



Town of Sudbury

Planning Board

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MINUTES

FEBRUARY 26, 2020 AT 7:30 PM

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

Members Present: Chair Stephen Garvin, Clerk John Hincks, Justin Finnicum, John Sugrue, and Associate Member Anuraj Shah

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

Immediately Continued Public Hearing – Site Plan Review and Stormwater Management Permit – 151 & 183 Boston Post Road (Assessor’s Maps K11-0020 & K11-0501)

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 March 11, 2020 and to extend the review period to March 31, 2020. Mr. Sugrue seconded the motion. The vote was unanimous, 4-0.

Continued Public Hearing – Site Plan Review – 113 Haynes Road (Siena Farms) (Assessor’s Maps D09-0002 & D09-0300)

Applicants Chris Kurth and Ana Sortun, and architect John Peterman were present to discuss the application with the Planning Board. Mr. Kurth indicated he and Ms. Sortun had hired a certified architect, Mr. Peterman, as requested by the Planning Board. Mr. Kurth then discussed several requested amendments to the originally proposed conditions for the operation of events at the property as follows:

- Events held Sunday through Thursday, 9:00 AM to 8:00 PM, and Friday and Saturday, 9:00 AM to 9:00 PM.
- Event preparations and clean-up activities limited to one hour before and after each event.
- Amplified music or public address systems will cease by 9:00 PM on Friday and Saturday, and 8:00 PM, Monday through Thursday.
- Parking instructions will be clearly outlined on all guest invitations. Parking will not be allowed on Haynes Road or Dunster Road, as well as other neighboring streets during events.
- When using the Willow Hill School parking lot, designated staff members will assist people crossing the street or a crossing guard/Police detail will be hired for larger events.
- “No Event Parking” signs will be erected on Haynes Road, Dunster Road, and other adjoining streets.

- A minimum of one (1) TIPS (Training and Intervention Procedures for Servers of alcohol) certified server will be at any event serving alcohol.
- Per the Fire Department's request, the Applicants will hire a Fire and Life Safety detail for any event with 50 or more people where alcohol is served.
- Per the Fire Department's request, the Applicants will hire a certified Crowd Manager to assist in any emergency action.
- Per the Fire Department's request, the Applicants will comply with all fire regulations as part of the emergency action plan.
- Per the Health Department's request, the Applicants will hire a septic engineer to evaluate and identify the appropriate management of gray water.
- Per the Planning Board's recommendation, events will be defined as "a gathering on the subject property of 12 or more ticketed people who are not the applicants, applicants' employees, or related members."
- Per the Planning Board's recommendation, the Applicants agree to hold no more than 12 events per year.

Ms. Sortun provided a brief outline of proposed upcoming events:

- Cooking classes, four to six per year, with 12 to 24 attendees. The focus being vegetable cooking, using farm vegetables. She noted most cooking classes were demonstration instruction with the exception of kids cooking classes. Classes would primarily be held on weekends from 11:00 AM to 2:00 PM.
- Annual Kickoff Event of the Season, likely Memorial Day weekend, which is a CSA event and would likely have 50-75 people from 5:00 PM to 9:00 PM.
- Couple of Season Dinners around the time of harvest with seating for 50-75 people from 3:00 PM to 8:00 PM.
- Annual Farm Tour – Open House for CSA members from 3:00 PM to 8:00 PM and could host as many as 200-225 people coming and going. Annual Farm Tour is in its 10th year.
- Old Fashion Carrot Pull involving CSA membership helping with the harvest before the frost and would include a thank you dinner at the end of the day.

Ms. Sortun confirmed the proposed events were repeat events and were in keeping with similar activities held at other local farms.

Mr. Peterman presented architectural plans including a proposed porch addition which would seat approximately 12 people. He provided details about the wood-fired pizza grill area and a food preparation/cleaning area.

Mr. Duchesneau spoke of several staff report updates including Board of Health comments, the adequacy of the 100-space parking area, a definition for "events" which would consist of at least 12 attendees (non-owner/non-employee related individuals), and hours of operation and cleaning activities. He also mentioned the Applicants' request for an application fee waiver.

Mr. Shah recognized the Applicants had addressed neighborhood and safety/health concerns. He commented about headlights shining onto Haynes Road and the implementation of possible screening.

Mr. Sugrue agreed with the comments made by Mr. Shah.

Mr. Hincks inquired about related conversations with Town Counsel. Mr. Duchesneau responded Town Counsel had confirmed the number of proposed Siena Farms events were consistent with the definition for an agricultural use.

Mr. Hincks reiterated the parking aspect was the reason for the Site Plan Review application. He confirmed the parking setup was adequate and indicated the Applicants had made additional provisions.

Mr. Finnicum stated the proposed design was well done and with neighborhood mitigation, the project was a good one for the Town.

Mr. Garvin agreed the aspects of safety, parking, and lighting had been met. He mentioned the accessible parking aspect.

Chuck Mickey of 15 Dunster Road asked about recourse if the events were disruptive. Mr. Duchesneau responded that zoning or other code violations could be reported to the appropriate Town officials.

Steve Grande of 91 Haynes Road questioned the Site Plan Review process. Mr. Grande commented neighbors wanted to know the exact number of events, the duration of hours, and the number of guests in consideration of additional events. He asserted a common victualler license was required in order to serve food in many communities. Mr. Garvin stated the Planning Board relied on the Building Inspector and Town Counsel to provide appropriate direction on the matter.

Mr. Grande affirmed the abutters had the right to appeal the Building Inspector's decision.

Janet Pitzi of 91 Haynes Road commented about curb cuts in the Siena Farms area which presented a potential danger when she attempted to exit her driveway. Mr. Garvin stated such a condition was something to consider.

Sandra King of 83 Haynes Road noted her support for the project. She indicated she felt the proposed project would benefit the Town.

Radoslaw Tomala of 23 Dunster Road suggested further limitations regarding the number of events and requested a smaller number of events be held the first year to determine if compliance could be met before scheduling additional events. Mr. Tomala referred to the contents of his submitted six-page letter regarding parking area lighting, related safety aspects, and how such factors would affect his property. He commented about the noise aspect and noted other local farms mentioned by the Applicants were not located in residential neighborhoods.

Mr. Garvin asked the Applicants about the possibility of using temporary fencing to screen the 100-car parking area when it would be used. Mr. Kurth affirmed he did not intend to include lighting in the rear parking area.

Mr. Shah agreed that temporary fencing for potential parking in that area would be beneficial. Mr. Garvin commented such a condition regarding fencing would be reasonable. Related discussion took place.

Ms. Suedmeyer commented lighting and temporary fencing installation could be dependent on the time of day an event is scheduled. Mr. Garvin stressed the temporary fencing would only be conditioned for one of the larger events.

Mr. Garvin inquired about the sound amplification aspects of the project. Mr. Duchesneau stated there was not a specific bylaw or code regulation regarding decibel levels. He reiterated sound amplification would cease at 9:00 PM on Fridays and Saturdays, and by 8:00 PM, Monday through Thursday.

Mr. Mickey stated a condition regarding lighting specificity was needed in consideration of the time of year events might be held.

Mr. Grande stated he felt the use of amplifiers until 8:00 PM or 9:00 PM, possibly several nights in a given week, could be very disturbing for abutters. He stressed any increase in nuisance, whether an agricultural use or not, was problematic.

Mr. Kurth stated one large event per year was anticipated. Mr. Grande stated he wanted such scheduling language included in the conditions of any Site Plan Review approval.

Ms. King commented she respected the opinions of her neighbors and wished to go on record by stating there was a technical component and an emotional component, and she did not possess the technical knowledge to be able to present the technical aspects. Mr. Garvin noted the Planning Board consistently sought to balance the rights of Applicants and property owners with the concerns of neighbors. Mr. Hincks commented the Town was currently working on implementing a new Master Plan and hundreds of Sudbury residents had advocated for the continued preservation of historical and agricultural resources, and would not want the agricultural efforts of Siena Farms to end. Mr. Grande advocated for agricultural resources and also acknowledged residents' rights to peaceful and quiet enjoyment of their properties.

Mr. Garvin suggested the discussed conditions be explored further and presented to the Planning Board in draft form at their next meeting.

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 next Planning Board meeting on March 11, 2020. Mr. Sugrue seconded the motion. The vote was unanimous, 4-0.

Mr. Garvin noted the Applicant's request for a waiver from the application fee would also be discussed at the next meeting.

10-66 Northwood Drive (Northwood at Sudbury) (Assessor's Map C11-0302) – Stormwater Management Permit Modification and Time Extension

Developer Kevin Lobisser was present to discuss the application with the Planning Board. He described the project's drainage system and rain gardens. Mr. Lobisser explained the last rain garden which needed to be installed had slope considerations and he proposed an alternate drainage method which included an underground chamber system.

Ms. Suedmeyer confirmed she and Mr. Duchesneau had examined the site, and Town Engineer Bill O'Rourke had reviewed the alternate drainage method and was satisfied with the modification. Ms. Suedmeyer also noted the Applicant's request to extend the Stormwater Management Permit timeline.

Mr. Shah inquired about the surrounding surface of the rain garden and Mr. Lobisser explained it was grass. Mr. Shah indicated a rain garden had more sustainability and grass required additional watering.

Mr. Lobisser stated the grassed area would not be taking the place of the rain garden for drainage and under the grass surface would a type of leaching field.

Mr. Finnicum asked to see the Northwood renderings reflecting the construction to date. Mr. Lobisser referred to the plan, and noted the final condominium to be built and the proposed drainage system around it.

Ms. Suedmeyer noted it was unfortunate the project engineer was not present at the meeting to address the Planning Board's particular concerns. Mr. Garvin stated additional information was needed in order to approve the modification and an action deadline had to be extended as well.

Mr. Hincks motioned to extend the Stormwater Management Permit for 10-66 Northwood Drive (Northwood at Sudbury) (Assessor's Map C11-0302) to June 30, 2021. Mr. Sugrue seconded the motion. The vote was unanimous, 4-0.

Mr. Lobisser agreed to provide additional information regarding the proposed modifications to the stormwater management system and the drainage calculations.

81 Moore Road (Assessor's Map G04-0003) – Approval Not Required (ANR) Plan

Owner Brett Taylor was present to discuss the application with the Planning Board.

Mr. Taylor explained the ANR Plan which displayed the lot line adjustments. Mr. Garvin expressed some confusion about the ANR Plan and asked if 81 Moore Road consisted of two parcels with two separate tax bills. Mr. Taylor indicated that was correct and the plan would make the currently vacant parcel a buildable lot.

Mr. Hincks motioned for the Planning Board to endorse the Approval Not Required (ANR) Plan for 81 Moore Road (Assessor's Map G04-0003). Mr. Sugrue seconded the motion. The vote was unanimous, 4-0.

Town Meeting Zoning Bylaw Discussion

Inclusion of Affordable Housing

As a follow-up to the Planning Board's discussion at the last meeting, Mr. Duchesneau noted several inclusionary zoning items which were addressed with Town Counsel earlier that day. Related discussion took place.

Mr. Duchesneau stated he had conversations with the Regional Housing Services Office (RHSO) regarding family housing standards. He stated RHSO Director Liz Rust had indicated freestanding dwellings would not be the best housing option when factoring in additional maintenance costs.

Solar Energy Systems

The Planning Board reviewed the proposed draft Solar Energy Systems Zoning Bylaw and agreed everything they had discussed was included.

Mr. Finnicum raised questions regarding the Special Permit process of the proposed bylaw. Mr. Garvin confirmed any Special Permit request would go through the Zoning Board of Appeals. The Planning Board agreed that large-scale ground mounted solar installations should trigger a Special Permit process. A discussion regarding the definition of small-scale residential ground mounted solar installations took place. The Planning Board proposed several changes to the draft bylaw amendment.

Master Plan Update

Mr. Duchesneau confirmed the Boston Post Road/Route 20 topic would be discussed at the next Master Plan Steering Committee (MPSC) meeting on February 28, 2020. He added the focus of the MPSC meeting on March 13, 2020 would be housing. He also noted Liz Rust from the Regional Housing Services Office (RHSO) would be present at the March 13th meeting.

Mr. Duchesneau explained the MPSC would revert back to their typical monthly meetings in April of 2020. Mr. Garvin suggested the MPSC and Master Plan consultant, the Horsley Witten Group, present to the Planning Board an annotated outline for the next section of the updated plan based upon the discussions at the last few MPSC meetings. Mr. Duchesneau indicated he would work with the Horsley Witten Group to coordinate this meeting.

Administrative Report

Mr. Duchesneau noted the Broadacres Farm Design Charrette consultants would soon have their final report completed.

Mr. Duchesneau indicated a Complete Streets Prioritization Plan public forum took place on February 24, 2020 and substantial feedback was received. He explained several projects would be adjusted and finalized for submittal of the Prioritization Plan to the Massachusetts Department of Transportation (MassDOT) by the April 1, 2020 deadline.

Minutes for Approval: November 13, 2019

Mr. Hincks motioned to approve the meeting minutes of November 13, 2019. Mr. Sugrue seconded the motion. The vote was unanimous, 4-0.

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