinks it should be noted to the public that any other application will need to overcome many hurdles to illustrate that their proposal is good for the Town. Mr. Carty stated this reinforces the need for education discussed earlier tonight and for a good primer to pass out at STM.

Attorney Tamm suggested a revision to Ms. Kablack's latest draft to help clarify that this is intended for commercial properties and not for residential areas. Mr. Carty stated he believes the language needs to be as specific as possible. Mr. Garvin suggested it might be helpful to have a map of the proposed extension area in the presentation. A brief discussion ensued as to whether the locations added by Ms. Kablack should be

listed or not. Mr. Tamm stated the listing of the other zoning districts might distract voters from what needs to be voted. Mr. Garvin suggested reversing the MUOD boundary paragraph to begin with "Subject to Town Meeting approval of an amendment..." might be more effective. Ms. Kablack stated the Board needs to decide this language tonight because the Warrant is being finalized for print this week. Mr. Carty and Mr. Morely stated they liked the specificity of adding the other zones as Ms. Kablack did in her revision.

After further discussion, the members reached agreement on clarifying language, which will read "The MUOD boundary shall not be extended to other parcels unless approved at Town Meeting by an amendment to the Zoning Bylaw and Zoning map, and only to the extent such other parcels are wholly or partially located within a Business, Limited Business, Village Business, Industrial, Limited Industrial or Industrial Park District, and have frontage on either Boston Post Road, Union Avenue, or Station Road."

On motion unanimously duly made and seconded, it was

VOTED: To revise the edited paragraph on Page 1 of the draft MUOD Bylaw to start the sentence with the "MUOD boundary shall not be extended to other parcels unless approved at Town Meeting by an amendment to the Zoning Bylaw and the Zoning map, and only to the extent such other parcel(s) are wholly or partially located within a Business, Limited Business, Village Business, Industrial, Limited Industrial or Industrial Park District, and have frontage on either Boston Post Road, Union Avenue, or Station Road."

Ms. Kablack summarized the few other revisions made to the bylaw.

In regard to 4790B. Water Resources Protection Overlay District, Mr. Tamm questioned Ms. Kablack's revision, noting it is not the intent to eliminate all of the prohibitive uses, but rather to preserve them.

On motion unanimously duly made and seconded, it was

VOTED: To revert to the original language of the first paragraph of the Section 4790B. Water Resources Protection Overlay District section on Page 11.

Mr. Morely's suggested revisions for the Planning Board Report to Amend Article IX were next reviewed and discussed.

Mr. Garvin suggested adding the words "such as" and listing examples in the fifth line of the second paragraph of the Report after the word "parcels."

The Board suggested several ways to revise the Report paragraph beginning with "The impetus for proceeding..." and the one following it, using the suggestions from Mr. Morely and others. Chairman Abair suggested a sentence to be added as the second sentence.

Mr. Morely emphasized it is important that the stories be told that this is a unique property, the Town has an underutilized business corridor, that this is a redevelopment proposal which is also trying to protect green space.

Ms. Kablack stated she would incorporate tonight's suggestions to revise the Planning Board Report and circulate it by email to the Board tomorrow.

On motion unanimously duly made and seconded, it was

VOTED: To approve the Planning Board Report as reviewed and amended tonight (after a final review).

MassDOT 25% Design Plan for Landham Road – Discussion

At 9:37 p.m., Chairman Abair opened a discussion regarding the MassDOT 25% Design Plan for the Landham Road Signalization Project. The Board was previously in receipt of copies of “The Commonwealth of Massachusetts Department of Transportation – Highway Division Notice of Public Hearing for Project File No. 607249” and accompanying plans.

Ms. Kablack stated she mistakenly attached the wrong plans for review, and she used larger office copies for her update. She stated the DOT Public Hearing is May 17, 2016 at 6:30 p.m., and she and possibly Mr. Morely plan to attend. Ms. Kablack stated she and DPW Director Bill Place have worked on this project for several years. She described the DOT’s three-lane section plan to the Board, noting it has also agreed to crosswalks, moving poles and pedestrian-activated signals. Ms. Kablack stated she and Mr. Place will review the suggested bicycle lanes and suggest possibly reducing the six-foot wide sidewalk to five foot.

Mr. Hincks stated he is an avid cyclist, and he noted problematic areas on the plan.

It was noted the proposed timeline for the intersection is 2021.

On motion unanimously duly made and seconded, it was

VOTED: To support the MassDOT 25% Design Plan for the Landham Road Signalization Project as presented, noting the minor modifications suggested tonight.

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

On motion unanimously duly made and seconded, it was

VOTED: To endorse the Site Plans for National Development’s Meadow Walk Sudbury/ Whole Foods Grocery Store.

Minutes

This agenda item was postponed until the next Board meeting.

Upcoming Meeting Schedule

At 7:50 p.m., Ms. Kablack stated the next meetings will be held on May 18, May 25, June 1, and June 8, 2016 followed by the Special Town Meeting on June 13, 2016.

The meeting was adjourned by Chairman Abair at 9:51 p.m.