

PLANNING BOARD MINUTES

JANUARY 10, 2018

Present: Chairman Stephen Garvin, Vice-Chairman Peter Abair, Nancy Kilcoyne, Meagen Donoghue (Director of Planning and Community Development)

Absent: John Hincks and Charlie Karustis

At 7:31 p.m., Chairman Stephen Garvin called the meeting to order.

**Vote to Continue Public Hearing – Stormwater Management Permit – 70 Indian Ridge Road, (Assessor’s Map J09-0312) to the January 24, 2018 Meeting**

On Motion duly made and seconded, it was unanimously

VOTED: To Continue Public Hearing – Stormwater Management Permit – 70 Indian Ridge Road, (Assessor’s Map J09-0312) to the January 24, 2018 meeting.

**Discussion of Warrant Articles for 2018 Annual Town Meeting**

At 7:33 p.m., Ms. Donoghue opened the discussion regarding the Warrant Article regarding the bylaw covering recreational marijuana use in the town of Sudbury. She reviewed that at the last meeting, the Board voted to prohibit recreational facilities in accordance with Sudbury zoning regulations. She also told Board members that she is planning to write a second article to add a line into the ANR bylaw; and has until January 31, 2018 to do so. Additionally, Ms. Donoghue stated that she worked with the Sudbury town council, who authored amended Article 7000, which prohibits “Marijuana Cultivator,” “Marijuana Establishment,” “Marijuana Product Manufacturer,” “Marijuana Products,” and “Marijuana retailer.” Ms. Donoghue also suggested that the Board may even want to amend medical marijuana in the bylaws.

Chairman Garvin spoke about several potential edits to Article 7000; adding the term: “by the Commonwealth of MA” to both the “Marijuana Cultivator” item of the Article and the “Marijuana Product Manufacturer” item. Chairman Garvin questioned the idea of there being more terms to define marijuana that the Board is aware of. Ms. Kilcoyne stated that these are the products as defined by MA law, and suggested that the term: “including, but not limited to” also be added. Board members were in agreement.

Ms. Donoghue asked if the Board was ready to vote on these edits tonight.

Chairman Garvin responded that the Board should vote to accept draft articles as amended tonight to keep things moving, even though two Board members were missing from the meeting. He added that if the absent Board members want to edit further; they can give those edits to Ms. Donoghue and sign at the next Board meeting.

On motion duly made and seconded, it was unanimously

VOTED: To draft article for 2018 Annual Town Meeting regarding Zoning Bylaw as Amended.

### **2017 Annual Planning Board Town Report – Review and Vote**

At 7:44 p.m., the Board reviewed the Sudbury Planning Board 2017 document and made comment that this was the first time they had seen Financial Data included in the annual report. Ms. Donoghue explained that it was in fact the first time that the Financial Data was included and that by including the financial information, the Town of Sudbury would qualify for GFOA Award, which is a state award that Sudbury is applying for, and is basically an honor of merit and recognition.

Ms. Kilcoyne then led a conversation regarding some of the sources of the escrow line item.

On motion duly made and seconded, it was unanimously

VOTED: To approve the 2017 Annual Planning Board Town Report as amended.

### **Discussion of Master Plan Process**

At 7:46 p.m., Ms. Donoghue initiated the discussion by telling the Board that she submitted a grant application to The Sudbury Foundation, asking for a \$55,000 grant – which would increase the budget to \$150,000 for the funding of a consultant. She added that she is working on a RFP, which is a lengthy and difficult process. Ms. Donoghue informed the Board that if the grant is approved; the funds would not be available until March. She explained that she had spoken to the Sudbury Town Manager today and found out that an extension could be requested if needed; and that a consultant could be contracted to begin before that time. An option was here outlined by Ms. Donoghue, stating that a person from the regional planning agency (MAPC) could be considered and that she e-mailed the MAPC today to get a sense of estimated cost and timeline – but that she had not heard from them yet.

Chairman Garvin added that the Board could consider phasing the position, working with the funds currently available and then consider applying for grant extension. Ms. Donoghue agreed that this was a possibility.

Vice-Chairman Abair questioned if this meant that an independent consultant (non-MAPC) could be hired initially for a phase or period and then compensated by an extension approach. Chairman Garvin replied that the contract could be presented in phases; perhaps by getting a hard dollar amount in Phase I as determined by the prospective consultant; and then an estimated or actual dollar amount for Phase II, also provided by the prospective consultant.

Ms. Kilcoyne asked if quality of product might be different when comparing MAPC hire to an independent consultant. Ms. Donoghue added that this was her concern as well; as an independent consultant is more apt to give 100%; while a MAPC person is going in different directions perhaps, with other projects simultaneously.

Chairman Garvin suggested presenting an RFP to MACP, to see what the response might be; and use MAPC as a fall back. Ms. Donoghue added that she liked that idea, and would hope to get the RFP completed by next week, but could not promise it – due to being involved with CPC as well. She also said that the Board could go through the RFP process, hire someone; but not sign the contract until award funds are available.

Ms. Kilcoyne stated the possibility that MAPC could do the Existing Conditions and then have a consultant do the rest – “the meat and potatoes” of the assignment. Chairman Garvin added that if the responsibilities are too limited, the best and most qualified consultant might not be interested.

Vice-Chairman Abair offered the concept of waiting and for the Board to do the preparatory work until such time as grant funding; including starting with the identification of participants from the community that we want involved.

Chairman Garvin responded that the Board had recommended to have the prospective consultant be part of that process. Ms. Donoghue added that she spoke with the Planning Director from Concord last week and she said that Concord is currently going through a Master Plan Process as well. She continued to inform the Board that Concord originally put out two RFPs at \$130,000, and got no responses. And for this reason, Ms. Donoghue expressed her fear that by splitting the “pot” between an independent consultant and MACP, the most qualified consultant may not be interested.

Chairman Garvin posed the possibility that the Board might not be awarded the grant – and then what would the necessary action be. Vice-Chairman Abair asked how much funding was available at this time. Ms. Donoghue responded that \$95,000.00 was available now; and with proposed grant it would be \$150,000. To that information, Chairman Garvin suggested the Board could go forward with providing the \$95,000.00 for funding of Phase I (or even \$75,000.00 for Phase I) and then hopefully get good leads in response from the posting and determine if there is an interested consultant that the Board would have great interest in working with. And after Phase I was completed; obtain other grants or go back to Town Meeting for remainder funding.

Ms. Donoghue offered to ask some of her consulting associates what experience they might have with phasing position in a Master Plan and what the related costs are.

Ms. Kilcoyne said that she was stuck on the existing conditions and the “vision” part. She added that phasing might be the way to go; but wondered if it would be enough for a prospective consultant. She does feel that it is time to get started on this.

Ms. Donoghue offered the option of considering graduate students involved in Master Planning, which would mean less money. This approach would mean not going through the RFP process. Chairman Garvin responded that the graduate student option might not fit into the Board’s more immediate schedule. Ms. Kilcoyne added the consideration of paid internships or hiring such a person for the summer. Ms. Donoghue offered to find out more about the intern idea; but stressed that the individual in that situation might not have years of experience and that the timing involved in getting such a candidate might take longer. Ms. Donoghue shared the idea of doing an RFP and going out to bid, but not signing the contract until the Board has the funds.

Chairman Garvin stated that a phase approach with contingent funds is very common with surrounding towns. He added that this contingent/ phase concept is fine, as long as the contract is defined. He then stated that it might be a good idea for Ms. Donoghue to send Board members a RFP that could be a basis for discussion in figuring out the breakpoint in phasing.

Vice-Chairman Abair stated that the Board can further explore, should the grant not come through. At this point, Ms. Donoghue asked if the Board would like to create a subcommittee for this aspect. Chairman Garvin said he thought it best to wait and have a full Board of members present before making that decision. But he did recognize the merit of the idea.

#### **Administrative Report**

At 8:11 p.m., Ms. Donoghue welcomed Debbie Takacs as the Board's new recording secretary. She explained that Debbie was recording the televised meeting at home, but if the Board wanted her present for a particular meeting; that would be fine, especially executive sessions.

At 8:13 p.m., Vice-Chairman Abair re-introduced the inclusionary zoning bylaw. He continued by saying that it is important for the town of Sudbury to stay ahead of the curve; in terms of affordable housing inventory. He also stated that Sudbury has exceeded the affordable housing mark (exceeding 10%) and maintained that as a community this is where Sudbury wants to stay. Vice-chairman Abair passed out the "MA Smart Growth" toolkit, which basically is a template for inclusionary bylaw. He then suggested that the Board might want to consider submitting a warrant article to address this important topic. Ms. Kilcoyne asked about the definition of "affordable status." Chairman Garvin responded by stating that the definition is a state definition and varies by town; and that in Sudbury, the requirement is no more than \$70,000 for a family of four. He agreed that this is an important topic, but maybe a bit too ambitious to consider at this time with the Master Plan Project being a primary focus. Vice-Chairman Abair offered to present this item on a future agenda.

#### **Minutes for Approval – November 21, 2017 and December 13, 2017**

At 8:20 p.m., Ms. Donoghue said that these minutes were not ready and that she is still working on them and hopes to have them ready to approve at the next meeting.

#### **Meeting Schedule – January 24, 2018; February 14, 2018 and February 28, 2018**

Ms. Kilcoyne informed the Board that she would be absent from the February 14<sup>th</sup> meeting. Ms. Donoghue said that she hopes for a quorum for the January 24<sup>th</sup> meeting, and she will do some checking.

The meeting was adjourned by Chairman Garvin at 8:23 p.m.