



# Town of Sudbury

## Planning Board

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### MINUTES

APRIL 14, 2021 AT 7:30 PM

### VIRTUAL MEETING

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

**Absent:** Associate Member Anuraj Shah

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

Mr. Garvin called the meeting to order at 7:30 PM.

**Immediately Continued Public Hearing – Stormwater Management Permit – 150 Wayside Inn Road (Assessor's Map K02-0002)**

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit for 150 Wayside Inn Road (Assessor's Map K02-0002) to the Planning Board meeting on April 28, 2021. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**Immediately Continued Public Hearing – Stormwater Management Permit – 25, 35, 45, & 55 Widow Rites Lane (Assessor's Maps E07-0146, E07-0147, E07-0148, E07-0154, E07-0155, and E07-0459)**

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit for 25, 35, 45, & 55 Widow Rites Lane (Assessor's Maps E07-0146, E07-0147, E07-0148, E07-0154, E07-0155, and E07-0459) to the Planning Board meeting on April 28, 2021. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**Continued Public Hearing – Site Plan Review – 423 & 437 Boston Post Road (Assessor's Map K08-0004) and Public Hearing – Stormwater Management Permit – 423 & 437 Boston Post Road (Assessor's Map K08-0004)**

Tony Haslinger of Phillips Edison & Company was in attendance to discuss the matter with the Planning Board. Mr. Haslinger stated his company had owned the property at 423 & 437 Boston Post Road for several years and they were now proposing to implement a child care facility (the Goddard School). In respect to Stormwater Management Permit and Site Plan Review, Mr. Haslinger confirmed the plan would be modified to address the concerns of the Fire Department and the Police Department. Mr. Haslinger also provided details regarding the proposed upgrades to the wastewater treatment facility.

Mr. Duchesneau provided a summary of the Staff Report, including the challenges associated with entry into the site and parking. He questioned the proposed lighting around the wastewater treatment facility.

Ms. Suedmeyer stated an engineer needed to be present at the next Planning Board meeting, any plan should address proposed modifications to conditions, the maintenance plan should be more clearly defined, playground materials also needed to be defined, and a peer reviewer would be present with comments.

Mr. Hincks questioned the proposed landscaping and the changes being proposed, especially in the area between Sudbury Farms and the former Rite Aid location. He inquired about the plan for parking and child drop-off/pick-up plans. Mr. Haslinger responded that the parking plan had been modified after conversations with the Police and Fire Departments.

Mr. Finnium asked if the Applicant would consider relocating the playground to the south of the building, which would be further away from the parking lot and more private. Mr. Haslinger commented the child care facility operator was not comfortable with locating the playground on top of the leaching field.

Mr. Finnium indicated the number of bollards was excessive and suggested other strategies be used to serve the same purpose. Mr. Haslinger confirmed he would discuss this aspect with the child care facility operators.

Mr. Finnium asked if the proposed LED lighting could be Dark Sky compliant.

Mr. Karustis expressed his approval regarding the relocated entrance door and suggested more than ten parking spaces be provided for pick-up and drop-off of children. He also suggested the Applicant include an additional crosswalk on the plans.

Mr. Garvin reiterated the need for a clear operations and maintenance plan with additional detail included in the Site Plan. He recommended the use of a vertical concrete/granite curb rather than the bollards, especially in consideration of the property's location and visibility on Route 20/Boston Post Road.

Mr. Garvin stressed the need for an engineer to respond to the peer review comments. He also stated additional details regarding drainage and slope stabilization during construction would be required. Mr. Haslinger confirmed additional details would be provided to the Planning Board.

Bettina Westerberg of 239 Raymond Road expressed several concerns associated with the proposed project. These included the addition to the retail plaza, lighting, noise from the heating and cooling units, wastewater treatment facility aspects, and drainage/stormwater considerations.

Mr. Garvin explained the wastewater treatment aspects of the proposed project would be approved by the Massachusetts Department of Environmental Protection (MassDEP) and suggested Ms. Westerberg should contact MassDEP directly about this matter. He recommended residents send related comments to the Planning Board in writing.

Dr. Dan Kuster of 245 Raymond Road stated the existing wastewater treatment system had been emitting effluent and inquired about a monitoring system. Mr. Garvin noted the Planning Board had no jurisdiction over the wastewater treatment system aspect of the project.

Dr. Dan Kuster then spoke of erosion, removal of vegetation, screening, noise pollution, and lighting. Mr. Garvin suggested that Dr. Dan Kuster include his concerns in writing and submit such concerns to the Planning Board.

Dr. Stephanie Kuster of 245 Raymond Road asked if the Goddard School project was dependent upon a wastewater treatment system permit and Mr. Garvin responded in the affirmative.

Kevin Westerberg of 239 Raymond Road echoed the comments of the other neighbors who had spoken. He asked if the developer would agree to a meeting with neighbors. Mr. Haslinger responded that such a meeting could be arranged.

Mr. Hincks motioned to continue the public hearing for the Site Plan Review and Stormwater Management Permit applications for 423 & 437 Boston Post Road (Assessor's Map K08-0004) to the Planning Board meeting May 12, 2021. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**83 Boston Post Road (Assessor's Maps K11-0015 & K11-0099) – Pedestrian Walkway Performance Bond Agreement**

Mr. Duchesneau indicated the Applicant had overlooked the installation of a second pedestrian walkway, which was a particular condition in the Site Plan decision. He noted the Applicant was now requesting for a Performance Bond to be implemented so the building could obtain its Certificate of Occupancy. Mr. Duchesneau added the situation had been reviewed by the Town Engineer and Town Counsel.

Mr. Hincks motioned to approve the cash Performance Bond Agreement for the pedestrian walkway at 83 Boston Post Road and to designate the Director of Planning and Community Development to execute the agreement. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**Nolan Circle/Landon Estates (fka Woodward Glen/Greenscape Park) off Powers Road (Assessor's Map B09-0001) Definitive Subdivision and Stormwater Management Permit Performance Bond Agreement**

Applicant/Developer David Howe was in attendance to discuss the matter with the Planning Board.

Mr. Duchesneau stated the Performance Bond agreement had been reviewed by the Town Engineer and Town Counsel.

Mr. Garvin noted he had concerns regarding the planting of new trees considering what trees might be removed. Mr. Duchesneau suggested that if more trees were taken down, the bond could be held until landscaping for the project was finalized. Mr. Howe confirmed the project engineer had marked the limit of work and marked every tree assigned to be protected (10 to 12 trees). He also stated he had met with all of the abutters on a separate occasion and they expressed a preference for maintaining approximately 15 trees.

Mr. Hincks motioned to approve the cash Performance Bond agreement for the Definitive Subdivision and Stormwater Management Permit for Nolan Circle/Landon Estates (fka Woodward Glen/Greenscape Park) off Powers Road (Assessor's Map B09-0001), and to designate the Director of Planning and Community Development to execute the agreement. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**Nolan Circle/Landon Estates (fka Woodward Glen/Greenscape Park) off Powers Road (Assessor's Map B09-0001) Definitive Subdivision Plan and Stormwater Management Permit Decisions Modifications**

Applicant/Developer David Howe was in attendance to discuss the matter with the Planning Board. He described the requested modifications which included extending limit of work 8 feet to allow the foundation work to be performed on Lot #1 and to amend the side setback of Lot #2.

Ms. Suedmeyer expressed concern about extending the limit of work and any changes to the proposed tree removal. She suggested a site walk might help clarify this aspect of the request.

Mr. Garvin recommended further inspection of the side yard at Lot #2 and that further review of the requested modifications occur at the Planning Board meeting on April 28, 2021.

Mr. Hincks motioned to continue the discussion regarding the proposed modifications to the Definitive Subdivision Plan and Stormwater Management Permit Decisions for Nolan Circle/Landon Estates (fka Woodward Glen/Greenscape Park) off Powers Road (Assessor's Map B09-0001) to the Planning Board meeting on April 28, 2021. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**Master Plan Update**

Mr. Duchesneau stated the consultants from the Horsley Witten Group were finalizing the Master Plan and would provide the Planning Board with a presentation at their April 28, 2021 meeting.

**Thank You Letter to Design Review Board Member Deborah Kruskal**

Mr. Garvin indicated the draft letter to Ms. Kruskal thanking her for her work on the Design Review Board was appropriate. The Planning Board members agreed that Mr. Garvin would sign the letter on behalf of the entire Planning Board.

**Town Meeting Zoning Bylaw Amendments and Reports for Town Meeting**

The Planning Board members agreed with the proposed plan for the Zoning Bylaw amendments and the reports for the Annual Town Meeting via Sudbury TV.

**Citizens' Comments on Items Not on Agenda (Advanced Written Submissions Required)**

Mr. Garvin recommended the Citizens' Comments item be included on the agenda for each meeting going forward and the Planning Board members agreed.

**Minutes for Approval: September 23, 2020**

Mr. Hincks motioned to approve the minutes for September 23, 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.

**Administrative Report**

Mr. Duchesneau confirmed the Annual Town Meeting would take place on May 22, 2021.

**Future Meeting Schedule: April 28, 2021 and May 12, 2021**

The Planning Board members indicated their ability to attend the April 28, 2021 and May 12, 2021 meetings.

Mr. Garvin adjourned the meeting at 9:54 PM.