



# Town of Sudbury

## Planning Board

PlanningBoard@sudbury.ma.us

Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776  
978-639-3387  
Fax: 978-443-0756  
www.sudbury.ma.us/planning

### MINUTES

MAY 15, 2019 AT 7:30 PM

LOWER TOWN HALL, 322 CONCORD ROAD, SUDBURY, MA

**Members Present:** Chair Stephen Garvin (arrived to the meeting at 7:33 p.m.), Justin Finnicum, John Hincks, Charles Karustis, and Nancy Kilcoyne

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

Mr. Hincks called the meeting to order at 7:30 p.m.

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

Mr. Duchesneau stated the Applicant had requested a continuance of the public hearing to the June 12, 2019 Planning Board meeting and had also requested an extension of the application review period to July 31, 2019.

Mr. Karustis motioned to continue the public hearing for the Site Plan & Stormwater Management Permit for 8 Stone Road (Assessor’s Map K06-0303) to June 12, 2019, and to extend the application review period to July 31, 2019. Mr. Hincks seconded the motion. The vote was unanimous, 4-0, with Mr. Garvin absent from the vote.

At this time Mr. Garvin arrived at the meeting.

#### **Approval Not Required (ANR) Plan – Bowditch Road (Assessor’s Map L02-0305, 0309, 0310 & 0311)**

Rick Smith of 7 Parmenter Road in Framingham stated he was proposing to consolidate his lots in Framingham which included a small section of land in Sudbury.

Mr. Garvin asked if the intention was to construct buildings on the lots in Framingham. Mr. Smith responded he might do that.

Mr. Duchesneau provided an explanation regarding the lots in Framingham and the small lot in Sudbury, which was not buildable.

Mr. Garvin stated when Mr. Smith had the approved ANR plan from the Town of Framingham’s Planning Board, the Sudbury Planning Board would sign the ANR plan upon the submission of that plan.

Mr. Smith thanked the Planning Board for their consideration.

### **Master Plan Update**

Mr. Duchesneau announced the Master Plan Steering Committee's (MPSC) next meeting would be May 17, 2019 at 8:45 a.m. at the Sudbury Police Station, 75 Hudson Road. Logistics involving the upcoming Master Plan Public Forum would be discussed, as would the draft Housing Baseline Chapter and the draft Economic Development Baseline Chapter. Mr. Duchesneau also noted the Master Plan Public Forum would be held on May 22, 2019 at 7:00 p.m. in the Lincoln-Sudbury Regional High School (LSRHS) Cafeteria, with registration beginning at 6:30 p.m.

Mr. Garvin queried about the format of the forum. Mr. Duchesneau indicated there would be an introductory presentation followed by the formation of smaller working groups.

Mr. Hincks suggested Mr. Garvin present an introduction at the forum. Mr. Garvin agreed a member of the Planning Board should provide an introduction and then introduce the consultant who would be facilitating the meeting.

Mr. Finnicum asked if there would be enough room in the LSRHS Cafeteria for other Board members to attend. Mr. Duchesneau affirmed there would be plenty of space in the cafeteria.

Mr. Hincks recommended all Planning Board members attend the forum.

Mr. Duchesneau noted Sudbury School Committee member Lisa Kouchakdjian was now an official member of the MPSC and would be present at the forum. Mr. Hincks stated he was pleased at the level of Town engagement to this point in the process.

### **Special Town Meeting Zoning Bylaw Discussion**

Mr. Duchesneau stated he was working on an inclusionary Zoning Bylaw and spoke to Town Counsel regarding the possibility of implementing a payment/charge for each new housing unit created in the community.

Mr. Garvin mentioned such a proposal was discussed during the Melone/Quarry North negotiations and related meetings took place with the Housing Trust. Ms. Suedmeyer stated she had attended other community meetings where a "payment in lieu of" fee was suggested. Mr. Garvin commented the fee was recognized as a "linkage fee" with inclusionary zoning.

Mr. Hincks inquired about where the proceeds of these fees would be directed. Mr. Duchesneau replied the proceeds would likely be directed to the Housing Trust. Mr. Garvin suggested related discussions should be scheduled with the Housing Trust.

Mr. Duchesneau stated with such a plan, the Housing Trust could potentially offer funding to offset the costs of creating an affordable unit within a development project.

Mr. Garvin noted various communities (such as Wayland and Brookline) had approach developers with a pro forma specifying the percentage of affordable housing. He recommended the Housing Trust not act as the developer for projects.

The Planning Board members agreed some guidance from the Master Plan consultants, the Horsley Witten Group, might be beneficial in consideration of this aspect.

Mr. Garvin stated that at some point, the dog kennel bylaw would have to be revisited.

### **Sidewalk/Walkway Planning and Implementation Process**

Mr. Garvin noted discussions regarding Town sidewalks had taken place at the recent Town Meeting, and he and Mr. Duchesneau had spoken about this topic. He explained the neighborhood process regarding the proposed implementation of sidewalks and recognized the Town was seeking new sidewalk opportunities. Mr. Garvin recommended the criteria for such projects should be updated and also suggested including the topic on the Town's website.

Ms. Suedmeyer commented Department of Public Works (DPW) Director Dan Nason was trying to promote pavement improvements and wanted to go forward with an existing conditions analysis. She stated that in the next month the Town would be eligible to receive funds to complete a Complete Streets Prioritization Plan. This planning process would allow the Town to hire a consultant to thoroughly review infrastructure for sidewalks and walkways, as well as bike lanes, in the community. She also added the consultant would help create a Complete Streets Policy as well. Ms. Suedmeyer provided detail regarding the Complete Streets Prioritization Plan and noted the Board of Selectmen had agreed to temporarily waive the Complete Streets Policy piece to allow for the commencement of the planning phase. She added there would be a public process component as part of the creation of the Prioritization Plan as well.

Mr. Karustis maintained this was a public safety issue and agreed the planning process should involve a public input component. He also recommended going forward with the existing conditions analysis.

Mr. Hincks commented a high priority list had already been established and one of the main problems involved residents not allowing a sidewalk to be built along their property. A related discussion took place.

Mr. Finnicum stated Route 20/Boston Post Road was in great need of sidewalks and hoped the Landham Road project would include a crosswalk. Mr. Finnicum also queried about the state of the powerlines and sidewalks along Route 20/Boston Post Road. Mr. Duchesneau stated because Route 20/Boston Post Road was a state road, the state had its own permitting process and funding from the Complete Streets Program could not be used on this roadway.

Mr. Karustis suggested a method for engaging residents was needed and recommended that the Planning Board help to direct that need. Mr. Duchesneau responded the Town would have to appoint a committee for this process with participation of staff, and perhaps one Planning Board member, who would interact with the consultant and have at least one public meeting.

Mr. Hincks remarked a mode of public announcement to display the status of prioritized sidewalk locations was needed. He asked about the timing of Complete Streets process. Ms. Suedmeyer replied a consultant could commence within a month or two, and be in place for approximately six months, or somewhat longer. Mr. Duchesneau mentioned the timeframe measures. Ms. Suedmeyer stated the Complete Streets Policy would have to be approved at Town Meeting or by the Board of Selectmen. Mr. Duchesneau stated that he would look into that aspect further.

Ms. Kilcoyne asked about the repair of existing sidewalks. Mr. Hincks commented the DPW could repair sidewalks in need of repair without special approval. Mr. Duchesneau noted the Complete Streets Policy might have an aspect which addressed such repairs.

Mr. Garvin wanted to know if the DPW had an annual paving process plan and asked if there was an available walkway fund that was created with subdivisions.

Mr. Duchesneau stated Planning Staff would schedule a related meeting with the DPW regarding Complete Streets, including the timing and to establish a plan going forward.

Ms. Suedmeyer recommended the Planning Board provide input to the Complete Streets consultant, as well as the DPW who would be managing the Complete Streets contract.

Mr. Hincks stated a Complete Streets Policy with strategic public process/communications was necessary. He suggested a Complete Streets update be provided in a month to the Planning Board.

### **Open Space and Recreation Planning Opportunities**

Mr. Duchesneau reviewed the Open Space and Recreation Plan with associated appendices which identified scoring and ranking.

Mr. Karustis questioned if the Open Space and Recreation Plan would be updated. Mr. Duchesneau responded in the affirmative. Ms. Suedmeyer stated the updates to the document are currently being worked on and noted an intern had worked on the mapping aspect during the summer of 2018. She also indicated the re-evaluation of choice parcels would take place as well. Ms. Suedmeyer detailed one or two public meetings were being recommended in collaboration with Horsley Witten Group in the fall. Public meetings would cover the Master Plan and the open space and recreation aspect of the plan.

Mr. Finnicum stated connectivity was another important aspect when rating the properties. Mr. Garvin commented connectivity and proximity to the Bruce Freeman Rail Trail and the CSX trail would be a priority.

Mr. Karustis asked for an update on the Bruce Freeman Rail Trail. Ms. Suedmeyer stated she had attended several TIP meetings and commented the Town was at the 25% design phase for the structural component. She also indicated proposed construction included two bridges and boardwalk. Ms. Suedmeyer added Jacobs Engineering was performing the structural work and she anticipated in the next couple of months, a full submission to the Massachusetts Department of Transportation (MassDOT), reflective of the 25% plan, would occur. She detailed that when MassDOT completes their review, a MassDOT public hearing would take place and then the Town would move on to the 75% and 100% design phases.

Mr. Finnicum inquired about the timing of the bidding process. Mr. Karustis affirmed that until the 25% design aspect was completed, that question would be difficult to answer. Ms. Suedmeyer mentioned soil borings would be taken in the near future.

Mr. Karustis inquired about the construction funding number. Ms. Suedmeyer replied the funding amount was \$9.5 million and construction must start by 2022 for that amount to be valid.

### **Administrative Report**

Mr. Duchesneau spoke of a violation at 259 Old Lancaster Road and explained a Cease and Desist Order was issued because the owners were bringing in tremendous amounts of fill to the property, and filling in a large depression which extended onto the neighbor's property. He noted significant amounts of mud and dirt were being tracked into the public right-of-way. The property owner had cleaned the road and had

leveled the mound. Mr. Duchesneau stated Planning Staff would be working with the owner regarding the stormwater management permit process.

Mr. Duchesneau provided an update on 415 Boston Post Road and referenced a plan regarding the Applicant's request for several modifications to the facade of the building.

The Planning Board discussed the proposed modifications, side elevations, and existing conditions.

Mr. Duchesneau confirmed the Planning Board wanted the Applicant to appear before the Board at a public meeting to discuss the alterations suggested by the Applicant, with the exception of the removal of a window at the rear of the building by the dumpster.

Mr. Duchesneau stated Selectman Janie Dretler had requested a formal statement from the Planning Board to clarify their position regarding the purchase of Camp Sewataro as expressed at the May 2019 Annual Town Meeting.

Mr. Garvin affirmed that at May Annual Town Meeting, he did not present a formal vote by the Planning Board regarding the specifics of Article 25, but he did make a general statement noting the Planning Board recommended there be a pause on voting until the Master Plan process had been completed.

Mr. Hincks stated the Planning Board agreed with the statement made by Mr. Garvin at Town Meeting which asserted the objective of the Planning Board was to control lands in Sudbury so plans could best be implemented.

Mr. Duchesneau agreed that at Town Meeting the Planning Board expressed consensus with Mr. Garvin's statement but did not take a formal vote on the specificity of Article 25 – The Purchase of Camp Sewataro.

### **Board Reorganization**

The Planning Board decided to wait until the next meeting to make the official nominations.

### **Board Appointments**

Mr. Duchesneau detailed the appointments reflected expiring terms or other changes.

Ms. Kilcoyne stated she would prefer to step down from her Community Preservation Committee appointment and instead be appointed as a member of the Land Acquisition Review Committee. Mr. Hincks stated he wanted to be a member of the Community Preservation Committee.

Mr. Karustis motioned to nominate John Hincks to the Land Acquisition Review Committee. Ms. Kilcoyne seconded the motion. The vote was unanimous, 5-0.

Mr. Karustis motioned to nominate John Hincks to the Community Preservation Committee. Ms. Kilcoyne seconded the motion. The vote was unanimous, 5-0.

Mr. Hincks motioned to nominate Charles Karustis to the Bruce Freeman Rail Trail Design Task Force. Ms. Kilcoyne seconded the motion. The vote was unanimous, 5-0.

Mr. Karustis motioned to nominate Susan Vollaro to the Design Review Board. Ms. Kilcoyne seconded the motion. The vote was unanimous, 5-0.

Mr. Karustis motioned to nominate Craig Blake to the Permanent Building Committee. Ms. Kilcoyne seconded the motion. The vote was unanimous, 5-0.

Mr. Karustis motioned to nominate Adam Duchesneau to the Metropolitan Area Planning Council Minuteman Advisory Group on Interlocal Coordination. Ms. Kilcoyne seconded the motion. The vote was unanimous, 5-0.

**Future Meeting Schedule: May 29, 2019 & June 12, 2019**

Ms. Kilcoyne, Mr. Karustis, and Mr. Finnicum stated they would not be able to attend the May 29, 2019 meeting.

Based on this information, Mr. Duchesneau noted there would not be a quorum at the May 29, 2019 meeting. He also pointed out the Horsley Witten Group was planning to discuss the Municipal Vulnerability Preparedness (MVP) planning process with the Planning Board. He stated the presentation would have to be rescheduled.

Mr. Hincks asked if the Planning Board was required to meet on Wednesdays and Mr. Duchesneau replied the Board could meet whenever they preferred. Mr. Hincks stated perhaps the meeting scheduled for May 29, 2019 could still take place on another evening that week.

Mr. Garvin asked about the Melone/Quarry North property. Mr. Duchesneau responded the Applicant was currently working with the Massachusetts Department of Environmental Protection (MassDEP) regarding the wastewater aspect of the project and Town Counsel anticipated an application would be filed in August or September of 2019.

Ms. Suedmeyer mentioned the MVP workshop held the previous day was a great success and 60 people were in attendance. She stated the Horsley Witten Group would be presenting proposed regulatory and policy modifications based upon the MVP process. She added the date to submit those goals was by the end of June 2019.

Mr. Garvin asked if the Horsley Witten Group meeting would be a simple presentation which could be done informally. Ms. Suedmeyer replied the presentation would also involve reviewing the goals that have been compiled to determine if the Planning Board agreed with the goals of the initiative. She noted the Horsley Witten Group would be at the Board of Selectmen meeting on May 28, 2019 and suggested a memo could be circulated after that meeting which Planning Board members could respond to individually.

Mr. Garvin suggested voting on the March 27, 2019 and April 10, 2019 minutes at the next meeting.

Mr. Garvin adjourned the meeting at 9:37 p.m.