

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 7:40 p.m., Chairman Abair called the meeting to order.

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

Present: Applicant and developer Vin Gately and his engineer Vito Colonna

At 7:40 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 Connorstone 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 April 12, 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 an email from Ms. Donoghue to the applicant dated April 19, 2017 an email from Sudbury Water District (SWD) Superintendent Rebecca McEnroe to Ms. Donoghue dated April 13, 2017 and copies of the topographical plan, erosion control plan, and construction details plan. In addition, copies of an email from Conservation Coordinator Debbie Dineen dated April 25, 2017 and accompanying photographs, an email from the applicant’s engineer Vito Colonna to Ms. Dineen dated April 25, 2017, a “Draft Decision Stormwater Management Permit Livermore Estates, Maynard Road, Sudbury, MA SWMP #17-02 dated April 26, 2017” and a “Draft Definitive Subdivision Decision Flexible Development Special Permit Livermore Estates, Maynard Road dated April 26, 2017” were distributed tonight.

Ms. Donoghue stated the applicant submitted an extension request for a decision for 30 days from April 21, 2017, and she will check if this is based on business or calendar days. She stated the Town Clerk approved the extension.

The applicant Vin Gately stated he spoke with Ms. Suedmeyer in advance of the Meeting, and he stated he is comfortable with the condition noted in the draft Definitive Flexible Development Decision regarding the connection to Town water (page 4 #3).

Mr. Gately explained the Sudbury Water District will officially vote on this matter on May 16, 2017.

Chairman Abair stated the Stormwater Management Permit Public Hearing would need to be continued because the Board has not yet received the final plan.

Mr. Carty highlighted a typographical error in the fourth line of #14 on Page 6 of the draft Decision, asking for the word “loan” to be replaced with the word “loam.”

Ms. Donoghue asked if the Board is still comfortable with the amount of \$1,750 to be donated by the applicant to the Town-wide walkway account as noted in #20 on Page 6. Mr. Gately asked if this condition is a requirement. Chairman Abair stated it is something often requested by the Board. There were no objections expressed about the condition as presented.

Regarding the Stormwater Management Permit application, Ms. Suedmeyer stated information was received recently from Conservation Coordinator Debbie Dineen noting the previously observed standing water had drained, and this meant that there were no wetland resources on site. Ms. Suedmeyer further stated revisions to the plans based on Ms. Dineen’s comments were discussed regarding the infiltration and possible trenches at the slope. Ms. Suedmeyer requested comments from the Department of Public Works (DPW) regarding the potential rain garden outlet overflow to the Town’s catch basin. DPW indicated they will accept a high elevation outlet pipe connection to the catch basin. She also questioned whether the sizing of the rain garden had increased with the additional drainage from the toe of slope trench.

The applicant’s engineer Vito Colonna stated he has been working on formally revising the plans. He stated the size of the rain garden has been increased, and he will submit the new calculations so the DPW can be comfortable with capacity levels.

Ms. Suedmeyer explained an easement is being requested for protection and maintenance of stormwater management because the flow from both properties will travel across the back of the property. She noted the draft Decision includes easement language. Ms. Suedmeyer stated she shared the proposed plan revisions with Sudbury’s Stormwater Management Peer Reviewer Janet Bernardo, and Ms. Bernardo will prepare another peer review report upon receipt of the new plans and calculations. Ms. Bernardo has commented the proposed design seems appropriate.

Mr. Colonna stated he has submitted a plan to Ms. Dineen, noting the revised plan will indicate the connection back to the catch basin.

Mr. Morely asked if there is a swale along the property line, and Mr. Colonna confirmed this to be the case.

Ms. Suedmeyer noted Ms. Dineen stated a wetland filing will be necessary, since drainage is being routed to the catch basin.

In response to a question from Mr. Colonna, Ms. Suedmeyer clarified a restrictive covenant and easement is desired for the entire stormwater management system.

Mr. Hincks asked what maintenance would be needed and if it is specified. Mr. Colonna explained not much would be needed for this system. Mr. Morely and Mr. Colonna explained this would be specified in the Operations and Maintenance (O & M) Plan.

Mr. Morely stated he likes the inclusion of section E. on Page 5 of the draft Stormwater Management Permit Decision, and he asked if it has been reviewed by Town Counsel. Ms. Suedmeyer stated she will request review from Town Counsel.

Sudbury resident Rebecca Cutting, 381 Maynard Road, asked if the O&M Plan runs with the land, and Mr. Morely stated it did. Ms. Cutting also asked how homeowners would know about O & M requirements and whether the Town maintains such records. Ms. Suedmeyer stated the Town maintains files which are available at the Planning Office for homeowner review.

Chairman Abair summarized more information is needed for the Stormwater Permit application, including new calculations, another Peer Review Report from Ms. Bernardo and the finalization of the easement language.

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 as shown on a plan entitled “Definitive Flexible Subdivision, “Livermore Estates” Locus Plan in Sudbury, MA” prepared by Connorstone Engineering Inc., dated January 9, 2017, proposing a subdivision of approximately 10.0 acres into two lots and construction of improvements thereon, to May 10, 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.

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

VOTED: To continue the Public Hearing regarding an application submitted by Maynard Road – HP, LLC, for approval of a Stormwater Management Permit as shown on a plan entitled “Definitive Flexible Subdivision, “Livermore Estates” Locus Plan in Sudbury,

MA” prepared by Connorstone Engineering Inc., dated January 9, 2017, proposing a subdivision of approximately 10.0 acres into two lots and construction of improvements thereon, to May 10, 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

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

Present: Applicant and developer Vin Gately and his engineer Desheng Wang

At 8:11 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 March 22, 2017.

Ms. Suedmeyer stated the Town has consulted with a geotechnical firm for a Peer Review Report, but the contract has not yet been finalized. She also stated no new information from the applicant has been received since the last Board discussion.

With the use of plan exhibits, the applicant’s engineer Desheng Wang responded to comments received from staff, and he summarized the modifications he has made to the plan. Mr. Wang stated he visited the site today, since there has been steady rain for the past few days. He stated the slope is fairly solid, but there are a few spots which need to be over seeded. Mr. Wang stated he observed a neighbor’s wet yard, but he believes this could be mitigated with slope stabilization and additional seeding. He also noted he observed only a tricking of flow. Mr. Wang emphasized this plan has been reviewed previously, and he stated he would welcome discussions with any Peer Reviewers.

Chairman Abair asked what the estimated timeline is for the geotechnical firm.

Ms. Donoghue stated she has asked for a response from the firm by 4:00 p.m. on April 27, 2017.

Ms. Suedmeyer asked Mr. Wang to submit his responses to comments in writing to her Office. Mr. Wang stated he would try to do this, however, he noted he is going out of town tomorrow for the next two weeks.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the 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) to May 24, 2017.

Public Hearing – Stormwater Management Permit – Lot 11 Carriage Way – (Assessor's Map K04-0511)

Present: The applicant Chad Blair and the applicant's engineer Vito Colonna

At 8:28 p.m., Chairman Abair opened a Public Hearing regarding a Stormwater Management Permit application submitted by Chad Blair, Owner and Applicant, to construct a new single family home and associated improvements which will disturb approximately 31,000 sq. ft. of land, including approximately 21,200 sq. ft. of land area on slopes ranging from 10% to 20%, with a total impervious area of 7,400 sq. ft. on a 87,515 sq. ft. parcel located at Lot 11 Carriage Way (Assessor's Map K04-0511). The Board was previously in receipt of copies of the Public Hearing Notice, the "Town of Sudbury Application for Stormwater Management Permit" and accompanying plans and documentation. Mr. Morely read aloud the Public Hearing Notice. In addition, copies of a letter from Sudbury's Peer Reviewer Janet Bernardo dated April 19, 2017 and a letter from Town Engineer/Department of Public Works (DPW) Director William O'Rourke dated April 26, 2017 were distributed tonight.

The applicant's engineer Vito Colonna displayed a GIS system locus map noting the location of the property. It was noted this is the last lot in the subdivision. Mr. Colonna briefly described the plan to construct a single-family home, noting there is an onsite septic system and onsite stormwater management system. He also stated the plan would increase the impervious surface by approximately 7,400 square feet. Mr. Colonna further explained the property has slopes in excess of 10%, which is what has triggered the need for this permit application.

With the use of a plan exhibit, Mr. Colonna briefly described how the stormwater currently drains, noting he has mimicked this pattern in the proposed new plan which will have the collection of stormwater go to a long infiltration swale at the bottom of the property. He stated his review of the standards for peak rates and volumes indicates there would be no flow off the site until the 100-year storm level, and even then, it would be very low. Mr. Colonna noted there is a restrictive covenant around the entire site.

Ms. Suedmeyer referenced the material received from Ms. Dineen and Mr. O'Rourke distributed tonight, and she summarized some of the comments presented. She also asked Mr. Colonna to provide more information, which he did, regarding a ball valve.

Ms. Suedmeyer urged him to discuss options with Ms. Bernardo and the DPW before making modifications to the plans.

Mr. Carty asked if one could build beyond the buffer easement for the original subdivision. Mr. Colonna explained the constraints.

Ms. Suedmeyer stated she reviewed the Conservation Restriction and setbacks as shown of the covenant of easement and they appear to be accurate based on the existing agreement. She highlighted a site plan review will be required for each lot.

Ms. Suedmeyer also stated she would need to discuss with Town Counsel how current specifications which are now different can best be reconciled.

Chairman Abair noted the letters from Ms. Bernardo and Mr. O'Rourke were not in the Board's agenda packets for review in advance of tonight's Meeting. He is inclined to believe this application is not yet ready for discussion by the Board because there has not been sufficient time to review the new material. Chairman Abair requested this be taken into account when scheduling agenda items.

Mr. Hincks summarized the applicant needs to respond to the Peer Review Report received tonight, modify the plan and site plan review will need to be scheduled.

Mr. Morely stated the applicant will also need to consult with DPW regarding the site plan review.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the Public Hearing regarding a Stormwater Management Permit application submitted by Chad Blair, Owner and Applicant, to construct a new single family home and associated improvements which will disturb approximately 31,000 sq. ft. of land, including approximately 21,200 sq. ft. of land area on slopes ranging from 10% to 20%, with a total impervious area of 7,400 sq. ft. on a 87,515 sq. ft. parcel located at Lot 11 Carriage Way (Assessor's Map K04-0511) to May 10, 2017.

Associate Member Candidate – Interview

Present: Candidate Charles Karustis

At 8:50 p.m., Chairman Abair welcomed Sudbury resident Charles Karustis, 5 Candlewood Circle, to the Meeting to discuss his interest in filling the vacant Planning Board Associate Member position. The Board was previously in receipt of copies of the "Town of Sudbury Application for Appointment" and accompanying resume submitted by Mr. Karustis.

Chairman Abair asked if the time period to receive applications has been closed. Ms. Donoghue stated the position has been advertised for several months and Mr. Karustis is the only person who submitted an application.

Mr. Morely stated he reviewed the application, and he believes Mr. Karustis is a good candidate for the position. Mr. Carty concurred.

Mr. Hincks asked Mr. Karustis to provide a brief summary of his work history.

Mr. Karustis stated he has a long professional history working with permitting and energy projects at the local, state and federal levels. Since 2001, Mr. Karustis stated he has been involved with wind farms. He highlighted he has been a consultant and developer, and he would be able to understand different perspectives on issues.

Chairman Abair thanked Mr. Karustis for offering to volunteer his time and expertise to the Board.

On motion duly made and seconded, it was unanimously:

VOTED: To appoint Charles Karustis, 5 Candlewood Circle, as the Planning Board Associate Member.

Ms. Donoghue stated she would check if Mr. Karustis needs to be sworn in and if any other requirements need to be fulfilled.

Meadow Walk- Wall Signs for Village Retail – Discuss Design Review Board’s Final Recommendations

Present: National Development representative Kate Snyder

At 9:00 p.m., Chairman Abair opened a discussion regarding the Design Review Board’s (DRB) final recommendations for the Meadow Walk developments’ wall signs for the village retail component. The Board was previously in receipt of copies of an email from DRB Chairman Dan Martin dated April 20, 2017 and accompanying signage plan.

National Development representative Kate Snyder stated the applicant had two meetings with the DRB, which focused on the exterior signage for the village retail component of the development. Ms. Snyder stated some revisions to the plans were agreed upon with the DRB, as noted in Mr. Martin’s communication.

A brief discussion ensued as to whether the Board needed to also approve the revisions. The consensus was that the Board had noted as a condition of its previous approval that the applicant would work to revise the plan based on approval of the sign plan by the DRB. Mr. Morely stated his recollection was the applicant would only need to return to the Planning Board with an actual tenant’s exterior signage plan for review.

It was noted the DRB voted unanimously at its April 12, 2017 Meeting to recommend the sign plan distributed in tonight's Meeting packets.

On motion duly made and seconded, it was unanimously

VOTED: To adopt the final recommendations of the Design Review Board regarding the Meadow Walk Village Retail Wall signage plan, as reviewed tonight.

Mr. Hincks stated he believes the process of having the applicant work directly with the DRB is a good example of Town government working well.

Miscellaneous **Sudbury Master Plan**

At 9:06 p.m., Chairman Abair referenced the copies of the "Sudbury Master Plan Scope of Work – Draft" previously provided to the Board to be discussed at the Board's May 10, 2017 Meeting. He stated it is the Board's hope that the Town Manager would include the Planning Board in this discussion, noting that, in most communities, Master Plans begin with the Planning Boards. Chairman Abair stated he was unaware this draft document had been requested until he heard it mentioned at the Board's last Meeting.

Ms. Donoghue stated the Town Manager requested the draft be produced as part of the Town's State Community Compact Initiative application.

Mr. Hincks stated, and the Board concurred, it might be helpful for future requests such as this for Ms. Donoghue to suggest that it should also be discussed with the Planning Board. Chairman Abair stated the Board supports the concept, but it would appreciate being involved.

Mr. Hincks and Mr. Carty referred to the draft and they questioned why a 15-person Commission would need to be established. Mr. Morely stated the last time the Town did its Master Plan, there was a large group of non-Planning Board people involved in the discussions as well as the Planning Board.

Minutes

Regarding the draft March 8, 2017 Meeting Minutes, Ms. Donoghue stated DRB Chairman Dan Martin requested they be amended, and copies were previously provided to the Board of a relevant section of the DRB's April 12, 2017 Meeting Minutes and the March 8, 2017 Planning Board Meeting Minutes.

Ms. Donoghue explained the DRB would like to amend that they did not participate in the Planning Board's votes at the March 8, 2017 Meeting as reflected in the draft Meeting Minutes.

The Recording Secretary stated she had been instructed over a decade ago that votes from Joint Meetings with two or more boards should be reflected as roll call votes from all in attendance even though it may be forgotten to do so. Thus, she reflected her understanding of what should have occurred in the draft March 8, 2017 Meeting Minutes.

The consensus of the Board was that Ms. Donoghue should share this information with Mr. Martin and that a vote to amend the March 8, 2017 Meeting Minutes should be postponed.

Regarding the draft April 12, 2017 Meeting Minutes, Mr. Morely requested for the second sentence of the next to last paragraph on Page 5 under the ANR for 183 Boston Post Road agenda item to read as follows: "Mr. Burtt stated the wall and the large, fully landscaped area will remain and that Buddy Dog was also pleased with the work Eversource did on the wall and landscaping."

On motion duly made and seconded, it was unanimously

VOTED: To approve the meeting minutes of April 12, 2017, as amended tonight by Mr. Morely.

Upcoming Meeting Schedule

The next meetings are scheduled for May 10, 2017 and May 24, 2017 at 7:30 p.m.

Miscellaneous

Approval Not Required Application – 49 Brimstone Lane

At 8:30 p.m., Chairman Abair opened a discussion regarding the original ANR plan submitted in 2010 for 49 Brimstone Lane. The Board was previously in receipt of copies of the relevant section of Section 81X of the Massachusetts General Laws and a draft letter to be sent from the Board to the Middlesex South Registry of Deeds dated April 26, 2017.

Ms. Donoghue stated it has recently been determined that an ANR application was endorsed by the Board in 2010, but the ANR was never recorded at the Middlesex South Registry of Deeds. Thus, a letter is being requested from the Board to serve as certification of the 2010 ANR Plan.

On motion duly made and seconded, it was unanimously

VOTED: To re-endorse the 2010 ANR Plan for 49 Brimstone Lane and to send the letter of certification to the Middlesex South Registry of Deeds as reviewed tonight.

Concord Road – Stone Wall

Mr. Carty asked for an update regarding the Concord Road new stone wall discussed at the Board's last Meeting.

Ms. Donoghue stated she has been informed that the new stone wall is the same distance from the right-of-way as the former wall was.

Mr. Morely stated that, had a Scenic Public Road Public Hearing been held, the Board would not have approved the style of stone wall which has been recently built without Board approval.

Mr. Hincks asked what the expectations are for what the public knows about Scenic Road bylaw requirements. Mr. Morely stated the Scenic Road bylaw only effects the right-of-way.

Chairman Abair stated the Board wants to avoid homeowners doing the wrong thing when they have the knowledge for what should be done. He asked if the Sudbury Historic Districts Commission has opined on the stone wall. Ms. Donoghue stated she has not received any feedback from the Commission.

Chairman Abair and Mr. Hincks stated the new stone wall looks better than the picket fence which it replaced. Mr. Hincks suggested the homeowner could be contacted to be told what the process should have been for constructing a new stone wall on a Scenic Road versus having the homeowner appear before the Board.

The consensus of the Board was for Ms. Donoghue to draft a letter to be reviewed by the Board, which would later be sent to the homeowner on behalf of the Board, explaining what the proper procedure should have been.

The meeting was adjourned by Chairman Abair at 9:36 p.m.