

PLANNING BOARD MINUTES
JANUARY 25, 2017

Present: Chairman Peter Abair, Chris Morely, John Hincks, Dan Carty, Marty Long, Steve Garvin, Beth Suedmeyer, Meagen Donoghue

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

Informational Stormwater Bylaw Workshop – Presentation by Craig Lizotte

Chairman Abair introduced Mr. Lizotte, the former Planning Board Chairman. Chairman Abair said that the presentation is an informational session to explain and discuss the underlying concepts of how the Board should look at and apply the Stormwater Bylaw.

Mr. Lizotte said that this is an overview for someone who is not necessarily an engineer and has not dealt specifically with the stormwater issue. He continued by saying that the Bylaw in Sudbury is strict and can take two forms. The first being the general application for Construction in the 5,000 - 40,000 square foot range. This category is straight forward, but in fact, it is during construction that stormwater regulations get impeded and that is what the Board tries to prevent. He said the second category is the 40,000+ sq. ft. type project, which can be commercial, and in this category, the Board relies on Peer Review help. The peer reviewers have mastery of the regulations and calculations for rainwater management.

Mr. Hincks brought up the fact that much has to do with topography of a property. Mr. Lizotte stated that there might be exclusions for septic system properties. Mr. Garvin said that Board of Health plays a big role in these situations.

Mr. Lizotte said that the two primary concepts in Stormwater Management are: Rate of Runoff and Volume of Runoff. He gave the example of wooded land during a considerable rainstorm. He said that a small amount of the rain may be absorbed, but much of the rain will pool in areas. Further, if construction was going on with much ground disturbance, this water pooling and eventual runoff; would have a negative impact on the general ground, wetlands and neighbors.

He went on to explain the rate of stormwater runoff using the 30 cfs (cubic feet per second) regulation for runoff. Mr. Lizotte added and that the state does not enforce the volume aspect (only addresses peak rate), so it's most important that the town adhere to stormwater regulations. Mr. Garvin added that water here would be going faster in flow then backup, so restrains for the excess water would have to be addressed. He stressed that increased rate of runoff causes flooding and specific drainage systems are sized for a calculated rate or amount of flow. Mr. Hincks added that volume is influenced by impervious condition.

Mr. Lizotte answered that volume is a duration of rate, adding that volume can be mitigated by infiltration only with acceptable soil. He said that stormwater contaminates play a huge part and gave the example of a car that continues to leak oil and disperses contaminant into the ground.

Mr. Garvin added that it is most important to remove silt in order to protect the wetlands.
Mr. Hincks asked how to improve the TSS rate.

Mr. Lizotte responded that this is a state regulation and requires pre-treatment; a filtering mechanism as a sump - with a hooded part or a widget approach that expels sediment to achieve a regulatory 80% removal rate. Mr. Garvin stated that a catch basin set-up would remove 25%, but that stormseptors might help in removing the rest. Mr. Lizotte said there are town, state and federal regulations. He stressed that the concept is basic - it is about gravity and the fact that solids settle; but it is the details that are very complex. Mr. Garvin cited "Sudbury Pines" as an example of a re-development project. He added that the Board required some minimal improvement in the stormwater management since the initial development was already in place.

Mr. Morely added that this is an example of how important the planning stage for stormwater management is; as it follows in the life of the property. Mr. Garvin reminded members that silt could make its way into town drainage.

Mr. Lizotte brought up the SWPP (Stormwater Pollution Prevention) ruling; applicable with big projects. Mr. Lizotte continued referring to the elements of stormwater management stating that water grading off street to swales and catch basins, in fact, moves water. In addition, if swales can be flat; water quality is improved.

He continued with the description of retention/detention and use the use of basins might be most feasible. He added that infiltration could be in the form of surface basin, or subsurface and soil composition is very critical and that Geotech testing is mandated in this area.

Mr. Lizotte added that he has seen sites with multiple soil types and that involves more planning. He stressed how important it is that getting the silt off the construction site is really the preferred method; rather than directing water to a construction basin where the silt would have to be removed later. Mr. Garvin added by explaining the utilization of a special tank to get rid of the sediment, and spoke of dewatering tanks used with federal EPA projects.

Ms. Suedmeyer asked Mr. Lizotte to talk about forebay options.

Mr. Garvin said that the forebay approach is a sump type method utilizing a large catch basin. Mr. Lizotte stated that a berm might be used with a forebay and that the forebay must match volume, which involves detailed calculations. Mr. Morely spoke of the Frost Farm Condos as a visible example of a forebay.

Mr. Lizotte described a project at Worcester Polytech Institute with its very elaborate infiltration system where much water had to be detained. At this time he described the LID (Low Impact Design) application. He went on to say that an LID design employs the existing landscape and said that the Danforth Condos are a good example of LID.

Mr. Garvin added that this LID concept is also referred to as the "Country Style" design as it is not generally used in city areas because pipes are not used - but that the implementation is more dictated and conveyed by natural drainage.

Mr. Lizotte told the Board members to hold the line on collecting appropriate soil data. He added that groundwater usually follows topography, but you can still have variation in soil; and that soil type can change very quickly. Further, he said that contractors will create a basin initially, but suggest to them that you really want them to clean out the silt before covering. Mr. Garvin detailed that a de-watering tank will capture silt, adding that the bigger the project; the larger the basin.

Mr. Lizotte recommended that contractors take the excess water off site; this being an area that the Planning Board can be vigilant about. Mr. Lizotte mentioned that the more catch basins, the more room for error with uncertainty about what was left in the ground after construction is completed and that less maintenance can be better.

Ms. Suedmeyer mentioned the green infrastructure concept, which is less expensive, and more dispersed. Mr. Lizotte added that this concept demonstrates a centralized vs. decentralized approach, stressing the centralized approach is easier to build. Mr. Garvin added that decentralization is cost saving, since piping is expensive. Ms. Suedmeyer included that in future the Green infrastructure approach will be more popular.

Mr. Garvin maintained that infiltration and swales remove phosphorus, which is watched by EPA. He gave example of Phosphorus removal requirements in the Charles River Watershed and added that many LID projects remove phosphorous. He also stated that there will be an increase with green infrastructure projects, and this approach is mandated in towns along the Charles River. Ms. Suedmeyer stressed the significance of phosphorus and its remediation. Mr. Morely suggested making sure that the contractor has a SWPPP. Mr. Lizotte reminded that peer review is very helpful in this process. He reminded the Board that contractors want to do things in the cheapest way possible. Given that fact, Mr. Lizotte prompted the Board to oversee that all vegetation is not removed at once. He went on to say that a SWPPP dictates how much you have open, addresses stockpiling and mandates stabilization within 14 days. Mr. Lizotte recognized that dust is another erosion source and that water trucks must be utilized, especially in dry periods.

Mr. Lizotte mentioned that the stormwater permit does have built in regulations and that violations can be imposed. He stressed the importance of reviewing the SWPPP for a given project. Mr. Garvin cautioned that smaller jobs sometimes forget the SWPPP

Mr. Lizotte said that cutting trees is problematic, and that eliminating trees and stumps causes much land disturbance. For this reason, it is very common to leave the tree stumps intact.

Mr. Lizotte concluded the presentation with the sobering fact that:
1 cubic foot = 7.5 gallons of water per second.

Chairman Abair thanked Mr. Lizotte for his enlightening presentation.

Review, Discuss & Update Planning Board Projects & Priorities

At 8:28 p.m., Chairman Abair indicated the last project review was done in April, 2015, and before that, in 2013. Topics discussed at that time included: economic development, affordable housing and the environment. He added that since there have been changes in Sudbury, the Board should review again. Chairman Abair added that one objective will be how to engage business owners.

Mr. Garvin added that a Rt. 20 study was done. He further informed the Board that he was involved in a comparison study focusing on the Shaw's Plaza and Sudbury Farms; and compared them to the Linden Street Plaza in Wellesley. Mr. Garvin termed this project as a "quick 80s development" where a vast area was first set up with parking lot and then development of retail behind the parking lot. Mr. Garvin went on to say he is a member a group that studied the town of Dedham showing how smart development could incorporate around Legacy Place. He suggested that the Board could look into this, but as a Board we need to recognize that residents in Sudbury like the country flavor, so as a Board - we have to look to

maintain that very character. "SMART growth with character is our mission," stated Mr. Garvin, and he added that there are a number of developments in Sudbury that do not have that mission in mind with retail or housing.

Mr. Hincks commented that the Board has to define its goals, and added that there is development and there is preservation and sometimes they can work hand and hand. Mr. Morely said that he believed that the Town does have a statement regarding this sentiment. Chairman Abair stated that the Rte. 20 study is the most recent study that we have, but it depicts limited area and is somewhat limited in its focus. Mr. Morely addressed the group, saying that the difference with our Rte. 20 corridor is that it is already 99% developed and now the focus should be smart redevelopment. Members were in agreement with this statement, and Mr. Morely added that commercial/retail owners do not reside in Sudbury and that makes it difficult.

Mr. Garvin mentioned the recent Jiffy Lube application and stated that this was not the type of development we wanted to see.

Mr. Morely mentioned that he was a member of the Economic Development Committee in the late 1990s. He elaborated that many of Board members who were players in the commercial real estate development in the town and lived in Sudbury. The Committee voted itself out of existence because of the sewer issue and these members maintained that without the sewer - nothing could be done. Chairman Abair replied that he concurred with that belief; both then and now, and would hope that the commercial sector could be encouraged to go forward.

Mr. Carty told the Board that a Master Plan is what we should be focusing on, and this is also one of the Board of Selectmen's goals for this year. He went on to say he appreciates that this would be much work, but much has changed since that plan was written. Part of a Master Plan has to do with Community Housing as well and now we have to be in the mode of maintaining the 10% affordable housing. The Rule Book that we have been operating under is going to change within the next year or so. Mr. Morely agreed and added that creating a Master Plan for the commercial district is of most importance now. Mr. Carty agreed and stated that we do not want to overlook the wire study that last Town Meeting. He stressed that overhead wiring is an issue here. Mr. Garvin acknowledged that the wiring goes right through the commercial district.

Ms. Donoghue stated that today she was asked by the town manager to write a scope of work for a Master Plan since we are part of the new community compact, which will be signed tomorrow. She added that funding of \$30,000 would be granted for technical assistance. Mr. Morely asked Ms. Donoghue if this would be a Master Plan for the whole town, and she replied that it would. Ms. Donoghue told the Board that she would be forming a Master Plan group and will have to move forward with it immediately.

Mr. Long suggested including a sub-plan in the Master Plan regarding Rt. 20. Ms. Donoghue agreed and stated that design standards and other related topics could be included.

Mr. Carty stated that the Board could not have this whole discussion now; but perhaps could do it in chapters. Ms. Donoghue indicated the Master Plan, in its entirety should be completed within 18 months. Chairman Abair asked about the funding aspect. Ms. Donoghue responded that once we get the funding; we have 18 months from that time. She added that as part of the Community Compact, we have already received \$20,000 for IT/Security; and the next round will be for this Master Plan.

Chairman Abair suggested that members review the Rt. 20 study, and plan to discuss at the upcoming meeting. Mr. Morely added that the Board should continue writing memos to the Board of Selectmen regarding the importance of the sewer line along Rt. 20. Chairman Abair responded by saying that he agreed with this idea and would be happy to share with the Board where the process left off with the Economic Committee disbanded.

Mr. Carty added that he thought that Sudbury had made a proposal to Marlboro about connecting to Marlboro's sewer line on Rt. 20. Chairman Abair said that was so and added that Marlboro did not say "no" to that proposal; but they did not pursue the proposal either. He went on to say that part of the issue with Marlboro was the arrangement that they had with Northboro not going as planned, and that Northboro was not a good neighbor, so Marlboro is hesitant about going into another agreement.

Mr. Morely stated that there is a 20-year history of Sudbury with Marlboro regarding the use of their treatment plant.

Chairman Abair here asked the Board if they wished to go through more of the listed topics this evening or revisit the list at a future meeting. Mr. Garvin suggested that the Board continue going through the list. Mr. Hincks agreed that it was wise to stay focused on the list this evening. Mr. Carty also agreed with this.

Chairman Abair brought up the community housing topic next, stating that we are at 10% affordable housing now, but suggested that the Board consider how to maintain that 10% and take active steps to do so. Mr. Morely concurred and said that the town needs to take measures to maintain that 10%; as the Board will need to supplement with a substantial number over the next ten years. Mr. Carty agreed.

Chairman Abair next addressed the environment topic. Mr. Garvin suggested that in formulating the Master Plan, the Board might want to change the "environment" title with a term closer to "community preservation" or the like. Ms. Donoghue agreed and added that the open space plan update project was put aside so that the Bruce Freeman Rail Trail design project could use that funding. She added that additional work must be done regarding the open space plan, and that grant funding is available. Ms. Suedmeyer commented that the challenge is how will the \$30,000 from the state be supplemented; because it is not possible to complete this project for \$30,000. Ms. Donoghue replied that the \$30,000 is allocated as initial funding for technical assistance; and after that we will reapply.

Mr. Hincks added that even if we are not proposing to do a whole plan, open space issues are an important part of the planning for the town. He opined that he did not know if all the open space is rationalized, but prioritizing is key. Mr. Morely offered that any house built is an immediate negative, unless the house assessment is very high.

Ms. Donoghue informed the Board that the "open space" plan is separate and it expires every 3 to 4 years; and that the Town's has expired. She outlined that in order to qualify for state funding or "Land and Park" funds; we must update our plan. Ms. Suedmeyer detailed that the "open space" plan is now a 7-year plan.

Chairman Abair spoke about historical preservation in the town; especially Town Hall and the Wayside Inn Preservation plan. Mr. Morely stated that the Wayside Inn project is on hold. He detailed that the town and the Wayside Inn got close to an agreement and then other things going on in town took precedence; it was put on hold for now. Mr. Carty asked if the Inn project was going through CPC. Mr. Morely said that it was, and that the expense would be determined with ballot.

Chairman Abair then mentioned transportation as a topic. Mr. Garvin asked about the Complete Streets plan and wanted to where the Board stood on that.

Ms. Donoghue told the Board that Sudbury does not have such a plan currently, but the new Sudbury DPW director is considering implementing it.

Mr. Garvin added that the state has a Complete Street plan that provides funding and grants addressing the betterment of walkways for walking and biking. He added that this plan was discussed at the MAGIC meeting that he attended. Mr. Garvin stated that several towns have gotten approved. Ms. Suedmeyer said that the process starts with a policy that the town would develop, as they see fit. The Plan is primarily looking at sidewalk layouts adjacent to the roadways and the Town then commits to determining when work is going to happen on roadways and should evaluate inclusion of sidewalks and bike paths as well. She continued by saying that if the town's policy is approved, then the Town develops a prioritization plan. The State will fund up to \$50,000 towards development of that prioritization plan. Ms. Suedmeyer added that the town has had no previous walkway plan; though there have been numerous requests in favor of walkways.

Mr. Garvin stated that residents have communicated to the Board regarding the facilitation of a program to create sidewalks in their neighborhoods. He advocated that residents must be informed that 75% of their neighborhood must agree to an easement and then the Board would evaluate if there is wetland issues or slope issues or other factors that might come into play. He suggested that neighborhood captains could be assigned as representatives, and he added that this approach has been established on a small scale. Mr. Garvin said that this approach may be a new way to achieve resident involvement and the Board could initiate the start of a plan.

Mr. Morely said that he believed that a Walkway Committee was created in the late 1990s and did not have much positive momentum with a similar type plan. Mr. Hincks told the Board that there was a wide range of resident opinions presented at the last Town Meeting regarding the walkway topic. He added that he felt that residents did not understand the plan and how it works. Chairman Abair agreed that the Complete Street plan is not widely understood. Mr. Hincks stated that he felt that there is a gap and there is misinformation on both sides of this topic and thinks that the Board can help get better information to the residents.

Mr. Garvin suggested that the Board work on initiative strategies to this end, because we do think this is an important issue that really deals with safety and enjoyment on the walkways. Mr. Morely commented that Sudbury uses the word "walkways" whenever possible, because the town is not a Wellesley and is not seeking the urban sidewalks. Mr. Garvin made the statement that Rt. 20 has sidewalk gaps and that affects safety of pedestrians.

Chairman Abair stated that Complete Street has a focus. He provided example that because Rt. 20 is a state road, residents give up on suggesting possible improvement for pedestrians; and this approach could change. He added that the crosswalk at the old Raytheon site will help the safety factor and he still hears numerous comments that Rte. 20 could be safer for walking or biking. Mr. Morely said that store owners might want to make improvements in this area and the Board can assist them and make recommendations for safer crossing and other pedestrian activities. Chairman Abair agreed, but stressed that state approval is need for a new crosswalks.

Mr. Carty suggested to the Board that this would be a good time for the Board to define what topics we must do and what topics we should address. The must do list could include: a new Open Space Plan, and perhaps an initial Complete Street Plan. Mr. Morely agreed with this suggestion, and added that it was his hope that the Board would apply for a ton of grants. He stressed; the more we apply for, the better the chances to receive some funding. Mr. Garvin stated that the Complete Streets plan, could provide more funding.

Ms. Donoghue stated that the Board should give consideration to the funding possibility that these projects require money to go forward and may not be completely funded.

Chairman Abair asked if there were any issues/topics that had not mentioned that perhaps should be.

Mr. Garvin mentioned the marijuana topic. Ms. Donoghue said she had something to add to that discussion this evening.

2017 Annual Town Meeting – Review Warrant Article

At 8:54 p.m., Ms. Donoghue stated, that based on Board changes from the last meeting, she made amendments on the current bylaw in the Warrant Article regarding the new requirement which extends special permitting from 6 months to 12 months. She added that if the Board approves those changes now, she would post public meetings. Ms. Donoghue informed the Board that she met with Town Counsel and the Board of Selectmen gave the go ahead to post the public meeting after the Board signed. Chairman Abair recognized that due to this state mandate, every town had to amend this bylaw. Mr. Carty added that the Town had no choice in this matter.

On motion duly made and seconded, it was unanimously

VOTED: To amend Special Permitting Bylaw as Mandated.

2016 Annual Town Report – Review & Vote

At 9:25 p.m., Chairman Abair stated that several changes were made and asked if anyone had anything to add.

Mr. Carty said that everything was good except the suggested amending of “Board membership remains constant.” Chairman Abair suggested rephrasing with “the membership is organized as follows,” and he added that the Board can strike that piece and sign now for submission. Ms. Donoghue agreed with the suggestion.

On motion duly made and seconded, it was unanimously

VOTED: To sign the 2016 Annual Town Report and amend the stricken section with amended language.

Mr. Long stated that he would resign from the Planning Board due to his recent appointment as administrative judge, effective immediately. Chairman Abair thanked Mr. Long for his great service on the Board and understood the circumstances involved in Mr. Long’s decision to resign.

Mr. Garvin asked if Mr. Hincks, now an associate member of the Board, could take the vacated position left by Mr. Long. Ms. Donoghue said that she would check to see if a joint vote was needed to formalize

Mr. Hincks appointment. Chairman Abair agreed and hoped to have the matter on the agenda for January 8, 2017.

At this time, Chairman Abair made official announcement to extend the meeting beyond 9:30 p.m.

Ms. Donoghue stated that the Board of Selectmen have written a warrant article consisting of a moratorium on the establishment of recreational marijuana facilities that it will extend thru June 30, 2018.

Ms. Suedmeyer said that she had the comments from last Planning Board Meeting to submit to ZBA. Chairman Abair asked Ms. Suedmeyer to distribute those proposed comments to the Board. Ms. Suedmeyer distributed those comments and a Coolidge Stormwater packet in preparation for the next Planning Board Meeting.

Chairman Abair asked if members had any further comments regarding the ZBA submission. He added that if members had additional comments that they should consult with Ms. Suedmeyer.

Minutes for Approval

Mr. Garvin stated that he was not present at that meeting.

On motion duly made and seconded, it was unanimously

VOTED: To approve Minutes from January 11, 2017.

Meeting Schedule: January 8, 2017

Mr. Carty said he would not be present at the January 8th meeting.

Ms. Donoghue said that there would be a stormwater management application to present on the February 22nd meeting.

The meeting was adjourned by Chairman Abair at 9:40 p.m.