

PLANNING BOARD MINUTES

AUGUST 8, 2018

Present: Chairman Stephen Garvin, Vice-Chairman Peter Abair, John Hincks, Charles Karustis, Nancy Kilcoyne, Justin Finnicum, and Meagen Donoghue (Director of Planning and Community Development).

Absent: Beth Suedmeyer, Environmental Planner.

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

Chairman Garvin opened the meeting at 7:30 p.m.

Public Hearing – Stormwater Management Permit – 0 Goodman’s Hill Road, Lot A Walker Farm, (Assessor’s Map K10-0206)

Present: Ali Hayat, Owner; and Jason Dubois, PE, of DC Engineering and Survey.

Mr. Dubois described the stormwater project: The property has a roof recharge system with gutters that feed underground chambers. A proposed, pea stone diaphragm by the side of the driveway would catch and send water through a pipe, into a riprap swale and discharge further down Walker Hill Road. Ultimately, water would go into a retention area on Goodman’s Hill Road with additional recharge. Mr. Dubois added that he had no problem installing that trench drain at the bottom of the driveway in order to prevent water from releasing into the catch basin.

Ms. Donoghue affirmed that an e-mail from the Town Engineer to the Board stated his preference that a trench drain be installed across the proposed driveway, and did not want water flowing into the Town catch basins.

Mr. Karustis reiterated the Town Engineer’s recommendation to install a trench drain at the bottom of the proposed driveway, and he added that he briefly looked at the peer reviewer’s comments received today, and noted that some items have been addressed and some are outstanding.

Mr. Hincks stated when reading the peer reviewer’s comments, the slope of the driveway was mentioned. Mr. Dubois stated that after much review, the driveway was able to be drawn with a 10% slope.

Ms. Kilcoyne asked if the slope could be 9%, instead of 10%. Mr. Dubois replied that the 9% slope was probably not likely.

Mr. Finnicum suggested that a storm tech chamber installed to the west would encourage a less stringent, berm-like appearance. Mr. DuBois replied that the septic pipe would be very close if systems were moved.

Mr. Hincks agreed with Mr. Finnicum’s mention of severe contouring.

Owner Ali Hayat, 14 Keyes House Road, Shrewsbury stated that an easement on the property has to be maintained. Mr. Finnicum responded that the easement is not too severe, and suggested a more gradual slope would look more natural, with the help of vegetation.

Chairman Garvin agreed, stating that it would be good to break up the expanse. The Chairman suggested recommendations for the contour and asked that the utilities in the road to be displayed on the plans. Chairman Garvin suggested that the applicant come back on September 5.

Mr. DuBois maintained that the ground perked very well and had no run-off. Chairman Garvin stated that there will be run-off changes during land clearing and construction. He suggested that Mr. DuBois review Town Engineer's comments, and added that the trench drain may be easier to install than a revise water shed. Mr. DuBois agreed.

Resident Henry Noer, 55 Goodman's Hill Road, said that he hoped the Board would take this matter very seriously. He added that driveway construction at 62 Goodman's Hill Road caused his driveway to erode. Mr. Noer asked that everyone watch how that hill drains, citing potentially traffic problems.

Vice-Chairman Abair inquired about the grade of the driveway. Mr. DuBois replied that it was a 9% grade.

Chairman Garvin suggested that the applicant add additional length to the proposed driveway, which would help decrease the slope.

Mr. DuBois said he would work with adding length to the driveway, and asked that the hearing be continued.

Ms. Donoghue stressed that all submissions must be received by noon, a week before the hearing.

It was on motion unanimously

VOTED: To continue the public hearing for Stormwater Management Permit – 0 Goodman's Hill Road, Lot A Walker Farm, (Assessor's Map K10-0206), on September 5, 2018.

Public Hearing – Site Plan, Stormwater Management Permit & Water Resource Protection District Special Permit – Sudbury Water District, 199 Raymond Road, (Assessor's Map L08-0001)

Present: Vincent Roy, Executive Director of the Sudbury Water District; J.P. Parnas, of Weston & Sampson, Elena Compter, of Weston & Sampson; and Steve Kirby, of Vertex Engineering.

Mr. Roy stated that the proposal includes gutting and renovation of the existing building to include an administrative and staff facility. There will be a minimally heated garage for vehicles, rather than the existing outdoor vehicle storage, a shop area, lockers and shower rooms. The existing building will also serve as a shop space and storage. A new septic system and full stormwater management system would be installed on the property. He detailed that the impervious area will increase and the driveway will be reconfigured. Mr. Roy also detailed the requirements needed to monitor runoff into the Conservation area and that the Conservation Commission and ZBA approved the plans. He stated that the Design Review Board stated it would prefer a symmetrical roof.

Ms. Compter displayed the plan of the site, which is located in Zone 2, and showed the well in the center of the site and wetlands to the south. She detailed the two requested waivers: The first would reduce the required parking from 31 to 14 spaces for employee and customers. Ms. Compter stated that the second waiver was to reduce the setback for landscaping from 20 feet to 10.7 feet.

Ms. Compter detailed that parking will be in front and back, and department vehicles will be housed in the proposed area. Various existing storage structures and canopies will be eliminated. She maintained

stormwater plans for MA DEP and Sudbury will be in compliance. Run-off would be captured through catch basins, then treated and discharged to wetlands. It would then cross the driveway into an existing depression and travel down Raymond Road. She said that the landscaping plan is in keeping with the existing plan and similar shrubs and trees will be planted.

Ms. Compter stated disturbance on steep slopes at the hill would require construction of a retaining wall. She covered aspects of the utilities, the proposed transformer, a new generator and septic system, as well as the ability to capture drainage in the garage floor drain. She said that they would attempt to re-use the existing gas and water utility.

Ms. Donoghue stated that she wrote a summary, and stressed that the Town Engineer did not have an issue with the site plan, but did not want the run-off going into the road. He would provide further comments on the situation.

Mr. Finnicum inquired about the energy source for the generator and the containment of potential spills. Mr. Parnas responded that diesel would be used and the prevention measure included a self-contained tank. He said that the generator would be exercised monthly. Mr. Finnicum suggested using natural gas to fuel the generator. Mr. Parnas said that natural gas would be a convenient source, except in a disaster situation, and said that, typically, gas generators are more expensive.

Mr. Finnicum asked about the roofing material to be used on the building. Mr. Parnas replied that it would be black EPDM roofing.

Mr. Finnicum also inquired about drainage, pumping and disposal process. Ms. Compter said that all stormwater would be channeled through catch basins and would be pumped and disposed of properly.

Ms. Kilcoyne asked if some existing trees would remain and if the facade of the building facing Raymond Road would be similar brick. Ms. Compter affirmed.

Mr. Hincks stated that the site plan looked good and questioned if there would be a peer review of the stormwater plan. Ms. Donoghue responded that there would be a peer review. Mr. Parnas said that he had not heard from the peer reviewer yet.

Vice-Chairman Abair asked about the number of work vehicles. Mr. Parnas replied that there would be the same number that there are now to accommodate existing use. Mr. Roy added that there would be no increase in employees.

Vice-Chairman Abair asked if the Fire Chief had weighed in on the turning radius and related matters. Mr. Parnas said that he met with the Fire Chief briefly but that was not addressed.

Mr. Karustis stated that the site plan looked good with landscaping and noted that there was not much room to work with. He asked if the current lot was paved, and Mr. Roy replied in the affirmative.

Mr. Karustis reiterated that the runoff would be treated before it was released into the wetlands. Mr. Parnas confirmed the statement.

Chairman Garvin mentioned the two waivers, and suggested that if more parking is proposed in the new garage, it would be helpful if overflow parking could be shown on the plan. Regarding the second waiver, he suggested that additional low-lying plantings might be included because that area has less than 20 feet and requires mitigation.

Chairman Garvin suggested relocating either the septic tank or the trees, and said that from a stormwater prospective, a clean letter from peer reviewer was needed. Chairman Garvin stated that this project proposes new construction in a Zone 2, and suggested that the applicant look closely at new construction

standards. He further suggested that natural gas might be preferred because of potential adverse impacts from diesel fuel, such as a spill. He stated, that the project was a good facility improvement and maintained that related filing must occur at least a week before presenting to the Board.

Resident Bettina Westerberg of 239 Raymond Road stated that her biggest concern is the design of the landscape, and she did not want to be able to see the building, especially because Raymond Road is a scenic road. She suggested maintaining more trees in order to increase a wooded look, in keeping with the road. She further detailed that she would want parking to be in the back and out of view, and would like the building to look less like a garage.

Chairman Garvin spoke about adding more landscaping, and stated that the existing building remains as is, and the new structure would be primarily behind the building. He suggested that more detail be presented at the next meeting.

It was on motion unanimously

VOTED: To continue Public Hearing – Site Plan, Stormwater Management Permit & Water Resource Protection District Special Permit – Sudbury Water District, 199 Raymond Road, (Assessor's Map L08-0001), on September 5, 2018.

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

Present: Attorney Matthew Watsky, Kevin O'Leary, of Jillson Engineering.

Attorney Watsky gave an update since the last meeting with the Board and stated that they submitted responses to the peer reviewer, but had not received a response. Ms. Donoghue confirmed that nothing from peer review had been received.

Mr. O'Leary provided background regarding the replacement of existing facilities, and that the proposed work was in Zone 2. Six septic fields are proposed for replacement and added that the septic system was originally designed in the 1960s and needed replacement. He detailed that DEP had approved two treatment plans, and DEP approved a similar plan in 2016. He detailed that the project proposed sinking tanks and pumping sewage to the south, away from the wetlands. He described that there are two proposed fields. One field will handle flows in the facility and one will serve as an expansion field. Mr. O'Leary pointed out the stock piling area, with trucking from access road, to aid in protecting the wetlands.

Chairman Garvin said that he had difficulty following the comments, and suggested that in the future, the narrative include the complete discourse in chronological order.

Vice-Chairman Abair reiterated that the applicant was awaiting peer review.

Ms. Donoghue stated that the Board was to vote on three different permits, and emphasized that there were significant changes and progress from last year's plans. She asked about access to the property from Robbins Road, and that access to the rights of Robbins Road was being reviewed by Town Counsel.

Mr. Karustis said that the idea might be to potentially connect Boston Post Road to Robbins Road. Mr. O'Leary stated that the Fire and Police Department said the proposed use of Robbins Road was fine. Chairman Garvin commented that the Fire and Police Departments may have no issues with this matter, but the Board wanted documentation of that fact.

Mr. Karustis said that he appreciated the moving of the fields away from the wetlands. He wondered about moving the soils and creating a permanent mound, and asked how that would change elevations, and what would go on the mound to prevent run-off. Mr. O'Leary replied that the contours of the property would be followed, and it would be relatively clean when it got to the wetlands.

Attorney Watsky added that the mound is 3 feet in height, flat on the top, and stated that the Earth Removal Board requested naturalizing the contours so it would look like a gradual rise with ground cover or grass. Mr. O'Leary said that there are specified plantings on the mound, as indicated in the plans.

Vice-Chairman Abair stated that the project had made good progress, and that hopefully the final stage would be completed at the next meeting. Mr. Hincks stated that he also would hope for final resolution at the next meeting.

Ms. Kilcoyne asked if trucks would be going down Robbins Road. Mr. O'Leary answered that some trucks would be going down that road in order to transfer equipment for septic treatment. He referred to the construction access drive on the plans. Mr. Statsky commented that Robbins Road would be used to bring in only wastewater equipment. Ms. Kilcoyne stated that there are many children on Robbins Road who walk to and from the bus, and asked to condition that trucks would not travel on the roads during the morning and afternoon bus stops. Chairman Garvin affirmed.

Mr. Finnicum asked about pumping from tanks to field, and asked what would happen if the first pump failed. Mr. O'Leary said that there are two pumps in the chamber, and the process would be synchronized to alternate, would be fully alarmed, with a secondary pump to continue. Attorney Watsky added that the system would be monitored 24-7, and that a licensed operator would always be available.

Chairman Garvin stated that the project had come a long way, and the final piece was the peer review to clear the water supply aspect. Chairman Garvin asked if other ways of infiltrating and treating had been considered, and if it had not, the Board requested that another treating plan could be considered, either naturally, or mechanically. In response, Attorney Watsky clarified the added pre-treatment aspect before infiltration.

There was no public comment at the public hearing.

It was on motion unanimously

VOTED: To continue the public hearing for 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 September 5, 2018.

Melone Property Proposal Discussion – Comments for Board of Selectmen

Present: Christopher Claussen, Proposer of Quarry North; and William Henchy, Attorney for Quarry North.

At 9:00 p.m., Chairman Garvin stated that all aspects of the three proposals should be considered tonight. He summarized some recommendations from ZBA, Ms. Donoghue, and others, who had submitted such letters.

Ms. Donoghue stated that the Board would have to vote on recommending one of the proposals at tonight's meeting, and that ZBA, which drafted their recommendation letter, offered to collaborate with the recommendation process with the Planning Board in a time-saving effort.

Chairman Garvin thanked Ms. Kilcoyne for her work on the notes reflective of the three proposals presentations to the Board of Selectmen.

Mr. Hincks thanked Mr. Finnicum for his contribution with the Melone Property matrix, and added that this Board's task is to align itself with the objectives and planning goals of Sudbury. Vice-Chairman Abair agreed with the relevance of the matrix. Chairman Garvin said that the existing Master Plan also had significance in making this decision.

Mr. Claussen stated that he would answer any questions that the Board might have. Chairman Garvin asked Mr. Claussen if there was any flexibility in the number of units, possible decreasing units at Quarry North. Mr. Claussen replied that anything is open to discussion.

Attorney William Henchy, Attorney for Quarry North, 165 Cranberry Highway, Orleans, MA, stated that this is a multi-step process. He commended the Board on the creation of the matrix instrument, and maintained that Quarry North was interested in making improvements to the existing Town well water system. Attorney Henchy added that the Water District informed him that there will be water safety measures in place, and suggested a pilot well.

Resident William Wagner, of 256 North Road, stated that traffic and transportation associated with Sudbury Station would be far more detrimental to the Town than having the development at Melone. He added that Quarry North is a good solution for keeping congestion away from Sudbury Center, which is the fundamental issue. Mr. Wagner said that this proposal would provide for the clean-up of well number five.

Mr. Finnicum commented that the thirteen criterion of the RFP were driven by the existing Master Plan.

Vice-Chairman Abair detailed the scoring process, associated with the Planning Board matrix, stating that Quarry North exceeded the two other proposals in almost all areas of scoring, thus asserting that Quarry North was the most desirable option.

Mr. Karustis stated that he had been on vacation and had no time to review the pros and cons associated with the proposals, so he had no comment.

Mr. Hincks stated that he agreed with the preference of Vice-Chairman Abair, adding that one of his biggest concerns with Quarry North was the traffic aspect in relation to Rt. 117, but ultimately, the traffic situation would be worse if the development were in Sudbury Center.

Chairman Garvin suggested that Board members submit related comments to Ms. Donoghue by tomorrow A.M. Vice-Chairman Abair reminded the Board that Quarry North provides needed housing in a planned way, recreation space, keeps the Center in its present condition, and provides a remedy for a difficult situation.

Chairman Garvin reiterated that Quarry North would provide affordable housing, maintain historical character of the Town, and is a very planning-oriented proposal.

It was on motion one abstain, and four in favor.

Garvin-aye, Abair-aye, Hincks-aye, Kilcoyne-aye, and Karustis-abstain.

VOTED: To recommend the Quarry North proposal to the Sudbury Board of Selectmen, as requested.

Master Plan Update

At 9:30 P.M., Ms. Donoghue stated that she spoke with Nate Kelly, Consultant/Master Planner, who suggested that the Board appoint committee members, and wanted to know what option the Board would choose in selecting committee members. Ms. Donoghue suggested that the selection process combine the two approaches discussed at the last Board meeting-- the open-call approach and a recommendation approach. She stated that an interview of prospective members might be beneficial.

Mr. Karustis asked about the size of the Master Plan Committee. Chairman Garvin answered approximately 12 members.

Mr. Karustis recommended that one or two members come from the Planning Board, five from other Town Boards, and five members to be selected at large.

Chairman Garvin suggested that rotating Planning Board members for the committee might be a good idea, so that everyone on the Board can be engaged.

Mr. Hincks suggested continuing this conversation at the next Board meeting.

Ms. Donoghue reiterated that public notice was not necessary for continuance of the discussion.

Chairman Garvin recused himself. Mr. Hincks volunteered for membership, as did Ms. Kilcoyne.

Ms. Donoghue mentioned scheduling with Kelly a bus tour of the Town, with Master Planner, Nate Kelly.

Administrative Report

Ms. Donoghue directed Board members to sign the plan regarding 212 Pratts Road. She stated that the Board endorsement was on the plan and not the whole plan set.

Discussion of Meeting Schedule

Chairman Garvin suggested that the upcoming Board meetings be scheduled for September 5 and September 26, 2018.

At 9:40 P.M., a motion was made to end open session.

Vote to enter into Executive Session to discuss strategy with respect to potential litigation where an open meeting may have a detrimental effect on the litigating position of the public body and the Chairman so declares regarding 648 Boston Post Road.

It was on motion unanimously

VOTED: To enter into Executive Session to discuss strategy with respect to potential litigation where an open meeting may have a detrimental effect on the litigating position of the public body and the Chairman so declares regarding 648 Boston Post Road, and not return to open session.