



# Town of Sudbury

## Planning Board

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### MINUTES

APRIL 10, 2019 AT 7:30 PM

LOWER TOWN HALL, 322 CONCORD ROAD, SUDBURY, MA

**Members Present:** Chair Stephen Garvin, Vice-Chair Peter Abair, and Nancy Kilcoyne.

**Members Absent:** Clerk John Hincks, Charles Karustis, and Associate Member Justin Finnicum.

**Others Present:** Director of Planning and Community Development Adam Duchesneau and Environmental Planner Beth Suedmeyer.

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

#### **Continued Public Hearing – Definitive Subdivision, Stormwater Management, & Scenic Road – Powers Road (Assessor's Map B09-0001).**

Present to discuss the application with the Planning Board was Daniel Carr, E.I.T., from Stamski and McNary, Inc. Mr. Carr reviewed the following changes which were made to the Definitive Subdivision Plan set:

- Bollards replaced guard rails in the center cul-de-sac island (Sheet 7).
- Inclusion of two fire hydrants as requested by the Sudbury Water District and Fire Department.
- Post and rail fence implemented along Lots 1 and 3 to define the edge of clearing.
- Town Access Easement provided from the end of the cul-de-sac for maintenance purposes only.
- Updated Construction Management Plan, Section G, including communication with abutters.
- Inclusion of estimated length of time for each project phase (Sheet 10).
- Applicant's attorney preparing draft deed for Parcels A and B to be given to the Town.

Mr. Duchesneau stated Mr. Abair had signed a certificate indicating he had reviewed the video of the meeting he missed on March 27, 2019. Mr. Duchesneau then reviewed the updated Draft Construction Management Plan, and presented changes made to the Site Plan Review and Scenic Road decisions.

Ms. Suedmeyer reviewed the changes made to the Stormwater Management Permit decision which included the dated document correction and the limit of work aspect. She stated the Horsley Witten Group peer reviewer was satisfied with the proposed plans and had no further comments.

Mr. Abair commented neighborhood and Applicant involvement was reflected in the final permitting decision.

Mr. Garvin recommended a plaque or bound be installed at the limit of clearing for the site in consideration of future changes in home ownership. He provided suggestions regarding the Scenic Road application which included adding a complete description of the four trees to be removed.

Ms. Suedmeyer referred to the section on the plans which indicated the stone wall could be repurposed along Powers Road. Mr. Garvin recommended enhancing the existing stone wall with the removed stones and suggested including this condition on the plans, as well as in the draft decision. Mr. Carr agreed.

Mr. Garvin then opened the meeting to public comments on the application.

Fred Burnham of 59 Hunter's Ridge Road in Concord stated he appreciated the thorough draft decisions as composed by the Planning Board and staff, as well as clarity of conservation parcel allocations and listening to the neighbor's comments. Mr. Garvin responded the Planning Board appreciated the abutters critical input which made for a better planning process.

Mary Sterling of 59 Hunter's Ridge Road in Concord requested a restrictive land covenant be specifically deeded on Lot 3 to assure future excavation and tree removal would not take place.

Joe Santangelo 28 Powers Road thanked the Planning Board, staff, and Stamsky and McNary, Inc. for working with the neighbors.

Josh Kon, the real estate agent for the Applicant, indicated a restrictive land covenant would restrict the value of the property and felt the newly formed land restrictions on the site were adequate.

Mr. Duchesneau noted the draft decision addresses this aspect and the condition of the 100 foot buffer in consideration of the Wetlands Protection Act. He reiterated specific language was added to the decision regarding Lot 3 which indicated "the area east of the single-family dwelling – outside the limit of work – shall not be disturbed."

Mr. Abair stated there were sufficient protections in place regarding the stormwater plan adding that any future stormwater modifications would have to come before the Planning Board. Mr. Garvin agreed additional protections had already been placed on the site.

Mr. Abair motioned to approve the Definitive Subdivision Plan for Powers Road (Assessor's Map B09-0001) as amended. Ms. Kilcoyne seconded the motion. The vote was unanimous, 3-0.

Mr. Abair motioned to approve the Stormwater Management Permit for Powers Road (Assessor's Map B09-0001) as amended. Ms. Kilcoyne seconded the motion. The vote was unanimous, 3-0.

Mr. Abair motioned to approve the Scenic Road application; approve the removal of four trees consisting of a 24" Oak tree, an 18" Oak tree, a 16" Oak tree, and an 18" Maple tree; and approve an approximately 75 foot wide opening in the stone wall for the new road within the public way off of Powers Road (Assessor's Map B09-0001). Ms. Kilcoyne seconded the motion. The vote was unanimous, 3-0.

**Immediately Continued Public Hearing – Site Plan, Stormwater Management, & Water Resource Protection District Special Permit – 275 Old Lancaster Road (Assessor's Map H08-0049)**

Mr. Duchesneau stated the Applicant had requested a continuance to the Planning Board meeting on April 24, 2019.

Mr. Abair motioned to continue the public hearing for the Site Plan Review, Stormwater Management Permit, and Water Resource Protection Overlay District Special Permit application

for 275 Old Lancaster Road (Assessor's Map H08-0049) to the Planning Board meeting April 24, 2019. Ms. Kilcoyne seconded the motion. The vote was unanimous, 3-0.

### **Master Plan Update**

Mr. Duchesneau noted the next Master Plan Steering Committee (MPSC) meeting would be held on April 12, 2019 at 8:45 a.m. at the Police Station. He also announced the Master Plan Public Forum would be held on May 22, 2019. Registration would take place from 6:30 p.m. to 7:00 p.m. and the Forum would run from approximately 7:00 p.m. to 9:00 p.m. Staff would be sending out a Public Forum announcement emails, circulating flyers, and including notices in various newsletters.

### **Master Plan Steering Committee – Amendments to Membership**

Mr. Duchesneau stated the Planning Board must vote to make a formal change to the MPSC Charge and membership. Changes would include the removal of one At-Large member seat and the addition of one member from the Sudbury Public School Committee (SPSC).

Mr. Abair motioned to amend the Master Plan Steering Committee membership by reducing the At-Large membership from five to four seats appointed by the Planning Board and adding one seat for a member from the Sudbury Public School Committee to be appointed by the Sudbury Public School Committee. Ms. Kilcoyne seconded the motion. The vote was unanimous, 3-0.

Mr. Duchesneau stated the SPSC would be voting to appoint their member at their May 13, 2019 meeting.

### **Route 20/Boston Post Road Planning/Zoning/Development Implications Discussion**

Mr. Duchesneau opened the discussion stating this was a good opportunity to consider how property changes on Route 20/Boston Post Road affect the Master Plan process.

The Planning Board discussed desired objectives to ease access to Route 20/Boston Post Road; connectivity, walkability, and bike path provision; and the idea of Meadow Walk being exemplary of a zoning overlay district to allow for a thoughtful planning process and implementation of desired planning objectives. The topic of funding was also discussed.

Mr. Garvin made reference to the Floor Area Ratio (FAR) discussed in the Route 20/Boston Post Road corridor study completed in 2016, and indicated a re-examination of that study might be beneficial in relation to the corridor and its redevelopment.

Mr. Abair noted that with prosperity comes other problems, such as increased traffic and challenges in preserving of the historical character of the area.

Ms. Kilcoyne queried about the Master Plan piece which would relate to examining Route 20/Boston Post Road in further detail and mentioned the possible formation of a Route 20/Boston Post Road subcommittee.

The discussion also touched on the wastewater management aspect, increased population, and sensible redevelopment.

Mr. Abair affirmed the Master Plan was the appropriate process in this regard and stated the Planning Board must be vigilant with regard to what takes place in the next couple of years. Mr. Garvin pointed out that within the next 9 to 12 months, the direction of MPSC will become more apparent.

### **Zoning Board of Appeals Applications – 554 Boston Post Road – Two Variances**

Ms. Kilcoyne stated the application sought to allow a self-storage facility on the property and to permit more than one principal structure on a residential lot. She also noted the proposed project would relocate the barn and restore the existing house/tavern. Ms. Kilcoyne indicated she felt the hardship threshold had not been met and was concerned that if zoning for the property was changed and the barn was eliminated, the future might present yet another industrial proposal for the site.

Mr. Duchesneau stated the use variance which was being proposed was specific to a self-storage facility. He then read aloud some comments submitted by absent Planning Board member John Hincks, who stated he was unclear about the role the Planning Board would play in these Variance applications. However, Mr. Hincks' comments also indicated as a citizen, he agreed with a proposed re-zoning for the property, but did not approve of a self-storage facility proposal for the site.

Resident and Chair of the Zoning Board of Appeals, John Riordan of 12 Pendleton Road, stated the Zoning Board of Appeals always appreciated input from other Town boards, Committees, and departments, especially from the Planning Board. He added this 3-acre parcel was unique because it was zoned residential, but had been primarily used for agricultural purposes and the growth around it continued to go in a commercial direction, including the Meadow Walk development. Mr. Riordan stressed the Zoning Board of Appeals had considered similar Variances for properties on Route 20/Boston Post Road. He reviewed several bylaws and Variance guidelines, stressing the experience of the Zoning Board of Appeals. Mr. Riordan emphasized that conditions could be placed on any affirmative Variance decision. Discussion between the Planning Board and Mr. Riordan ensued.

Mr. Garvin recommended Planning Staff and the Planning Board prepare a document regarding the proposed Variance, and review the draft document at the Planning Board's next meeting for possible submission to the Zoning Board of Appeals.

### **Statement for Annual Town Meeting re: Boston Post Road/Route 20 Wastewater Planning Study**

Mr. Garvin stated the Planning Board felt if any emergent situation arose, it would be beneficial to have a plan in place. He added the timing would coincide well with the Master Plan's implementation, which is a key component. The other Planning Board members were in agreement.

Mr. Garvin stated the Planning Board would endorse the Wastewater Planning Study at the May 2019 Annual Town Meeting.

### **Annual Town Meeting Zoning Bylaw Discussion**

Mr. Duchesneau provided examples of inclusionary housing Zoning Bylaws. He also noted Mr. Hincks had commented via email he was supportive of the inclusionary housing proposal. The Planning Board reviewed several inclusionary Zoning Bylaw documents from the Towns of Bolton, Amherst, Stow, Lexington, and the Inclusionary Housing Bylaw in Barnstable County, Cape Cod.

Mr. Garvin stated an inclusionary housing Zoning Bylaw should be a priority for the fall 2019 Town Meeting and there were many benefits afforded to the Town other than Chapter 40B housing requirements. The Planning Board affirmed they supported the proposal of an inclusionary housing Zoning Bylaw.

Mr. Riordan spoke of Comprehensive Permits and affordable housing issues in town.

Mr. Garvin suggested a plan start being formulated as soon as possible for warrant inclusion at the fall 2019 Town Meeting and the Planning Board should reach out to the Housing Authority, the Housing Trust, and the Board of Selectmen to continue planning discussions.

### **Administrative Report**

Ms. Suedmeyer mentioned the Municipal Vulnerability Preparedness (MVP) Grant and stated the Town has hired the Horsley Witten Group to help in that process, as well as with the Hazard Mitigation Plan update. She announced the public MVP meeting would be held on May 30, 2019 and an all-day MVP workshop would take place on May 14, 2019. The Planning Board would be sent invitations to participate.

It was noted The Coolidge at Sudbury Phase 2 would have its groundbreaking event on May 3, 2019.

Mr. Duchesneau stated the public hearing for the Melone Chapter 40R Smart Growth Overlay District would take place at the Planning Board meeting on April 24, 2019.

### **Minutes for Approval: January 9, 2019; February 13, 2019; February 27, 2019; and March 13, 2019**

Mr. Abair recommended the minutes from February 13, 2019 and February 27, 2019 be tabled due to lack of a quorum of members in attendance who were also at these meetings.

Mr. Abair motioned to approve the minutes of January 9, 2019. Ms. Kilcoyne seconded the motion. The vote was unanimous, 3-0.

Mr. Abair motioned to approve the minutes of January 23, 2019. Ms. Kilcoyne seconded the motion. The vote was unanimous, 3-0.

Mr. Abair motioned to approve the minutes of March 13, 2019. Ms. Kilcoyne seconded the motion. The vote was unanimous, 3-0.

### **Future Meeting Schedule: April 24, 2019 & May 15, 2019**

Mr. Abair stated his last meeting with the Planning Board would be on April 24, 2019. Ms. Suedmeyer mentioned the Board would meet on May 15, 2019 and May 29, 2019, due to Town Meeting occurring the week of May 6, 2019.

Mr. Garvin motioned to adjourn the meeting at 9:20 p.m. Ms. Kilcoyne seconded the motion. The vote was unanimous, 3-0.