

Present: Chairman Peter Abair (arrived at 8:20 p.m.), Christopher Morely, Marty Long, Stephen Garvin, Dan Carty, John Hincks (Associate Member) Development, and Meagen Donoghue (Director of Planning and Community Development)

Absent: Beth Suedmeyer (Environmental Planner)

At 7:35 p.m., Vice-Chairman Garvin called the meeting to order.

**Approval Not Required Application – 4 Maynard Road (Assessor’s Map G08-0012)**

The Board was previously in receipt of copies of the Town of Sudbury Form A Application For Endorsement of Plan Believed Not To Require Subdivision Approval plan submitted by 4 Maynard Road Sudbury LLC c/o Walker Development, filed August 11, 2016, regarding 4 Maynard Road, (Assessor’s Map G08-0012).

Vice-Chairman Garvin stated at the Board’s September 14, 2016 Meeting the Board had identified some discrepancies on the plan to be corrected prior to endorsement.

Ms. Donoghue stated the requested corrections have been made to the plan, which is now ready to be endorsed by the Board. In response to a question from the Board, she clarified that, regarding an ANR plan, the Board’s concerns relate to frontage only.

In response to a question from the Board, Sudbury resident Denise Garzone, 26 Washington Drive, confirmed there is a sidewalk easement.

Mr. Hincks asked for a summary of this ANR request. Vice-Chairman Garvin explained that, for an application which does not require approval (ANR), the Board’s review is for proper dimensions for frontage and area only, and all other requirements are confirmed by the Building Inspector.

For the record, Vice-Chairman Garvin noted there is a typographical error on the plan regarding the date for field work.

On motion duly made and seconded, it was unanimously

VOTED: To endorse the Town of Sudbury Form A Application For Endorsement of Plan Believed Not To Require Subdivision Approval plan submitted by 4 Maynard Road Sudbury LLC c/o Walker Development, filed August 11, 2016, regarding 4 Maynard Road, (Assessor’s Map G08-0012), for two lots, noting that the Planning Board is not

endorsing any statements referenced on the plan, and it is not endorsing whether the driveway is active.

**212 Pratt's Mill (Assessor's Map G05-0022) – Informal Discussion/Proposed Plans**

Present: Scribner Development LLC developer Ross Scribner

At 7:47 p.m., Vice-Chairman Garvin opened an informal discussion regarding proposed plans for 212 Pratt's Mill Road (Assessor's Map G05-0022). The Board was previously in receipt of copies of a letter from Ross Scribner of Scribner Development LLC and accompanying map.

Scribner Development LLC developer Ross Scribner explained this parcel is slightly larger than three acres, and it currently has an existing home and garage on the site. Mr. Scribner stated he proposes to demolish the home and garage and build two Colonial-style homes on the parcel using the existing driveway for both new homes. He described the new homes as approximately 4,200-4,600 square feet, with four to five bedrooms and three and one-half bathrooms. Mr. Scribner emphasized the new homes would be in character with the neighborhood and they would be hidden from the road, given that the parcel is very private and wooded. He stated the proposed plan would be deficient for required frontage. Mr. Scribner further stated he has read the Town's driveway regulations and he has spoken with the Fire Department. He noted the proposed plan satisfies the Fire Department's requirements for width and turnarounds.

Vice-Chairman Garvin asked if there are any additional plans available for review other than the map provided. He also stated tonight's discussion is informal, since the Board has not been presented with an application to review.

Mr. Scribner stated there are not additional plans at this time available for review. He further stated the parcel provides a lot of flexibility for siting the homes.

Mr. Morely asked if Mr. Scribner is the same developer who, in recent years, presented a different plan to the Board for review. Mr. Scribner stated he is not.

Property co-owner Karl Borg, 14 Village Road, stated a plan had been presented to the Board approximately three years ago to build three homes. Mr. Scribner stated the new plan proposes the highest and best use of the parcel would be for two homes.

Mr. Long asked how deficient the proposed plan is regarding frontage requirements. Mr. Scribner stated the proposed plan has 310 feet of frontage as opposed to the required 360 feet (180 feet per home).

Mr. Carty asked if the parcel would be subdivided for two lots, and, if so, how the shared driveway would work. Vice-Chairman Garvin stated an easement would be created.

Mr. Morely stated the Board has typically been able to easily approve shared driveway plans.

Mr. Scribner stated the parcel has no environmental/wetlands issues.

Mr. Hincks asked about the slope of the parcel in relation to an abutter. Mr. Morely explained this area of Pratt's Mill Road is fairly flat, but, Dutton Road, is actually sloping downward.

Mr. Carty stated he would be interested in seeing more information regarding setbacks and other requirements.

Vice-Chairman Garvin stated he has several concerns, especially related to the minimum frontage requirements and whether an exception for the proposed plan would establish a precedent. He emphasized the developer should try to present a plan which is as close to being compliant as possible. Vice-Chairman Garvin urged the developer to consider mitigating options, including paper roads, to become more compliant and to illustrate for the Board why the proposed plan deserves a waiver. Vice-Chairman Garvin further noted that, in his opinion, 310 feet of frontage is quite a bit away from 360 feet.

Mr. Morely informed the developer there usually needs to be a public benefit for approving a substantial change from the Town requirements. He encouraged the developer to work with abutters and pursue options to become more compliant.

At 8:00 p.m., the informal discussion was concluded, and the developer and his accompanying attendees exited the Hall.

At 8:20 p.m., the developer's team of attendees returned to the Hall, asking for additional time for clarification. Vice-Chairman Garvin asked if the Board were willing to grant the developer more time for discussion, and the Board responded affirmatively.

Mr. Scribner summarized the Board's concerns expressed earlier tonight related primarily to whether there would be sufficient frontage for the proposed plan, and, if an exception were made regarding the frontage, whether this would set a precedent. He asked for clarification regarding the distinction made for a paper road.

Vice-Chairman Garvin explained a paper road is a legal road on paper even though it may not be able to be constructed, which results in land creating a right-of-way, which creates additional frontage. Mr. Borg stated he presented a similar plan three years ago. Vice-Chairman Garvin stated he recalls that creating the previous paper road did not result in compliance for all the zoning requirements. He advised the developer to work to have a plan which is closer to being in compliance and to work on a strong argument for needing less relief from the Town. Vice-Chairman Garvin emphasized the Board would

make no decisions until it sees an engineered plan and a formal application is filed. At 8:25 p.m., Vice-Chairman Garvin concluded the discussion.

**Meadow Walk – Review of Covenant for Stormwater Management Permit – National Development - 526 & 528 Boston Post Road (Assessor’s Map K07-0011 & K07-0013)**

At 8:00 p.m., Vice-Chairman Garvin opened a review of the Covenant for Stormwater Management Permit with National Development representatives regarding Meadow Walk, 526 & 528 Boston Post Road (Assessor’s Map K07-0011 & K07-0013). The Board was previously in receipt of copies of an email from National Development Vice-President and Senior Project Manager Steve Senna dated September 21, 2016 and a response email to Mr. Senna from Ms. Donoghue dated September 23, 2016. In addition copies of an email from Ms. Suedmeyer to Mr. Senna dated September 26, 2016, an email from Mr. Senna to Ms. Donoghue dated September 26, 2016 and email exchanges between Mr. Senna and Ms. Suedmeyer dated September 27, 2014 and September 28, 2016 were distributed to the Board tonight.

Vice-Chairman Garvin stated this agenda item would need to be continued to the Board’s October 12, 2016 Meeting because the applicant’s counsel needs additional time for review and comment.

It was later noted the applicant plans to come before the Board at its November 9, 2016 Meeting regarding its Stormwater Management Permit applications.

**Minutes**

Mr. Hincks noted there was a long delay for Board members to receive tonight’s agenda packets, which were mailed last Thursday. He asked if emailing the agenda packets might be more efficient.

Vice-Chairman Garvin stated it would be difficult to email site plans, and he asked if the Planning Office has such capability. Ms. Donoghue stated the Planning Office does not have a plotter which can scan.

Vice-Chairman Garvin asked if people had a preference for receiving hard copies of the agenda packets or receiving them electronically. The Recording Secretary stated a strong preference for hard copies received in the mail. Vice-Chairman Garvin and Mr. Long expressed their preference for receiving hard copies in the mail. Mr. Carty and Mr. Hincks stated they could work with either process. The consensus of the Board was that if agenda packets are not received by the Monday preceding a meeting, the agenda and documents which can be scanned should be emailed to Board members.

On motion duly made and seconded, it was

VOTED: To approve the meeting minutes of September 14, 2016.

**Irrigation Bylaw Amendment – Private Well Use Regulation – Informal Discussion**

At 8:05 p.m., Vice-Chairman Garvin opened an informal discussion regarding amending the Irrigation Bylaw related to private well regulations.

Ms. Donoghue explained this agenda item would be postponed to the Board's October 12, 2016 Meeting, since Ms. Suedmeyer is absent tonight and she is the point person for this discussion. In response to a few questions from the Board, Ms. Donoghue explained a resident has initiated the formation of a working committee to discuss concerns raised about private well property owners possibly feeding into the Town water supply during unusual circumstances, such as this summer's drought.

Mr. Morely stated some towns have water restrictions for private wells.

Mr. Hincks asked if there are also concerns about whether the use of Town resources by owners of private wells would impact the Town water supply. Ms. Donoghue stated she is unsure about what topics the working committee will focus on and that Ms. Suedmeyer could provide more information at a later date.

Mr. Carty asked who was on the committee and if it was an official Town committee. Ms. Donoghue stated the committee is not official, noting it was initiated by one resident, who also serves on the committee along with Ms. Suedmeyer, Sudbury Water District Commissioner Lisa Eggleston, Sudbury Water District Superintendent Rebecca McEnroe and others. She further stated the committee has asked for a Planning Board member to also participate on the committee.

Vice-Chairman Garvin suggested the committee should reach out to the Board of Health (BOH) for participation. Ms. Donoghue stated the BOH is represented on the committee.

At 8:10 p.m., Vice-Chairman Garvin concluded the discussion.

**Upcoming Meeting Schedule**

The next meetings are scheduled for October 12, 2016 and October 26, 2016 at 7:30 p.m.

Vice-Chairman Garvin stated he will be unable to attend the October 12, 2016 Meeting.

Ms. Donoghue stated she will confirm to Board members tomorrow whether the October 12, 2016 Meeting will be needed.

**Miscellaneous**

**Subdivision Plan – Pine Grove/Huckleberry Lane – Update on Discussion of Tree Plantings**

At 8:10 p.m., Ms. Donoghue provided a brief update regarding the Board's previous discussion regarding tree plantings for the Pine Grove/Huckleberry Lane Subdivision Plan. She stated she sent the developer Peter Karassik a letter following the Board's September 14, 2016 meeting to inform him of the Board's discussion. Ms. Donoghue also stated Mr. Morley has worked with Conservation Coordinator Debbie Dineen to review options regarding use of a path leading to the abutting conservation land. A member of the Conservation Commission, Ms. Dineen and Mr. Morley will visit the site to assess whether anyone should be allowed to walk on the conservation land.

Mr. Hincks offered to also attend the site visit.

**Widow Rite's, Livermore Estates and Maynard Road Lots E & F - Update**

The Board was previously in receipt of copies of a draft letter prepared by Ms. Donoghue to be sent to the developer for Widow Rite's, Livermore Estates and Maynard Road Lots E & F, and copies of the same draft letter were also distributed tonight.

Ms. Donoghue stated a new developer purchased these three projects as a package, and approached her a few weeks ago wanting to move forward on the projects. Ms. Donoghue stated the projects were discussed with her as if they had all been approved and just needed to move forward with completing the work. She stated she took time to research the history of the proposed projects, and prepared the draft letter of her findings to send to the developer. Ms. Donoghue asked for comments from the Board regarding the draft letter. She summarized her findings for all three projects, noting the time has lapsed for the decisions on file.

Vice-Chairman Garvin stated he would like to further review the letter and he would send any comments to Ms. Donoghue.

Mr. Morely emphasized the planting season has passed regarding any work on the high slope.

Vice-Chairman Garvin stated the Board's previous Meeting Minutes clearly reflect that these plans were not previously approved by the Board.

The meeting was adjourned at 8:26 p.m. by Chairman Abair, who had arrived late to the Meeting.