

PLANNING BOARD MINUTES

JULY 25, 2018

Present: Chairman Stephen Garvin, Vice-Chairman Peter Abair, John Hincks, Justin Finnicum, Meagen Donoghue (Director of Planning and Community Development), and Beth Suedmeyer (Environmental Planner).

Absent: Charles Karustis and Nancy Kilcoyne.

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 pm

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

Present: Applicant Karl Borg, Jacob Lemieux, PE of Hancock Associates, and Attorney Joshua Fox, of Rollins, Rollins & Fox.

Mr. Lemieux said that he removed the waivers regarding the road bed, and the roadway surface; he specified that the limit of work is shown on the recent in the landscaping plan, as requested by the Board at the last meeting. He further detailed that he crossed out, and dated the revision of the two waivers; because it is printed on non-erasable Mylar material, and cannot be edited.

Attorney Fox commented about a letter from an abutter, which mentioned that the Borg property had formerly served as a machine job, which was discussed at length, during the permitting process. He added that he responded to the Board, accordingly; but was not within the deadline period. Attorney Fox stated that the applicant does not believe that there was ever any hazardous spill, and that there was very limited use of any hazardous materials; obviously more than any typical household, but much less than a large scale industrial use. Attorney Fox continued by saying that there will be a Phase I Site Assessment, as agreed, in order to further investigate, and/or remediate, as a necessary condition for release of the lots, from the covenant. He stated that he did not expect that there would be any problems. Chairman Garvin replied that this was the proper way to proceed.

Ms. Suedmeyer mentioned a couple of minor revisions that were made; changing language from “local species of plants” to “native species,” and added that because there was no mention of combing and seeding; that specific notation was also made on the plans, to clarify where loaming and seeding would be expected.

Ms. Donoghue said that she sent out a draft decision to the Board, and to the applicant, and said that there is an updated draft decision that Attorney Fox reviewed; added his comments; and amended several areas. Chairman Garvin said that the Board just received these alterations to the draft, this evening, so if the Board wanted to discuss any area further, that could take place. The Board spent some time reviewing the proposed modifications.

Mr. Hincks asked if the insertions could be reviewed, for continuity, in regards to the decision. He exemplified page 4, sections four and five, asking about the relevancy of the strike-outs that Attorney Fox added. Attorney Fox said that the strike-outs in that section, represented more of a shift from one timeline

to another. He explained that one strikeout included sidewalks, and sidewalks were being eliminated, in lieu of contribution to the walkway fund; and that the creation of a 20-foot wide utility easement, is a “pull forward” from another subdivision, and not applicable. He explained that in Section five, he moved conditions to paragraph 6, as a precondition to construction activities; such as endorsement, marketing, and potentially selling the lots. He maintained that the purchaser would be putting up the performance bond, and the applicant would be paying the outstanding taxes through the closing process; and would take care of the drainage easements, if any, at that time. He suggested that these easements might be a topic of discussion. Chairman Garvin added that he had similar questions about utility easements on lots one and two, stating that the water easement was currently on one of the lots, and questioned if another water easement might be asked for, on the other lot, as well. Ms. Donoghue replied that this might reflect speculation, and is a draft.

Attorney Fox stated that the Town might have a preference, and would like to reserve an easement, but he thought not; unless the reserved easement would be there, in case the homeowner does not maintain the stormwater system.

Ms. Suedmeyer mentioned that the standard covenants and restrictions, specified in the stormwater management permit; have been including easements to the Town, to ensure that the Town could take action; in the event that there is failure to perform, in which case; the Town would remedy the situation, and then bill the owner for expenses incurred. Ms. Donoghue agreed, and stated that this standard is also included with other subdivisions. Attorney Fox said that the applicant was happy to grant the Town an easement for those reasons, and suggested including the utility easements in Section 7, if possible.

Chairman Garvin said that these easements can be granted and accepted later, and would be in place before the condition of occupancy. He then recommended putting the easement condition in Section 7, rather than Section 6.

Attorney Fox mentioned that there is a fire hydrant on the property, on the private way. Chairman Garvin speculated that it might be easier to include language that allows the Town access to the private way. Attorney Fox agreed with that recommendation, and suggested access for the district, as well as, the Town. For clarification, Chairman Garvin reiterated that the utility easement on the private way, would be granted as part of the utility easement to the district, and the Town; which might ensure that the plan would not have to be changed.

Attorney Fox described additional shifting of provisions and striking of Sections J and K; Section J, because the landscaping plan was submitted; and Section K, because the environmental testing, is a condition. Chairman Garvin stated that he recommended the language be changed from “soil testing” to “environmental testing,” with all references in the draft.

Mr. Finnicum commented, that in accordance with the draft, the completion of the Phase I report, does not necessarily mean, that there is no soil contamination. Attorney Fox said that was correct, but typically, site assessments are presented in the manner shown on this draft. Mr. Finnicum recited a state regulation, and questioned if that regulation, had conflict with the language that was stricken out.

Attorney Fox replied that M.G.L. c. 21E, is essentially, the Ma statute governing hazardous waste, and its treatment. He said that he had no problem with citing the statute, but took issue with referencing an acceptable permit response action outcome, because that is not required for any, and all, types of environmental contamination. Chairman Garvin added that the permit response action outcome, would be a part of a Phase II testing, if the process had to continue to that level. Attorney Fox responded that it was hoped that Phase II, would not be part of the process. Chairman Garvin said that he agreed with Mr.

Finnicum, and advocated that reference to c. 21E, be retained. Mr. Hincks added that this aspect would be an easy edit, as it leads into the Site Assessment Report section. Attorney Fox asked about the performance bond amount, being omitted. Chairman Garvin said that there would be a dollar figure included, before finalization of the draft.

Mr. Finnicum asked about trees being removed, and if equal or greater screening, would be implemented in the back of the lot. He also mentioned the reference, that trees would be planted about 50 feet apart, in the tree belt. He added that there was no mention of screening, in the hammerhead part of the parcel; and requested that a screening note for replacement, be included. Mr. Lemieux stated that an order of condition could be included, as applicable to all landscaping. Mr. Finnicum agreed with that suggestion.

It was on motion unanimously

VOTED: To approve Definitive Conventional Subdivision Application & Stormwater Management Permit – 212 Pratts Mill Road, (Assessor’s Map G05-0022).

Ms. Suedmeyer mentioned that the document distributed at this meeting, reflected changes to the plan that were made on Friday, and there were several additional changes, and minor updates. She stated that the NPDES permit was included, and because the site does exceed the disturbance of an acre of land, the requirement for field demarcation, was included, as item L. She also detailed that there was a typographical error, regarding the labeling of the lots. Ms. Suedmeyer said that she added Mr. Finnicum’s recommendation, that trees would be added, equal to; or exceeding the existing site, based on call out areas, shown on the landscape plan. Ms. Suedmeyer stated that in relation to the Phase 1 Site Assessment, and comments discussed tonight; she would replicate the subdivision approval recommendation.

Vice-Chairman Abair inquired about the placeholder, and what would be included on it. Ms. Suedmeyer responded that the revisions had not been received from the engineer, so Mr. Finnicum’s recommendation of “call out” areas were represented by hazing in the landscape plan, and did not have the notation that was present in some other buffer areas. She added that vegetation would be replaced, such that screening would be equal to, or greater than, the existing condition, prior to construction.

It was on motion unanimously

VOTED: To approve the stormwater management permits as amended at the Planning Board meeting on July 25, 2018.

Mr. Lemieux said that the plan was going to be presented to land court, and asked if the plans could it be left with the Planning Board. Chairman Garvin responded that the plan could be left with Staff for review, and added that Staff would notify him, after review.

Continued 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).

Present: Attorney Matthew Watsky and Kevin O’Leary, PE; of The Jillson Company, Inc.

At 7:50 p.m., Chairman Garvin opened the hearing. Chairman Garvin suggested that Mr. Watsky give a summary, and added that a peer review response had not yet been received. He detailed that after the response is received; the applicant can come back to the Board.

Ms. Suedmeyer restated that the Board received a peer review from the Town's peer reviewer, but the applicant has not provided a response to that review, yet. Attorney Watsky said that he did have a peer review letter dated July 9, and that the engineer, Mr. O'Leary is close to completing the response, but has not been able to address all the different issues. He added that the peer review letter is a big step forward, and many of the issues mentioned have been resolved, and stated that there were several technical issues to be addressed, with the peer reviewer. Attorney Watsky asked when the next meeting would be held, and what the timing was; in order to submit peer review response.

Chairman Garvin answered, that the next hearing is scheduled for August 8, and the requirement is to have all the information submitted to the Board, by August 1. Attorney Watsky mentioned that the peer reviewer, will probably not, get the response back by that time. Vice-Chairman Abair suggested that Attorney Watsky contact the peer reviewer himself, which would be fine with the Board.

Ms. Donoghue stated that there might be quorum issues for the proposed August 22 meeting. Chairman Garvin said that would be the first meeting of the summer, without the needed quorum. Attorney Watsky mentioned that for the Special Permit, he would try for the August 8th meeting.

Chairman Garvin stated that this process has been continuing for many meetings, and suggested that the team think carefully about what they are presenting tonight, as only one miss was allowed; when considering a special permit.

Attorney Watsky replied that he understood that, and was trying to keep items fairly general; and didn't think that detailed, technical information should be presented to the Board tonight, given that only three Planning Board members were present.

Mr. O'Leary said that timing was an issue, and the August 1 submission date, could present a problem; because some of the comments from the peer reviewer might require more time, such as the request concerning a Rte. 20 power grid analysis, ensuring that there is enough power to run the plant. Mr. O'Leary added that he did not think that Eversource would supply a definitive answer, in a week. Attorney Watsky stated that such an Eversource question could be made a condition of the Special Permit, and that before construction commenced, assurance for sufficient power, would be resolved. Chairman Garvin replied that there was not a full Board present tonight to answer that question, and that maybe Mr. O'Leary could forward such questions to Staff, who could direct to the missing Board members, in order to provide feedback. He added that, perhaps, certain questions could be made conditional. He stated that it was his hope, that Board feedback, might assist with the timing issue.

Attorney Watsky said that he needed further clarification on another peer review question, which he agreed to forward to Staff, as well. Ms. Suedmeyer suggested that when submitting correspondence to Staff, it might be beneficial to include a statement indicating that the applicant has contacted Eversource; is waiting for a response, and is requesting that the Board consider conditioning this requirement.

Chairman Garvin said that the Board would check again with the peer reviewer, to determine if that particular question, is of outmost necessity at this time, and that the applicant's correspondence to Staff, might be of help. Attorney Watsky thanked Chairman Garvin for his recommendation.

There were no comments from the public.

Attorney Watsky made the request to continue the hearing to August 8, 2018.

It was on motion unanimously

VOTED: To continue 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), to August 8, 2018.

OARS Presentation/Discussion Regional Water Resources and Resiliency

Present: Alison Field-Juma, Executive Director of OARS

Ms. Field-Juma stated that she wanted to share various aspects of water resources, and added that OARS is a watershed organization for the Sudbury, Assabet and Concord Rivers. She said that OARS uses science-based advocacy, education, and water quality monitoring; to restore the health of these rivers, and work on policy, and permits relating to improving the state of the rivers. She added that OARS also works on the Chestnut Management Plan. She referred to Connections and Synergy, outlining environmental conditions, regulations and visions. She detailed that the OARS vision; is to sustain water supply, promote a healthy ecology (terrestrial and aquatic), outdoor nature-based recreation for people of all ages, and address changes in the climate.

She said that the issues of water shortages, and water pollution; affecting recreation, wildlife health, and the scenic beauty of the area. She said there is concern regarding loss of flow in the rivers and streams, and the loss of biodiversity; which affects the economy, as well as, the quality of life. Ms. Field-Juma mentioned several regulations and laws; firstly, The Clean Water Act, regulating wastewater discharge, and stormwater discharges; adding that Sudbury is one of the Towns subject to the new five-year permit for stormwater – the MS4 regulation, which went into effect on July 1. She also cited the Water Management Act, a state regulation, which monitors water withdrawals, with related permits, to be renewed this year, and Sudbury is looking at those. She said that two other important regulations, are the Wetlands Protection Act/Bylaw, and the Stormwater Bylaw, with which Sudbury has made great strides with.

Ms. Field-Juma also referred to the US Drought Monitor, for the state of Massachusetts, completed in October, 2016; and she detailed that there was an extreme drought in this part of the state, and said that she hoped it would not happen again. She detailed that this past June, it was not looking too good; but recent waterfall has appeared to have helped some, but the rain fall is still abnormally low, for this time of year. She stated that the best that the state can do, is to appropriately react to changing conditions. She detailed that last fall, the state was in drought status, in warning status. She added that the drought management plan has been revised, and will hopefully, be put in place by the end of this summer.

Referring to the overhead display, she detailed some of the impacts of drought being: stream flow, and that local stream beds were very dry in 2016, and added that it can take four to eight years for the aquatic life to re-establish, once a stream has dried up. Another graph depicted current municipal water use restrictions in 2016, and that many communities took little action, and within each community; there was another patchwork of those homes that had their own wells, resulting in neighborhood friction. She maintain that ultimately, the water is coming from the same watersheds. She also spoke about the cold water fishery resources, of which Sudbury has many. She maintained that cold water fish, such a trout, get special protection; when the water management permit is revised for the Town. She expected that the Town will minimize the impact of wells, on cold water fishery resources.

Ms. Field-Juma presented a graph depicting that, nationally, the rain is falling harder, so the number of one-day precipitation events is increasing; which is clearly a trend – especially in the northeast. She

stated that this trend, is causing more flooding, and less resource, because the rain runs off; with less recharge, and more problems.

Methods for building resilience to drought were presented; as land management and water management. In the land management category, Ms. Field-Juma stressed stream continuity, and adherence to Mass. Stream Crossing Standards, to expand and strengthen floodplain and provide wetland protection. Included with this protection, she cited restoration of soils (topsoil in landscaping) and planting of trees; to reduce temperatures, recharge stormwater, and utilize green infrastructure and LID (MS4 and WMA bylaws), to educate about stormwater, and recharge of waste water. She added that credit can be received with NPDES permits. She stressed that hot water is polluting, and that water running off of any surface in the summer; is hot. Ms. Field-Juma recommended using water supply efficiently, in homes, and businesses; suggesting a Net Blue approach, an effort to reduce non-essential water use. She advocated replacing lawns with other vegetation, and stressed regulating private wells, with the same restrictions as public wells, including management of tanker trucks, and other mobile withdrawals.

Ms. Field-Juma stated that Net Blue development is being implemented in local towns, and she advocated water efficiency measures, to create a neutral impact on water use and demands. She stressed continuing being proactive, and recommended reenacting the 2017 Irrigation Initiative, which falls under the Board of Health directive.

She mentioned several other programs, such as Think Blue MA, that helps with the education aspect, keeping pollutants out of the water, and suggested reviewing rules and regs with subdivision bylaws, conservation design, and advocating incentives offered for green management. She commended the Board for the tar sealcoat ban, and the Board's participation in the Municipal Vulnerability Preparedness Planning Program. She also mentioned the Ma Audubon's cost effective, LID solutions; and the Central Ma Stormwater Coalition, as sponsored by MAGIC.

Vice-Chairman Abair commented that he would be interested in further researching water-neutral incentives, as well as limiting private well water uses, and limiting of impervious usage.

Chairman Garvin stated that operation management is critical, and effectiveness down the road, is the consideration, now.

Ms. Field-Juma said that Westboro has a resident-reporting system regarding the cleaning of sump basins, and said that this could be done with stormwater control. Ms. Suedmeyer stated that the Board started such planning, last year.

Mr. Hincks said that he would like a copy of the presentation, and wants it put on the Town's website. Ms. Field-Juma said that she would be happy to do so.

Mr. Finnicum said that he would further research Net Blue, and asked for additional websites to be shared. Ms. Field-Juma provided the OARS website, and said she would provide additional sites for the Staff to share.

Ms. Suedmeyer mentioned that the Town received the Municipal Vulnerability Preparedness Planning Grant, and stated that additional funds were received as an add-on, for this planning effort.

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 stated that this topic was briefly discussed at the last meeting, and tonight's packet included a letter, prepared by the Conservation Commission. The letter indicated that from the

standpoint of Conservation; plants and animals might warrant protection, and therefore, they were not seeing the benefit of the project, and further maintained that this property was not identified on the Open Space and Recreation Plan, prepared by DCR, some years ago. She added that the Land Acquisition Review Committee, will be meeting on Tuesday, to discuss the right of first refusal.

Chairman Garvin stated that the Board felt that the property did not have potential, from a planning prospective, and that the Board would make recommendation to the Land Acquisition Review Committee. Vice-Chairman Abair said that he was not familiar with the property. Mr. Hincks stated that from this Board's prospective, they did not have purview, and stated that the Land Acquisition Review Committee, will have their own set of criteria. Chairman Garvin said that as a group, he thought that the planning Board did not see much value in this project, and that if the Town did not exercise the right to purchase the lots, the property would then lose its Ch. 61A status.

Ms. Suedmeyer offered a point of clarification, saying that in the letter submitted by the Town, it was outlined that the property is actually enrolled in C. 61B, the recreational use category. She said that she confirmed this designation with the Assessor's office. She added that she could prepare a very brief letter, indicating that the properties are not significant from a planning prospective. Board members agreed.

Discussion of Melone Property – Comments to the Board of Selectmen

Chairman Garvin opened the discussion, stating that the Melone property is a town-owned property, off of North Road, and that a portion of that property is in the Town of Concord. The Board of Selectmen, and the Town, drew up a proposal for potential uses and development, and three proposals have been submitted, and the Board of Selectmen are soliciting comments from Town boards. This Board did have a previous discussion on this topic at the last meeting; from a planning prospective, and gave thoughts about the pros and cons of the three proposals, and has been asked by the Board of Selectmen, to provide comment/opinion, and not necessarily offer individual ideas about which proposal is best.

Vice-Chairman Abair asked if the Board was to make a recommendation about a particular proposal. Chairman Garvin recommended that the Board discuss what they thought were strengths and weaknesses regarding each proposal, from a planning prospective, and not necessarily voting on one preference; though it may become obvious to the Selectmen.

Ms. Donoghue briefly described the three proposals; one being a solar farm, another was a 40B housing land-swap, and the third being a local business owner, wanting the land, for agricultural purposes.

Vice-Chairman Abair asked if the RFP was specifically for a purchase of the property vs. a lease of the property. Ms. Donoghue responded by saying that she did not have that detail. Mr. Hincks said that the only lease proposal was presented by the solar company, and the local agricultural firm was a purchase offer. Vice-Chairman Abair stated that the Cavicchio Greenhouses proposal was a \$4 million dollar offer, with annual payments. Mr. Hincks confirmed that statement, and said the agricultural offer was at \$4 million, with additional incentives to the Town.

Chairman Garvin said that the land-swap offer was a million dollars, plus a land swap of the Sudbury Station property, adjacent to the Town cemetery. He said that he spoke to Town counsel about this, and counsel felt that the Planning Board should be considering the difference of that project being developed in Sudbury Center, or at the Melone site. He stated that the Board is to deliver this letter to the Board of Selectmen by August 7, and August 8, is the Board's next meeting, so such discussion, would have to take place at tonight's meeting, and then the letter would be drafted by Staff.

Ms. Donoghue stated that there was flexibility with the August 7th date, and if the Board wanted to further discuss the topic on the 8th, they could. Vice-Chairman Abair suggested having draft comments by the 8th. Ms. Donoghue thought that would be perfect. Chairman Garvin stated that having two members absent tonight is not ideal, so the flexibility in date, would be much appreciated.

Mr. Hincks said that it was good that the Board had an idea about what the possible uses are, so there is benefit in the RFP, but he added that he struggles with having to evaluate each individual proposal, in the absence of the plan that the Board was about to create, as a Town, and as a Board; and part of that process is articulating what the Town goals are. He said that he would feel more comfortable in the context of a Plan for the Town. Vice-Chairman Abair asked if that Plan mentioned by Mr. Hincks, was the proposed Master Plan. Mr. Hincks replied affirmatively. Chairman Garvin responded that he felt that most of the Board agreed with Mr. Hincks, but at this point, there were three proposals, and certainly there was benefit in waiting for the new Master Plan, but one or two of these proposals might not hold on that long, which could mean lost opportunity.

Mr. Finnicum stated, that in lieu of having the Master Plan, the Board could look for some criteria, by which, to direct each proposal, and come up with the pros and cons. He said that it would be fine to talk about the pros and cons tonight, and out of that discussion, certain themes might emerge in terms of what the criteria might be.

Vice-Chairman Abair stated that, ideally, it would be great if the Master Plan were further along, but it is not. Meanwhile, there is an older Master Plan in place, some of the goals are the same, such as preservation of critical resources, historic character of the community. He added that the Board should not be bound by a Master Plan Process that is a year down the road, and the Board should be able to weigh in on the three proposals.

Chairman Garvin suggested that discussion regarding related criteria, rather than proposal preference; might be the better thing to cover tonight.

Mr. Hincks stated that this Board, and the Board of Selectmen, jointly; sponsored the Melone Charrette, and now is the time to review how the Charrette recommendations apply.

Ms. Donoghue stated that the Board of Selectmen used a criterion that is online, and the Board could share that criterion. Ms. Suedmeyer provided the link to the RFP criterion. Chairman Garvin stated that the Board must look at areas that are going to be sustainable for the Town, reflecting a balance of what the best land use is.

Mr. Hincks stated that all three proposals line up with something in the Master Plan, which is an objective of the Town. Chairman Garvin agreed, stating that all these aspects come under land use, such as: housing factors that come into play, with infrastructure, recreation, agriculture, industry, and commercial considerations.

Vice-Chairman Abair stated that the first consideration, is the site itself, and where it is in the community; and what it's appropriate use is; then review what the highest, and best use of the property is. He went on to mention that the solar park proposal, is great, and has public benefit. He added that location is key for solar farms. Chairman Garvin stated that there is a solar site at the high school, currently. Vice-Chairman Abair stated that the Cavicchio proposal also has merit; and the current Master Plan advocates agricultural use of land, but in reality; that agricultural use for this particular site, might not be the highest and best use. He continued to say that there is a need for recreational usage, and with the Quarry North proposal, the Town is getting many elements of highest and best use; and the Town has been discussing

some kind of development at Melone property, for a number of years, and this would allow removing development from a less advantageous site in Sudbury Center.

Chairman Garvin stated that the Board needed to compare, and contrast, where a project may or may not go, which is an important piece to discuss. He added that the land-swap prospective, involves one type of consideration, and the planning perspective, might have a different emphasis. He added that the Cavicchio proposal has the largest purchase price of \$4 million vs. \$1 million price for Quarry North.

Mr. Hincks said that he hoped that FinCom would weigh in, when the Planning Board was reviewing the three proposals.

Chairman Garvin spoke about the affordable housing piece, and stated that the Town meets the 10% mandate, but if the Melone property presented additional affordable housing; that would put the Town over and above that mandated number. He added that the Quarry North number of units is rather high, and until one of the proposals was selected, the Town would not get to the mitigation/litigation aspect, or the negotiation piece.

Mr. Finnicum questioned the timeline associated with each of the proposals. He detailed that the solar proposal is a semi-temporary lease, set-up for 25 years, (which is two Master Plans from today) and then the land would be open for development. He further detailed, that when looking at the Cavicchio proposal, the agricultural use might be there for a long time, or even in perpetuity. He added that the housing topic is very important, and agreed that the housing proposal probably meets more of the criterion for highest and best use; if developed well and sensitively.

Mr. Hincks stated that the solar farm proposal did not really meet the objective of the Town, which is to dispose of the property; and with the Cavicchio proposal, there are concerns about water supply. He said that he was somewhat unsure about the associated cons with the Quarry North proposal, which is a part of Town that does not have as much congestion, except for the Rt. 117 traffic.

Chairman Garvin said that the increased Rt. 117 traffic, would be dependent on the total number of units built there. He added that water and sewer would be cons for the Quarry North proposal. He continued by saying that the Town was getting very low on water discharge rate, at Meadow Walk. He mentioned that the earlier, OARS presentation, touched on the water permits; which could mean that the proposal would have to procure its own public water supply.

Mr. Hincks added that both, the Quarry North proposal and the Cavicchio proposal, would require a considerable amount of water.

Chairman Garvin mentioned some other cons being rapid changes in technology, which could affect the EDF proposal, and that housing tends to be a negative aspect, financially, when considering services that come into play. He summarized that from a planning prospective, the overall effect of the land swap is a strong factor, when regarding this proposal.

Vice-Chairman Abair pulled up some information about The Housing Production Plan from 2010, with an aerial view of the Melone gravel pit, and it included a conceptual plan; which suggested housing and recreational mixed use, at the site. Though this older proposal, has less housing involved, its theme has been presented in the past.

Chairman Garvin said that with any of these proposals, the part that is in Concord, has to be considered; and that preserving that Concord land, primarily for recreational use, could be a consideration; in

conjunction with the Town of Concord. Chairman Garvin felt that this aspect, should be included in the letter to the Board of Selectmen. Other members agreed with this idea.

Resident and Sudbury Selectman, Leonard Simon, 40 Meadowbrook Circle, thanked the Planning Board for their comments, and stated that the Board of Selectmen wanted to hear, and take into account, the Planning Board's perspective. Selectmen Simon said that the Selectmen have a meeting this Monday, July 30; at 1:00 p.m. at the Town Hall, primarily to interview the three proposers. He added that the Selectmen also agreed, that it would be beneficial to have a current Master Plan to work with, but many areas of interest would probably be similar, when compared to the current Master Plan in force. He detailed that the Board of Selectmen want specificity, within the Planning Board's remarks/recommendations. He added that because the timeframe is limited, the letter from the Planning Board, would be appreciated, no later than August 12. Selectman Simon stated that the interview questions, would be the same for each proposer. He added that the public is invited to attend this meeting, though he did not know the extent, to which, the public could ask direct questions to the proposers. Selectmen Simon stated that the three proposals are very different, which creates difficulty in selection. He indicated that he agreed with Chairman Garvin, who maintained that the Quarry North proposal, has several moving parts associated with it, one being Sudbury Station; which is a significant component.

Selectman Simon asserted that the Planning Board's comments, have great value for the Board of Selectmen, and for the betterment of the Town. He summarized that he would appreciate the Planning Board's serious consideration, regarding all the moving parts associated with the Quarry North proposal, which would have to take into account the water situation, the Wagner property being acquired as a probable needed component, and the differences between the three.

Resident Jennifer Roberts, 14 Griffin Lane, said that she was happy that 40B housing is being discussed here, and that she has been researching the future 40B needs, in Sudbury. She asked that the Board consider which of the two locations is better for the 40B housing, and requested that the Planning Board consider the value of the land swap, and review the pros and cons of such development in Town Center or at the Melone site. She added that she is appealing to each Board in Sudbury, to be mindful of the safety and well-being of Sudbury residents, in regard to Sudbury Station at Town Center.

Chris Claussen, proposer of Quarry North, said that he submitted this proposal, with the idea of working together with the Town, in a collaborative manner. He said that he calls the proposal, a "local initiative program" and that he, and his team; would sit with each Town department, Board and Committee, and collaboratively work together, to achieve something that the Town can be proud of. Mr. Claussen said that he looked at the Melone Charrette; and his team incorporated many of those suggestions; affordable housing, senior housing, nature trails to connect with the White Pond trail network; and ultimately, with the extended Bruce Freeman Rail Trail. He detailed that in addition to that, with the transfer of land in the Town center, the Town will be owning 40 acres adjacent to the cemetery, which can provide expansion for the cemetery, the land abutting the rail trails, athletic fields, and conservation land. He said that the Town's ability to control all of that, is of utmost benefit. He added that he has already contacted the water district; and realizes that is an issue, and said he would be happy to answer any questions that the Board might have, at this time.

Chairman Garvin thanked Mr. Claussen for his willingness to work with the Board, should his proposal be selected.

Chairman Garvin said that the Board could help the Board of Selectmen by laying out the differences between the proposals, from a planning prospective, using a matrix, and drawing from the existing Master

Plan, and the RFP Master Plan. He further suggested, that since the recently appointed Master Plan consultant is here, maybe he could quickly provide direction regarding such a matrix. Chairman Garvin stated that the matrix with, perhaps, 12 to 20 categories, and a cover letter, would be the most beneficial approach, for the Board of Selectmen. Board members agreed with the matrix suggestion.

Chairman Garvin thanked the members of the Board of Selectmen for soliciting the Planning Board's prospective, regarding the use for the Melone property.

Master Plan Update

Present: Nat Kelly of Horsley Witten, Master Planner

Mr. Kelly said that he and his group are excited to get started with updating the Sudbury Master Plan. He added that issues revolving around the contract are still being worked on, and expected to be agreed upon, shortly. He added that the group was not technically under contract yet, but he knew that everyone was anxious for the starting of work on the Plan. He suggested that the Board talk about some of the early steps in the process, this evening, and go over any questions.

Mr. Hincks stated that the time spent in defining process, will help make the project move along more smoothly. Mr. Kelly commented that, as far as the planning Board is concerned, the Planning Board is the steering committee and engrains members, in the process. He added that he expected that a diverse steering committee would be put in motion. He advocated that it is wise for members of the Planning Board, be part of this described steering committee, as well. He said that when appropriate or advantageous; his team would have special meetings with the Planning Board, which would be a meeting outside of the normal schedule. He added, that whether a Board member is on the steering committee or not, they should be involved in the public engagement aspect; which could include presentations, facilitating tables, and representing the Master Plan process, at various community events. He suggested that Board members could write op-eds for local publications, regarding the process, and write blog entries for the project website, in effort to maintain support. He then suggested that members also attend other Board meetings, commission meetings, to provide updates/inter-board communications, during the Master Plan process.

Mr. Kelly detailed that two of the documents that his team develops early in the process, is the public participation plan, and the Project Management Plan; which are brief documents that have key information. He said that the Board would see when the Team anticipates certain milestones to occur in the process; which would allow for Board members to plan, accordingly.

Vice-Chairman Abair stated that Sudbury has great committees, and many valuable volunteers who can't keep updated on what all of the other groups are doing; so that representation is important. Vice-Chairman Abair stated that the Planning Board wants to be involved in everything mentioned; as much, as possible. One of his requests to Mr. Kelly was: "keep asking us." Chairman Garvin said this Plan is our baby, and all the members of the Board want to be on that steering committee, and possess "a huge appetite" to do so. He thanked Mr. Kelly for his helpful suggestions.

Chairman Garvin mentioned that with the Meadow Walk project, members were meeting two and three times a week; which can become burdensome, but special meetings at strategic times might be helpful, and beneficial for the Board.

Mr. Finnicum emphasized the importance of scheduling these special meetings, as much in advance, as possible. He suggested that a communication protocol be developed, as that mechanism will help keep everyone informed. He added that giving point of contact information, is beneficial also, regarding all

issues and agendas, throughout the process. He mentioned that there may be times, when all Planning Board members cannot attend a meeting, and by seeing an agenda, before meeting, they can see the particular items that would be important.

Mr. Kelly stated that there will be a designated website for the Plan, a very important tool for the Board, as well as the public. He detailed that when the project starts picking up speed, and is being changed, this website; becomes more of an important tool where people see what is happening next, and look at schedules and milestones; including, upcoming opportunities. Mr. Kelly asserted, that from the teams prospective, the first milestone would be establishing steering committee membership, and determine how those members are going to be chosen. He detailed that there are two models that communities use: an open invitation approach, utilizing forms, and making appointments; the other way is to assess who the Board thinks might be a good candidate, and invite those people. He suggested that the Board start thinking about that list, and take the lead role with staff on filling that list; suggesting giving thoughts to different elements of the plan; such as considering someone strong in Natural Resources, someone strong on Economic Development, etc., remembering the important elements of such a plan, and keeping in mind certain individuals for that role.

Chairman Garvin thought that was good point, and asked what an effective size of such a committee might be. Mr. Kelly said that he had no problem with committees that are up to 16 members, allowing for the fact that everyone might not be able to come to every meeting, and 12 people at a given meeting, makes for a very manageable discussion. He mentioned to the Board, that as they are thinking about the list; think of people that have a passion for the community, and might not; necessarily, possess a particular expertise. He asserted that committees benefit from people who do diligence, prepare, and have excitement for the plan; and when not in meetings, they are spreading the word in the community, and asking for people to become involved. He also encouraged calling upon different commissions or groups, neighborhoods, demographics – who do not, traditionally, get involved in such areas. He added that his team has had great success with youth participation, which provides another perspective. He maintained that the Commission on Disabilities is a great group to involve from the beginning, and they also possess an important prospective, that does not get enough attention.

Mr. Hincks said that he agreed, and mentioned that the Board spoke of this in the interview process, and there was unanimous agreement of the Board that we do not want to rehash the old plan, and have the same narrative, but, are rather looking for new prospective. He stated that the steering committee composition is a critical task for the Board, and the Board will be very thoughtful regarding composition of committee members, and suggested included several members, at-large.

Mr. Kelly strongly suggested that the Board have someone who represents the local public school system on the committee, who is involved with more meetings/special events, than just recreation and finance/town meeting events.

Mr. Hincks asked if it would be a good idea to include a respected LSRHS teacher as well, who could go back into the classroom and get the students engaged, and those students would talk to their parents, as well. Chairman Garvin thought that having a few teachers with excitement, in combinations with student input, could be valuable. Mr. Kelly mentioned that a teacher who is passionate about civics, would be a good choice. Chairman Garvin added that a teacher with an environmental interest, would be great as well.

Mr. Hincks said that he would like to avoid feeling that the Board has an obligation to select individuals, from each Town Board. Chairman Garvin agreed, and added that there are some key Town board

members, that have related interest; such as Selectmen, Conservation members, school committee members.

Mr. Hincks mentioned that he thought that 16 members would be too many for a productive committee; and that eight to ten members, would be better. He asserted that the members must be purpose driven, passionate about the subject, and not there, just because they might be representing a particular Board or Town committee. Garvin agreed that this aspect would be a challenge, and acknowledged that there are different board/committee members, who feel that they want to have a say in this important plan, and from those, the Planning Board might assess who the most interested are.

Mr. Finnicum mentioned the involvement of small businesses, the people who live in Sudbury. Chairman Garvin mentioned the Chamber of Commerce in this regard. Mr. Finnicum stated that a small business owner, might be extremely passionate about this matter. The Planning Board agreed with this statement.

Chairman Garvin added that another interested group, might include people from the different athletic clubs; softball, lacrosse, tennis, etc.

Mr. Kelly made the statement that Board members know the community much better than his team does, and stressed that the steering committee is going to help administer the process, to stay on track; and will help identify groups in the community that need to be engaged; including the OARS representatives, that spoke earlier this evening. The steering committee members would be asked to attend, and help with the public events, that the team will promote; and they will read the results of those events, and eventually will start to read the material that the team begins to develop. He pointed out, that there will be much outreach, outside of the committee; and asked if the Board would approve of his team spending several hours with these committee members, and added, that with those additional hours, the team would gather all perspectives.

Ms. Donoghue updated the status of the Master Plan, adding that Town Counsel called her this evening, and was amenable to most everything commented on in the agreement, with the exception noted in section 4-3; community engagement/workshops, and Town Counsel thought that this was somewhat restrictive, when compared to what the original intention was. Mr. Kelly commented that it is all about time and budget. Ms. Donoghue said that she was fine with the changes, but wanted to ask the Board as well.

Chairman Garvin said that the Board would review section 4.3, and get back to staff. Members were in agreement. Ms. Donoghue referred to the language on page three, under Products; and said that Counsel sent language to Mr. Kelly to change his language, which read: "Both the schedule and the budget may be subject to change, based on the evolving needs of the project." She asked that the Board respond to Counsel's amended language by tomorrow, so that Mr. Kelly can proceed with the Plan work. Board members agreed.

Chairman Garvin asked Mr. Kelley if he had any pertinent matrix plans, or suggestions regarding the Melone topic. Mr. Kelley said for the matrix, he would refer to the existing Master Plan and examine the goals; and if those were too broad, he suggested that the Board examine the strategies behind those goals.

Administrative Report

Ms. Donoghue reminded that Board that she would be going on vacation, and will not be back until August 6, and on the day of the Planning Board meeting (August 8), she has jury board duty, but will be at the meeting that evening.

Chairman Abair mentioned the proposed meeting for August 22.

Ms. Donoghue said that she is still waiting to hear from Mr. Karustis. Chairman Abair stated that in the past, the Board did not meet in August. Ms. Donoghue added that if the Board wanted to cancel the August 22 meeting, this would be the time to do so; and mentioned that Sept. 12, is Parent Teacher Night, which was a conflicting event with the Board, last year. Chairman Garvin stated that Sept. 5 might be the best alternative, for the meeting; especially if there will not be a meeting on August 22.

There was some discussion about the matrix. Mr. Finnicum offered to work on the existing Master Plan, as it applies to the proposals, and distill what the matrix criteria might be, and would submit that matrix to Staff.

At 10:00 p.m., Chairman Garvin motioned to adjourn the meeting.

On motion duly made and seconded, it was unanimously

VOTED: To adjourn meeting.