

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

Absent: Beth Suedmeyer (Environmental Planner)

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

**Grouse Hill SRC – - Capital Improvement Policies and Procedures**

Present: Regional Housing Specialist Elizabeth Rust

At 7:30 p.m., Chairman Garvin opened a discussion regarding Grouse Hill SRC capital improvement policies and procedures, and he welcomed Regional Housing Specialist Elizabeth Rust to the Meeting. The Board was previously in receipt of copies of a draft memorandum from the Town's Planning and Community Development Office to Grouse Hill owners regarding "Capital Improvements Policies and Procedures."

Ms. Rust acknowledged tonight is Mr. Morely's last Meeting as a member of the Planning Board, and she thanked him for his many years of service to the Town, and for his assistance and feedback on Town projects.

Ms. Rust stated policies and procedures regarding capital improvements have been discussed in the past, but they were not including in any final decision or brought before a Town Meeting for a vote. She summarized tonight's draft policy, noting it has been written as a general policy specifically related to improvement projects, and it was based on the Department of Housing and Community Development (DHCD) standard list of eligible improvements. Ms. Rust stated the proposed procedures would require a requested improvement be approved by the Planning Board to be considered for addition to the resale price of a home. She explained capital improvements are defined as "necessary maintenance improvements not covered by a condominium or homeowner's association that, if not done, would compromise the structural integrity of the property," and she provided examples of eligible improvements.

Mr. Hincks initiated a brief review of the genesis for this agenda item to help inform Board members who were not on the Board at the time of previous discussions.

Board members noted a few typographical errors in the draft to be corrected.

Chairman Garvin asked how some improvements listed, such as painting the exterior of a house, a new roof or a new septic system would be determined, since they could be viewed as routine maintenance items rather than as capital improvements. Mr. Hincks

opined that such projects would likely be depreciated as part of the financial formula adjustment. Ms. Rust stated the improvements are determined as those which are necessary due to age and condition.

Mr. Morely expressed concern regarding most of the items listed as eligible capital improvements, stating he believes many of them would be covered by the condominium association's agreement. Chairman Garvin and Mr. Hincks concurred. A brief discussion ensued regarding what might be considered a luxury improvement versus a capital improvement.

The consensus of the Board was the list of improvements could be limited to accessibility-related improvements and other improvements could be identified by the homeowner and submitted for approval.

Mr. Morely suggested, and the Board concurred, that a preamble be added to the draft explaining the intent of the homes as being price-controlled in perpetuity and also explaining the rationale for the policies and procedures.

At 7:45 p.m., Chairman Garvin stated the Board would like Ms. Rust to work with Ms. Donoghue to revise the draft policies and procedures based on tonight's feedback and to incorporate the recommended revisions, and he closed the discussion.

**Preliminary Subdivision Application – 212 Pratt's Mill Road (Assessor's Map G05-0022)**

Present: Applicant Karl Borg, the applicant's attorney Joshua Fox and Hancock and Associates Land Surveyor Dan Bremser

At 7:45 p.m., Chairman Garvin opened a discussion regarding a preliminary subdivision application regarding 212 Pratt's Mill Road (Assessor's Map G05-0022). The Board was previously in receipt of electronic copies of an email from Assistant Fire Chief John Whalen dated October 10, 2017 and hard copies were distributed tonight, a memorandum from Ms. Donoghue to Town Department Heads dated October 2, 2017, the "Town of Sudbury Form B Application for Approval of Preliminary Plan" submitted by Karl Borg and accompanying plans, an email from Ms. Suedmeyer to Ms. Donoghue dated October 5, 2017, and a memorandum from Board of Health Director Bill Murphy dated October 5, 2017. In addition, copies of relevant sections of the Planning Board Meeting Minutes of February 11, 2015 and September 28, 2016 were distributed tonight.

The applicant's attorney Joshua Fox stated the application is for a proposed two-lot subdivision of a property which is zoned as residential, and is approximately 3.1 acres. He noted a previous preliminary plan considered three lots, but tonight's proposal has

been simplified to two lots. Mr. Fox stated there is currently a single-family home on the site which might remain, and the applicant wants to divide the property into two lots.

With the use of plan exhibit boards, Hancock and Associates Land Surveyor Dan Bremser briefly described the proposed plan to divide the property into two parcels. Mr. Bremser referenced the requested waivers as noted on page two of the plans. He stated the minimum distance required from intersecting streets is 360 feet per lot and there is not the required 720 feet. He explained the plan proposes a cul-de-sac as part of a common driveway to address frontage requirements, and a new single-family, four-bedroom home is proposed for Lot 2. Mr. Bremser stated the applicant's engineer was unable to attend tonight's Meeting, and he would like to verify with the engineer the distances noted on the plans (214 feet from Dutton Road and 259 feet from Oak Hill Road). He stated the existing driveway would be expanded to be 18 feet wide and paved, with a 24-foot gravel width, as recommended by the Fire Department, and the cul-de-sac has been added. Mr. Bremser also stated they would request a waiver to not install sidewalks, since there are only two houses proposed.

Chairman Garvin suggested it might be better to note that there would be a common driveway in lieu of a roadway. He also noted the Board typically asks for a payment to be made by the applicant to the Town's sidewalk fund instead.

Ms. Kilcoyne stated she understands why the cul-de-sac has been proposed, and that "it is what it is." She asked what the plan is for the roof runoff. Mr. Bremser explained the proposed plan to collect the runoff from the driveway and cul-de-sac to a subsurface drainage infiltration system.

In response to a question from Mr. Karustis, Mr. Morely provided some background regarding other Town projects which fell short of the 360-foot requirement previously mentioned. He also stated applicants would typically be asked to provide evidence of public benefit when the Board considers waiver requests. Mr. Morely asked if the reduction from the original three-lot proposal to two lots would be considered a public benefit by the applicant. Mr. Fox stated it would be considered as a public benefit and he noted there is currently a variance use for a machine shop on the property, which could be eliminated.

Mr. Morely stated the preference would be to not have a cul-de-sac cut through existing vegetation. He suggested a different configuration could be designed, which Chairman Garvin described as a hammerhead design, which could satisfy the requirements and also the needs of the Fire Department. Chairman Garvin stated he believes this would be a more refined solution than the cul-de-sac, and he urged the applicant to discuss it with the Fire Department.

Mr. Karustis stated the proposed cul-de-sac seems extreme to him. Chairman Garvin stated it was proposed to address the lack of required frontage.

Mr. Hincks asked about the current machine shop variance and when it was last active. The applicant Karl Borg stated it was possibly last used 15 years ago. Mr. Fox stated it would be a public benefit to phase out this non-conforming use variance for neighbors who would probably prefer prohibiting this industrial use in this location.

Chairman Garvin stated the Board would like to see some revisions made to the plans based on tonight's discussion and for the applicant to provide the public benefits associated with the proposed plan. He also stated the stormwater management plan would need to be reviewed by the Town's Stormwater Management Peer Reviewer.

Mr. Hincks stated it would be his hope that the revisions to the plans could also reduce the proposed increase in impervious surface.

Mr. Fox highlighted on the plan exhibit boards that three intersecting streets noted are only approximately 280 feet apart.

The consensus of the Board was to continue this Public Meeting discussion to November 8, 2017.

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

At 8:15 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 September 27, 2017. Copies of an email from Stamski and McNary, Inc. Vice President George Dimakarakos dated October 11, 2017, requesting for tonight's Hearing to be continued to a future date and emails to and from Molly Obendorf and Ms. Suedmeyer dated September 28, October 2, October 4, and October 10, 2017 were distributed tonight.

On motion duly made and seconded, it was unanimously:

VOTED: To immediately 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).

Ms. Donoghue discussed the state of the prolonged open hearings for 69 & 71 Brewster Road and of Sudbury Pines, noting there have been changes to the Board. Ms. Donoghue indicated she would be writing a letter to the applicants for both cases providing options, including withdrawing without prejudice or having the Board deny the projects. Mr. Garvin agreed and he suggested both applicants should consider withdrawing their applications.

**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 8:00 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 September 27, 2017. Copies of an email from the applicant's engineer Kevin O'Leary dated October 11, 2017, requesting for tonight's Public Hearing to be continued to a future date were distributed tonight.

On motion duly made and seconded, it was unanimously:

VOTED: To immediately 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.

**Minor Site Plan Decision – Sudbury Plaza -Wellyn Inc. c/o/ Gravestar Inc. – 505-525 Boston Post Road (Assessor’s Map K07-0005, K07-006 & L07-0014) – Sign Approved Minor Site Plan Decision**

At 8:18 p.m., Chairman Garvin opened the agenda item to sign the Minor Site Plan Decision regarding the application of Michael Doherty, Gravestar Inc., owned by Wellyn Inc. c/o Gravestar Inc., property located at 505-525 Boston Post Road (Assessor’s Map K07-0005, K07-006 & L07-0014), zoned Limited Business District 2, for Minor Site Plan approval in accordance with the Town of Sudbury Zoning Bylaw Section 6300, which was approved at the Board’s September 27, 2017 Meeting. The application requested the widening and reconfiguring of the driveway on the west end of the plaza as part of the intersection improvement project proposed for Route 20 Meadow Walk Development north of the Sudbury Plaza, reconfiguration of the parking areas located to the east and west of the new access driveway, removal and relocation of 32 parking spaces, construction of approximately 1,700 sq. ft. of pervious landscape area, the construction of new granite curbing and sidewalk connection, relocating 32 parking spaces and adding 3 parking spaces to other areas of the plaza, including the re-establishment of 11 parking spaces to the north of the CVS store that were previously removed. All construction is within the existing or prior limits of the plaza pavement areas, with the reduction in impervious area and increase in landscape area. Copies of a draft “Site Plan Modification Decision Sudbury Planning Board” dated October 11, 2017 were previously sent to the Board electronically and hard copies were distributed tonight.

For the record, Mr. Morley stated he was dismayed that the recently approved plan did not include a full plan for the site, and he hopes further site improvement plans will be forthcoming in the future.

At 8:19 p.m., Board members proceeded to sign the approved Site Plan Modification Decision Sudbury Planning Board dated October 11, 2017, regarding the request and application of Michael Doherty, Gravestar Inc., owned by Wellyn Inc. c/o Gravestar Inc., property located at 505-525 Boston Post Road (Assessor’s Map K07-0005, K07-006 & L07-0014), zoned Limited Business District 2, for Minor Site Plan approval in accordance with the Town of Sudbury Zoning Bylaw Section 6300.

**Northwoods at Sudbury – Request for Site Plan Approval Extension - (Assessor’s Map C11—0302)**

Present: Owner and developer Jon Delli Priscoli

At 8:30 p.m., Chairman Garvin opened a discussion regarding the request from First Colony Northwoods, LLC for an extension to the Site Plan Approval. The Board was previously in receipt of copies of a letter from the applicant's attorney Joseph Antonellis dated September 26, 2017.

After many delays, the property owner and developer Jon Delli Priscoli, 42 Westborough Road, North Grafton, MA, stated he is ready to begin construction to complete the 19 units at Northwoods. Mr. Della Priscoli respectfully requested a two-year extension to the site plan approval, noting the project has previously been well-vetted and there are no changes proposed. It was noted the current approval expires on October 30, 2017.

Chairman Garvin referenced information in Mr. Antonellis' letter that the applicant was prevented from starting the project for 50 weeks of the current approval period. He asked if a one-year versus a two-year extension should be considered. Mr. Delli Priscoli stated he would prefer to have the two-year extension because project completion will be driven by sales, and he is not sure how much time will be needed. He also stated he plans to price the units reasonably, and he will work with the Town to complete the project as soon as is possible. In response to a question from Mr. Karustis regarding the timeline, Mr. Delli Priscoli stated the site is already prepped, he plans to start work immediately, and he believes a two-year extension request is appropriate. Mr. Delli Priscoli also provided a brief background regarding his construction experience, and he emphasized he lived in Sudbury for many years and he still has several ties to the Town.

Mr. Abair asked if input has been provided to the Board from Town Counsel, and Ms. Donoghue stated there has not been any input received.

Mr. Delli Priscoli highlighted it is important for permits to be current to complete the work, which he believes is in the best interests of all parties.

Mr. Karustis stated he had no objections to a two-year extension. Mr. Morely concurred, stating he could see no reason to only approve a one-year extension and have the applicant return to the Board next year.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the request from First Colony Northwoods, LLC for a two-year extension to the Site Plan Approval.

### **Master Planning Process – Discussion**

At 8:30 p.m., Chairman Garvin opened a discussion regarding a future Master Planning process. At its last Meeting, he stated the Board discussed forming a Master Planning

committee and they discussed its possible composition. He also stated he and Ms. Donoghue attended a Board of Selectmen's Meeting regarding this project.

Ms. Donoghue stated an article for project funding will be presented at the October 2017 Special Town Meeting (STM) by Chairman Garvin. She noted the Finance Committee has discussed the article and she believes the Committee expressed some concerns, but she is not sure if it voted a position yet on the article.

Chairman Garvin stated he and Ms. Donoghue will prepare a Power Point presentation for the STM highlighting the benefits of updating the Mater Plan.

Ms. Donoghue stated it has been suggested that she should also contact The Sudbury Foundation regarding funding after the STM.

Chairman Garvin asked if clarification has been received regarding when the 18-month time frame began/begins for the State's Community Compact Grant of \$20,000 for the project. Ms. Donoghue stated she is awaiting an answer from the Town Manager regarding the State's deadline for completion.

Mr. Morely stated the 2001 Master Plan was very much a living document and it was used and referenced often by the Town for many purposes. Mr. Hincks stated he can understand how some might perceive a 17-year old document as just "sitting on a shelf and collecting dust."

Chairman Garvin highlighted the Town is different than it was in 2001 and there are benefits to be gained from an update.

Mr. Abair stated he believes the update is needed and it is an opportunity for residents to exercise some control over the Town's future. Mr. Hincks concurred, and he suggested mentioning in the STM presentation that the Town will be looking for residents to become involved in the project's process.

At 8:40 p.m., Chairman Garvin stated the Board will discuss this topic again at future meetings after it hears public input received at the October 2017 STM, and he closed the discussion.

### **Grouse Hill – Request for Bond Release**

Present: Capital Group Properties Permitting Manager Daniel Ruiz

At 8:40 p.m., Chairman Garvin opened a discussion regarding the request submitted by Capital Group Properties for a bond release for Grouse Hill, and he welcomed Capital Group Properties Permitting Manager Daniel Ruiz to the Meeting. The Board was



previously in receipt of an email from Mr. Ruiz to Ms. Donoghue dated October 4, 2017 and accompanying letter from Peoples Engineering dated September 28, 2017. In addition, copies of the “Definitive Decision Incentive Senior Development Special Permit Grouse Hill” dated December 13, 2006 were distributed tonight.

Mr. Ruiz stated he reviewed the previous plans and decisions from the Board and he found the last open item to be related to the active path and septic system. He referenced the Peoples Engineering letter, and he summarized previous septic system evaluations and cleanings. Mr. Ruiz stated the system appears to be working properly as of September 15, 2017, and the pumps appear to be in good condition.

On motion duly made and seconded, it was unanimously:

VOTED: To approve a bond release for Grouse Hill in the approximate amount of \$32,000, noting this amount is to be reconciled at a later time, as requested by Capital Group Properties.

### **Miscellaneous**

Mr. Hincks asked about the status regarding the Stony Brook Market sign.

Ms. Donoghue stated the Building Inspector issued an enforcement order, but the Market owner is in the process of appealing the action with the Zoning Board of Appeals, because the owner believes the sign was approved as is.

Due to Mr. Morley’s resignation from the Board, Chairman Garvin stated the Board will need to fill his position for the remainder of his term which expires next spring. He asked Associate Member Kilcoyne if she is interested in being appointed as a full Board member. Ms. Kilcoyne stated she would very much like to become a full member of the Board. Chairman Garvin asked Ms. Donoghue to advertise the position and to begin to coordinate the joint process with the Selectmen to fill the open position.

### **Minutes**

On motion duly made and seconded, it was unanimously

VOTED: To approve the meeting minutes of September 27, 2017.

### **Upcoming Meeting Schedule**

The next meetings are scheduled for October 25, 2017 and November 8, 2017 at Town Hall. Mr. Hincks noted he will be unable to attend the October 25<sup>th</sup> Meeting.

**Recognition of Chris Morely**

Mr. Abair noted former Planning Board Chairman Craig Lizotte is in attendance tonight to join the Board in expressing its gratitude to Chris Morely, who has remarkably served Sudbury in numerous capacities for so many years. He stated it has been an honor to serve on the Board with Chris and to have the opportunity to learn so much from his expertise and encyclopedic knowledge of the Town's history and previous projects and decisions. Mr. Abair stated Chris' work will be forever remembered in Sudbury's historical records.

Mr. Hincks stated Chris has been a tremendous compass for what has been/is in the best interests of the Town and for what has been/is important to residents.

Chairman Garvin stated everyone is in Chris' debt, and he concluded the Meeting.

The meeting was adjourned by Chairman Garvin at 8:55 p.m.