

PLANNING BOARD MINUTES

SEPTEMBER 5, 2018

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

Public Hearing – Scenic Road Application – 370 Peakham Road (Assessor’s Map H06-0013)

Chairman Garvin announced that the hearing was going to be opened and then closed. Staff reviewed the application and determined by official survey that the trees in question were on private land and not within the public scenic way, thus no approval was required for taking down the trees.

Motion was made to close the public hearing.

The motion was seconded.

It was on motion unanimously

VOTED: To close the Public Hearing for Scenic Road Application – 370 Peakham Road (Assessor’s Map H06-0013).

Chairman Garvin read from page 70 of the Bylaws and Regulations, and stated that these are the considerations that the Board reviews when scenic road applications are presented: “1. Preservation of natural resources. 2. Environmental and historic values. 3. Scenic and aesthetic characteristics. 4. Public safety. 5. The characteristics of local residential traffic, and residential expectations. 6. Relationship of road design to the standards of the Planning Board’s subdivisions regulations, and that of the MA DPW. 7. Compensatory actions purposed such as: replacing trees or walls. 8. Functional urgency of the repair, maintenance, reconstruction or paving. 9. Additional evidence contributed by abutters, town agencies, or other interested parties. 10. Other sound planning considerations.”

Master Plan Update

Ms. Kilcoyne stated that she wrote a draft for the Master Plan Steering Committee, with mission and purpose, as well as criteria pertaining to the selection of Steering Committee members. She stated that she, and Board Secretary John Hincks, spoke of these areas, and now would ask for Ms. Donoghue’s review. Mr. Hincks mentioned that an important consideration involves the composition of the subcommittee, which must have representation from related Town Boards/groups, and representation from the public at large, and to encourage a diversity of opinion and input. He added that he and Ms. Kilcoyne propose a 50/50 split, with half the proposed members coming from Town Boards, and the other half of the membership coming from Town residents at-large.

Ms. Kilcoyne suggested speaking with Horsley Witten Master Planner regarding expectations and clarification of the steering committee’s role and responsibilities.

Mr. Finnicum asked what the appointment process would be for the Town at large membership. Ms. Kilcoyne stated that aspect needed more discussion. Mr. Hicks added that the steering committee was open to suggestion from the Board, spoke of applications and interviews, and stated that the primary criteria would include a level of commitment and enthusiasm. He stated that the Master Plan consultant recommended strong advocacy within the Town, and not just participating in steering committee meetings. Mr. Hincks stressed that establishing selection criteria was critical, before the interviewing process could begin.

Chairman Garvin stated that this was a great starting point in the process.

Public Hearing – Scenic Road Application – 201 Union Ave., (Assessor’s Map J08-0106)

At 7:45 p.m., Chairman Garvin opened the hearing.

Present: Applicant Jackie Harder, 201 Union Avenue.

Ms. Donoghue gave a description of the project, and said that the applicant was requesting an additional curb cut on Old Lancaster Road, along the north side of the 201 Union Ave. lot. Ms. Donoghue explained that in discussion, Ms. Harder told her that the existing driveway on Union Ave. presented many challenges, as well as being a safety issue. Ms. Donoghue detailed that the application proposes that another driveway be constructed on Old Lancaster Road with a new garage, and the request to remove two trees for the curb cut.

Ms. Harder added that presently there are two existing curb cuts on Union Ave., and her driveway wraps around the back of her house into the yard, and many delivery trucks go through her backyard, which is not preferred. She stated that the new garage and the proposed curb cut on Old Lancaster Road would be much better. She stated that she and her husband owned the adjoining lot on Old Lancaster.

Chairman Garvin said that one of his concerns was that the existing center curb cut on Union Ave. is located at a dangerous intersection.

Vice-Chairman Abair asked if the intention was to have three curb cuts and create two driveways that would join. Ms. Harder responded that the driveways would not join, but that she wanted to retain the two curb cuts on Union Ave.

Mr. Karustis added if that curb cut next to the corner could be closed on Union Ave. Ms. Harder replied that she would be compliant with that suggestion, if it were practical, and stated that she was unclear about the Board’s suggestion.

Mr. Karustis offered that the two existing curb cuts on Union Ave. would not be necessary to get to the proposed new garage. Ms. Harder said that those Union Ave. curb cuts provided the main entryway to the house. Mr. Karustis stated that the Union Ave. cuts would still present potential safety risk.

Chairman Garvin suggested that a 100% safety measure would be preferable. Ms. Harder added that if she did nothing, then the cuts do nothing for safety. Chairman Garvin agreed, and added that if trees are going to come down, then the Board would want increased safety measures on Union Ave., as that is a terrible location for a curb cut. Ms. Harder said that she would have to think about this suggestion. Mr. Karustis recommended that if the Harder’s did not want to connect the two entrances from Old Lancaster and Union, then a turnaround could be included with the existing Union Ave. curb cut. Chairman Garvin stated that there would be many ways to make one Union Ave., curb cut far less visible, especially with vegetation.

Mr. Hincks stated that he agreed that one of the existing curb cuts on Union Ave. is the more dangerous of the two cuts. He commented that he lived on Concord Road for many years and could hear the sudden stops and collisions with the median there; however, he thought that safety had been somewhat improved. He added that he would approve the additional cut on Old Lancaster, but would not make a condition of removing the other curb cut on Union Ave. Mr. Hincks said he was in agreement with the tree removal, as one of the trees is dead and the other tree is dying.

Chairman Garvin reiterated that his concern was lack of site distance with that corner curb cut.

Ms. Kilcoyne stated that she agreed with Mr. Hincks' assessment.

Mr. Finnicum mentioned that there was another consideration along Old Lancaster, and asked if the stone wall there had any historical value, and wondered if that should be addressed. Ms. Harder said that to go forward with the project, the trees might not necessarily have to come down, and included that the tree removal would be included, should it be absolutely necessary; but that the stone wall would definitely have to come down. There was some discussion about the regulation pertaining to that wall.

Mr. Finnicum offered that if the stone wall had to come down, there is opportunity to re-pile those stones. Ms. Harder added that would mean putting the stones back in better than existing condition. Mr. Finnicum agreed. In this regard, Chairman Garvin recommended a tossed wall. Ms. Harder stated that was her intention.

Mr. Karustis agreed that this proposal would be an improvement, and not to have an imposed condition as mentioned.

Vice-Chairman Abair stated that he did not see any reason to keep that curb cut at the intersection, as it presented a safety issue, and he would want that as a condition. Chairman Garvin agreed with that conditioning.

Vice-Chairman Abair asked the applicant what the rationale was in keeping the curb cut on Union Ave. Ms. Harder replied that she did not want the general public to drive $\frac{3}{4}$ of the way around the property to deliver things.

Mr. Karustis added that if the proposed driveway is around the backyard, there would be no access with the mentioned curb cut. Some discussion took place.

Ms. Donoghue asked if the applicant had frontage on Concord Road. Ms. Harder explained that she was not sure.

Chairman Garvin requested that the Board review the Town Engineer's comments, who mentioned that there was some confusion involved with the existing Union Ave. access. Ms. Harder said she spoke with the Town Engineer after that memo was written.

Chairman Garvin suggested that the staff talk to the Town Engineer regarding site distance and the safety factor of the two existing curb cuts on Union Ave. He also suggested that the applicant go back to her architect for additional solutions. Chairman Garvin said that the hearing would be continued.

Motion was made for continuance of the public hearing.

The motion was seconded.

It was on motion unanimously

VOTED: To continue the Public Hearing – Scenic Road Application – 201 Union Ave.,
(Assessor's Map J08-0106)

Chairman Garvin mentioned that the next Board meeting is on September 26, and this continuance could be put on that agenda, and if filing was not completed the week before the September 26, the hearing could be rescheduled.

Public Hearing – Definitive Subdivision, Stormwater Management Permit, Scenic Road – Powers Road, (Assessor's Map B09-0001)

Present: Dan Carr, Project Engineer of Stamski and McNary, Inc.

Ms. Donoghue gave a brief update about the proposed three-lot subdivision and stated that she received documentation from the project Engineer Dan Carr, regarding the line of site, but the Board generally does not discuss anything presented on the day of the meeting. Mr. Carr added that material was submitted earlier, but added information regarding clarification, was recently submitted.

Ms. Suedmeyer added that comments were submitted by the stormwater management peer reviewer, Janet Bernado, of Horsley Witten; but responses had not been received from the project engineer.

Mr. Hincks mentioned that there were three considerations; the site plan, stormwater management plan, and scenic road plan. Chairman Garvin affirmed that, and added that the scenic road application, could be reviewed later. He felt that the scenic road aspect would be better defined, after the stormwater and site plans were covered.

Mr. Carr provided update about the preliminary process, and then presented the proposed definitive three-lot conventional subdivision with three, one-acre lots. He went on to describe Powers Road with a sidewalk, and the three single family dwellings. He added that the firm had reviewed the comments from Horsley Witten, but have not had the opportunity to address them, but would do so in the next few weeks. He then provided a stormwater management plan overview, which included two sets of catch basins, a drop inlet in the open space to capture some overland flow. He added that water would be directed to a sediment fore bay in the middle of the cul-du-sac. Mr. Carr stated that once the fore bay filled, water would be directed to a drainage manhole which would send water to a subsurface chamber area. He detailed that 96 storm tech chambers would be installed.

Mr. Carr stated that a landscape plan was submitted, showing trees forty feet on center along the road on both sides. Mr. Carr detailed the vegetation to be included, and added that all proposed work would be kept outside of the 100 foot buffer zone of wetlands, and would follow the approximate tree line. He commented that Horsley Witten wanted more soil testing done in the area of the proposed drainage systems, which has been scheduled for next week. Mr. Carr added that he was confident because very sandy soil was found when testing for the separate septic systems.

Ms. Suedmeyer stated that most of the peer review comments were stormwater related, and added that the limit of disturbance had to be more clearly defined than the approximate tree line indicator. She also mentioned considerations for snow storage, and wanted a related plan for that, as well. Ms. Suedmeyer suggested that more clarity be given about the number of trees to be cleared, with plans detailing method

to avoid land disturbance while construction is taking place. She stated that the peer reviewer made comments regarding a temporary sediment basin during construction.

Ms. Donoghue added the aspect of cut and fill detail, and after speaking to Town Counsel, thought it would be beneficial to obtain a peer reviewer for the line of site and the traffic study. Ms. Donoghue asked about the applicant's dedication of conservation land, which was not indicated on the most recent plans. Mr. Carr responded that the applicant was willing to set aside some of the land as conservation land.

Mr. Karustis stated that he still had concerns regarding the proposed construction of three houses on this property, and felt that anything more than two houses did not fit the character of the neighborhood. He stressed that the traffic study needed more data, with utilization of a counter to give exact numbers of vehicles. He added that he had some concerns about removal of the vegetation along Powers Road, and recommended some kind of buffer. Mr. Karustis stated that he appreciated the good suggestions and input from the neighbors. He stated that there is still much work to be done here, and asserted that the Board had the authority to request an environmental impact study.

Vice-Chairman Abair mentioned that a formal response from the applicant had not been supplied for the peer reviewer yet. He stated that there is work to be done from a stormwater management perspective, and stated that his biggest concern was the proposed road into the property and mitigation of any stormwater issues.

Mr. Hincks stated that he had considerable concerns regarding stormwater and the number of items that Horsley Witten had addressed. He added that most of his questions are about the site plan and asked if Stamski and McNary looked at any designs that did not require as much clearing.

Mr. Carr responded that the firm did look at other designs, but the challenge with the property was the narrowness, which limits the locations of the homes.

Mr. Hincks asked when the applicant and Stamski and McNary last met with the abutters to get their feedback. Mr. Carr replied that the applicant sat with the neighbors during the preliminary process, several months ago.

Mr. Hincks asked if the applicant would be open to such feedback to consider any modification to the site plan, based on the neighbors' concerns. Mr. Carr said that he thought so, to an extent. Mr. Hincks responded that that might be worth seriously considering. Mr. Carr responded that the applicant did consider the neighborhood preference, when the development went from four to three homes on the site.

Ms. Kilcoyne stated that she also thought that three homes was too much for the site, and asked if the applicant would consider two homes. Mr. Carr responded that the difficulty with two homes was that there is not enough frontage for two lots, and would still have to construct a proposed road. He added that when a road has to be built, it does not make much economic sense to do so for only two houses.

Ms. Kilcoyne also mentioned the conservation restriction, as proposed. Mr. Carr acknowledged that proposal. Ms. Kilcoyne asked if the applicant might consider moving the driveway so that the clearing would be less extensive. Mr. Carr responded that the idea was considered, but that the best option for site distance purposes was the road as proposed, and that any other location of the road would involve more extensive tree removal for site distance consideration.

Mr. Finnicum asked about the landscape plan, and read a notation on the plan which suggested some changes. Mr. Carr answered that the notation was referring to woody plants and perennials, around the

front of the houses, but that the street trees and screening trees would be set by the landscape plan. Mr. Finnicum agreed that the landscape plan needed more attention, and stated that he agreed with Mr. Karustis' recommendation about diversifying the landscape stock. He said that he also had concerns about the Horsley Witten comments, especially with regard to land clearing.

Chairman Garvin said that he also had concerns with the fact that this proposed road would become a public way that the Town would take over, and that the proposed drainage system might then drain into someone's yard. He said that he would want to hear from the Town engineer in regards to how that would be maintained, and how possible failure would be addressed or replaced. He also made comment regarding issues related to lot #1.

Chairman Garvin suggested that if the project could be reduced to the construction of two homes, that would allow the Board to work more effectively with the applicant, as a cluster of two homes with a conservation restriction. He added that such a change would eliminate the associated requirements and present a much improved driveway. He added that from a site distance perspective, this is a true scenic road scenario, with trees and utility poles, and how that would be addressed, is a challenge. Chairman Garvin stated that staff would provide more information about a proposed environmental study. Mr. Carr thanked the Board for their thoughts, and added that the applicant did perform a site distance analysis on the road. He added that he spoke with Town Engineer, Bill O'Rourke earlier today, and said that Mr. O'Rourke did have some concerns, but stated that he parked his car 150 feet away and stood where the proposed road would be, and said that he could see the lights on his vehicle. Although it was difficult to see with the brush, he said that he was going to be proposing the elimination of some brush there.

Chairman Garvin acknowledged that proposal and agreed with the procedure, explaining the clearing triangle concept. Mr. Carr responded to Chairman Garvin's suggestion about rotating one of the houses, and added that that the set-backs do not allow for a different orientation of the house, unless it had a different footprint.

Mr. Finnicum commented that lot 3 is a long and narrow lot, and asked about its delineation, and asked if a prospective home owner could clear all the way to the end of that lot. Mr. Carr responded that the lot was shaped that way because of one of the requirements in the Sudbury zoning bylaw, dictating a lot area factor, where 40 square feet of lot area is needed for every one linear foot of perimeter. Mr. Carr said that in terms of clearing beyond what is shown now, proposing some type of land marker at the 100 foot buffer zone would signify no clearing beyond that point.

Attorney Nathaniel Stevens of McGregor & Legere, P.C., of Boston, and representative for Fred Burnham and Mary Sterling, of 59 Hunters Ridge Road, Concord. Mr. Stevens stated that his clients' property backs up to, and abuts the proposed development. He asked for a peer review of the entire project, and not just the stormwater management aspect or traffic and line of site. He added that there have been no such in-depth studies, to date. Mr. Stevens mentioned that the Horsley Witten comments in regard to the stormwater plan cast doubt on the definitive subdivision plans and the application. He said that the neighbors are asking that Horsley Witten expand their scope of inspection for the related plans, or suggest that the Board hire another firm to do so. He also recommended that the Planning Board "push" the developer to include more low impact development design factors, such as permeable pavers, rain gardens, and swales in the area of the roadway. He recommended that LED designs would be beneficial, with attention to steepness and narrowness of the site and proximity to wetlands and streams. He stressed that LED Elements can result in lower maintenance requirements, which would be of benefit to the Town.

Mr. Stevens noted that there was a recent memo submitted by Craig Lizotte, who was a former Planning Board member. He detailed that the memo highlighted many deficiencies with the definitive plan application; which his clients want the Board to address. Mr. Stevens mentioned that the application triggers three different laws with approvals required, and asked that the Board schedule a series of different hearings regarding each of those permits and applications, and defer the scenic road aspect to a later date. As another option he suggested that the Board consider splitting meetings by topic, and schedule topics for each night of hearing, and mentioned discussion of traffic and safety on one night, septic, disposal, and stormwater on another, and natural features and the scenic aspect on a third night of hearing.

Concord resident, Mary Sandra Mueller 69 Hunter's Ridge Road, stated that she owns a parcel on Powers Road, and that the stormwater management peer review has the endorsement of the neighbors, and stated that she wanted every standard to be met by the developer, with revisions to be made on the definitive plan.

Chairman Garvin stated that moving forward, the next hearing would be held on September 26, meaning that anything filed by interested parties would have to be received by the Planning Board office by September 19 by noon, or if more time was needed, the hearing could be rescheduled. He affirmed that the Board will be looking into the suggestions discussed this evening, including other studies and peer reviews, as soon as possible. Chairman Garvin suggested that Mr. Carr review the suggestions and information provided at the hearing and hoped that changes might be implemented so that the process could continue.

Motion was made to continue the public hearing for the definitive subdivision.

The motion was seconded.

It was on motion unanimously

VOTED: To Continue the Public Hearing - Definitive Subdivision – Powers Road, (Assessor's Map B09-0001)

Motion was made to continue the public hearing for the Stormwater Management Permit.

The motion was seconded.

It was on motion unanimously

VOTED: To Continue the Public Hearing – Stormwater Management Permit – Powers Road, (Assessor's Map B09-0001)

Motion was made to continue the public hearing for Scenic Road.

The motion was seconded.

It was on motion unanimously

VOTED: To Continue the Public Hearing – Scenic Road – Powers Road, (Assessor's Map B09-0001)

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

At 8:55 p.m., Chairman Garvin opened the hearing.

Present: Jason Dubois, PE - DC Engineering & Survey, Inc.; Afra and Ali Hayat, Applicants.

Mr. Dubois reviewed the project and stated that the comments from the Horsley Witten peer reviewer, had been addressed, and well as, the concerns of the Town Engineer.

Ms. Suedmeyer stated the peer reviewer, Ms. Bernardo, of Horsley Witten was satisfied with the revisions made to the plan. She added that there was additional correspondence between Town Engineer, Bill O’Rourke, herself, and the project engineers regarding some of the details related to the stone diaphragm and the trench leading to the bio-retention area. She added that upon the request of Mr. O’Rourke, the pea stone would be replaced with a more substantial riprap stone and would be lined with filter fabric. She added that this conversation took place after the Wednesday deadline, and now have modified plans that meet the requirements that the Town Engineer requested. Ms. Suedmeyer stated that it would be permissible to go forward and condition several details. She added that she prepared the draft decision, with standard edits to be included regarding several documents that were received after the deadline.

Mr. Karustis made comment that the Town Engineer had been satisfied with the modifications. Ms. Suedmeyer provided detail that those modifications had been made.

Mr. Karustis mentioned that a condition regarding planting/vegetation, should be included in the draft decision. Ms. Suedmeyer was in agreement with that observation, and affirmed that the planting/vegetation aspect would be included as an additional condition.

Vice-Chairman Abair stated that he had no further comments.

Mr. Hincks stated that he wanted to be sure that the proposed conditions included the stone, plantings, and revision to the trench drain. Ms. Suedmeyer affirmed, and added that the trench drain describes the size of the stone, which is one condition.

Ms. Kilcoyne mentioned the drainage from the driveway and the pea gravel diaphragm. Ms. Suedmeyer responded that the stone diaphragm, as well as, the swale that leads to the bio-retention area were both revised.

Mr. Finnicum said that the comment he made regarding the bio-retention catch basin along Goodman’s Hill Road, looked very constructed and engineered, and there was mention of easing that aspect at the last meeting. He asked if that had been addressed, and wanted to have that item included, as another condition.

Mr. Dubois responded that he did smooth out the grades in the septic system area, and the slope that was proposed is very similar to the steep hill that is currently there.

Mr. Finnicum added that he wanted to see that very linear approach modified to have a more natural appearance. Chairman Garvin agreed with the recommendation. Mr. Dubois replied that he would be able to modify that aspect.

Chairman Garvin suggested that the slope be eased and modified, and further stated that he also had concern about soil erosion and limit of work, and that the current plan did not clearly delineate those features.

Ms. Suedmeyer stated that she could include description of further clarity in the draft decision.

Motion was made to conditionally approve the stormwater plan, with amendments as noted.

The motion was seconded.

It was on motion unanimously

VOTED: To conditionally approve the stormwater management plan, with amendments as noted, for the Stormwater Management Permit – 0 Goodman’s Hill Road, Lot A Walker Farm, (Assessor’s Map K10-0206).

Continued 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: JP Parnas, Project Manager-Weston & Sampson, Elena Compter, Project Engineer-Weston & Sampson; Vincent Roy, Executive Director – Sudbury Water District; Steve Kirby, Vertex Company – Project Manager.

Mr. Parnas provided update of the project involving a stormwater management permit at the Water District property, which proposed an addition to the existing building, a vehicle storage garage, increased parking area and improvements.

Chairman Garvin mentioned that the aesthetic factor was highlighted at the previous meeting, as well as the elevation going along Raymond Road.

Project renderings were displayed at this time.

Mr. Parnas stated that the plans would include the planting of increased evergreens, and added that the front of the building would be modified with the front entrance being more open.

Chairman Garvin mentioned that there was concern about the elevation heading up the driveway. Ms. Compter stated that the plan had been revised with increased evergreen plantings to help with screening the building from Raymond Road. In addition, increased shrubbery along the parking lot would screen the vehicles parked in that area and address some of the elevation concerns.

Chairman Garvin thought that the described additions were helpful.

Ms. Compter stated that all the peer reviewer’s comments were addressed to satisfaction, including scope of work.

Ms. Donoghue stated that the draft decision was completed.

Ms. Suedmeyer mentioned that the comment from the peer reviewer, regarding soil testing being deferred to the Planning Board.

Ms. Compter referred to the drainage plan in regard to the soil testing aspect, and said that test pits were completed around the largest infiltration area, and the soil was confirmed to be satisfactory. She added that the reason Weston & Sampson had not done an infiltration test now, was that, currently, there is a septic field in this area that will be removed as part of the project, and the building is still in operation, so that digging a hole would not be advisable. For this reason, Ms. Compter suggested that the Board include this as a condition for approval, and that the soil testing would be performed later.

Chairman Garvin was in agreement, and added that as long as the applicant assumes that risk, and if the testing should demonstrate high water table, ledge, or poor soils, then redesign of the project may be mandated. Chairman Garvin asked about the other area for soil testing.

Ms. Compter responded that the area was not accessible for testing due to a large dumpster. Chairman Garvin asked if there were any original design plans available from when the septic design was last submitted, which might provide soil information. Ms. Compter said that she could not find any previous plans for that septic system.

Chairman Garvin asked if the septic system had been inspected to determine if the distribution box indicated failure, which could be an indicator of high ground water. Ms. Compter replied that she did not think that the septic system had been inspected because a new septic system was to be installed. Chairman Garvin suggested that the distribution box be examined to get a good idea, before starting the project.

Ms. Suedmeyer said that another factor to be considered was the issue of snow storage onsite, which had not been addressed or identified on the plan.

Ms. Compter responded that an unused driveway area could be utilized for some snow storage.

Ms. Suedmeyer added that in addition to the conditions that have been drafted, the requirement for submission of soil and percolation testing would be included.

Mr. Karustis questioned if the OMN plan referred to by Horsley Witten, had been reviewed and approved. Ms. Compter stated that the OMN plan had been submitted and approved. Ms. Suedmeyer verified that approval.

Vice-Chairman Abair commented about the 20 foot waiver of landscaping and asked where that was captured in the site plan. Ms. Donoghue stated that she would include that, if the Board so approves.

Ms. Kilcoyne stated that she remembered a conversation regarding the proposed water district sign. Ms. Compter replied that the sign was reviewed by the Design Board. Mr. Parnas added that the proportions of the sign height were addressed, as well. Ms. Kilcoyne asked if the entrance sign was a white color, and if the Design Board had approved that aspect as well. Mr. Parnas replied in the affirmative.

Mr. Finnicum asked if there was any follow-up regarding natural gas fuel for the generator. Mr. Parnas responded that a financial review, showed that gas fuel would reflect a \$40,000 - \$50,000 increase.

Mr. Roy stated that he reached out to the gas company, and wanted the gas company to come to the site to determine if the piping was adequate to support a gas fueled generator. Mr. Parnas said that the piping would be adequate, but the cost difference is substantial. Mr. Roy added that the gas fuel option could be considered in the future, but the current appropriation is a year and a half old, and bidding is now quite challenging. Mr. Finnicum mentioned that it is a concern, when considering the wetlands and the water supply. He added if additional precautions could be included with the diesel generator. Mr. Parnas responded that there may be a third containment berm which could be utilized. Generator installation discussion took place. Mr. Parnas stated that additional precautions could be included.

Mr. Finnicum also mentioned that in order to offset the heat from a dark pavement and increase sustainability, he recommended a white TPO, or a white PVC roof, and thought that the pricing and maintenance would be the same as the proposed black EPDM roofing.

A motion was made to approve as amended, with conditions noted, the site plan for the Water Resource Protection district, as discussed.

The motion was seconded.

It was on motion unanimously

VOTED: To approve as amended, with conditions noted, Site Plan – Sudbury Water District, 199 Raymond Road, (Assessor’s Map L08-0001).

A motion was made to approve as amended, with conditions noted, the Stormwater Management Permit for the Water Resource Protection district, as discussed.

The motion was seconded.

It was on motion unanimously

VOTED: To approve as amended, with conditions noted – Stormwater Management Permit – Sudbury Water District, 199 Raymond Road, (Assessor’s Map L08-0001).

A motion was made to approve as amended, with conditions noted, the Water Resource Protection District Special Permit, as discussed.

The motion was seconded.

It was on motion unanimously

VOTED: To approve as amended, with conditions noted, the Water Resource Protection District Special Permit – Sudbury Water District, 199 Raymond Road, (Assessor’s Map L08-0001)

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, Kevin O’Leary- Project Engineer, Jillson Engineering.

Mr. Watsky stated that the Board had requested two additional items at the closure of the previous public hearing. He detailed that the first item requested, was to contact the Fire Chief for a response, and the other request was to modify the design of the stormwater management plan near the access driveway.

Mr. O’Leary mentioned that a stone diaphragm was included with the latest plan, as recommended by Horsley Witten within the fourth peer review of the project.

Ms. Suedmeyer said that she sent the final plan review along to peer reviewer Janet Bernardo, of Horsley Witten, and Ms. Bernardo said that the response was adequate and had no additional concerns.

Mr. Karustis said that his only question was about the Board conditioning the approval, and wondered why there were so many conditions.

Ms. Suedmeyer stated that the first part of the review was related to the waste water plan design, and the later part of the review concentrated on the stormwater design; Horsley Witten reviewed both components of the design.

Chairman Garvin stated that many of the conditions were timing related, and said that he was fine with conditioning a number of items, but wanted everyone to understand that those conditions must be satisfied at some point, under certain time frames, and well before the project was completed. He stressed

the importance of timely follow-up, when considering conditions. Ms. Suedmeyer commented that much will be dependent on the MA DEP review of the application, as well.

Ms. Donoghue stated that plan approval lapses after two years if no construction has commenced. Ms. Suedmeyer commented that at the time of DEP filing, the Board would expect that many of these conditioned items, would be resolved.

Chairman Garvin said that further specification on time is not necessary, but the Board just wants assurance that conditioned items will be completed in a timely manner, with check points in place, to justify that they have been completed. He stated that if the conditions are not met, that the Board would withdraw the approval, or provide language of similar nature.

Vice-Chairman Abair had nothing to add.

Mr. Hincks commented on a minor clarification concerning Horsley Witten deferring to the Board, and asked if the Board has accounted for all the items mentioned for approval.

Ms. Donoghue replied that in the stormwater resource area, she utilized a number of them. Chairman Garvin said that the document is still a draft, and the applicant and the Board would want to make sure that conditioned items have been accounted for, and if any item/s have not been included when cross checking, staff will include them in the conditional approval decision.

Ms. Kilcoyne asked about trucks coming out of the property on to Raymond Road and down onto Robbins Road, near the elementary school. She asked what time of day those trucks would be most active. Mr. O'Leary stated that travel time would be in compliance with Town bylaws and regulations. Ms. Kilcoyne stated that her concern was related to children walking to and from the school bus on Robbins Road. Mr. Watsky commented that the concern was justified. Chairman Garvin stated that the timing of the working trucks would be specified, in consideration of school bus pick-up and drop-off times, as a condition.

Chairman Garvin asked the applicant what their timeline would be regarding approval from MA DEP. Mr. O'Leary responded that he would anticipate getting a reply from DEP around late November, early December.

Mr. Watsky commented that the approval from the Planning Board was somewhat dependent on getting the approval from DEP. Chairman Garvin offered that March 2019, might be a reasonable time for having everything submitted to all interested authorities. Mr. O'Leary commented that he thought that answers/approvals from the utilities, etc., might not happen by that time. Chairman Garvin asked what could be done to expedite the time frame. Mr. O'Leary replied that getting the approval from this Board, would be helpful to that end; and stated that the owner and applicant would like the flexibility to start in early spring, with some of the preliminary land clearing work, and site preparation. Chairman Garvin then offered June, 2019 as a reasonable timeframe for having all the conditions met.

Mr. Watsky stated that a date of June, 2019 as a date of compliance, was reasonable.

Mr. Karustis suggested that if the time gets closer to the June deadline, it would be important that the applicant notify the Board, so that arrangements can be made.

Ms. Suedmeyer questioned if the Board wanted the June deadline to be included in the conditions of approval. Chairman Garvin answered that if any of the permits have been conditioned, then the Board

would want a timeline attached to them. Ms. Suedmeyer stated that the stormwater-related conditions were included on the draft decision presented.

Mr. Watsky mentioned that one of the permits granted has an expiration of one year and he would want to make that consistent with the other permit, which is reflective of a two-year expiration deadline. A group discussion took place.

Motion was made to approve, with conditions noted, the site plan for Sudbury Pines, 632 & 642 Boston Post Road.

Motion was seconded.

It was on motion unanimously

VOTED: To approve with conditions noted, the Site Plan – Sudbury Pines, 632 & 642 Boston Post Road, (Assessor’s Map K06-0004 & K06-0005)

Motion was made to approve, with conditions noted, the Stormwater Management Permit for Sudbury Pines, 632 & 642 Boston Post Road.

Motion was seconded.

It was on motion unanimously

VOTED: To approve with conditions noted, the Stormwater Management Permit - Sudbury Pines, 632 & 642 Boston Post Road, (Assessor’s Map K06-0004 & K06-0005)

Motion was made to approve with conditions noted, the Water Resource Protection District Special Permit for Sudbury Pines, 632 & 642 Boston Post Road.

Motion was seconded.

It was on motion unanimously

VOTED: To approve with conditions noted, the Water Resource Protection District Special Permit - Sudbury Pines, 632 & 642 Boston Post Road, (Assessor’s Map K06-0004 & K06-0005).

Mr. Watsky stated that as soon as staff was able to send the revised draft of the decision, with conditions discussed, he would have some opportunity to provide input.

Chairman Garvin answered affirmatively.

Administrative Report

Chairman Garvin stated that the Board should schedule a trip to Powers Road and obtain a quorum, for posted public meeting/visit. Ms. Donoghue informed the Board that 48 hours before meeting is needed in order to post the visit. The Board agreed that 7:30 a.m. would be a preferable time. Ms. Donoghue said that she would follow-up with the Board tomorrow. Chairman Garvin suggested that before the site visit, the applicant could stake out the 100 foot buffer, the building locations, the center line of the road, stakes at the two edges of the curb, and clearing of pavement.

Ms. Donoghue stated that the site visit would be a public meeting and abutters could be in attendance, and the neighbors have requested that they want to be notified of any and all such meetings, and that they will appoint someone from the neighborhood to attend.

Ms. Donoghue stated that the CPC applications have been distributed to all the committees and department heads, and asked the Board if they know of any Planning Board members wishing to do something, or any individuals, who would like to apply its available and due on Oct. 4.

Minutes for Review

Chairman Garvin said that he did not have an opportunity to review them. Members agreed to review the minutes at the next meeting.

Meeting Schedule

Chairman Garvin asked if members would be available for the next meetings on September 26, and October 10. Vice-Chairman Abair stated that he would not be available on October 10.

Ms. Kilcoyne reminded the Board of the Master Plan Subcommittee selection input.

The Board discussed sectioning the meetings regarding the Powers Road development, as suggested by the abutter's attorney. Board member agreed that it was a good idea, and that they would try to plan those meetings, especially scenic road topic.

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.