



# Town of Sudbury

## Planning Board

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### MINUTES

**FEBRUARY 12, 2020 AT 7:30 PM**

**LOWER TOWN HALL, 322 CONCORD ROAD, SUDBURY, MA**

**Members Present:** Chair Stephen Garvin, Vice Chair Charles Karustis, Clerk John Hincks, Justin Finnicum, John Sugrue, and Associate Member Anuraj Shah.

**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 and Stormwater Management Permit – 151 & 183 Boston Post Road (Assessor’s Map K11-0020 & K11-0501)**

Christopher Mulhern of Harrison Mulhern Architects, Steve Burt of Buddy Dog, and Vito Colonna of Sullivan, Connors and Associates, Inc. were present to discuss the application with the Planning Board.

Mr. Duchesneau stated the stormwater peer review response had been received earlier that day.

Mr. Mulhern spoke regarding changes to the Site Plan and added building considerations were not available at that time. He noted the peer review had requested additional information about the installation of the proposed impervious sidewalk and the existing dog run regarding the suggesting a berm be installed around the existing dog run. Mr. Mulhern indicated a proposed mitigation plan would be submitted by the Conservation Commission shortly and Town departments would be reviewing the updated Site Plan.

Mr. Mulhern also noted a final Landscape Plan and Photometric Plan would to be submitted in advance of the next Planning Board meeting.

Mr. Duchesneau confirmed the total number of parking spaces on the newly proposed Site Plan was 30, which was preferable when compared to the initial proposal of 32 spaces. Mr. Mulhern confirmed the number of parking spaces on the updated plan.

Ms. Suedmeyer requested an update regarding the new total amount of impervious area. Mr. Mulhern indicated the new total of impervious area was 36,440 square feet, which was an increase of 110 square feet when compared to the other plan options presented in the past.

Mr. Finnicum suggested including a mix of vegetation between Boston Post Road/Route 20 and the proposed parking area. He also inquired about the dog runs in consideration of their stormwater drainage and the adjacent wetlands. Mr. Mulhern indicated the proposed new dog run had a direct connection to a wastewater system which did not drain into the wetlands.

Mr. Hincks acknowledged the progress which had been made regarding the proposed plans, and stated he looked forward to reviewing the Horsley Witten stormwater peer review and staff comments.

Mr. Karustis raised questions about the proposed internal sidewalk.

Mr. Sugrue inquired about the intersection at Boston Post Road/Route 20 and Goodman's Hill Road, and asked about potentially closing the eastern-most curb cut for the subject property. Mr. Mulhern responded the amount of traffic at the eastern-most curb cut would be reduced by half due to the proposed one-way traffic flow through the property. Additionally, Mr. Mulhern indicated Buddy Dog preferred to retain the eastern-most curb cut in consideration of secondary access and future planning. Related discussion then took place.

Mr. Shah suggested planting native vegetative species (holly, rhododendron, etc.) in the buffer zone between the sidewalk and Boston Post Road/Route 20. He recommended further consideration be given to the safety aspect of the Goodman's Hill Road intersection and the subject property's eastern-most curb cut. Mr. Garvin stated the Town's public safety departments should provide comments on this matter. Mr. Colonna indicated related data had been reviewed for this location and there had been 11 accidents there over the last three years, which was an average amount when compared to other intersections in town. Mr. Garvin suggested the Applicant and project team make a related inquiry to the state. Ms. Suedmeyer mentioned the implementation of traffic calming measures for this location.

Mr. Hincks motioned to continue the public hearing for the Site Plan Review and Stormwater Management Permit application for 151 & 183 Boston Post Road (Assessor's Map K11-0020 & K11-0501) to the Planning Board meeting on February 26, 2020. Mr. Karustis seconded the motion. The vote was unanimous, 5-0.

**Immediately Continued Public Hearing – Site Plan Review – 113 Haynes Road (Siena Farms) (Assessor's Maps D09-0002 and D09-0300)**

Mr. Hincks motioned to continue the public hearing for the Site Plan Review application for 113 Haynes Road (Siena Farms) (Assessor's Maps D09-0002 and D09-0300) to the Planning Board meeting on February 26, 2020 and to extend the application review period to March 21, 2020. Mr. Karustis seconded the motion. The vote was unanimous, 5-0.

**Town Meeting Zoning Bylaw Discussion**

*Inclusionary Zoning (Affordable Housing Units)*

Mr. Duchesneau highlighted comments provided by Town Counsel, including a proposed median income clause. He suggested the Planning Board further discuss Section 5670 regarding the calculation of fees-in-lieu of fractional Affordable Dwelling Units. Discussion took place and changes were made to the proposed draft bylaw.

Mr. Duchesneau presented the following comments and questions from Town Counsel regarding proposed Section 5680:

- Possibility of the provision being challenged.
- A preferred fee would be closer to 10% of the estimated construction costs.

- The provision could be considered a somewhat onerous requirement when applied to as-of-right single-family dwellings.
- Give consideration to using pro-rated fees based upon different brackets of estimated construction costs.
- Would this section apply to tear downs or substantial renovations?

Mr. Garvin noted the Planning Board's suggestions regarding the implementation of the additional Building Permit fee could be addressed in the future. Mr. Duchesneau informed the Planning Board the Town of Concord had received Town Meeting approval to petition the state legislature to implement this type of provision, but no further action on the matter had been taken since the Town Meeting vote.

Mr. Hincks agreed that such a provision might be best addressed at a later time. Mr. Sugrue commented the proposed Building Permit fee did not necessarily have to be adopted as a Zoning Bylaw amendment. He indicated he felt the exact proposed fee/rate should be further explored in the future after the May 2020 Annual Town Meeting. The Planning Board made additional edits to the draft proposed amendment.

#### *Solar Energy Systems*

Mr. Duchesneau highlighted some comments from Town Counsel on the proposed bylaw amendment including the following:

- Residential roof top installations of any size should be allowed as of right.
- Commercial roof top installations could be required to undergo Site Plan Review.
- Special Permits should not be required for any type of roof top installations.

Mr. Garvin stated he felt the assumption that no Special Permits could be required for any roof top installations needed additional consideration with respect to the size of an installation. Mr. Hincks stressed he wanted to include additional language to distinguish the difference between residential and commercial installations. The Planning Board further discussed appropriate language regarding this matter. Mr. Garvin suggested multi-family dwelling and commercial installations needed Site Plan Review.

The Planning Board discussed solar installations in historic districts, Minor Site Plan Review and waivers, visibility of solar panels, small and large-scale ground mounted panel installations, and the possible effects ground mounted panel installations would have on stormwater management.

The Planning Board then discussed the aspects and impacts of the discontinuance of commercial solar installations. Several members advocated for the implementation of solar panels over public/commercial parking lots, especially on Boston Post Road/Route 20.

Mr. Duchesneau stated he would confer with Town Counsel regarding the questions raised and suggestions which had been made.

#### **Master Plan Update**

Mr. Duchesneau mentioned the topics which had been discussed at recent Master Plan Steering Committee meetings and noted the next two meetings were scheduled for February 28, 2020 and March 13, 2020. He stated that beginning in April of 2020, future meetings would be held on a more regular

schedule in preparation for the finalized updated Master Plan which was anticipated by June or July of 2020. Mr. Duchesneau also indicated the topic of Boston Post Road/Route 20 would be discussed at the Master Plan Steering Committee meeting on February 28, 2020.

### **Administrative Report**

Mr. Duchesneau announced the appointment of Beth Perry as the new Planning and Zoning Coordinator within the Planning and Community Development Department.

Mr. Duchesneau indicated the Broadacres Farm Design Charrette Report had been completed by the consultants and would be added to the Town website.

Ms. Suedmeyer announced the final public meeting of the Hazard Mitigation group took place the previous evening and the report was now on the Town website. She added related comments could be submitted until the end of February 2020 when the Hazard Mitigation Report would be presented to Federal Emergency Management Agency (FEMA) for final approval.

Mr. Duchesneau indicated the Complete Streets Advisory Group recently met and a public forum regarding the draft proposed Prioritization Plan would be held on February 24, 2020 at the Police Station, 75 Hudson Road. Mr. Garvin suggested enhanced outreach and advertising for the Complete Streets public forum. Mr. Duchesneau affirmed outreach and announcements through the Town's social media platforms would be included as part of the promotion of this meeting.

### **Minutes for Approval: November 12, 2019**

Mr. Hincks motioned to approve the meeting minutes from November 12, 2019. Mr. Karustis seconded the motion. The vote was unanimous, 4-0, with Mr. Sugrue abstaining from the vote.

### **Future Meeting Schedule: February 26, 2020 and March 11, 2020**

There being no further business, the meeting was adjourned at approximately 10:00 PM.