

PLANNING BOARD MINUTES

June 27, 2018

Present: Chairman Stephen Garvin, Charles Karustis, Nancy Kilcoyne and Beth Suedmeyer, (Environmental Planner).

Absent: Vice-Chairman Peter Abair, John Hincks, Justine Finnicum, and Meagen Donoghue (Director of Planning and Community Development).

The statutory requirements as to notice having been complied with, the meeting was convened at 7:30 p.m., in the Lower Town Hall.

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

Public Hearing – Definitive Conventional Subdivision Application and Stormwater Management Permit – 212 Pratts Mill Road, (Assessor’s Map G05-0022)

Chairman Garvin stated that a request for continuance of the Public Hearing was made.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the Public Hearing – Definitive Conventional Subdivision Application and Stormwater Management Permit – 212 Pratts Mill Road, (Assessor’s Map G05-0022).

Continued Public Hearing – Site Plan Approval and Stormwater Management Permit – 415 Boston Post Road, (Assessor’s Map K08-0006)

Present: Joshua Fox, Applicant’s attorney from Rollins, Rollins & Fox; Jake Parsons, Owner; and Vito Colonna, PE from Sullivan Connors & Associates.

Mr. Fox began by indicating at the last meeting, there were a few points left open. First, Mr. Colonna and the peer reviewer did not have an opportunity to review all of the notes regarding stormwater. The second point involved a request from a few members of the Board to present more formal elevations, which were since submitted. He stated several 3D renderings were also submitted showing what the building would look like with some signage. Mr. Fox added that sign approval was not being requested at this time.

Mr. Colonna mentioned that after the last meeting, Horsley Witten (HW) provided a follow-up review based on the revised plans. He added the latest plan does address the location of the drywell. He noted that HW recommended the drywell move 50 feet from the septic system and requested additional testing. Mr. Colonna explained how the water management plan was changed with the majority of the runoff going to the back of the site. He detailed that this approach gets the runoff further away from the septic system and the testing performed was closer to the system. He added that these changes address the Board’s previous concerns. Mr. Colonna stated the discharge implementation and filing with Conservation was required and is ready to be submitted. Mr. Colonna indicated Mass DOT’s approval has not yet been confirmed. He added Mass DOT wanted assurance there were no outstanding issues and since the site was the old Police Station, there was no freezing during the winter. Mr. Colonna confirmed that a related application was sent to Mass DOT and their official response had not yet been received.

Referring to the exhibit boards, Mr. Parsons briefly described the elevation plans. Chairman Garvin acknowledged the plans still needed to be presented to the Design Review Board, who may have further comments regarding materials or structure. Chairman Garvin asked if there was any way the retaining wall could be altered to better extend the connectivity idea. Mr. Parsons responded that in terms of connectivity, breaking through a retaining wall is difficult and did not see the need for doing so. Mr. Fox and Mr. Parsons further discussed the difficulties of moving the retaining wall stating the action would require the neighbors' permission. He added there was also uncertainty concerning the utilities. Mr. Fox stated that in respect to connectivity, a sidewalk runs along the frontage for the property. He noted in addition, there is 10 - 15 feet of green space, which does not have a sidewalk and suggested the future installation of a sidewalk allowing connectivity from Raymond Road to Nobscot Road. Chairman Garvin stated he appreciated the suggestion adding it enables improvement to the right of way for connection helping to move this concept along; ultimately allowing parking flexibility.

Mr. Karustis added he also appreciated the addition of the sidewalk, thus helping with the connectivity aspect. He suggested the possibility of incorporating a stairway running along the retaining wall allowing for more open flow. He noted this may be good for business as patrons can park in one area and walk to several business sites without moving their vehicles. Mr. Karustis said the Board could not condition this recommendation, but suggested the neighboring businesses may be willing to contribute to the cost of extending the walkway. Mr. Parsons said he was open to the idea with the stairway. Mr. Fox was in agreement and thought the placement of the stairwell was a good idea with room for further connection in the future.

Mr. Karustis appreciated the applicant's efforts and endorsed the connectivity aspect of the project. He mentioned the conditioning of additional test pits.

Ms. Suedmeyer stated though this proposal did not actually meet the requirements of the Mass DEP Stormwater handbook, the peer reviewer felt it was adequate, given the conditions of the soil. She suggested conditioning of the test pits later upon excavation/construction for confirmation of adequacy. Chairman Garvin recommended testing be done at the beginning of construction and not prior to installation of stormwater.

Mr. Colonna indicated he did not think Mass DOT would have an issue with the driveway regarding stormwater runoff. He added this reflects existing flow and the applicant is not changing anything. He noted typically in the past, the State has allowed continued use of the overland flow.

Ms. Kilcoyne asked if additional architectural elements had been considered. Mr. Parsons stated he was open to any suggestions. Ms. Kilcoyne suggested a different colored frame around the front entry doors, distinguishing the entries for people coming into the building. Mr. Parsons agreed with changing the color scheme.

Ms. Suedmeyer stated that she reached out to a former colleague at DOT, who informed her there appeared to be no concerns when reviewing the preliminary plans.

Chairman Garvin told the applicant it would be helpful to provide a full set of plans for clarity going forward. Chairman Garvin summarized the connectivity aspect was addressed, the landscaping topic would be discussed by the Design Review Board, and Mass DOT would not make comment until they reviewed the formal application. He also added that the test pit procedure would take place before construction began.

Mr. Karustis asked the Chairman if he thought it was feasible if Mass DOT would request changes. Chairman Garvin replied stating Mass DOT may come back with the idea of putting a trench drain across the front. He added the applicant should try to capture everything in order to increase the infiltration system. Mr. Colonna agreed that if this project were new construction, there would be more extensive measures Mass DOT would require, but with a redevelopment project, it is different.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the Stormwater Management permit for 415 Boston Post Road, with the conditions stipulated: that Ma DOT review and approve the Stormwater Management application, and additional test pits be completed prior to construction.

On motion duly made and seconded, it was unanimously

VOTED: To approve the site plan for 415 Boston Post Road, with condition, if any; from Mass DOT, Design Review Board approval, exploration potential for back stairwell connectivity, and DPW review of front sidewalk plan; prior to construction.

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

On motion duly made and seconded, it was unanimously

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

Discussion – Notice of Intent to Sell Land under MGL C.61A, s.3 – Lot 42 & 43 Fox Hill Drive (Assessor's map B07-0214 & B07-0215)

Ms. Suedmeyer reviewed the status of Lot 42 & 43 on Fox Hill Drive, which are under MGL Chapter 61A. This triggers a right for first refusal for the Town to acquire a property that has been enrolled in the Chapter 61A program. She detailed that Chapter 61A is an agricultural use designation and the two lots are already subdivided. The proposal is to construct a single family home on each lot, both encompassing a total of 9.8 acres. Ms. Suedmeyer indicated this land was a part of a subdivision approved in the 1980s. Parcel #2 was released from Chapter 61A in 2016, and there are four more parcels within the subdivision currently enrolled in the Chapter 61A program.

Mr. Karustis asked if the other parcels would be taxed differently.

Ms. Suedmeyer replied they would be taxed as buildable lots instead of agricultural land and additionally there could be associated penalties for removing them from Chapter 61A enrollment. If this is the case, the Town loses the opportunity for the first right of refusal. She added that the Town might still have a year to act.

Chairman Garvin asked how many parcels remain. Ms. Suedmeyer answered that four parcels would remain in addition to the two lots being discussed now. She added that the Board of Selectmen would be considering the Notice of Intent to sell at their meeting at their July 10, 2018 meeting. They will likely indicate the Notice of Intent is sufficient and acceptable. Then various boards and committees will comment on this opportunity.

Chairman Garvin stated because there was not a full Board this evening, a consensus on this property would not be made tonight. Mr. Karustis questioned ownership. Ms. Suedmeyer answered stating the seller is removing the two lots from Chapter 61A by sending this notice. This is the beginning of the right of first refusal process. As for the other parcels, the Assessor's office would contact the owner to inform them of the coverage under Chapter 61A status would no longer be recognized due to the decreased amount of land required.

Ms. Suedmeyer added there is steep sloping on lot #42 and that both lots are in Zone Residentail A-1.

Chairman Garvin added there is a large solar park next to the parcels, thus there may not be high value in these particular lots.

Mr. Karustis added the best value might be in extending the solar park.

Chairman Garvin stated the greater consideration might be to add more housing for the Town. He added he wanted to share this information with the rest of the Board members and review what the Board of Selectmen had to say about the parcels.

Ms. Suedmeyer suggested putting this on the next agenda where all Board members may be present.

Ms. Kilcoyne added the solar park appeared to be in Maynard.

Master Plan Update

Chairman Garvin reviewed the correspondence from Ms. Donoghue updating negotiations. He referred to some confusion on page 3 in reference to Board of Selectmen and the Planning Board, listed as community representatives, and pg. 12 referring to "the elected official's roundtable" mentioning the Planning Board. He queried if the elected officials roundtable should be the Planning Board and the Board of Selectmen, which he felt would make sense based on the laws of the Master Plan.

Mr. Karustis agreed that representatives from both the Planning Board and the Board of Selectmen had to be included in this Master Plan document.

Chairman Garvin indicated the Board will further discuss the representation involved with the Master Plan. He thought perhaps splitting Planning Board members for certain aspects of the Plan might be a good approach. He added this would assist with the monthly meeting commitment where various members have different areas of interest and expertize. Mr. Karustis agreed with the assigned interest approach in addition to the appointment of one or two Board members consistent throughout the process.

Ms. Suedmeyer added that some towns have a steering committee that is consistent throughout the process, with subcommittees that meet for various areas of interest. Each subcommittee would have one member present at all meetings. She added that at a recent MAGIC meeting there was an update from each of the towns highlighting where they were with the Master Plan process. She said Concord had been developing their new Master Plan over the course of the last two years. Concord's Director of Planning reported that it has been the most engaged committee meeting consistently for twice a month. Ms.

Suedmeyer added that a subcommittee could be a good way to go for those who might not be able to commit to the full process schedule.

Administrative Report

Ms. Suedmeyer conveyed Ms. Donoghues apologies for not being able to attend tonight's meeting due to illness. Chairman Garvin stated he spoke to Ms. Donoghue earlier, and there was no specific administrative report items.

Meeting Schedule

Chairman Garvin stated that the next two meetings are scheduled for July 11, 2018; and July 25, 2018.

Chairman Garvin recognized a member of the public.

Resident, Denise Ranieri, of 8 Trevor Way, indicated she was interested in learning more about the waste treatment plant that was supposed to be up for a motion to approve the site plan application for Sudbury Pines.

Chairman Garvin answered the wastewater treatment plant for Sudbury Pines, 632 and 642 Post Road was continued, and because there was no quorum of Board members tonight, nothing was discussed. He added that the Sudbury Pines is trying to improve their wastewater situation. He added the Board has previously requested a number of items from the applicant, but have not reviewed those yet. He added that is where the process stands now and at least four members must be present for a vote regarding Special Permit consideration.

Ms. Suedmeyer added that a peer review is taking place as well for technical engineering and design, as well as wastewater treatment and the stormwater design. She added that the public hearing for Sudbury Pines will probably be continued at the July 25, 2018 meeting, and the comments from the wastewater treatment plant were not expected in time for the July 11 meeting. Ms. Suedmeyer offered her office and telephone information so that Ms. Ranieri could follow-up if she wanted to review the site plans as well.

At 8:25 p.m., Chairman Garvin adjourned the meeting.