

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

Absent: Stephen Garvin

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

Public Hearing: Scenic Road Application – 193 Concord Road (Assessor’s Map H08-0301)

Present: Sudbury resident Edward Freedlender

At 7:30 p.m., Chairman Abair opened the Public Hearing regarding a Scenic Road application, submitted by Edward and Donna Freedlender for property located at 193 Concord Road, Town Assessor’s Map (H08-0301), which was continued from February 22, 2017.

Sudbury resident Ed Freedlender distributed copies to the Board of more recent photographs of the proposed project area. Mr. Freedlender stated he has decided not to widen the driveway and he has begun the process of cleaning up the stone wall and area. In response to a question from the Board, Mr. Freedlender stated his current driveway has a 20-foot cut. He summarized the new photos, noting there was no damage to the stone wall when Eversource recently cut down trees, but stump removal will be needed. He showed pictures of the extra stones found on the ground, which will be used to fill in missing parts of the wall. In response to a question from Mr. Morely, Mr. Freedlender stated he has sufficient matching stone material from ledge discovered on the property.

Mr. Morely asked if Mr. Freedlender measured his neighbors’ driveways. Mr. Freedlender stated one neighbor’s driveway has a 25-foot opening as does the property across the street from him. Mr. Freedlender stated once the driveway and stone wall areas are cleaned up, he believes he will have adequate space. However, Mr. Freedlender did note he has contacted the Police Department regarding two signs which currently block his sight lines.

On motion duly made and seconded, it was unanimously:

VOTED: To authorize Town staff to send an affirmative letter allowing the proposed work to proceed regarding the Scenic Road application, submitted by Edward and Donna Freedlender for property located at 193 Concord Road, Town Assessor’s Map (H08-0301).

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

VOTED: To close the Public Hearing regarding the Scenic Road application, submitted by Edward and Donna Freedlender for property located at 193 Concord Road, Town Assessor's Map (H08-0301).

Public Hearing: Joint Meeting with the Design Review Board - National Development – Comprehensive Signage Permit- Mixed Use Overlay District - BPR Development LLC – 526 & 528 Boston Post Road (Assessor's Map K07-0011 & K07-0013)

Present: National Development Project Manager Steve Senna and representative Katie Snyder, Design Review Board (DRB) Chairman Dan Martin and DRB Members Paula Hyde, Susan Vollaro, Jennifer Koffel and Deborah Kruskal

At 7:40 p.m., Chairman Abair opened a Public Hearing regarding the Comprehensive Signage Permit application submitted by BPR Sudbury Development LLC for 526 & 528 Boston Post Road (Assessor's Map K07-0011 & K07-0013), which was continued from February 8, 2017, and he opened a Joint Meeting with the Design Review Board (DRB). The Board was previously in receipt of copies of a draft "Town of Sudbury Planning Board Notice of Decision Comprehensive Signage Permit," and a revised Comprehensive Signage Package.

Through a PowerPoint slide presentation, National Development's representative Katie Snyder stated the applicant has submitted revised plans based on feedback received from both Boards at previous meetings. She reported Avalon has decided to only put "Avalon" on its signage and the Bridges' signage was modified to better scale their logo on the proposed blue background. Ms. Snyder provided a summary of the revised plans, noting the graphics for the Active Adult Residential component will be provided at a later time. Mr. Morely asked if the Adult Residential sign would be used in the meantime for marketing. National Development Project Manager Steve Senna stated this is a good idea which he would share with the team.

Mr. Senna stated the development team is considering doing something more colorful with the construction fencing, which it has discussed with Building Inspector Mark Herweck. Mr. Herweck stated the applicant would need to request approval for a construction trailer from the Board of Selectmen.

Mr. Morely stated the property site is looking great, and Mr. Hincks concurred.

Ms. Snyder reviewed the formula used for the exterior wall signs was based on frontage square footage. She noted analysis indicated that the proposed sign size is 22% larger, on average, than what is in the Town's bylaw.

Mr. Hincks noted the project is unique because the signage wraps around, and he asked how much of the 22% is on the non-traditional sides of the buildings. Ms. Snyder stated she did not have that data available tonight.

Chairman Abair asked for clarification regarding the “Dimensional Comparison Analysis” Chart provided for Building 2. Ms. Snyder chose the first hypothetical tenant listed (201), and she summarized the calculations presented.

DRB Chairman Dan Martin stated he and DRB member Jennifer Koffel reviewed the calculations according to the bylaw and they believe the chart contains errors. Chairman Martin reviewed how the numbers should have been calculated. He stated the signage allowed should be approximately 45 square feet, and thus the applicant is essentially asking for 140% more than the Bylaw guidelines.

Ms. Koffel referred to the description of lighting on Page 13 of the revised plans, which she interprets as having a silhouette effect, which would then require further size reductions according to the Bylaw.

Mr. Morely emphasized it has always been understood that this development would be different from anything else in Town.

DRB member Susan Vollaro reviewed how the figures should have been calculated, explaining the maximum for all signs should have been approximately 45 square feet and that the applicant’s interpretation of the bylaw was off.

Mr. Senna emphasized they want to get this right and it is not their intent to set a precedent which is extraordinarily large. However, he also emphasized the overall sign package is not obnoxious, and they believe the proposed signs are an appropriate scale for the height and size of the buildings.

Ms. Snyder reiterated what the development team’s thinking had been.

Mr. Senna emphasized that, in this type of mixed-use development, approximately 50% of the tenants will not be on Route 20, and thus signage is critically important to prospective tenants.

Mr. Morely stated the original intent of the Town’s Sign Bylaw was an attempt to codify a maximum guideline in order to enhance the ability for people to see the stores and to have some conformity for Route 20.

Chairman Martin stated the proposed plans suggest two to three-foot letters in some instances, and he noted this just does not exist anywhere else in Town.

Ms. Snyder asked if the DRB had a recommendation for what would be considered as appropriate to help guide the development team. Mr. Morely suggested the applicant could work with the DRB on this.

Mr. Senna suggested removing this one aspect from the Comprehensive Signage Package so the remainder of the application could move forward to approval. He also stated they would be happy to work with the DRB.

Mr. Carty suggested the applicant could possibly work to reduce the size of the signs for the businesses on Route 20 and help the retail tenants in the rear with larger signage.

Ms. Koffel asked the applicant to also consider front lighting for the signs instead of internal lighting. She also stated the DRB does not think the proposed signage package is obnoxious in any way, but it does think it is out of scale.

DRB member Debbie Kruskal stated the most concerning item for her is the proposed internal lighting. She suggested projections signs, as found in Concord, could possibly be considered. Mr. Senna referenced #4 in the regulations, wherein the applicant has asked for the ability to have projecting signs.

Mr. Senna noted it was anticipated at the time of the Mixed-Use Overlay District (MUOD) approval that possibly the entire comprehensive signage package would not be submitted at one time. Thus, he believes the Board could approve everything else presented tonight with the exception of Page 13. Mr. Senna highlighted the applicant followed a comprehensive MUOD approval process where signage renderings were shared at Town Meeting. He further highlighted the applicant has a unique and substantial financial arrangement which has been negotiated with the Town for the flexibility it has been awarded, including for signage. He emphasized there is no other precedent for this development in Town, but he also emphasized the applicant wishes for it to be contextual.

Mr. Morely clarified that Page 13 would be removed from tonight's package consideration and a separate application would be filed related to it in the future, subsequent to the DRB and the applicant reaching consensus. He also emphasized this development is very different from any other in Town.

Chairman Abair stated the Town wants this development to be commercially successful.

Mr. Morely referenced the Penn flat black stone shown in the renderings, and he urged the applicant to use something more indicative of New England and to incorporate gray stone into the color scheme. Mr. Senna suggested, and the Boards concurred, to have a member of the Planning Board and a member of the DRB review a mock-up sample of the stones to be used. Mr. Morely and Ms. Koffel were suggested as the representatives to do this.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the a draft “Town of Sudbury Planning Board Notice of Decision Comprehensive Signage” regarding the Comprehensive Signage Permit application submitted by BPR Sudbury Development LLC for 526 & 528 Boston Post Road (Assessor’s Map K07-0011 & K07-0013) as reviewed tonight, with the exception of Page 13 regarding tenant façade signage, which will be a subject for a future application submission to the Planning Board at a Public Meeting rather than at a Public Hearing, following working sessions between the applicant and the Design Review Board to reach consensus on the this signage component, Chairman Abair, aye, Hincks, aye Morely, aye, Carty, aye, DRB Chairman Dan Martin, aye, DRB member Debbie Kruskal, aye, DRB member Jennifer Koffel, aye, DRB member Paula Hyde, aye, and DRB member Susan Vollaro, aye.

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

VOTED: To close the Public Hearing regarding the Comprehensive Signage Permit application submitted by BPR Sudbury Development LLC for 526 & 528 Boston Post Road (Assessor’s Map K07-0011 & K07-0013), Chairman Abair, aye, Hincks, aye Morely, aye, Carty, aye, DRB Chairman Dan Martin, aye, DRB member Debbie Kruskal, aye, DRB member Jennifer Koffel, aye, DRB member Paula Hyde, aye, and DRB member Susan Vollaro, aye.

Joint Meeting with the Design Review Board - National Development – Meadow Walk – Minor Modification to Master Development Plan Permit– BPR Sudbury Development LLC – 526 & 528 Boston Post Road (Assessor’s Map K07-0011 & K07-0013)

Present: National Development Project Manager Steve Senna and representative Kate Snyder, Design Review Board (DRB) Chairman Dan Martin and DRB Members Paula Hyde, Susan Vollaro, Jennifer Koffel and Deborah Kruskal

At 8:30 p.m., Chairman Abair continued with the Joint Meeting with the Design Review Board and he opened a discussion regarding a Minor Modification to an Approved Master Development Plan submitted by BPR Development LLC for Meadow Walk, 526 & 528 Boston Post Road (Assessor’s Map K07-0011 & K07-0013), which was continued from February 8, 2017. The Board was previously in receipt of copies of a draft “Town of Sudbury Planning Board Notice of Decision Minor Modification to Master Development Plan.”

Ms. Donoghue stated no new information has been received to the file since the last Meeting.

Ms. Snyder stated the applicant's Counsel has worked with Ms. Donoghue and Town Counsel to agree on language for the draft Decision, and they are comfortable with the draft which has been distributed for tonight's Meeting.

Chairman Abair stated he was impressed with the draft Decision's format and content.

On motion duly made and seconded, it was unanimously

VOTED: To approve the draft "Town of Sudbury Planning Board Notice of Decision Minor Modification to Master Development Plan" as reviewed tonight regarding the Minor Modification to an Approved Master Development Plan submitted by BPR Development LLC for Meadow Walk, 526 & 528 Boston Post Road (Assessor's Map K07-0011 & K07-0013).

At the close of this agenda item, Mr. Senna provided a brief update on the development project, noting work is proceeding to demolish Buildings #1 and #5, to continue construction on Whole Foods and to construct the two main access driveways. He stated work for Avalon Bay would likely follow in May or June. It was mentioned there has been talk that Whole Foods is trying to open in July. It was also noted there are three leases pending with prospective tenants.

At 8:45 p.m., the Joint Meeting of the Design Review Board and the Planning Board was adjourned.

Public Hearing: Definitive Flexible Subdivision Special Permit and Stormwater Management Permit – Livermore Estates, Maynard Road (Assessor's Map E06-0352, E06-0353 & E07-0150)

At 8:45 p.m., Chairman Abair opened the Public Hearing regarding an application submitted by Maynard Road – HP, LLC, for approval of a Definitive Flexible Subdivision Development Special Permit and Stormwater Management Permit as shown on a plan entitled "Definitive Flexible Subdivision, "Livermore Estates" Locus Plan in Sudbury, MA" prepared by Cornorstone Engineering Inc., dated January 9, 2017, proposing a subdivision of approximately 10.0 acres into two lots and construction of improvements thereon, which was continued from February 22, 2017. Said property is located on Maynard Road (Assessor's Map E06-0352, E06-0353 & E07-0150) and will involve the disturbance of approximately 59,000 sq. ft. of land area and contains slopes greater than 20% and results in a net increase in impervious surface of approximately 9,640 sq. ft. The Board was previously in receipt of copies of a letter from Horsley Witten Group's Peer Reviewer Janet Bernardo dated February 22, 2017. .

Chairman Abair stated the applicant has requested for the Public Hearing to be continued to a future date to allow time to complete outstanding items.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the Public Hearing regarding an application submitted by Maynard Road – HP, LLC, for approval of a Definitive Flexible Subdivision Development Special Permit and Stormwater Management Permit as shown on a plan entitled “Definitive Flexible Subdivision, “Livermore Estates” Locus Plan in Sudbury, MA” prepared by Cornorstone Engineering Inc., dated January 9, 2017, proposing a subdivision of approximately 10.0 acres into two lots and construction of improvements thereon. Said property is located on Maynard Road (Assessor’s Map E06-0352, E06-0353 & E07-0150) and will involve the disturbance of approximately 59,000 sq. ft. of land area and contains slopes greater than 20% and results in a net increase in impervious surface of approximately 9,640 sq. ft. to a date to be determined.

Public Hearing – Stormwater Management Permit - Lots E & F – Maynard Road (Assessor’s Map E06-0352, E06-0353 and E07-0150)

At 8:45 p.m., Chairman Abair opened a Public Hearing regarding a Stormwater Management Permit application submitted by Maynard Road-HP, LLC (Owner and Applicant), to construct one (1) new single family dwelling on Lots E&F, Maynard Road, which will involve the disturbance of approximately 52,000 sq.ft. of land area, which contains areas with slopes greater than 20%, resulting in a net increase in impervious surface of approximately 4,000 sq. ft. on a 2.41 acre parcel located at Lots E&F, Maynard Road zoned Residential-A (Assessor’s Map E-06, Parcels 0304 & 0305), which was continued from February 22, 2017. The Board was previously in receipt of copies of a memorandum from Horsley Witten Group’s Peer Reviewer Janet Bernardo dated February 24, 2017.

Chairman Abair stated the applicant has requested for the Public Hearing to be continued to a future date to allow time to complete outstanding items.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the Public Hearing regarding an regarding a Stormwater Management Permit application submitted by Maynard Road-HP, LLC (Owner and Applicant), to construct one (1) new single family dwelling on Lots E&F, Maynard Road, which will involve the disturbance of approximately 52,000 sq.ft. of land area, which contains areas with slopes greater than 20%, resulting in a net increase in impervious surface of approximately 4,000 sq. ft. on a 2.41 acre parcel located at Lots E&F, Maynard Road zoned Residential-A (Assessor’s Map E-06, Parcels 0304 & 0305) to a date to be determined.

Bruce Freeman Rail Trail Project and Task Force – Review of Board’s Comments

At 8:45 p.m., Chairman Abair opened a discussion regarding a review of the Board's comments to be sent to the Bruce Freeman Rail Trail Design Task Force. Copies of a draft memorandum to be sent to the Task Force dated March 8, 2017 were distributed for review.

Mr. Carty summarized the comments included in the draft letter. He also stated there was a lively Public Meeting with abutters on March 2, 2017, which was well attended. Mr. Carty noted the draft letter does not specify what the Planning Board wishes its role to be regarding the Rail Trail design project.

Chairman Abair stated the Massachusetts Department of Transportation (DOT) has done this in several other locations, and he suggested it would be helpful to know what has been done elsewhere.

Ms. Suedmeyer referenced the last paragraph in the draft letter, noting she believes this communicates that the Board should build the requests listed into the next contract with the design firm for appropriate coordination. She emphasized the Town is responsible for the design, upon which the DOT will comment as part of its review.

Mr. Carty asked if the Board is comfortable with its role in the process. He stated he believes the Town is inviting the State into the project knowing the Town bylaws will be bypassed.

Mr. Hincks stated he views it as the Town has asked for DOT's involvement, and the Planning Board should determine what role it can play to help influence the process to be as compliant with Town bylaws as possible. He suggested the Board should ask for an oversight role with the understanding of DOT's role as well.

Mr. Carty stated this is a large construction project, and he believes the Board should have oversight of it. He also stated he does not believe it should be in the hands of the Selectmen or the Friends of the Bruce Freeman Rail Trail. Mr. Hincks agreed.

Chairman Abair stated there will be elements of the project which will trigger the Board's involvement.

Mr. Carty stated he has concerns about the future of the Cavicchio property and he wants to be sure all factors are considered.

Mr. Morely stated the Board should want a place at the table regarding the design process so it can comment on construction materials, etc.

Chairman Abair reiterated it would be helpful to know how this has been handled in other towns.

Ms. Suedmeyer stated she spoke with a Concord Conservation Commission representative who stated they were successful providing the DOT with input. She also stated the Concord Planning Board did not consult regarding the Stormwater Management Permit.

Mr. Morely asked Ms. Suedmeyer to reach out to other communities to learn what the involvement was of other Planning Boards.

Chairman Abair asked if there is a deadline for the Board to finalize its comments. Mr. Carty stated the Task Force's public comment period will close on March 16, 2017.

Mr. Morely stated the draft comments need to elaborate on the mast arms to include street signal posts.

Mr. Hincks stated he thinks roadway and railroad abutters need to be better defined. It was also noted easements should be better explained.

Mr. Carty referenced the comment regarding boardwalks at the bottom of Page 1 of the draft memorandum. He stated he would prefer for the sentence to be pulled out of the alternatives discussion because boardwalks could be built in wetlands' areas along the rail corridor.

Mr. Morely requested for the memo to include mention that Old Lancaster Road and Morse Road are Scenic Roads, and thereby under the jurisdiction of the Planning Board for that bylaw and that an 18-foot rail trail would be in conflict with the Scenic Road Bylaw. He also asked if the last paragraph of the memo is as strongly written as possible.

It was suggested the paragraph under the third bullet listed on Page 2 of the draft Memo be added as a fourth bullet point. A few other minor edits were also suggested for clarity.

Ms. Suedmeyer stated she would revise the draft Memo based on tonight's discussion.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft Memorandum from the Planning Board to be sent to the Bruce Freeman Rail Trail Task Force as reviewed and amended tonight.

Minutes

On motion duly made and seconded, it was

VOTED: To approve the meeting minutes of February 8, 2017.

Mr. Carty abstained.

On motion duly made and seconded, it was also

VOTED: To approve the meeting minutes of February 22, 2017.

Chairman Abair abstained.

Upcoming Meeting Schedule

The next meetings are scheduled for March 22, 2017 and April 12, 2017 at 7:30 p.m.

Miscellaneous

Chairman Abair stated he is working on notes to distribute to the Board possibly at the March 22, 2017 Meeting for a discussion regarding Board projects and priorities.

The meeting was adjourned by Chairman Abair at 9:25 p.m.