



Town of Sudbury

Planning Board

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MINUTES

OCTOBER 9, 2019 AT 7:30 PM

LOWER TOWN HALL, 322 CONCORD ROAD, SUDBURY, MA

JOINT MEETING WITH THE DESIGN REVIEW BOARD

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

Members Absent: Vice Chair 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 – Stormwater Management Permit – 394 Boston Post Road (Assessor's Map K08-0082)

Vito Colonna of Sullivan, Connors & Associates, Inc. was present to discuss the application with the Planning Board. He presented an update on the project and addressed several items from the septic system replacement, including a hood on catch basin and related cleaning.

Ms. Suedmeyer detailed the draft decision with its various conditions, and items pertaining to an illicit compliance statement and a conservation comment on stockpiling of snow outside of the 50 foot wetland buffer.

Mr. Finnicum asked if the business would be open during the installation of the septic system. Mr. Colonna indicated the Applicant wanted to replace the system as soon as possible and would have some closure during the changeover.

Mr. Garvin commented about bringing soil cover to grade and inspecting the riprap, especially in the area of the corner of the parking lot. Mr. Colonna added that previous surface runoff was a result of the poor septic system and nothing else.

Mr. Garvin inquired about stormwater maintenance and suggested an annual cleaning report be submitted. Ms. Suedmeyer noted the cleaning report was part of the site stabilization plan and highlighted several revisions to the draft decision including a compliance statement requirement, requiring snow storage to be 50 feet from the wetland buffer, covering and cleaning out the drywell, and the provision of an annual cleaning report.

Mr. Hincks motioned to approve the Stormwater Management Permit for 394 Boston Post Road (Assessor's Map K08-0082) with conditions as noted. Mr. Finnicum seconded the motion. The vote was unanimous, 4-0.

100 & 106 Landham Road – Minor Site Plan Review

Richard Mattione of 15 Read Road and Eagle Scout Chris Rotondo of 88 Old Coach Road were present to discuss the amended Minor Site Plan Review request for parking space adjustments at the St. Anselm Parish at 100 and 106 Landham Road.

Mr. Garvin acknowledged the proposed safety improvements for the parking lot.

Mr. Rotondo stated the intention of the proposed project was to improve the parking situation and further bring the area closer to the minimum requirements, following the guidelines of the Sudbury Fire Department.

Mr. Mattione confirmed the original Site Plan was not available but indicated the proposed parking lot layout had 131 parking spaces, five handicapped spaces, and easier access for fire trucks.

Mr. Duchesneau commented the project reflected improved public safety.

Mr. Hincks motioned to approve the Minor Site Plan Review for 100 & 106 Landham Road. Mr. Finnicum seconded the motion. The vote was unanimous, 4-0.

Widow Rites Lane (Assessor's Map E07-0146, E07-0147, E07-0148, E07-0154, E07-0155, and E07-0459) – Approval Not Required (ANR) Plan

Peter Bemis, Architect at Engineering Design Consultants, was present to discuss the ANR Plan with the Planning Board. He explained the ANR Plan would allow for driveways to be added at each of the lots. Mr. Bemis affirmed he would be coming back before the Planning Board as the development project progressed.

Mr. Hincks motioned for the Planning Board to endorse the Approval Not Required (ANR) Plan for Widow Rites Lane (Assessor's Map E07-0146, E07-0147, E07-0148, E07-0154, E07-0155, and E07-0459). Mr. Finnicum seconded the motion. The vote was unanimous, 4-0.

5 Liberty Ledge and 25 Greystone Lane (Assessor's Map C08-0160, C08-0161, and C08-0162) – Approval Not Required (ANR) Plan

Property owner Mark Taylor was present to discuss the plan with the Planning Board. He described the proposed lot configurations.

Mr. Duchesneau stated the ANR Plan would recognize the easement.

Mr. Finnicum asked if the new lot lines would create any noncompliant setbacks. Mr. Taylor responded he was not aware of any setback which would become noncompliant as a result of the ANR Plan.

Mr. Garvin noted the amendment/correction required regarding the footnote for Lot 228. Mr. Taylor agreed the description required a correction.

Mr. Garvin motioned for the Planning Board to endorse the Approval Not Required (ANR) Plan for 5 Liberty Ledge and 25 Greystone Lane (Assessor's Map C08-0160, C08-0161, and C08-0162) with the changes to the footnote regarding Lot 228, as amended. Mr. Finnicum seconded the motion. The vote was unanimous, 4-0.

Master Plan Update

Mr. Duchesneau stated the first gathering in the series of Master Plan Community Conversations would take place Thursday, October 10, 2019 in the Lower Town Hall, 322 Concord Road at 7:00 PM. He indicated the topic for that conversation would be Transportation, Mobility, and Connectivity.

Mr. Duchesneau stated that in consideration of the several Master Plan Community Conversations being held in October, the regularly scheduled October Master Plan Steering Committee (MPSC) meeting would be cancelled. He informed the Planning Board that two joint meetings with MPSC would be scheduled as well.

Ms. Suedmeyer suggested the Joint Meetings with the Planning Board and MPSC be scheduled for November 12, 2019 and November 13, 2019. Mr. Duchesneau indicated he would plan for those meeting dates.

Administrative Report

Mr. Duchesneau stated the Planning and Community Development Department had nothing to report.

Minutes for Approval

Mr. Hincks motioned to approve the minutes of August 21, 2019. Mr. Finnicum seconded the motion. The vote was unanimous, 4-0.

Town Meeting Zoning Bylaw Discussion

The proposed Solar Zoning Bylaw amendment was discussed. The Planning Board agreed that a public hearing on this matter should be held on January 22, 2020 in preparation for the May 2020 Annual Town Meeting.

Mr. Duchesneau suggested the public hearing for the proposed Inclusionary Zoning Bylaw amendment could also be included with the public hearing scheduled for January 22, 2020.

Mr. Hincks motioned to approve the legal notice for the public hearing for the proposed Solar Zoning Bylaw amendment to be held on January 22, 2020. Mr. Finnicum seconded the motion. The vote was unanimous, 4-0.

Future Meeting Schedule

Mr. Duchesneau noted upcoming Planning Board meetings would be held on October 23, 2019 and November 13, 2019.

Route 20/Boston Post Road Zoning Discussion

Ms. Kilcoyne voiced her concerns regarding future development on Route 20/Boston Post Road and recommended a clearer picture of such development be considered before the Master Plan is rolled out in two years.

Mr. Garvin stressed the importance of smart development with consideration of shared parking, floor area ratios (FAR), and Overlay District guidelines.

Mr. Sugrue suggested conducting a related Route 20/Boston Post Road charrette and Mr. Garvin agreed.

Mr. Duchesneau noted the MPSC could focus on the Route 20/Boston Post Road corridor as one of their topics of discussion. Mr. Garvin suggested such a focus begin with the examination of guidelines. Ms. Kilcoyne agreed with conducting a study of Route 20/Boston Post Road.

Mr. Sugrue affirmed analyzing the future of Route 20/Boston Post Road was one of the key elements of the Master Plan.

Continued Public Hearing – Site Plan Review and Stormwater Management Permit – 151 & 183 Boston Post Road (Assessor's Map K11-0020 & K11-0501) – Joint Meeting with the Design Review Board

Steve Burke, Trustee of the Buddy Dog Humane Society, Christopher Mulhern, Architect from Harrison Mulhern Architects, and Vito Colonna of Sullivan, Connors & Associates, Inc. were present to discuss the application with the Planning Board. Also present were Design Review Board Members Chair Daniel Martin, Deborah Kruskal, James Parker, and Susan Vollaro.

Mr. Burke indicated the Trustees had been working with the Conservation Commission and the Design Review Board on the proposed project. Mr. Mulhern stated the use was included under the Dover Amendment classification and was recognized as a non-profit educational use. He noted several plans which had been updated during the permitting process.

Design Review Board comments from the August 28, 2019 meeting included reducing parking, maintaining existing trees, and the relocation of the proposed building signage.

Mr. Garvin emphasized this approach did not reflect the normal course of action. He wanted to better understand the changes which had been implemented and sought to further examine what had been done. Mr. Garvin noted meeting with the Planning Board earlier in the process may have provided more balance and indicated this project displayed excessive parking. Mr. Martin agreed with Mr. Garvin's concerns.

Ms. Vollaro indicated she wanted to see what a connection between the buildings would look like in consideration of safety.

Mr. Finnicum noted he did not want to set precedent on Route 20/Boston Post Road for a 42 foot high tower. He had further questions regarding the front entry to the proposed building, excessive parking, and wanted to see a tree buffer between the road and the building.

Mr. Hincks commented the Planning Board needed some type of “playbook” to follow as there had been many revisions made to the proposal. Mr. Garvin indicated he wished to examine the stormwater peer review from the Horsley Witten Group.

Ms. Kilcoyne inquired about the operation hours for the proposed use, and stated concerns regarding a difficult curb cut and the construction materials suggested.

Mr. Sugrue noted the slides presented had not been viewed by the Planning Board before and stressed he wanted to re-examine the planning process.

Mr. Garvin stated he wanted to see the original design plans as well as the various iterations.

Laurie Lincoln, Executive Director of Buddy Dog, provided the operating hours as well as the dog run schedule.

Mr. Duchesneau read the related regulations aloud, adding the Building Department viewed the proposed use as falling underneath the Dover Amendment. He felt the proposed project could be improved with a more holistic approach which considered the wetlands and conservation land.

Mr. Hincks stated he felt the Conservation Commission and Planning Board needed a better communication plan.

Mr. Mulhern agreed to supply the Planning Board with all the requested background information within two weeks.

Mr. Hincks motioned to continue the public hearing for the Site Plan Review and Stormwater Management Permit for 151 & 183 Boston Post Road (Assessor’s Maps K11-0020 & K11-0501) to the Planning Board meeting on November 13, 2019. Mr. Finnicum seconded the motion. The vote was unanimous, 4-0.

Town Meeting Zoning Bylaw Discussion (continued)

The Board discussed language modifications to the proposed Inclusionary Zoning Bylaw and the potential implications of the proposed bylaw to the 10% affordable housing threshold.

Ms. Kilcoyne raised questions regarding the possibility of developers using the “payment in lieu of” approach. Mr. Garvin noted any such burden should be the responsibility of the Applicant.

Mr. Sugrue noted the importance of practical versus compatible language in the proposed bylaw.

Mr. Garvin initiated discussion regarding the progressive stages of life housing. Ms. Suedmeyer commented about the number of bedrooms in such housing.

Executive Session – Pursuant to MGL Chapter 30A, Section 21(3) for the purpose of discussing 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.

At 10:05 PM, Mr. Garvin called the Executive Session to order.

There being no further business, the meeting was adjourned at approximately 10:25 PM.