

Present: Chairman Steve Garvin, Peter Abair, Chris Morely, John Hincks, Charlie Karustis, Associate Member Nancy Kilcoyne, Meagen Donoghue (Director of Planning and Community Development), and Beth Suedmeyer (Environmental Planner)

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

Public Hearing – Scenic Road Application – 169 Marlboro Road (Assessor’s Map E08-0642)

Present: Applicants Charles and Mary Ann Sherwood

Mr. Abair recused himself from this agenda item and vote, and he temporarily exited the Hall.

At 7:35 p.m., Chairman Garvin opened a Public Hearing regarding the Scenic Road application submitted for changes to a Scenic Road Application filed by Charles Sherwood for property located at 169 Marlboro Road (Assessor’s Map E08-0642). The Board was previously in receipt of copies of the Public Hearing Notice and the Scenic Roads Application for Approval and an email from Mr. Sherwood dated July 17, 2017 with accompanying photographs.

Sudbury resident Charles Sherwood stated four small dead trees were cut back in the front of his property. Mr. Sherwood stated his landscaper cleaned up the area and built a small stone wall with stones from the property, and then he received a notice from the Town informing him of the need to complete an application for this Hearing. He also stated they would like to install granite posts to deter others from using this area as a turnaround.

Chairman Garvin explained Marlboro Road is a Scenic Road and the corresponding bylaw protects trees and stone walls, which are located in the Town right-of-way, from being removed or replaced.

Mr. Morely explained the width of the Town right-of-way varies throughout the Town.

Chairman Garvin stated the Board typically wants to review a surveyed plan to determine whether work has been completed on private property or on Town property, and he requested for the Board to receive a plan indicating where the stone wall is and the area proposed for the granite posts.

Mr. Sherwood clarified a stone wall was never moved on his property, noting a stone wall never existed since he acquired the property in 1998.

Mr. Morely suggested the Sherwoods contact the Town Engineer for assistance regarding marking off the right-of-way.

Mr. Karustis stated he drove by the property and thought the space was too small for most cars to turn around in and he does not think most people would think to park there.

Mrs. Sherwood stated the area has been needed at times as a safe parking option for workers at their residence, which is why they thought about marking it off with the granite posts.

Mr. Hincks stated parking is not so much of an issue but rather whether the posts will be on Town-owned land.

Mr. Sherwood noted a large tree branch fell and broke a light, and asked if this would be the Town's responsibility. Chairman Garvin stated he should address this issue with the Department of Public Works.

Mr. Sherwood stated they plan to be away for a few months and will work to provide the requested information and plan when they return in October, and he asked for a continuance of the Hearing until that time.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the Public Hearing regarding the Scenic Road application submitted for changes to a Scenic Road filed by Charles Sherwood for property located at 169 Marlboro Road (Assessor's Map E08-0642) to October 25, 2017.

Public Hearing – Stormwater Management Permit – 69 & 71 Brewster Road – (Assessor's Map H10-0100 & H10- 0900)

Mr. Abair returned to the Meeting.

At 7:50 p.m., Chairman Garvin opened a Public Hearing regarding a Stormwater Management Permit application submitted by Agustina Sumito, Trustee, Owner and Applicant, to construct a common driveway to serve two single family dwellings and associated improvements which will disturb approximately 133,800 sq. ft. of land, including approximately 123,079 sq. ft. of land area on slopes ranging from 10% to 20% with a total impervious area of 32,763 sq. ft. on a 926,844 sq. ft. parcel located at 69 & 71 Brewster Road (Assessor's Map H10-0100 & H10-0900), which was continued from July 26, 2017. The Board was previously in receipt of copies of a letter from Stamski and McNary, Inc. Vice President George Dimakarakos and engineer Molly Obendorf dated August 2, 2017 and accompanying updated maps and the "Stormwater Management Report for Common Driveway Plan 69-71 Brewster Road Map H10 Parcels 0900 & 0100 Sudbury, MA" dated April 24, 2017 and revised August 1, 2017. In

addition, copies of an email requesting a continuance from the applicant's engineer Molly Obendorf dated August 9, 2017 were distributed to the Board tonight.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the Public Hearing regarding a Stormwater Management Permit application submitted by Agustina Sumito, Trustee, Owner and Applicant, to construct a common driveway to serve two single family dwellings and associated improvements which will disturb approximately 133,800 sq. ft. of land, including approximately 123,079 sq. ft. of land area on slopes ranging from 10% to 20% with a total impervious area of 32,763 sq. ft. on a 926,844 sq. ft. parcel located at 69 & 71 Brewster Road (Assessor's Map H10-0100 & H10-0900) to August 23, 2017 or to another date to be determined.

Temporary Repairs on Private Ways Bylaw Amendment

Present: Sudbury residents Roberta Golick and Karen Paradise

At 7:50 p.m., Chairman Garvin opened a discussion regarding a proposed amendment to the Temporary Repairs on Private Ways Bylaw, and he welcomed Sudbury residents Roberta Golick and Karen Paradise to the Meeting. The Board was previously in receipt of copies of the 2016 General Bylaws Article VII (B) and a recommended revision from Department of Public Works (DPW) Director Dan Nason, an email from Ms. Paradise to Ms. Donoghue dated July 31, 2017 and accompanying letter to the Board of Selectmen, an email from Ms. Paradise to Mr. Nason and Ms. Donoghue dated July 28, 2017, emails from and to Mr. Nason and Ms. Paradise dated July 28, 2017, and a "List of Private Streets Sudbury, Mass." dated August 16, 2016. In addition, copies of an email from several Lincoln Lane residents dated August 7, 2017 and accompanying 1957 Annual Report Articles 35 and 36 were distributed to the Board tonight.

Roberta Golick, 30 Lincoln Lane, stated a group of residents initially were requesting a bylaw amendment, however, in recent weeks, new information has become known. Ms. Golick described Lincoln Lane as the last street before Sherman's Bridge, noting it is two-thirds paved, and one-third is a gravel/dirt road. She further stated the Town had been maintaining the unpaved section of Lincoln Lane twice a year by re-grading and filling pot holes for the past 35 years. This past spring, Ms. Golick stated Department of Public Works (DPW) Director Dan Nason informed her Lincoln Lane is a private way, and thus the road would no longer be maintained by the Town. She described the current condition of the road as deplorable. Through research, information has just been discovered indicating that Town Meeting voted in 1957 to acquire the entirety of Lincoln Lane. Ms. Golick also stated homeowners' deeds do not seem to indicate any form of private ownership. She emphasized there are significant public safety issues related to this situation. Ms. Golick stated Lincoln Lane is unique because it is a horseshoe road which is very narrow, and vehicles which enter on the paved part of the Lane exit through the unpaved section.

Chairman Garvin stated the Board asked Town staff to review the information provided regarding the possible taking of the road by the Town and it will revisit this issue once it receives feedback from Town staff.

Sudbury resident Karen Paradise, 46 Lincoln Lane, highlighted the Lane is near the Bridge and the border with Wayland, so many people from other locales utilize the Lane. Ms. Paradise also stated there have been two fires on Lincoln Lane and a history of the Lane and photographs have been compiled to present to the Board for review.

Mr. Morely stated the Board will want to review the backup documentation. He also noted this Lane is in a wetlands' area, and road maintenance even two times a year on the unpaved section would probably not be sufficient.

Mr. Hincks requested information regarding how DPW determines which private ways are maintained by the Town and which ones are not.

Mr. Karustis asked if snow is plowed on Lincoln Lane by the Town. Ms. Golick stated the Town plows snow, and Mr. Nason assured her this service would continue.

Sudbury resident Roberta Kanarek, 58 Lincoln Lane, stated she lives on the paved section of Lincoln Lane, and it is important to her that the entire road is maintained to facilitate emergency access and the ability to exit the area safely. Ms. Kanarek also expressed concerns about the future degradation of the paved section of the Lane.

Chairman Garvin briefly summarized the typical definition of private ways throughout the Commonwealth.

Sudbury resident Krisanne Bursik, 41 Lincoln Lane, stated she moved to Sudbury last year from Lexington. She stated neighbors had assured her the Lane had been maintained by the Town for decades, and she and her husband assumed Sudbury would never stop such services with no communication to residents. Ms. Bursik stated they would not have purchased this home in Sudbury had they known this was going to be the case, and they are disconcerted about the process which has occurred.

Mr. Morely noted the Town underwent a DPW personnel change and he believes the situation can probably be resolved.

Sudbury resident Richard Mansfield, 20 Lincoln Lane, stated Mr. Nason had referenced a Town bylaw which prohibited the use of Town funds to maintain private ways. Mr. Mansfield referenced the list of other Town private ways, noting he has driven to them and researched them, and he has found many discrepancies. He emphasized the list of Town private ways is imperfect. Mr. Mansfield stated there is no other private way

listed which is similar to Lincoln Lane in length. Chairman Garvin stated the Board is also interested in learning more about the list of private ways provided.

At 8:16 p.m., Chairman Garvin thanked the residents for their input, and he stated the Board would await receipt of more information from Town staff and then possibly discuss this item again at the Board's August 23, 2017 Meeting to be held at the Police Station Meeting Room.

Public Hearing – Site Plan, Stormwater Management Permit and Water Resource Protection District Special Permit – Sudbury Pines - 632 & 642 Boston Post Road (Assessor's Map K06-0004 & K06-0005)

At 8:16 p.m., Chairman Garvin opened a Public Hearing regarding the application of Roberta Henderson, Applicant & Owner, for Site Plan approval in accordance with the Town of Sudbury Zoning Bylaw Section 6300; the provisions of Article V (f), Section 5.C (Stormwater Management); and Sudbury Zoning Bylaw Section 4270 (Water Resource Protection District Special Permit), to construct a centralized Wastewater Works treatment plant and associated improvements which will disturb approximately 153,650 sq. ft. of land, including approximately 17865 sq. ft. of land on slopes ranging from 10% to 20%, with a total impervious area of 65,015 sq. ft., on a 7.3 acre parcel, located at 632 and 642 Boston Post Road (Assessor Map K06-0004 and 0005), zoned Limited Business (LBD1) and within Zones I and II of the Water Resource Protection Overlay District, which was continued from July 26, 2017. Copies of an email from the applicant's attorney Matthew Watsky to Ms. Suedmeyer dated August 9, 2017, agreeing to continue tonight's Hearing were distributed to the Board tonight.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the Public Hearing regarding the application of Roberta Henderson, Applicant & Owner, for Site Plan approval in accordance with the Town of Sudbury Zoning Bylaw Section 6300; the provisions of Article V (f), Section 5.C (Stormwater Management); and Sudbury Zoning Bylaw Section 4270 (Water Resource Protection District Special Permit), to construct a centralized Wastewater Works treatment plant and associated improvements which will disturb approximately 153,650 sq. ft. of land, including approximately 17865 sq. ft. of land on slopes ranging from 10% to 20%, with a total impervious area of 65,015 sq. ft., on a 7.3 acre parcel, located at 632 and 642 Boston Post Road (Assessor Map K06-0004 and 0005), zoned Limited Business (LBD1) and within Zones I and II of the Water Resource Protection Overlay District to August 23, 2017, subject to relevant information being received in a timely fashion for the Board's review.

Master Planning Process – Discussion

At 8:17 p.m., Chairman Garvin opened a discussion regarding a future Master Planning process. Copies of the “Sudbury Master Plan Scope of Work- DRAFT” submitted for a Community Compact Grant were distributed to the Board tonight.

Ms. Donoghue asked how the Board might want to participate in a new Master Plan process. She announced the Town received a \$20,000 Community Compact Grant to be used to complete a Master Plan by July 2019. Ms. Donoghue stated anticipated costs for a Master Plan process could range from \$50,000-\$80,000, and she is seeking other funding resources, including The Sudbury Foundation and Community Preservation Act monies. She noted she has contacted the Community Preservation Act Coalition for eligibility guidance.

Chairman Garvin asked if the Town is planning to budget any funds for this process. Ms. Donoghue stated she would need to discuss this with the Town Manager. Chairman Garvin suggested the scope of the Master Plan could possibly be reduced to match the funding available.

Mr. Abair referenced the current 2001 Master Plan, noting it provides a great framework for the scope of work. He further noted some sections of the Master Plan may only need to be updated, which would help to reduce costs.

Mr. Morely noted the first four items listed in the center of Page 1 of the DRAFT provided tonight have already been covered by the Town. Ms. Donoghue stated this list of bullet points on Page 1 was developed from the Board of Selectmen’s goal session discussion.

Mr. Hincks stated it would be helpful for the Board to discuss this topic with the Selectmen to clarify jurisdictional questions related to the project and process.

Chairman Garvin asked what the next steps should be leading up to issuing a Request for Proposal (RFP).

Mr. Morely stated a consultant was hired the last time the Town did its Master Plan to run the public process and to organize the information collected. He stated hundreds of people participated in the public process and there was input from several volunteer Task Forces.

Mr. Abair read aloud information regarding the process used to generate the 2001 Master Plan, noting this process is usually overseen by Planning Boards.

Mr. Morely asked Ms. Donoghue to research if Massachusetts General Laws address jurisdiction issues for a Master Plan.

Several Board members noted the Town can hire a consultant to do however much of the process it wishes based on funds available.

Mr. Karustis stated he would like to see an outline developed first of the topics to be included in a comprehensive Master Plan report.

Mr. Morely stated there has been prior discussion about developing a Route 20 Business Master Plan, and a consultant would be needed to help guide the Town.

Mr. Hincks stated he believes the Town needs to decide upon a scope of work and then determine in what areas expert help is needed. He believes it would be time well spent to reduce the scope of work before issuing an RFP.

Chairman Garvin highlighted the DRAFT document describes a Master Plan deliverable which the Community Compact will expect in order for the Town to receive the \$20,000.

Ms. Donoghue and Ms. Kilcoyne mentioned perhaps college students could be used to do research to help reduce costs.

Mr. Morely noted the Town has a Housing Production Plan and an Open Space Plan, and he suggested they be added to the Master Plan.

Ms. Kilcoyne asked if the Town is required to update its Master Plan. Ms. Donoghue stated it is recommended to do so every ten years. Ms. Kilcoyne stated she thinks the Town should spend time determining its wish list and what it would like Sudbury to look like in ten years.

Mr. Abair noted some sections of the Master Plan could be updated easily and other sections will require input from committees and task forces.

Chairman Garvin asked if there is suggested timing for when the RFP should go out for consultants. He suggested funding should possibly be requested at the October 2017 Town Meeting to facilitate work and that funding could possibly be phased by asking for the balance of funding at the May 2018 Town Meeting.

Mr. Abair stated he thinks the Board should meet with the Selectmen to express its commitment to a comprehensive Master Plan process and to determine what steps are needed to get additional funding at Town Meeting.

Chairman Garvin asked the Board to review the DRAFT provided tonight for further discussion at the Board's August 23, 2017 Meeting. Mr. Abair suggested Board members should also review the Town's current Master Plan.

Mr. Morely stated the Warrant for the October Town Meeting closes on August 31, 2017. He recommended it might be prudent for Ms. Donoghue to prepare an article placeholder for submission, on behalf of the Board, which could be voted on at the Board's August 23, 2017 Meeting. It was later suggested the article could be drafted for funding up to \$75,000.

It was noted Ms. Suedmeyer will be coordinating an update of the Open Space Plan in the coming year. Ms. Suedmeyer asked if Community Preservation Act (CPA) funds could be used for this purpose, noting the work would also relate to the Master Plan. Mr. Morely stated he would need to review the opinion of the CPA Coalition.

Ms. Kilcoyne stated the vision and goals of the Master Plan are the substance of the report. Thus, she suggested the majority of funds available should be directed to identifying the vision and goals.

Mr. Karustis asked who will be compiling the Plan report. He stated he envisions one or two individuals doing 90% of the work with others providing input. Chairman Garvin stated there should be someone to review what the goals should be and what committees/task forces might be needed.

Mr. Morely referenced Pages 6 and 7 of tonight's DRAFT, noting a breakdown of tasks is provided.

Mr. Hincks stated he believes there needs to be clarity established with the Selectmen regarding roles and responsibilities before the process can truly begin. He also stated he does not think the Town is at the point where an RFP could be issued.

Code of Conduct of Sudbury Committees and Email Communications Policy Discussion

At 9:00 p.m., Chairman Garvin opened a discussion regarding the "Code of Conduct for Town of Sudbury Committees Whose Members are appointed by the Sudbury Board of Selectmen or the Sudbury Town Manager" and the "Email Communications Policy for all Members of all Committees of the Town of Sudbury." The Board was previously in receipt of copies of the respective current Code and the current Policy.

Chairman Garvin reviewed the Town's email policy with the Board. He emphasized email responses should be sent only to Ms. Donoghue and not to all recipients, which could trigger an Open Meeting Law violation. Chairman Garvin stated the Town had a previous incident which was reported to the State, and thus it is important to ensure an email response is never sent to a quorum of the Board.

Mr. Morely suggested always following the practice of never hitting the "Reply All" button on email.

Miscellaneous

Ms. Donoghue announced she will begin a one-week vacation on August 11, 2017.

Ms. Kilcoyne asked if a site walk could be coordinated for her to see the Meadow Walk development. Chairman Garvin asked Ms. Donoghue to coordinate a date and inform Board members of the details.

Minutes

Chairman Garvin requested the word “good” in the first sentence of the second paragraph on Page 8 of the July 26, 2017 Meeting Minutes be replaced with the words “the last.”

On motion duly made and seconded, it was unanimously

VOTED: To approve the meeting minutes of July 26, 2017, as amended tonight by Chairman Garvin.

Upcoming Meeting Schedule

The next meetings are scheduled for August 23, 2017 (at the Police Station’s Meeting Room) and on September 13, 2017 at Town Hall.

Mr. Hincks and Ms. Kilcoyne stated they will not be able to attend the August 23, 2017 Meeting.

Chairman Garvin asked Ms. Donoghue and Ms. Suedmeyer to review the August 23, 2017 agenda schedule for the Sudbury Pines Public Hearing and other items in terms of Board attendance and the need for quorum continuity.

The meeting was adjourned by Chairman Garvin at 9:08 p.m.