



# Town of Sudbury

## Planning Board

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### MINUTES

DECEMBER 18, 2019 AT 8:00 PM

LOWER TOWN HALL, 322 CONCORD ROAD, SUDBURY, MA

**Members Present:** Chair Stephen Garvin, Vice Chair Charles Karustis, Clerk John Hincks, Justin Finnicum, and John Sugrue

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

Mr. Garvin opened the meeting at 8:00 PM.

**DELIBERATION – Proposal to create a new local historic district to be known as the Stone Tavern Farm Historic District to include a 3+/- acre portion of land shown as Assessor's Parcel K06-0602 with the address of 554 Boston Post Road**

Mr. Garvin stated the Historic Districts Commission had voted to not support the article/proposal and that they indicated they would consider endorsement of new historic districts when the owner/owners were in support of the proposal. Mr. Garvin noted the Planning Board was the only Town board required to make a recommendation regarding this proposal/article.

Ms. Suedmeyer noted the previous night the Board of Selectmen had voted a non-binding recommendation to not support the single-property historic district proposal for the Stone Tavern Farm.

Mr. Finnicum stated he strongly supported historic preservation, but it had to be done correctly with a concrete plan and the current proposal did not have a plan.

Mr. Sugrue agreed with Mr. Finnicum, adding the proposed single-property historic district did not present a favorable plan. He noted the historic preservation of the Stone Tavern Farm had been through a long process with the Town and Planning Board to arrive at a good outcome which was predictable and reliable.

Mr. Karustis reiterated the recommendations of Mr. Finnicum and Mr. Sugrue. He emphasized the Planning Board and Town had worked diligently with the Applicant to achieve a win for the Town (good revenue stream), a win for the preservation of the Stone Tavern Farm, and a win for the landowner who would get the chance to move on from the property. Mr. Karustis felt the barn would fall down and a plan for improvements was now in place.

Mr. Hincks confirmed he did not provide an opinion on the proposed Stone Tavern Farm Historic District at the last meeting, but the petitioners for the new historic district did not come forward and did not provide additional materials. He asserted he did not support the proposal for the following reasons:

- A one-property historic district was not practical.

- It would set a bad precedent because it negated some of the property owner's rights.
- The Applicant had presented a good project after much reworking with the Town.
- During the Site Plan Review application process, the Planning Board had considered extensive amounts of public feedback before endorsing the proposal.

Mr. Garvin agreed with the sentiment of the other Planning Board members. He noted former Planning Board member, Nancy Kilcoyne, had been strongly in favor of preservation and the Applicant had granted her request to conduct a limited archaeological survey at the site.

Mr. Garvin emphasized the application process had been a successful collaborative effort and the Planning Board advocated for these types of projects. He added a reliable and predictable process was reflective of good planning, and he was very much opposed to any minimalization of a property owner's rights.

Mr. Hincks motioned to recommend the creation of the Stone Tavern Farm Historic District at 554 Boston Post Road. Mr. Karustis seconded the motion. The roll call vote was as follows: Mr. Finnicum – No, Mr. Sugrue – No, Mr. Karustis – No, Mr. Garvin – No, and Mr. Hincks – No.

Mr. Garvin noted the Planning Board had voted unanimously to not support the creation of the single-property Stone Tavern Farm Historic District.

#### **Massachusetts Environmental Policy Act (MEPA) Comment Letters**

Mr. Garvin affirmed both the Quarry North Road Residential Development MEPA letter and the ALTA at River's Edge Development MEPA letter were due by December 31, 2019. Mr. Duchesneau explained the Board of Selectmen was preparing two letters, and the Planning Board should produce two comment letters and a brief overview of each.

#### **Quarry North Road Residential Development (Melone Quarry, North Road/MA State Route 117, Sudbury, MA)**

Mr. Duchesneau stated the developer of the Quarry North Road Residential Development had submitted an Environmental Notification Form (ENF) regarding the proposed 274 residential units on 25+/- acres in north Sudbury off North Road/Route 117 and 15 ½ acres in Concord. He provided a complete narrative description of the development as submitted to the MEPA office, adding Representative Carmine Gentile and Senator Michael Barrett had already submitted letters of support to the MEPA office.

Mr. Garvin noted this might be the time for the Planning Board to bring forth any concerns about the project and submit them to the MEPA office. He noted this proposed plan off of North Road/Route 117 in north Sudbury was preferable to the originally proposed project at Sudbury Station near the Town Center. Mr. Garvin outlined the concerns regarding traffic, impervious area, and water discharge. He noted a traffic mitigation agreement between the Town and the developer had been agreed upon.

Mr. Karustis commented about including various project mitigation aspects in the MEPA letter of support.

Mr. Duchesneau suggested the Planning Board include the benefit of the land swap between the Town and the developer, as well as the affordable housing component. Mr. Garvin noted the Town had created a 40R district overlay zoning district for this project as well.

Mr. Duchesneau stated he would be happy to draft a Quarry North Road Residential Development letter of support for MEPA and asked the Planning Board to review such draft and provide final signoff. Mr. Garvin agreed.

Mr. Hincks motioned to authorize the Director of Planning and Community Development to draft a response letter to the MEPA office endorsing the Quarry North Road Residential Development project, and to authorize the Planning Board Chair, Mr. Garvin, to edit and approve such letter on behalf of the Planning Board. Mr. Karustis seconded the motion. The vote was unanimous, 5-0.

Mr. Duchesneau announced a MEPA meeting had been scheduled for the Quarry North Road Residential Development for 12:30 PM on December 20, 2019 in the Silva Room of the Flynn Building at 278 Old Sudbury Road and would be followed by a site visit to the property. He indicated Planning staff would be in attendance and invited Planning Board members to attend as well, if available.

#### **ALTA at River's Edge Development (490 Boston Post Road/MA State Route 20, Wayland, MA)**

Mr. Duchesneau announced a MEPA meeting had been scheduled for the ALTA at River's Edge Development would be taking place at 10:00 AM on December 19, 2019 in the Wayland Town Offices. He noted Planning staff would be in attendance.

Mr. Karustis asked about the ALTA at River's Edge Development proposal in consideration of Sudbury. Mr. Duchesneau responded the project's total site disturbance square footage triggered consideration by the Town of Sudbury which directly abutted the subject property.

Mr. Hincks asserted the ALTA at River's Edge Development proposal would affect traffic/transportation and create issues as a result of the amount of impervious surface. Mr. Duchesneau explained those factors triggered the necessity for MEPA review for Sudbury. He stated the subject property was 8.25+/- located at 490 Boston Post Road in Wayland. Mr. Duchesneau indicated the site had previously been used as a septic treatment facility for the Town of Wayland and abutted the Sudbury Transfer Station. He noted the ALTA at River's Edge Development project was a 218 unit multi-family residential development composed of three buildings which varied between three and four stories. He added 25% of the proposed units would be affordable units and 25% would be age restricted units (55 and over).

Mr. Karustis raised concerns about the traffic impacts associated with the proposed project. Mr. Hincks agreed the magnitude of such additional eastbound and westbound traffic, seven days per week, could be detrimental to an already difficult traffic situation. Mr. Garvin suggested the implementation of a shuttle bus in consideration of senior transportation. Mr. Hincks noted that within the distributed materials there was mention of a dedicated bus stop to be serviced by the Wayland Council on Aging. Mr. Garvin noted an actual shuttle bus was not mentioned in the materials.

The Planning Board discussed mitigation aspects such as the installation of a sidewalk which would make businesses such as stores and restaurants more accessible without having to drive. Mr. Hincks also suggested the addition of a bike lane and noted the Landham Road intersection where a bike provision was being implemented. Mr. Finnicum stated he felt the Town of Wayland would have problems on the secondary roads in town as a result of this project.

Mr. Garvin mentioned other known developments that were going to further impact the Boston Post Road/Route 20 corridor in addition to the ALTA at River's Edge Development project. Mr. Garvin stated

the Planning Board should suggest a dedicated shuttle service be implemented and that mitigation to the Landham Road intersection be provided. Ms. Suedmeyer reminded the Planning Board the Landham Road intersection reconstruction project was commencing in the spring.

Ms. Suedmeyer commented about the proposed trail with a separate bridge and its relationship to the ALTA at River's Edge Development project.

Mr. Sugrue recommended the Planning Board present the three primary concerns discussed, noting traffic was the greatest concern, in concert with the creation of a sidewalk and some kind of bike lane.

Mr. Hincks motioned to authorize the Director of Planning and Community Development to draft a response letter to the MEPA office for the ALTA at River's Edge Development project, and authorize Planning Board member John Sugrue edit and approve such letter on behalf of the Planning Board. Mr. Karustis seconded the motion. The vote was unanimous, 5-0.

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

Mr. Garvin acknowledged the Planning Board had conducted an extensive discussion at their last meeting regarding the proposed Inclusion of Affordable Housing and Solar Energy Systems Zoning Bylaw amendments. Mr. Duchesneau confirmed the public hearings for such bylaws would be held on January 22, 2020 and noted the final language regarding the proposed bylaws was due on January 31, 2020.

#### *Draft Solar Energy Systems Bylaw*

Mr. Garvin asked if the Solar Energy Systems Special Permit would be issued by the Zoning Board of Appeals or the Planning Board. Mr. Duchesneau indicated the Planning Board had historically issued Special Permits related to housing, such as for cluster developments. He added that if the Planning Board wished to be the Special Permit Granting Authority for Solar Energy Systems, rules and regulations for the permitting would have to be created.

Mr. Garvin felt that if a project was commercial, the Planning Board should be the Special Permit Granting Authority for the Solar Energy Systems permitting process. Mr. Sugrue indicated if solar panels were requested for a residential lawn, that authorization should be issued by the Planning Board. Mr. Duchesneau affirmed any Solar Energy System application would still need Site Plan Review approval from the Planning Board.

Mr. Finnicum asked about the proposed requirements for granting approvals for the installation of Solar Energy Systems. A related discussion took place. Mr. Karustis indicated that once installed, a Solar Energy System would be around for approximately ten to twenty years, and then another more streamlined technology would probably take the place of solar panels.

Mr. Garvin suggested the following language be included in Section 4830.b – “not on existing structures” and “prior to requesting a special solar permit.” Mr. Garvin also added that language in 4830.j., should include “Building Inspector.” Mr. Sugrue recommended implementing a separate “Residential” section within section 4830. After extensive discussion, the Planning Board agreed that allowed kilowatt usage would be predicated on the existing footprint of the building (not including overhangs) and be dark-sky compliant.

Mr. Karustis suggested the addition of appropriate bonding language within the proposed bylaw. Mr. Duchesneau noted Town Counsel would review all proposed amendments and changes.

Mr. Finnicum recommended using square footage figures to regulate the size of solar energy systems instead of kilowatt hours because of the increased efficiency of panels. Mr. Karustis suggested consulting a solar installer before assigning the square footage amounts.

*Draft Inclusion of Affordable Housing Bylaw*

The Planning Board agreed with making the following modifications to the latest proposed draft bylaw:

- In Section 5630, adding language requiring the self-testing of septic systems.
- In Section 5630, making the mitigating possibilities more generalized.
- In Section 5641, allowing affordable dwelling units to be constructed offsite, but requiring 1.5 times the amount of required affordable dwelling units to be constructed.
- In Section 5641, striking the provision that the length of any residential building shall not exceed 100 feet.

There being no further business, the meeting was adjourned at 10:08 PM.