



Town of Sudbury

Planning Board

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MINUTES

MARCH 27, 2019 AT 7:30 PM

LOWER TOWN HALL, 322 CONCORD ROAD, SUDBURY, MA

Members Present: Chair Stephen Garvin, Clerk John Hincks, Charles Karustis, Nancy Kilcoyne, and Associate Member Justin Finnicum.

Members Absent: Vice-Chair Peter Abair

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

Mr. Garvin opened the meeting at 7:30 PM.

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

Mr. Garvin stated the Applicant had requested a continuance of the public hearing to May 15, 2019 and an extension of the application review period to May 31, 2019.

Mr. Hincks motioned to continue the public hearing for the Site Plan Review and Stormwater Management Permit application for 8 Stone Road (Assessor’s Map K06-0303) to the Planning Board meeting on May 15, 2019 and to extend the application review period until May 31, 2019. Mr. Karustis seconded the motion. The vote was unanimous, 4-0.

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

Daniel Carr of Stamski and McNary, Inc. was in attendance to discuss the application with the Planning Board. Mr. Carr reviewed the changes made to the original subdivision plan and addressed the last two peer reviews from the BETA Group and the Horsley Witten Group. Mr. Carr itemized all the changes and stated soil testing had been completed to relocate the septic system on Lot #1 in order to maintain a more wooded area between Powers Road and the development. Mr. Carr also indicated the Sudbury Water District and Fire Department had recommended installation of two fire hydrants in accordance with water and fire safety regulations.

Mr. Duchesneau raised questions regarding impervious surface lot coverage and the proposed barriers around the cul-de-sac island (guardrails or bollards). Mr. Carr confirmed the proposed guardrails had been eliminated and substituted with three bollards. Mr. Duchesneau suggested a detail of the bollards be included on the plans.

Ms. Suedmeyer stated the Horsley Witten Group's peer reviewer was satisfied with the last application submission update, but had not reviewed any additional changes or amendments.

Mr. Karustis asked if stamped, signed documents were required. Mr. Duchesneau responded the previous Director of Planning had required stamped and signed documentation, especially the Landscape Plan. Mr. Carr stated all plans would be signed and stamped after all revisions were made. He further inquired about restrictions made on further development. Further discussion took place between the Board members, Planning staff, and Mr. Carr.

Mr. Karustis stated adherence to a neighborhood communication plan was very important. Mr. Carr indicated a weekly communication report for abutters would be highlighted in the construction plan.

Mr. Hincks commented the project appeared to be very close to stormwater preferences and queried about Parcel B. Mr. Carr responded the Applicant intended to deed Parcel B to the Town for conservation purposes as a condition of approval. Mr. Hincks suggested tighter construction controls and specifications regarding detailed phasing and timetables.

Mr. Garvin put considerable emphasis on the phasing aspect of the project and erosion control monitoring for proposed conditions.

Ms. Kilcoyne questioned the placement of the fire hydrants. Mr. Carr replied the Fire Department required a hydrant within 300 feet of every building and only one hydrant at the end of the cul-de-sac would not meet this requirement.

Mr. Finnicum thanked Mr. Carr for relocating the septic system on Lot #1 and stated he felt his previous questions had been adequately addressed.

Mr. Garvin queried about the stormwater management features being maintained by the homeowners association and Mr. Carr confirmed that would be the case. Discussion continued regarding the Conservation Restriction and easements.

Concord resident Mary Sandra Mueller of 69 Hunter's Ridge Road stated that in order to avoid stormwater runoff coming onto her property, an easement around the swale had been agreed to by the Applicant along the border of Lot #3. She indicated she wanted this easement recorded at the Registry of Deeds as a legal document to confirm the swale would remain in place and not be filled-in or redirected by future property owners. Ms. Mueller also noted the swale was depicted on the Definitive Subdivision Plan, but not on the Stormwater Management Plan (Sheet 10).

Joe Santangelo of 28 Powers Road asked about a mechanism to assure the wastewater management system would be maintained. He also inquired about the communication mode between the developer and the abutters during construction. Mr. Carr responded the septic systems would need to be approved by the Sudbury Board of Health and it would be in each homeowner's best interest to take care of their wastewater systems. He added that in consideration of stormwater management, it was the Town's purview. Mr. Garvin noted annual inspections by a certified engineer with documentation was a requirement of the Board.

Ms. Suedmeyer added if failure ever occurred, the Town would have the right to access the property through an easement and take the action necessary to remedy the situation. She stressed safeguards would be in place.

Amy Robinson of 153 Powers Road asked for a list of emergency numbers including the number of an engineer, general contractor, and project manager. Mr. Garvin commented the Stormwater Pollution Prevention Plan (SWPPP) would have appropriate 24 hour contact numbers.

Concord resident Fred Burnham of 59 Hunter's Ridge Road spoke of the Applicant's financing and requested the Applicant provide two types of performance bonds. Mr. Garvin reiterated performance bonds would be followed closely.

Mr. Carr requested a continuance of the public hearing to the next available Planning Board meeting.

Mr. Hincks motioned to continue the public hearing for the Definitive Subdivision, Stormwater Management Permit, and Scenic Road application for Powers Road (Assessor's Map B09-0001) to the Planning Board meeting on April 10, 2019. Mr. Karustis seconded the motion. The vote was unanimous, 4-0.

Public Hearing – Site Plan, Stormwater Management & Water Resource Protection District Special Permit – Joint meeting with the Design Review Board 275 Old Lancaster Road (Assessor's Map H08-0049)

In attendance to discuss the application with the Planning Board were James Fair, P.E., Weston & Sampson; Project Manager Zachary Wallen, E.I.T., Weston & Sampson; Department of Public Works Director Dan Nason; and Design Review Board members Deborah Kruskal, Susan Vollaro, Jennifer Koffel, and Jim Parker.

Mr. Fair presented a brief overview of the proposed project and stated the underground fuel system at the Department of Public Works (DPW) fueling station, which is 26 years old, was going to be replaced with an above ground system. Mr. Fair indicated the new system would be a vast improvement from the current one.

Mr. Wallen presented the Grading and Drainage Plan (Sheet C3.01), the Landscaping Plan (Sheet C4.01), the Fuel System Plan and Elevation (Sheet EQ-1.01).

DPW Director Dan Nason stated there were no current plans to build-out the existing DPW facility. He also indicated the DPW has reached out to the abutters in order to discuss proposed screening for the project.

Mr. Duchesneau noted the proposed location for the fueling station would be well screened from abutters and Old Lancaster Road. He also discussed the installation methods to prevent stormwater runoff. Mr. Duchesneau asked if the canopy size was sufficient to protect users when refueling vehicles during inclement weather and Mr. Fair responded in the affirmative.

Ms. Suedmeyer noted the Horsley Witten Group had provided some peer review comments which would be addressed at the next meeting and added the Conservation Commission would be discussing this project at their meeting the following week. A related mitigation discussion then took place. Ms. Suedmeyer also mentioned the possibility of a solar installation on the fueling station as well.

Mr. Garvin then asked the Design Review Board if they had any comments on the proposed project. Ms. Kruskal suggested staggering the vegetative plantings along the northern property line and Mr. Fair agreed.

Mr. Parker asked about the longevity of the above ground fueling tanks and Mr. Fair stated their life would be approximately 30 years if they were maintained properly.

Mr. Karustis stated it was wise to factor in potential expansion plans when considering the location of this proposed facility. Mr. Hincks expressed the same sentiment.

Ms. Kilcoyne asked about the number of proposed fuel tanks and Mr. Fair confirmed there would be two tanks.

Mr. Finnicum commented on the fuel barrier mechanisms and detail was provided by Mr. Fair. Mr. Finnicum also inquired about maintenance and Mr. Fair explained the monitoring plan was included in the long-term maintenance plan detail.

Mr. Garvin recommended the plans be amended to improve hydrograph calculations from a fair to good status, as recommended by the Horsley Witten Group. He also recommended watershed calculations be revised to reflect full support in the catch basin and suggested labeling the project as new construction.

Andrew Basinski of 17 Wildwood Lane stated there was only a minimal barrier between his home and the proposed facility. He inquired if another location on the DPW property could be considered. Mr. Nason stated he understood the concerns and further explained the restrictions with relocating the proposed tanks, as well as maintaining compliance with the Conservation Commission's regulations. Mr. Nason indicated necessary mitigation would be utilized.

Mr. Basinski inquired about his ability to conduct controlled burns in consideration of the fuel tanks which would only be 150 feet away. Mr. Fair responded an open burn would not affect the fuel tanks as they would be fully enclosed. Mr. Basinski suggested an increase in the proposed vegetation and landscaping along the DPW property line.

Ann Fisher of 24 Wildwood Lane stated she had noticed much of the foliage had disappeared over the last several years and lights were now shining into her home. She indicated she was sensitive to noise and had concerns about the proposed barriers. Ms. Fisher asked about the colors of the tanks and Mr. Fair indicated they would likely be white. Ms. Fisher spoke of the wildlife inhabiting the area and would appreciate further consideration of the proposed barrier methods. Mr. Fair referred to the planting renderings. Mr. Nason stated he would do what he could with the barriers in consideration of fiscal responsibility.

Steven Fisher of 24 Wildwood Lane requested the lights on the proposed fueling station be put on a timer/sensor. Mr. Nason responded the existing fueling tanks have a sensory timer and the new facility would be the same. Mr. Fisher stated one of the existing lights was not responding to the sensor and Mr. Nason indicated he would look into that issue.

Mr. Garvin suggested a meeting on site would be beneficial to address the lighting situation.

Mr. Hincks motioned to continue the public hearing for 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 on April 10, 2019. Mr. Karustis seconded the motion. The vote was unanimous, 4-0.

Master Plan Update

Mr. Duchesneau announced Master Plan Steering Committee (MPSC) member Jennifer Roberts had been elected to the Board of Selectmen and would take office after the May Town Meeting. Mr. Duchesneau noted Ms. Roberts would need to step down as an official voting member of the MPSC since the Board of Selectmen already had two members on the MPSC and this was all that was permitted under the MSPC Mission Statement.

Mr. Hincks questioned the appropriateness of a new member at this late time.

Mr. Karustis questioned if there was a need for additional members.

Mr. Garvin suggested the Sudbury Public School (SPS) Committee might want to be represented on the MPSC and, in order to allow this, he also suggested reducing the number of At-Large MPSC member seats by one. The other Planning Board members agreed. Mr. Garvin suggested staff contact the SPS to inquire if they wished to appoint someone the MSPC.

Administrative Report

Mr. Duchesneau stated the Planning Board must conduct another public hearing for the proposed 40R Zoning District for the Melone/Quarry North property now that the Department of Housing and Community Development (DHCD) had officially approved the proposed zoning district. He indicated a public hearing for this matter had been scheduled for the Planning Board meeting on April 24, 2019. Mr. Duchesneau added the next MPSC meeting was scheduled for Friday, April 12, 2019 at 8:45 a.m. in the Police Station Training Room, 75 Hudson Road.

Wastewater Planning Study Presentation and Discussion by the Department of Public Works and Woodard & Curran

Present to discuss the matter with the Planning Board were DPW Director Dan Nason, and Woodard & Curran consultants Rosemary Falquier and Scott Medeiros.

Ms. Falquier provided detail regarding the Town Wastewater Studies performed to date which focused on the Route 20/Boston Post Road area. She stated the project recommended studying the Town, as a whole, with a Comprehensive Wastewater Management Plan (CWMP). Ms. Falquier indicated the CWMP would involve Board of Selectmen participation, as well as public hearings.

Ms. Falquier stated a kick-off meeting with Town Administration/Departments, inclusive of the Planning Board, would be held. She presented a proposed schedule and possible budget/financing sources. Possible available grants for the Town for the project were discussed. Ms. Falquier emphasized this project would be on the May Annual Town Meeting Warrant.

Mr. Nason reiterated the importance of having the proposed study in place proactively, especially with regard to any possible environmental emergency. He stressed the Town would not be under any obligation by having a CWMP prepared.

Mr. Medeiros indicated the documentation would be a Master Plan for the wastewater needs of Sudbury and would complete the work/studies that have been done previously.

Mr. Karustis affirmed such a plan would detail phasing and present pieces the Town might want to act upon. He suggested the project team have meetings with the Planning Board.

Mr. Hincks mentioned the sequencing of events was favorable with the current Master Plan update process activity. Mr. Medeiros agreed that having the new Master Plan in place would help to determine the direction of the wastewater plan for the Town.

Mr. Hincks inquired about the potential scope of the project and Mr. Nason stated the scope would be dictated by the related findings.

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

Mr. Garvin asked about the timing of the two variances. Mr. Duchesneau explained the hearings had started in March but were continued to Monday, April 1, 2019. Mr. Duchesneau also indicated there was a high probability the applications would be continued until a May Zoning Board of Appeals meeting.

Mr. Garvin stated the Planning Board should have some input and further discussion on the matter at their April 10, 2019 meeting.

Mr. Hincks asked what the two Variance applications encompassed. Mr. Duchesneau responded the Applicant was seeking a use Variance to establish a self-storage facility at the property and a Variance to allow more than one principal structure on a residential lot.

Mr. Garvin commented the request had never come before the Planning Board. Ms. Suedmeyer indicated this was the second application which had been presented to the Zoning Board of Appeals. The first one, presented to the Zoning Board of Appeals in the fall of 2018, had been withdrawn. Ms. Suedmeyer noted that if the Applicant received approval of the Variances, they would then bring forth their proposal to the Planning Board.

Mr. Karustis maintained that the Planning Board should weigh in on these applications. Mr. Garvin stated the Planning Board could not vote on this application, but could provide comments/recommendations regarding the planning implications.

Vote to Accept Bond for Stormwater Management Permit – Goodman's Hill Road (Assessor's Map K10-0207)

Ms. Suedmeyer indicated the bond acceptance was a condition for the Goodman's Hill Road Stormwater Management Permit and noted the Town Engineer had recommended a \$35,000 bond. Ms. Suedmeyer stated the developer's engineer helped estimate the expenses, and Town Counsel had reviewed and approved the bond as to form.

Mr. Hincks motioned to accept the bond for the Stormwater Management Permit for Goodman's Hill Road (Assessor's Map K10-0207). Mr. Karustis seconded the motion. The vote was unanimous, 4-0.

Minutes for Approval: January 9, 2019 & January 23, 2019

Mr. Garvin stated the Planning Board had not had time to review these minutes and they should be added to the next meeting agenda for approval.

Future Meeting Schedule: April 10, 2019 & April 24, 2019

Mr. Garvin reiterated the Melone/Quarry North Property 40R Zoning District public hearing would take place on April 24, 2019 at 7:30 p.m.

Mr. Hincks inquired about the proposed construction start date for the project. Mr. Garvin noted an application filing for the project had not yet been made.

Mr. Garvin motioned to adjourn the meeting at 9:30 p.m. Mr. Karustis seconded the motion. The vote was unanimous, 4-0.