



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

JUNE 12, 2019 AT 7:30 PM

SILVA ROOM, FLYNN BUILDING, 278 OLD SUDBURY ROAD, SUDBURY, MA

Members Present: Chair Stephen Garvin, John Hincks, Nancy Kilcoyne, and Justin Finnicum

Members Absent: Charles Karustis

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

Mr. Garvin opened the meeting at 7:30 PM

Continued Public Hearing – Site Plan Review & Stormwater Management Permit – 8 Stone Road (Assessor’s Map K09-0303)

Applicant/Owner Aruna Pundit; Architect Chris Adcock of Chris Adcock Architecture, Inc.; Engineer Bruce Saluk of Bruce Saluk & Associates, Inc.; and Jack Kelleher were in attendance to discuss the application with the Planning Board.

Mr. Hincks read the public hearing notice and noted the public hearing had been re-advertised in the local newspaper.

Mr. Saluk provided an overview of the project and stated the proposed 864 square foot addition would increase the impervious area on the property. He also explained the proposed infiltration system for the project.

Mr. Adcock noted the proposed addition would have two entrances (one being handicapped) with two new light fixtures. He added the proposed construction materials would match the existing materials.

Mr. Duchesneau stated the proposed project layout was much improved, along with the handicapped egresses. He indicated previous considerations were addressed but questioned the door on the south side of the addition. Mr. Adcock explained the door opened outward, which was preferable to a sliding door.

Mr. Duchesneau informed the Planning Board the Design Review Board (DRB) had been reviewing the project as well and also noted the peer review response regarding stormwater had not yet been received. Ms. Suedmeyer confirmed the peer review comments had not been received and the project was being reviewed as a full runoff project with added treatment.

Mr. Hincks agreed the revised plans were a significant improvement but he was interested to see the peer review response.

Mr. Finnicum stated he felt the revised plans were much better and queried about the proposed south elevation, which was fairly long and continuous. He suggested pushing back the addition by three feet. Mr. Garvin agreed with Mr. Finnicum's suggestion to setback the addition slightly to break up the southern elevation facade.

Mr. Saluk commented the proposed L-shape design reduced the massing of the building along Stone Road.

Mr. Garvin noted a handicapped parking space was not shown on the plan and queried about a future increase in the number of employees. He suggested the peer reviewer and the Board of Health be asked about these aspects. Mr. Garvin also stated the updated plans reflected a great improvement and was looking forward to seeing the Horsley Witten Group's (the peer reviewer's) comments.

Mr. Saluk indicated the parking space regulations had been met and the project would be compliant.

Mr. Hincks motioned to continue the public hearing for the Site Plan Review and Stormwater Management permit applications for 8 Stone Road (Assessor's Map K06-0303) to the Planning Board meeting on June 26, 2019. Ms. Kilcoyne seconded the motion. The vote was unanimous, 4-0.

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

Mr. Duchesneau presented the mylar ANR plan provided by the Applicant and the Planning Board endorsed the plan.

11 Pipsissewa Circle (Lot 143) – Release from Covenant and Approval Relating to Restrictive Covenants

Mr. Duchesneau indicated this item pertained to a lot in the subdivision which was being sold again and the purchasers had discovered the release from the restrictive covenants had not been previously granted.

Mr. Hincks motioned to release 11 Pipsissewa Circle (Lot 143) in Sudbury Woods from the covenant made by Taft Realty Trust dated April 25, 1988 as it related to the provisions of the Sudbury Woods Definitive Subdivision and as it related to the provisions of the declaration of protective covenants at Sudbury Woods dated October 31, 1988. Mr. Finnicum seconded the motion. The vote was unanimous, 4-0.

415 Boston Post Road – Site Plan Review Request for Modification

Applicant/Co-Owner Jake Parsons was present to discuss the request with the Planning Board. Mr. Parsons stated a prospective tenant, a beauty salon, was requesting a window in the southeast corner of the newly constructed building be removed.

Mr. Duchesneau explained the Board had reviewed this request previously and decided the window in the southeast corner of the building could not be removed without formal approval process.

Mr. Hincks noted there was vegetation around the window area now, but in December the vegetation would be gone and that would present a long stretch of the eastern façade without any windows.

Mr. Finnicum affirmed two aspects: vegetation was not forever and tenants were not forever. He pointed out the removal of the window would be a permanent change to the building. Mr. Finnicum also noted windows contributed to the safety of the area, especially being so close to the parking lot, and indicated he was strongly in favor of retaining the window.

Mr. Garvin stated he would like to see the window remain because it helped break up a rather long stretch of facade. He further asked Mr. Parsons about the idea of steps at the rear of the property to allow for connectivity to the neighboring lots. Mr. Parsons acknowledged speaking about stairs at previous Planning Board meetings and presented an aerial photo of the lot which also displayed the surrounding businesses. He indicated such a stairwell would be very expensive (between \$30,000 and \$40,000) and it would have to include a retaining wall on both sides of the stairway.

Mr. Garvin commented the Planning Board was always looking to increase connectivity between properties to aid businesses and customers. He added he hoped Mr. Parsons might consider implementing the connecting stairs if the price were cheaper.

Mr. Hincks motioned to approve the requested removal of the windows from the southeastern corner of the south façade and to deny the requested removal of the window on the southern end of the eastern façade on the building at 415 Boston Post Road. Mr. Garvin seconded the motion. The vote was unanimous, 4-0.

212 Pratts Mill Road – Definitive Subdivision Plan and Stormwater Management Permit Amendment Discussion

Mr. Duchesneau stated the proposed new plan/modification for the Definitive Subdivision Plan at 212 Pratts Mill Road called for the demolition of the existing dwelling and garage in order to construct a five-bedroom home. He explained such a modification was either considered minor or major as defined within the Rules and Regulations Governing the Subdivision of Land. If considered a major modification, it would require a public hearing by the Planning Board.

Mr. Garvin stated the proposed modification would involve the removal of many trees and the approval of the modification could encourage unwanted results at a later time.

Ms. Suedmeyer noted none of the details within the modification plans had been reviewed.

Mr. Duchesneau stated the modified plan would require a full Stormwater Management Permit (General or Major) review. Ms. Suedmeyer agreed the modifications would likely require a completely new Stormwater Management Permit filing, due to the excessive area of disturbance.

Mr. Garvin felt the Applicant should come back to the Planning Board and explain the proposed configuration, which might necessitate further conditioning by the Board. Mr. Duchesneau suggested the Planning Board consider the modifications to be a minor change to the Definitive Subdivision Plan but inform the Applicant they would be required to file a new Stormwater Management Permit application. The Planning Board was in agreement with Mr. Duchesneau's assessment.

Master Plan Update

Mr. Duchesneau noted the next Master Plan Steering Committee (MPSC) meeting would be held on June 21, 2019 at 8:45 a.m. at the Police Station. He added the Transportation Baseline Chapter had been completed and would be distributed to the Planning Board for approval before being presented to the MPSC for discussion at their next meeting.

Mr. Duchesneau indicated approximately 30 survey responses had already been received after the Master Plan Public Forum took place and survey results would be accepted until June 24, 2019. He explained there was now a direct link to the MPSC on the Town website and during the summer months there would be additional outreach to other boards and committees. Mr. Duchesneau also noted a number of stakeholder meetings would be occurring in the fall as well.

Special Town Meeting Zoning Bylaw Discussion

Mr. Duchesneau stated he did not have any updates.

Sidewalk/Walkway Planning and Implementation Process

Mr. Garvin recommended discussion of the sidewalk/walkway planning and implementation process occur when Mr. Karustis was present and all Planning Board members were in attendance.

Administrative Report

Mr. Duchesneau stated there was no administrative report.

Minutes for Approval: March 27, 2019, April 10, 2019, and April 24, 2019

Mr. Garvin suggested the review and approval of the draft minutes be postponed until the next Planning Board meeting.

Board Reorganization

The Planning Board agreed to discuss reorganization of the Board at the next meeting when all members were present.

Mr. Garvin asked about the number of Associate Members which were allowed. Mr. Duchesneau responded only one applicant could be chosen as the Associate Member. He also affirmed the Planning Board was the sole appointing entity for the Associate Member and that five applicants had applied for the position.

Mr. Hincks stated he felt the fact there were five applicants for the position was an indicator the level of Town involvement appeared to have increased.

Mr. Garvin mentioned the Master Plan Steering Committee had gained more popularity in the community as well. Mr. Duchesneau stated he was pleased to see the increased level of community involvement.

Executive Session – Pursuant to MGL Chapter 30A, Section 21(3) for the purpose of discussing potential litigation regarding 554 Boston Post Road. To discuss strategy with respect to litigation if an Open Meeting may have a detrimental effect on the litigating position of the Board and the Chair so declares. Vote to end Executive Session and not return to Open Session.

Mr. Garvin made a motion to close the Open Session and to go into Executive Session, and to vote to not return to Open Session. Mr. Garvin also declared that to discuss strategy with respect to litigation regarding 554 Boston Post Road, an Open Meeting may have a detrimental effect on the litigating position of the Board. Mr. Hincks seconded the motion. The vote was unanimous, 4-0, with the members voting as follows: Garvin – Aye, Hincks – Aye, Finnicum – Aye, and Kilcoyne – Aye.