



# Town of Sudbury

## Planning Board

PlanningBoard@sudbury.ma.us

Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776  
978-639-3387  
Fax: 978-639-3314

www.sudbury.ma.us/planning

### MINUTES

**MARCH 25, 2020 AT 7:30 PM**

### VIRTUAL MEETING

**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.

**Public Hearing – Stormwater Management Permit – 197 Landham Road (Assessor’s Map Assessor’s Map L10-0502)**

Applicants and owners Lindsay Philbrick and Erick Storer; James Tetreault of Thompson-Liston Associates, Inc.; and Mike DiGiorgio of Land-Pro, Inc. were present to discuss the matter with the Planning Board.

Mr. Tetreault provided a summary of the proposed project, including the proposed Stormwater Operations & Maintenance Program, the Drainage Report, and the plans. Mr. Tetreault reiterated the owners were not aware of their proximity to the wetlands and had proceeded with the work. He indicated the owners were proposing to replant and mitigate under the regulations of the permit application. Mr. Tetreault confirmed the erosion control barriers were now in place.

Mr. Garvin inquired about the removal of any trees and Mr. Tetreault responded that to his knowledge, no trees had been removed.

Mr. Finnicum questioned if a retaining wall(s) had been installed. Mr. Tetreault responded one retaining wall had been installed with much of the back yard being cleared.

Ms. Suedmeyer commented the tracking of dirt from the work site onto Landham Road had prompted the site visit and the implementation of the Cease and Desist Order. She stated that upon issuance of the order, the Building Inspector had recommended completion of the retaining wall to ensure stabilization of the site. Ms. Suedmeyer confirmed the Conservation Commission had approved the replanting plan and also noted the stormwater management peer review comments from Horsley Witten had just been received by the Planning and Community Development Department on March 23, 2020. Mr. Garvin stated the Planning Board was still reviewing those comments.

Mr. Shah acknowledged his friendship with the property owners and understood their desire to improve the landscaping. He confirmed he would not be voting on the matter.

Mr. Hincks asked about the proximity to wetlands on various areas of the property. Mr. Tetreault referred to the plan when delineating those areas. He reiterated the Conservation Commission's approval for the replanting of these areas.

Mr. Hincks asked about the types of proposed plantings in these areas. Ms. Philbrick stated she had received a recommended planting list from Ms. Suedmeyer, but that plan had not been finalized.

Mr. Finnicum noted the retaining wall was most visible from the Town trail and recommended native plantings be included in the planting plan to help screen the wall.

Mr. Sugrue inquired about the entrance near the proposed sport court. Mr. Tetreault indicated the area would be reverted back to lawn.

Mr. Garvin outlined several areas of concern:

- Assurance the construction entrance would be distanced from Town land
- Screening from the public way
- Additional drainage, including foundation drainage
- Sport Court surface material and drainage
- Materials used for the patio
- Additional details regarding retaining wall(s)

Ms. Suedmeyer suggested the Applicants submit a Landscape Plan for the entire property and Mr. Garvin agreed.

Mr. DiGiorgio mentioned the Town would be clearing the field and the previous buffer had not been maintained. Mr. Garvin explained the meadows were cut twice per year per the request of the Conservation Commission.

Mr. Finnicum commented about the wooded buffer being cut down. Mr. DiGiorgio stated his company did not remove wooded buffer.

Ms. Philbrick indicated her desire for a buffer between the Town trail and her property, and was surprised to see that such a buffer had recently been cut down.

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit application for 197 Landham Road (Assessor's Map Assessor's Map L10-0502) to the Planning Board meeting on April 8, 2020. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

### **North Road Residential Overlay District Rules and Regulations for Application and Submittal Requirements**

Mr. Duchesneau noted the Planning Board had agreed to adopt their Site Plan Review Rules and Regulations as the Melone Smart Growth Overlay District Rules and Regulations. As part of the discussion about this item at the last meeting, the Planning Board had expressed an interest in also using the Site Plan Review Rules and Regulations as the North Road Residential Overlay District a Rules and Regulations.

Mr. Garvin noted the modification which had been implemented regarding the minimum and maximum application filing fees for the Melone Smart Growth Overlay District applications. Mr. Duchesneau stated the North Road Residential Overlay District application filing fees could be set in the same manner with a maximum filing fee of \$5,000.00.

Mr. Hincks motioned the Planning Board adopt the Planning Board's Site Plan Review Rules and Regulations as the North Road Residential Overlay District Rules and Regulations for application and submittal requirements, as amended and discussed regarding the filing fees. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

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

Mr. Duchesneau stated the Board of Selectmen had voted to postpone the Annual Town Meeting to a date to be determined. He indicated the postponement of the Annual Town Meeting could allow for additional or adjusted proposed Zoning Bylaw amendment language if the Planning Board desired.

Board of Selectmen member Janie Dretler stated an alternate Annual Town Meeting date would likely be considered at the Board of Selectmen's meeting on March 31, 2020.

Mr. Garvin noted the extra time might provide for additional review of the proposed Zoning Bylaw amendments. Mr. Hincks suggested additional descriptions of the proposed amendments might be beneficial. Mr. Duchesneau commented he would pull together related language for the Planning Board's review.

### **Master Plan Update**

Mr. Duchesneau explained that due to COVID-19, the Master Plan Steering Committee meeting for March 13, 2020 had been cancelled and rescheduled for April 17, 2020 at 8:45 AM. He noted this next meeting would be held via Zoom, a virtual conferencing platform. Mr. Duchesneau also confirmed the topic of housing would be covered at that meeting.

### **Administrative Report**

Mr. Duchesneau stated he was coordinating a joint meeting/public hearing with the Design Review Board for the Cold Brook Crossing residential development at 16 & 36 North Road for the April 8, 2020 Planning Board meeting.

Ms. Suedmeyer noted the Board of Selectmen had voted to postpone the Fairbank Community Center Forum. She indicated the forum would be rescheduled for a time before the Annual Town Meeting.

### **Minutes for Approval: December 18, 2019**

Mr. Hincks motioned to approve the December 18, 2019 minutes. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**Future Meeting Schedule: April 8, 2020 and April 29, 2020.**

Ms. Suedmeyer inquired about the digital transmission of agenda items in consideration of the Planning and Community Development Department's new remote work environment.

Mr. Hincks indicated a strong preference for the digital transmission of materials to the Board. The Planning Board members agreed with the digital transmission of materials. Mr. Duchesneau confirmed the materials would be transmitted digitally for the time being until further notice.

There being no further business, the meeting was adjourned at approximately 8:50 PM.