

PLANNING BOARD MINUTES

NOVEMBER 14, 2018

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

Absent: Charles Karustis

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 Subdivision, Stormwater Management, Scenic Road – Powers Road, (Assessor’s Map B09-0001)

Present: Daniel Carr, E.I.T., of Stamski and McNary, Inc.

Chairman Garvin stated that because some material from the applicant and the peer-reviewer were received after the deadline, the hearing would be continuing.

Mr. Carr stated that several aspects of the project had been altered, per recommendation of the Horsley-Witten peer review and BETA Group, including:

*An isolator row, with double row of subsurface chambers, instead of grass and gravel in the center of the cul-de-sac. Mr. Carr maintained that the first runoff would be directed to the isolator row (which receives the most polluted water), and would be wrapped in filter fabric.

*A guard rail around the cul-de-sac for safety and Sudbury roadway regulations.

*Added Parcel A to remove the frontage on Lot #3 on Powers Road.

*Relocation of the soil absorption system to the other side of the Lot #1 house to provide improved screening between the house and Powers Road.

*Assigning “X’s” for trees that will be removed at the site

*Relocating stones that had to be removed in one part of the existing wall, re-purposing those stones to be added to sparser areas of the wall, and to frame the entrance to the cul-de-sac if additional stone remained.

Ms. Suedmeyer mentioned several follow-up items, including clearly designating the area of work and indicating that type of fencing would be used. She inquired about soil tests on Lot #1 around the septic tank. Mr. Carr stated that the soil testing would hopefully be done by the next meeting.

As another potential follow-up item, Ms. Suedmeyer asked since there were some changes to the stormwater management plan, changes could be needed for the operation and maintenance plan. Mr. Carr stated that an isolator row could be added to the operation/maintenance plan.

Ms. Suedmeyer thanked Mr. Carr for providing the Construction Management Plan and highlighted section G. regarding the topic of Communications with the Town, Neighbors, and the community. She suggested providing additional information on contacts and communication. She also suggested more information on regarding staging areas and storage. She mentioned the fact, that no street lights had been proposed, and felt that the Board might want to consider this aspect; in addition to other considerations, such as item 2c; indicating that the gravel trench be increased, to meet the water volume anticipated.

Ms. Suedmeyer stated that the Planning Board received the BETA review today, as did the applicant, and added that BETA deferred some aspects to the Board for consideration. Chairman Garvin stated that the Board would be reviewing those submitted materials at the next meeting.

Vice-Chair Abair mentioned the e-mail from resident and former Board member, Craig Lizotte, who indicated that the plan did not address phasing of land disturbance. Mr. Carr responded that the phasing of construction had not been submitted, but he would provide the staging of the construction, lot by lot. Chairman Garvin stated that the intent of phasing is to control erosion and to prevent extensive construction-related disturbance from taking place all at one time.

Vice-Chair Abair agreed that control measures are imperative, and that a second concern involved the interim stabilization of soil piles. Mr. Carr stated that he would be adding related notations, indicating that stockpiling would be controlled, and that soil cannot be exposed for a significant amount of time.

Mr. Hincks agreed with Vice-Chair Abair, and mentioned the benefit of erosion control, with careful monitoring until stabilization took place. He acknowledged the addition of the isolator row, and wanted to know how the maintenance plan would be handled. Mr. Carr responded that the Homeowners Association (HOA) would handle that maintenance aspect, especially regarding the isolator row and chambers. Mr. Hincks mentioned that deed restrictions could be used to enforce HOA maintenance requirements. Chairman Garvin elaborated, and stated that the HOA would get recorded at the Court of Deeds, requiring that a maintenance report is performed by an engineer on a yearly basis. He added that this yearly report would be of benefit to the owners and other residents. Mr. Hincks agreed with the deed restriction aspect, and highlighted the communications aspect.

Ms. Kilcoyne asked about the conservation restriction. Mr. Carr stated that he expected that the maintenance program be a condition – either using a CR, or gifted to the Town. He added that the applicant would comply with either classification options for Lots A & B.

Mr. Finnicum reiterated that the testing of the soil for the new septic location would be important. He questioned if the storm ceptors would be installed before construction of the homes took place. Mr. Carr responded that the homes would be built first. Mr. Finnicum recommended temporary erosion control measures, so the construction debris could be prevented from going into the ceptors. Mr. Carr detailed that during construction, there would be sacs placed on the catch basins, which would be removed after the construction phase.

Mr. Finnicum questioned the extent of the guard rails. Mr. Carr answered that the guard rails would be installed around the circle for safety reasons. Mr. Carr stated that the guardrail would be a wood type, and not the steel highway variety. Chairman Garvin maintained that more than an acre of land was being disturbed, which required a Stormwater Management Pollution Prevention Plan (SWPPP), as mandated by EPA, and requires a 24-hour contact for the project.

Chairman Garvin mentioned that there would be more discussion about the scenic road aspects at the next meeting.

Resident Marilyn Dow, 10 Barnet Road, stated that she lived near Lot #1, said that she was happy that parcel A would be covered under conservation restriction, and asked if a similar restriction could be applied on Lot #1, which would help maintain the tree line. Chairman Garvin replied that restriction might create challenges, but would ask the developer to look at that aspect, and noted that the Board and the applicant were working towards that end.

Concord resident Mary Mueller, 69 Hunter Ridge Rd, stated that her property abuts the swale, and she wants to keep the swale undisturbed. She was told that the applicant agreed to her request, and she asked to have the agreement in writing.

Concord resident Mary Sterling, 59 Hunters Ridge Road, said that she was concerned about the removal of trees on the site, and added that 55+ trees would be cut, and requested that the remaining trees be labeled on the plan. She mentioned that the BETA group requested large tree groupings identified, and she suggested that aspect be added as a condition of approval.

Concord resident Kathy DeRoche, 143 Hunters Ridge Road, asked about the conservation restriction and wanted to know what the exact amount of land was covered by the CR and who would own it. She also asked if there would be public access to the CR land, and wanted to know when the CR would go into effect. Chairman Garvin responded that the CR has been delineated on the plan, and may be held by a CR trust or conservation, and owned by HOA with other available options. He added that the Planning Board would see a draft of the CR as a condition of approval, and stated that Town Counsel would be reviewing the proposed CR draft, to ensure protection for all.

Ms. DeRoche commented about water in her basement, and added that three new homes without trees might contribute to more water coming into her basement. Chairman Garvin replied that the Stormwater Management bylaw dictates that precautions have been studied by interactions and calculations, which have been carefully reviewed by Horsley-Witten.

Concord resident, Fred Bernham, 59 Hunter's Ridge Road asked about the location of construction trailers and trucks, and stressed that the communication aspect is crucial. He asked how the construction would be monitored. Chairman Garvin stated that a monitoring plan, a SWPPP Report, will be an official monitoring mechanism. Mr. Carr added that the monitoring stations are to be located along the proposed road, in the development. Chairman Garvin detailed that there would be a monitoring station every 100 feet, as the plan dictates.

Concord resident, Jason Chu, 205 Hunter's Ridge Road, stated that public record indicates that there are 13.2 acres on the site, and not 12.5 as shown on the plans. Mr. Carr responded that the plans follow the specifications of the deed, and that sometimes the Town figures are varied.

Resident Amy Robinson, 153 Powers Road, stated that Powers Road is very narrow, and wondered how trucks and storage could be left on the road. Mr. Carr explained that the construction vehicles would be on the road, within the development, and not on Powers Road. He stated that the first step would involve making the space for the vehicles. Chairman Garvin said that a rough gravel road would be made.

Concord resident, Jennifer Zuniga, 219 Hunter's Ridge Road stated that there are many birds and other wildlife on the proposed development site, and asked if someone in conservation could help replicate that birding environment at the new development. Mr. Carr stated that new native trees (Maple and Oak) have been chosen for this reason. Ms. Zuniga stated that she appreciated the effort, and suggested that the neighborhood task force could review the plan and the new plantings. Chairman Garvin offered that the Board would share those plans with residents, as it is public record.

Mr. Bernham asked about assurance of communication, from the pre-construction stage, forward. Chairman Garvin replied that the applicant had heard neighbors' comments tonight, and there would be a filing with EPA, with Board notation regarding the importance of the communications aspect.

Ms. Suedmeyer requested that a full scope of the landscape be included in the plans, as it was omitted. Mr. Carr stated that the full landscape plan would be included as well.

Mr. Carr requested a continuance of the hearing.

It was on motion unanimously

VOTED: To continue the Public Hearing – Definitive Subdivision, Stormwater Management, Scenic Road – Powers Road, (Assessor's Map B09-0001) to December 12.

Immediately Continued Public Hearing – Site Plan & Stormwater Management – 8 Stone Road, (Assessor's Map K06-0303)

At 8:00 p.m., Chairman Garvin motioned to continue the hearing.

It was on motion unanimously

VOTED: To continue the Public Hearing – Site Plan & Stormwater Management – 8 Stone Road, (Assessor's Map K06-0303).

Continued Public Hearing – Site Plan & Stormwater Management – 554 Boston Post Road, (Assessor's Map K06-0602). Application Withdrawn without Prejudice on October 29, 2018

It was on motion unanimously

VOTED: To accept the application withdrawal for Site Plan & Stormwater Management – 554 Boston Post Road, (Assessor's Map K06-0602). Application Withdrawn without Prejudice on October 29, 2018.

Discussion – Zoning Changes for Melone Property

Chairman Garvin stated that the Board would be back on November 20 to see the Quarry North Development Plan, and may further discuss it at the November 28/29 meetings. He added that the Board is awaiting contact from Town Counsel regarding another draft based on related comments, presented at last night's meeting.

Ms. Suedmeyer confirmed that the Public Forum for the Melone site would take place on November 27, and the Planning Board public hearing would take place on November 29.

Master Plan Update

Mr. Hincks stated that there are eight applicants for the Master Plan Steering Committee's seats at-large, with the intent to select four at-large members. He added that there may be benefit to slightly increasing the number of at-large members. He stated that it might be desirable to have more than four at-large representatives as members, as many applicants are well qualified.

Mr. Finnicum mentioned that because this process will be a long one and more members may be better.

Mr. Hincks stated that 12 to 14 members may be a good number.

Chairman Garvin detailed that the Horsley Witten consultant recommended less, but may want to investigate the proposed composition. Mr. Hincks agreed that having the Master Plan consultant review the proposed membership number and composition would be a good idea.

A Board discussion took place.

Selectman Janie Dretler stated that better understanding of the structure of the Committee would assist in going forward with the candidate selection process. Chairman Garvin asked Ms. Suedmeyer to request that Horsley-Witten include an agenda format.

Mr. Hincks stated that the expertise of one selected member may promote improved continuity, but that does not necessarily have to be a mandate. Ms. Suedmeyer suggested the use of alternate members, as well as the implementation of thematic subgroup meetings, since rotating membership may be difficult.

Administrative Report

Chairman Garvin stated that fines for violations are accumulating at 648 Boston Post Road, but the applicant had submitted a stormwater management application.

Ms. Suedmeyer stated that the submitted application was quite thorough, and she would be meeting with Town Counsel to discuss it.

Minutes for Review

It was on motion unanimously

VOTED: To approve the minutes of August 8, 2018; as amended.

Meeting Schedule

Ms. Suedmeyer stated that the upcoming Board meetings would be scheduled for November 28, and added that the November 29 meeting will be a public hearing for the Melone property. Ms. Suedmeyer suggested that the Master Plan Steering Committee Kick-off meeting would be held on December 13.

At 8:50 p.m., Chairman Garvin motioned to adjourn the meeting.

On motion duly made and seconded, it was unanimously

VOTED: To adjourn the meeting.