

Present: Chairman Peter Abair, Christopher Morely, Stephen Garvin, Marty Long, Dan Carty, and John Hincks (Associate Member), Meagen Donoghue (Director of Planning and Community Development) and Beth Suedmeyer (Environmental Planner)

At 7:30 p.m., Chairman Abair called the meeting to order.

**Sudbury Subsidized Housing Inventory - Update**

Present: Regional Housing Services Office Director Elizabeth Rust

At 7:30 p.m., Chairman Abair opened a discussion regarding Sudbury's Subsidized Housing Inventory (SHI), and he welcomed Regional Housing Services Coordinator Elizabeth Rust to the Meeting. The Board was previously in receipt of copies of a memorandum from Ms. Rust dated November 1, 2016.

Ms. Rust reviewed her memo with the Board, noting that, with the approval of the Avalon development, the Town has surpassed the mandated 10% affordable housing goal by 16 units. She stated Sudbury has 10.27% on the State's SHI, with 608 affordable units (numerator) and 5,921 year-round housing units (denominator). Ms. Rust stated the analysis estimates Sudbury will remain over the 10% threshold in 2020, surpassing the threshold by five housing units. She reviewed how the SHI percentage was calculated and what projections were included. She further stated the denominator is updated with census results provided at ten-year intervals.

Mr. Garvin asked if the approved Sudbury Station LLC units were included in the projections. Ms. Rust noted the analysis assumed that the Sudbury Station development would not be eligible.

Ms. Rust reviewed the assumptions used for the denominator projections.

In response to a question from Mr. Carty regarding the Avalon 250 units reflected on Ms. Rust's chart, Ms. Rust explained she reflected the information as she did because she is unsure of when the Occupancy Permit will be issued.

Mr. Carty highlighted Meadow Walk should be reflected as 64 units in the denominator. Ms. Rust concurred, stating she would make the correction.

Mr. Morely asked whether the Town would be exposed to Chapter 40Bs through 2030, if the Town were to fall below the required 10% threshold. Ms. Rust noted the projections provided are really until 2030 and not 2020. Mr. Garvin suggested noting the projections

as “FY20-FY30.”

Mr. Long asked under what circumstances units could be dropped from the SHI, and Ms. Rust provided a few examples, such as by not having received a Building Permit in 12 months or not receiving an Occupancy Permit in 18 months.

When discussing the Subsidized Housing Inventory and what our numbers look like through 2020 and 2030 Mr. Long asked how units could come off of our inventory. Ms. Rust explained that if a building permit was not obtained within 12 months or occupancy within 18 months they could be removed from the SHI inventory. She also mentioned some older projects have finite affordability terms, stating that Longfellow Glen was an example before it was renewed with a perpetual extension. Mr. Carty stated that the Maynard Road Sudbury Housing Trust project was stalled and asked if it was in jeopardy of coming off the SHI Inventory. Ms. Rust stated it had its building permit but not occupancy and if it did not get occupancy within 18 months of building it would be subject to lapse.

Mr. Morely opined that the estimates for organic growth appear to him as high. Ms. Rust stated she worked with Building Inspector Mark Herweck on the figures provided.

**Public Hearing – BPR Development LLC, Applicant, and BPR Sudbury Development LLC, Owner – 526 & 528 Boston Post Road – Stormwater Management Permit Application – Village Retail**

Present: National Development representatives John Felix and Kate Snyder, VHB Stormwater Management consultant Karen Staffier and Sudbury’s Stormwater Management Peer Reviewer Janet Carter Bernardo

At 7:45 p.m., Chairman Abair opened a Public Hearing regarding a Stormwater Management Permit application submitted by BPR Development LLC, Applicant, and BPR Sudbury Development LLC, Owner, to subdivide Lots 1 & 2 of the multi-phased, mixed-use redevelopment project and construct a retail development which will disturb approximately 210,000 sq. ft. of land, including approximately 13,860 sq. ft. of land area on slopes ranging from 10% to 20%, on a 475,526 sq.ft. parcel located at 526 & 528 Boston Post Road, to be accepted as 526-534 Boston Post Road (Assessor’s Map K07-0011 & K07-0013), and he read aloud the Public Hearing Notice. The Board was previously in receipt of copies of the Public Hearing Notice, the Town of Sudbury Application for Stormwater Management Permit for Retail Buildings at Meadow Walk Sudbury, a memorandum from Ms. Suedmeyer and Ms. Donoghue dated November 3, 2016, a letter from Sudbury’s Stormwater Management Peer Reviewer Janet Carter Bernardo dated November 3, 2016 and plans and documentation within a large binder entitled “Village Retail & Bridges by Epoch at Meadow Walk Sudbury” prepared by BPR Sudbury Development LLC and VHB.

Chairman Abair noted the next agenda item is a Public Hearing for a second National Development Stormwater Management Permit application for another Meadow Walk component. He suggested the Board would hear each report separately, and thus it would consider suspending the first Public Hearing to discuss the second agenda item and then return to the first agenda item for any further discussion and/or voted needed.

Ms. Donoghue stated a Miscellaneous item also related to National Development would be added to tonight's agenda, to provide a brief preview of a minor modification request which will be made at the Board's December 14, 2016 Meeting.

With the use of a PowerPoint slide presentation entitled, "Meadow Walk Sudbury 526 & 528 Boston Post Road Sudbury, Massachusetts Village Retail & Bridges by Epoch at Meadow Walk Sudbury dated November 9, 2016," VHB Stormwater Management consultant Karen Staffier stated the Stormwater Management Report was prepared to support the village retail and assisted living components of the mixed-use redevelopment project. She displayed slides of the Existing Conditions Plan and she indicated where the retail area, which includes the construction of approximately 35,000 gross square-feet of retail space in four buildings and a 48-unit assisted living facility with associated drive aisles, parking and landscape areas will be. Ms. Staffier also displayed a slide of the Master Plan. She reviewed project benefits, noting VHB developed a preliminary Stormwater Management Master Plan for the full-build project to evaluate the existing and anticipated hydrologic conditions on the site. Ms. Staffier further noted proposed conditions for watersheds and impervious coverage were identified. She stated the preliminary plan demonstrated the overall project will not increase pre-construction peak rates or volumes of stormwater discharging from the site and it documents compliance with the Department of Environmental Protection (DEP) standard 3 recharge requirement. Ms. Staffier further stated the individual phase stormwater management reports and design documented consistency with the Stormwater Master Plan, noting it protects existing natural resources, enhances water quality, increases groundwater recharge, attenuates peak rate of discharge, and provides temporary and permanent erosion and sediment control.

Ms. Staffier stated at the Board's next Meeting, the Applicant will explain some minor modifications being requested regarding slight dimensional changes to parking spaces and the shapes and orientation of a few buildings being altered slightly from what was originally proposed.

Ms. Staffier exhibited several slides as she summarized the proposed Master Plan drainage conditions. She noted there is a pond in the middle of the site, and she indicated on plan exhibits the areas which drain to the pond. Ms. Staffier referenced Table 1 - Proposed Conditions Impervious Cover Comparison from the Master Plan, and she stated the currently proposed impervious area is better than what was originally proposed. She also stated there is groundwater and soil data for nearly every BMP on site.

Mr. Garvin asked a question regarding a condition of the Whole Foods Permit previously approved related to requiring that soil and groundwater observation testing be performed at the subsurface infiltration system location and that testing results be submitted to the Town. Ms. Staffier explained three borings were performed and the results indicated the soil has a better permeability rate than had been anticipated. Thus, she further explained the tests resulted in proposed modifications to the drainage system to decrease the storage size of the subsurface infiltration system. It was noted Sudbury's Stormwater Peer Reviewer Janet Carter Bernardo has reviewed the information and she provided a memorandum stating she is satisfied with the proposed modification. Ms. Staffier displayed a slide of the Retail Area Drainage Plan, and she explained plans for the pipe, which is not in good shape, from the pond to the Route 20 crossing, noting it will need to be relocated.

Ms. Bernardo reviewed her November 3, 2016 Peer Review comments. She stated a goal of the Master Plan was to reduce impervious area, and she noted the applicant has shown how each project component will achieve this. Ms. Bernardo stated another goal was to infiltrate wherever possible, and the proposed plan does this. She also highlighted that many of her comments were to correct small items.

Mr. Morely asked if VHB has provided responses to Ms. Bernardo's comments. Ms. Staffier stated responses have not yet been submitted, but VHB will do so. Mr. Morely asked if the pipe to the pond would all be replaced with a 48" pipe, and Ms. Staffier described the options being considered.

Mr. Garvin noted there are two separate permit applications for retail areas, and one significantly decreases impervious area, but the Bridges by Epoch application significantly increases impervious area. He cautioned this could be a concern if one project component does not come to fruition. Ms. Bernardo stated they have taken a look at the entire site with the pond and a 48" pipe as controlling factors.

Mr. Morely asked if the new pipe would be in both Stormwater Management Permit applications, and Ms. Staffier stated it would be in both.

At 8:21 p.m., a motion was made and seconded to continue this Public Hearing, but the motion was quickly withdrawn.

On motion duly made and seconded, it was

VOTED: To temporarily table the Public Hearing regarding a Stormwater Management Permit application submitted by BPR Development LLC, Applicant, and BPR Sudbury Development LLC, Owner, to subdivide Lots 1 & 2 of the multi-phased, mixed-use redevelopment project and construct a retail development which will disturb approximately 210,000 sq. ft. of land, including approximately 13,860 sq. ft. of land area

on slopes ranging from 10% to 20%, on a 475,526 sq.ft. parcel located at 526 & 528 Boston Post Road, to be accepted as 526-534 Boston Post Road (Assessor's Map K07-0011 & K07-0013) to open the next related Public Hearing agenda item.

On motion duly made and seconded, it was later in the Meeting at 8:35 p.m.

VOTED: To continue the Public Hearing regarding a Stormwater Management Permit application submitted by BPR Development LLC, Applicant, and BPR Sudbury Development LLC, Owner, to subdivide Lots 1 & 2 of the multi-phased, mixed-use redevelopment project and construct a retail development which will disturb approximately 210,000 sq. ft. of land, including approximately 13,860 sq. ft. of land area on slopes ranging from 10% to 20%, on a 475,526 sq.ft. parcel located at 526 & 528 Boston Post Road, to be accepted as 526-534 Boston Post Road (Assessor's Map K07-0011 & K07-0013) to December 14, 2016.

**Public Hearing – ND Acquisitions LLC, Applicant, and BPR Sudbury Development LLC, Owner – 526 & 528 Boston Post Road – Stormwater Management Permit Application – Bridges by Epoch - Assisted Living Facility**

Present: National Development representatives John Felix and Kate Snyder, VHB Stormwater Management consultant Karen Staffier and Sudbury's Stormwater Management Peer Reviewer Janet Carter Bernardo

At 8:22 p.m., Chairman Abair opened a Public Hearing regarding a Stormwater Management Permit application submitted by ND Acquisitions LLC, Applicant, and BPR Sudbury Development LLC, Owner, to subdivide Lots 4 & 5 of the multi-phased, mixed-use redevelopment project and construct an assisted living facility which will disturb approximately 220,000 sq. ft. of land, including approximately 8,500 sq. ft. of land area on slopes ranging from 10% to 20%, on a 556,094 sq.ft. parcel located at 526 & 528 Boston Post Road, to be accepted as 1 Farmstead Lane (Assessor's Map K07-0011 & K07-0013), and he read aloud the Public Hearing Notice. The Board was previously in receipt of copies of the Public Hearing Notice, the Town of Sudbury Application for Stormwater Management Permit for Bridges by Epoch at Sudbury (Meadow Walk), a memorandum from Ms. Suedmeyer and Ms. Donoghue dated November 3, 2016, a letter from Sudbury's Stormwater Management Peer Reviewer Janet Carter Bernardo dated November 3, 2016 and accompanying plans and documentation within a large binder entitled "Village Retail & Bridges by Epoch at Meadow Walk Sudbury" prepared by BPR Sudbury Development LLC and VHB.

Ms. Staffier displayed a slide of the Bridges Area Layout Plan, and she indicated the location of the building, parking area, service area, two courtyards and pond. She briefly summarized water quality treatment from a stormwater standpoint, and she described the Bridges Area Drainage Plan, noting bio-retention and rain garden areas. Ms. Staffier concluded the proposed plan is consistent with the Master Plan, reduces impervious cover, increases recharge and water quality and it is beneficial to the environment.

In response to a comment from Mr. Garvin, Ms. Staffier stated the Applicant has filed applications concurrently with this Board and the Conservation Commission. She also stated she hopes to provide a letter of responses by next week to Ms. Bernardo's peer review comments.

Ms. Bernardo stated she likes what is proposed for the bio-retention areas, and that the Applicant has followed through on what was initially presented.

Mr. Carty referred to the drawings for snow removal provided in the large binder of documentation, noting the snow retention areas appear to him as small, and he asked if excessive snow would be hauled off-site. Ms. Staffier explained factors which are considered when preparing such drawings.

Chairman Abair stated the Board would look forward to receiving VHB's responses to the Peer Reviewer's comments.

On motion duly made and seconded, it was

VOTED: To continue the Public Hearing regarding a Stormwater Management Permit application submitted by ND Acquisitions LLC, Applicant, and BPR Sudbury Development LLC, Owner, to subdivide Lots 4 & 5 of the multi-phased, mixed-use redevelopment project and construct an assisted living facility which will disturb approximately 220,000 sq. ft. of land, including approximately 8,500 sq. ft. of land area on slopes ranging from 10% to 20%, on a 556,094 sq.ft. parcel located at 526 & 528 Boston Post Road, to be accepted as 1 Farmstead Lane (Assessor's Map K07-0011 & K07-0013) to December 14, 2016.

On motion duly made and seconded, it was also

VOTED: To reopen tonight's first agenda item and the Public Hearing regarding a Stormwater Management Permit application submitted by BPR Development LLC, Applicant, and BPR Sudbury Development LLC, Owner, to subdivide Lots 1 & 2 of the multi-phased, mixed-use redevelopment project and construct a retail development which will disturb approximately 210,000 sq. ft. of land, including approximately 13,860 sq. ft. of land area on slopes ranging from 10% to 20%, on a 475,526 sq.ft. parcel located at 526 & 528 Boston Post Road, to be accepted as 526-534 Boston Post Road (Assessor's Map K07-0011 & K07-0013).

Please see previous agenda item for another vote which followed.

**Miscellaneous**

**National Development – Meadow Walk Master Development Plan – Preview of Minor Modification Request**

Present: National Development representatives John Felix and Kate Snyder, VHB  
Stormwater Management consultant Karen Staffier and Sudbury's Stormwater  
Management Peer Reviewer Janet Carter Bernardo

At 8:36 p.m., Chairman Abair opened a brief miscellaneous discussion regarding a minor modification to the Meadow Walk Master Development Plan which will be presented at the Board's December 14, 2016 Meeting. Copies of a letter from National Development Project Manager Steve Senna dated October 31, 2016 and the accompanying Application Binder (including plans) for the December 14, 2016 discussion were distributed to the Board tonight.

National Development representative Kate Snyder briefly explained a change to the footprint for the proposed 35,000 square-foot village retail area will be proposed at the Board's next Meeting. She stated the architecture design has been advanced, noting visits were made to other retail centers to determine what features work and what features do not work. Ms. Snyder also stated the orientations for Buildings # 4 and #5 have been adjusted to create better pedestrian flow, and Building #3 has been reoriented for a future retailer.

Mr. Long asked if any tenants have been secured. Ms. Snyder stated there has been headway on this, but there is nothing to report at this time. She also stated the Applicant will also appear before the Board in the future with a comprehensive signage plan.

**Public Hearing – PRI Longfellow Glenn LLC/Econox Renewables, Inc. – 655 Boston Post Road (Assessor's Map K06-0501) – Site Plan Approval**

Present: AMEC Foster Wheeler Environment & Infrastructure, Inc. Project Engineer Andrew Vardakis and Econox Renewables, Inc. representative Scott Milnes

At 8:47 p.m., Chairman Abair opened a Public Hearing regarding the application of PRI Longfellow Glenn LLC, Owner, and Econox Renewables, Inc., Applicant, for Site Plan approval for construction and installation of a 121.80 kilowatt DC covered parking facility with rooftop solar Photovoltaic panels over an existing parking area and neighboring green space located at 655 Boston Post Road, zoned Residential-C (Assessor's Map K06-0501), which was continued from October 26, 2016. The Board was previously in receipt of copies of a draft "Site Plan Decision Sudbury Planning Board Longfellow Glen Solar Project 655 Boston Post Road" dated November 9, 2016. In addition, copies of a series of related emails dated October 19, 2016 through November 7, 2016 and accompanying safety and electrical plans were distributed to the Board tonight.

Ms. Donoghue referenced an email from the Applicant regarding timing for the process. She also stated she has reviewed the electrical drawings and safety plans submitted.

Chairman Abair referenced the draft Decision prepared for tonight's review, and he asked if the applicant had received a copy, and it was noted they had not.

Econox Renewables, Inc. representative Scott Milnes summarized the equipment on the ground required for National Grid and he described the equipment he has presented to Eversource for review.

Mr. Morely asked if there would be a roof or if it would be open air. Ms. Milnes stated it is planned as open-air.

Mr. Milnes referenced the Environmental Health and Safety (EH&S) Plan, noting they will work with the property management company on site. Ms. Donoghue asked if the EH&S Plan has been submitted to Sudbury's Fire and Police Departments, and Mr. Milnes stated it had not. Mr. Garvin later suggested, and the Board concurred, that the submission of the EH&S Plan to the Fire and Police Departments be added as a condition to the Site Plan Decision.

AMEC Foster Wheeler Environment & Infrastructure, Inc. Project Engineer Andrew Vardakis stated they are working on the Stormwater Management Permit application, which they plan to have submitted in time for the Board's review at the December 14, 2016 Board Meeting. Mr. Vardakis emphasized the Applicant would be open to having a fluid dialogue with the Board prior to the December 14, 2016 Meeting so items could be addressed in a timely manner.

In response to a comment and question by Mr. Garvin, Ms. Suedmeyer stated there would be sufficient time to send the application out for peer review prior to the December 14, 2016 Board Meeting. She further noted the deadline for submission of the Stormwater Management Permit Application is November 14, 2016. Ms. Suedmeyer also stated a draft Decision could be prepared for the Board's review on December 14, 2016 to keep the process moving forward.

Mr. Long asked if the Building Inspector agreed to the proposed phasing. Mr. Milnes stated he sent the Building Inspector an email, but he has not yet received back a response. Ms. Donoghue stated she had spoken with the Building Inspector. Mr. Milnes stated he would try to connect with the Building Inspector again.

On motion duly made and seconded, it was

VOTED: To approve the application of PRI Longfellow Glenn LLC, Owner, and Econox Renewables, Inc., Applicant, for Site Plan approval for construction and installation of a 121.80 kilowatt DC covered parking facility with rooftop solar Photovoltaic panels over an existing parking area and neighboring green space located at 655 Boston Post Road, zoned Residential-C (Assessor's Map K06-0501), as amended tonight.

**Public Hearing: Eligius Homes Company, Inc. – 10 Kato Summit (Assessor’s Map J10-0612) – Stormwater Management Permit**

Present: Eligius Homes Company President Peter Karassik and Sullivan, Connors & Associates Engineer Vito Colonna

At 8:57 p.m., Chairman Abair opened a Public Hearing regarding a Stormwater Management Permit application submitted by Eligius Homes Company, Inc., Owner and Applicant, to construct a new single-family home and associated improvements which will disturb approximately 46,000 square feet of land, including approximately 16,300 square feet of land area on slopes ranging from 10% to 20%, on a 60,001 square-foot parcel located at 10 Kato Summit (Assessor’s Map J10-0612), which was continued from October 26, 2016. The Board was previously in receipt of copies of a memorandum from Ms. Suedmeyer and Ms. Donoghue dated November 3, 2016, a memorandum from Sudbury’s Stormwater Management Peer Reviewer Janet Carter Bernardo dated October 31, 2016 and a “Draft Decision Stormwater Management Permit Lot 12, 10 Kato Summit Sudbury, MA” dated November 9, 2016.

Ms. Suedmeyer stated the follow-up information regarding the cross-section detail of the swale, which was requested by the Board at its last Meeting, was submitted by the applicant on November 8, 2016, and it has been added to the plan. Copies were distributed to the Board tonight.

With the use of plan exhibits, Sullivan, Connors & Associates Engineer Vito Colonna briefly described the cross section and swale details.

The October 31, 2016 memorandum from Sudbury’s Stormwater Peer Reviewer was referenced regarding a possible future location for a swimming pool and patio. Developer Peter Karassik stated he understands an amendment to an approved Permit would be needed if this work were to proceed in the future. Mr. Morely suggested, and the Board concurred, that the patio and pool future possible work be clarified as a condition in the Stormwater Management Permit Decision.

It was noted a condition was added to the draft Decision noting that, if the reserve leach field, as indicated on the plan, is to be constructed, greater separation between the rain garden and the leach field would be required. Ms. Suedmeyer stated a covenant was also added to the draft Decision.

On motion duly made and seconded, it was

VOTED: To approve the Draft Decision regarding the Stormwater Management Permit application submitted by Eligius Homes Company, Inc., Owner and Applicant, to construct a new single-family home and associated improvements which will disturb approximately 46,000 square feet of land, including approximately 16,300 square feet of

land area on slopes ranging from 10% to 20%, on a 60,001 square-foot parcel located at 10 Kato Summit (Assessor's Map J10-0612), as reviewed and amended tonight.

**Sudbury Pines Extended Care Facility - Stormwater Regulations Waiver Request**

Present: The Jillson Company, Inc. representative Kevin O'Leary and Sudbury Pines representative Roberta Henderson

At 9:04 p.m., Chairman Abair opened a discussion regarding a stormwater regulations waiver request for the Sudbury Pines Extended Care Facility (Applicant). The Board was previously in receipt of copies of a memorandum from Ms. Suedmeyer and Ms. Donoghue dated November 3, 2016, and accompanying request for waivers for the Applicant received from The Jillson Company, Inc. and accompanying "Town of Sudbury Application for Stormwater Management Permit," plan and documentation received October 24, 2016. In addition copies of a letter from former Interim Planning Director Glenn Garber to Sudbury's Building Inspector dated September 6, 2016 were distributed tonight.

Ms. Suedmeyer explained Sudbury Pines proposes to replace Leach Field 3, which is currently under an asphalt parking lot which will also be replaced. As part of the Stormwater Management Permit Application, the applicant is requesting various waivers for hydrological analysis, use of runoff coefficients, drainage maps, descriptions and drawings of the stormwater management system, hydrological and hydraulic design calculations, and other items. She highlighted the application has not been officially accepted and it is not under review at this time, so that the Board can first consider the request for waivers and review the extent of the project.

Chairman Abair stated the Board has never before received such a request, and he asked if an unusually large number of waivers is being requested. Ms. Suedmeyer stated she could not provide an answer to this question at this time, but she referenced the regulations she had included in her November 3, 2016 memo.

The Jillson Company, Inc.'s representative Kevin O'Leary stated he prepared the application for Sudbury Pines. He briefly summarized the problem, stating Sudbury Pines has been there since the 1960s, and since then, regulations have changed and the Applicant is now forced to comply. He stated he thought tonight's discussion would be a Public Hearing.

Chairman Abair stated such a request for waivers is new territory for the Board to consider and tonight's discussion would help provide guidance for Town staff before advancing to the review of a submitted application.

Mr. O'Leary stated he reviewed the Town's regulations, and he believes some are redundant. He further stated he has tried to consider as many as possible while being conscious of costs for the Applicant.

Mr. Morely noted the number of gallons per day proposed is noted in the materials inconsistently. Mr. O'Leary explained how he rounded off his calculations and how he had previously explained it in writing to Mr. Garber.

Mr. O'Leary repeated that the aquifers' protection zones got caught between existing and current regulations. He also stated no expansion is proposed at the building.

Mr. Garvin stated the site is within the Water Resources Protection Overlay District (WRPD), and it is possible a WRPD Permit might be required. Mr. O'Leary referenced page 2 of Mr. Garber's September 6, 2016 letter, which stated "no additional local permitting is required." Mr. Garvin stated he believes the Board may not have to be held to what was presented by a former interim Town employee. Mr. Garvin stated the need for a WRPD permit should be reviewed.

Mr. Morely asked if the applicant is also before the Conservation Commission, and if the proposed work is outside the 100-foot buffer. Mr. O'Leary stated they are outside the buffer, and they are not before the Commission.

Mr. Hincks referenced the three actions required for waiver compliance according to the Town regulations noted in Ms. Suedmeyer's and Ms. Donoghue's November 3, 2016 memo, and he asked if each one was applicable.

Regarding whether the project is in the public interest, Mr. Carty stated it is in the public interest to fix this failing system.

In response to a question from Chairman Abair, Ms. Suedmeyer stated she did not have past experience to assess whether the request for waivers is consistent with the public's interest and getting the problem fixed.

Mr. Garvin stated there are ways the applicant could demonstrate, in writing, water quality improvements for water coming off the site.

Mr. O'Leary stated the site is the low water point in the neighborhood, and he described the water problem, noting the flow into the watershed area has not been maintained by the State. Mr. Garvin reiterated there are options which the applicant could offer as improvements to show they are trying to meet the requirements as much as is feasible. He also emphasized the Board is hesitant to set precedent, when it has never been asked for waivers in the past. It was suggested the applicant submit a request for waivers for redevelopment or that a reduction in the waivers be requested.

Mr. Carty reiterated he believes the system should be fixed.

Mr. O'Leary stated he spoke with Building Inspector Herweck, who agreed with

Mr. Garber that only a Stormwater Management Permit application was needed.

Staff will work with the Applicant to clarify expectations for further justification of the waiver requests and to ensure compliance with stormwater standards.

At 9:38 p.m., Chairman Abair stated the Board needs to be sure it does not set a bad precedent by further researching the matters broached tonight and it will then be able to provide the Applicant with a better idea of what will be needed, and he closed the discussion.

### **Bruce Freeman Rail Trail Task Force – Appointment - Discussion**

Ms. Suedmeyer stated the Selectmen have approved a Mission Statement for the Bruce Freeman Rail Trail (BFRT) Task Force and the membership composition includes a member from the Planning Board. She further stated the Task Force hopes to start its meetings in December 2016. Ms. Suedmeyer also announced a Public Information Meeting on the BFRT is scheduled for November 29, 2016. Copies of the Task Force's Mission Statement and a map of the Rail Corridor were distributed tonight.

Mr. Hincks stated he would like to represent the Board on the Task Force because this is a topic he is passionate about.

Mr. Carty stated he too is interested in representing the Board, noting he is very interested in ensuring the trail is constructed correctly, and in compliance with all relevant bylaws.

A brief discussion ensued as to whether Mr. Hincks, as an Associate Member, could serve on the Task Force. The consensus of the Board was to recommend appointment of Mr. Carty at this time, as a full voting member of the Planning Board, to be its representative on the BFRT Task Force and to encourage Mr. Hincks to pursue other ways of staying involved with the project and its progress.

On motion duly made and seconded, it was

VOTED: To recommend appointment of Dan Carty as the Planning Board's representative on the Bruce Freeman Rail Trail Task Force.

A suggestion was made to add as an agenda item to a future Board Meeting a review of all committees the Board has participation on and to revisit which Board member serves as a lead liaison for which Town projects.

### **Annual 2017 Town Meeting – Potential Articles- Discussion**

At 9:55 p.m., Chairman Abair opened a discussion regarding potential articles for the Annual May 2017 Town Meeting.

Ms. Donoghue stated there is a tight timeline to submit articles for the Warrant prior to January 31, 2017. She suggested further discussion be held at the Board's December 14, 2016 Meeting. Ms. Donoghue noted some towns are considering submitting moratorium articles regarding marijuana.

Mr. Carty suggested consideration of an article which would close the loophole in the Town bylaw regarding having no description for a residential care facility in research districts.

### **Minutes**

On motion duly made and seconded, it was

VOTED: To approve the meeting minutes of October 26, 2016.

### **Upcoming Meeting Schedule**

The next meetings are scheduled for December 14, 2016 and December 28, 2016 (this one is tentative) at 7:30 p.m.

The meeting was adjourned by Chairman Abair at 10:04 p.m.