



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

MAY 12, 2021 AT 7:30 PM

VIRTUAL MEETING

Members Present: Chair Stephen Garvin, Clerk John Hincks, Justin Finnicum, and John Sugrue

Members Absent: Vice Chair Charles Karustis and 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 7:32 PM.

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

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 Planning Board meeting on May 26, 2021. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

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)

Engineer Peter Bemis Engineer and the Town’s peer review engineer Janet Bernardo from the Horsley Witten Group were in attendance to discuss the matter with the Planning Board.

Mr. Garvin indicated additional information was needed before the Planning Board could make a decision on the application.

Ms. Bernardo confirmed additional stormwater management implementation measures were needed to address runoff from the four parcels. She stated the current plan was confusing and was not stamped by a certified engineer. Ms. Bernardo also stressed that such a plan had to adhere to Town policies.

Ms. Suedmeyer stated there was confusion regarding the presented Site Plan and confirmed percolation tests were required.

Mr. Hincks asked if the Applicant would be willing to comply with current Stormwater Management regulations, as testing results from 1986 would not be acceptable. Mr. Garvin stated all Applicants would be held to the current standards/regulations.

Mr. Finnicum requested additional information regarding the retaining wall elevation contours. Mr. Bemis indicated those details would be included in the revised plans.

Mr. Sugrue asked about the wall heights within the driveway areas. He stressed that adherence to today's stormwater standards was essential, as well as delineating the limit of work.

Mr. Garvin requested an As-Built plan be submitted which reflected the current watershed standards, along with an acceptable stabilization plan to address concerns regarding soil erosion.

Ms. Bernardo confirmed there would be an increase in stormwater runoff from the four lots and this was contrary to the stormwater management regulatory standards. She stressed the importance of a comprehensive Stormwater Management Plan.

Mr. Bemis confirmed he would revise the plan and address the areas mentioned. Mr. Bemis also stated he would call the Planning and Community Development Department a day before soil testing would occur. Mr. Garvin suggested the project team notify the neighbors as well.

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit application for 25, 35, 45, & 55 Widow Rites Lane (Assessor's Maps E07-0146, E07-0147, E07-0148, E07-0155, and E07-0459) to the Planning Board meeting on June 9, 2021. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Public Hearing – Preliminary Subdivision Plan – 999 Concord Road (Assessor's Maps D12-0100 and D12-0201)

Engineer Vito Colonna from Sullivan, Connors & Associates and owner John Toomey were in attendance to discuss the matter with the Planning Board.

Mr. Colonna provided details regarding the former 35-acre agricultural site/horse farm, which included two parcels with wetland, flood plain, and vernal pool considerations. He explained two possible options for development: cluster and traditional. Mr. Colonna noted the Applicant preferred a cluster-style subdivision development.

Mr. Duchesneau indicated a cluster development was preferred by Town staff due to many factors, including minimizing impacts on the adjacent wetlands. He added this project would be the first development that fell under the newly approved Inclusion of Affordable Housing Zoning Bylaw.

Ms. Suedmeyer agreed the cluster development was preferable and such a development style would allow for public access to the conservation area.

Mr. Finnicum agreed with a cluster development option for the site, and inquired about Lot 8 and the setback requirements. Mr. Colonna indicated this requirement would be considered by the Conservation Commission. Mr. Finnicum also advocated for less density in the project.

Mr. Hincks was also in favor of the cluster subdivision option and queried about the minimum lot size in this area. Mr. Colonna responded the cluster development lot size was 20,000 square feet. Mr. Hincks concurred with the comments provided by Mr. Finnicum regarding project density.

Mr. Sugrue stated he would support a cluster development style subdivision plan. He also inquired about the restoration of the buffer adjoining the wetlands.

Mr. Garvin emphasized that open space was required for a cluster development and the buffer area could not include impervious surface.

Mr. Finnicum inquired about the status of a cluster development if Lot 7 was eliminated.

Mr. Garvin asked about the access roadway and noted the construction of eleven homes could be a challenge in consideration of the amount of fill required for the proposed septic systems. Mr. Garvin also expressed his concerns about the type of soil the site contained and how this would affect new dwelling units.

Mr. Duchesneau suggested continuing the public hearing to a later meeting and recommended the Applicant provide information regarding similar developments.

Mr. Hincks motioned to continue the public hearing for the Preliminary Subdivision Plan for 999 Concord Road (Assessor's Maps D12-0100 and D12-0201) to the Planning Board meeting on June 9, 2021. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Public Hearings – Scenic Roads (Tree Removals)

- 299 Old Sudbury Road (Assessor's Map H09-0048)
- 65 Dudley Road (Assessor's Map L07-0106)
- 152 Newbridge Road (Assessor's Map F10-0017)
- 80 Plympton Road (Assessor's Map G11-0126)
- 599 Dutton Road (Assessor's Map G05-0030)
- 0 Plympton Road (Assessor's Map G10-0400)
- 25 Clark Road (Assessor's Map G10-0107)
- 574 Peakham Road (Assessor's Map H08-0024)
- 47 & 131 Wayside Inn Road (Assessor's Map L03-0001)
- 558 Dutton Road (Assessor's Map G05-0028)
- 587 Dutton Road (Assessor's Map G05-0031)
- 2 Moore Road (Assessor's Map G05-0032)
- 130 Woodside Road (Assessor's Map M09-0011)
- 587, 589 & 593 Boston Post Road (Assessor's Map K06-0022)
- 96 Dudley Road (Assessor's Map K06-0401)
- 29 Plympton Road (Assessor's Map H11-0003)
- 233, 244, and 261 Lincoln Road (Assessor's Maps F12-0012, F12-0016, and F12-0002)
- 584 Dutton Road (Assessor's Map G05-0768)

Trees & Cemeteries Foreman Rafael Luna from the Department of Public Works was in attendance to discuss the matter with the Planning Board. He provided a description of each of the trees proposed for removal and their current situation.

Mr. Finnicum stated he would not favor the removal of a healthy tree for sight-line issues and 599 Dutton Road presented a healthy tree.

Mr. Finnicum also commented he understood the reasoning for the removal of the tree/s at 299 Old Sudbury Road. Mr. Luna responded there was concern regarding the tree leaning over the grave site memorial.

Mr. Hincks stated if such dead tree/s presented a danger to the public, they should be removed. He added the healthy trees should remain.

Mr. Sugrue agreed with the consensus of the other members on the Planning Board.

Mr. Garvin agreed about preserving the three healthy trees and monitoring the two trees over the memorial at 299 Old Sudbury Road. Mr. Garvin also suggested trimming the tree at 130 Woodside Road.

Mr. Duchesneau indicated the two trees at 299 Old Sudbury Road by the memorial were not under the regulation of the Scenic Roads Bylaw since they were outside of the public right of way.

Select Board member Bill Schineller of 37 Jarman Road asked if the state or the Town was responsible for the trees on Boston Post Road/Route 20. Mr. Duchesneau noted the trees in consideration were on Dudley Road, not Boston Post Road/Route 20, and, as such, they were governed by the Town's Scenic Road Bylaws and were the under the regulation of the Town.

Select Board member Janie Dretler of 286 Goodman's Hill Road suggested the Town Manager be contacted regarding the trees located on 299 Old Sudbury Road.

Mr. Hincks motioned to approve the removal of all the requested trees except for the 38-inch Oak tree at 599 Dutton Road and the 36-inch Oak tree at 130 Woodside Road, and also to find the trees at 299 Old Sudbury Road to not be on the boundary of or within the public right of way of a Scenic Road and therefore not under the purview of the Planning Board. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

83 Boston Post Road (Assessor's Maps K11-0015 & K11-0099) – Site Plan Review Modification

Attorney Joshua Fox and John Welch from Herb Chambers Jaguar-Land Rover were in attendance to discuss the matter with the Planning Board.

Mr. Fox explained the proposed changes to the hours of operation for both the service and sales departments.

Mr. Duchesneau stated Town staff did not have a strong opinion regarding the proposed changes.

Mr. Garvin inquired about the hours of operation at other dealerships. Mr. Fox noted the trend at other locations was to open service departments earlier and stay open later to accommodate customers busy schedules.

Mr. Hincks motioned to approve the Site Plan Review Modification for 83 Boston Post Road (Assessor's Map K11-0015 & K11-0099) due to the context and location of the subject property, which made the proposed hours of operation sensible and reasonable. Mr. Finnicum seconded the motion Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Comprehensive Plan for Rail Trails – Len Simon

Len Simon of 40 Meadowbrook Circle was in attendance to discuss the matter with the Planning Board. He shared his PowerPoint presentation entitled “Comprehensive Plan for Development – Bruce Freeman Rail Trail, Mass Central Rail Trail, The Commercial District,” suggesting the abandoned gas station site at the corner of Nobscot Road and Boston Post Road/Route 20 be considered as a pocket park.

Mr. Simon indicated that such a pocket park could enhance and improve the vitality of the commercial area, and also provide an area for residents and visitors to rest or utilize a possible restroom for the Bruce Freeman Rail Trail.

Mr. Garvin opined it would be important to understand the magnitude and the costs involved with the proposed pocket park.

Mr. Hincks agreed that such a pocket park could create a unique opportunity to connect the different trails in an orderly fashion.

Mr. Finnicum commented this idea presented a great opportunity to create a bike trail hub such as the one in West Concord and could become the impetus for providing improvements on Boston Post Road/Route 20.

Mr. Sugrue stated the Master Plan focused on such inclusion and endorsed the idea of improving the Boston Post Road/Route 20 corridor.

Mr. Duchesneau noted the Planning and Community Development Department had been considering the future of the rail trails as part of all related Town or private projects.

Ms. Suedmeyer opined about this topic and stated much time had been spent on planning for the revitalization/improvements/walkability of the Boston Post Road/Route 20 corridor.

Mr. Simon indicated the safety of people when crossing Boston Post Road/Route 20 when using the rail trails was a priority.

Design Review Board Membership Appointments

Jim Parker of 120 Moore Road was present to discuss the matter with the Planning Board.

Mr. Duchesneau noted there were several member vacancies on the Design Review Board and Mr. Parker was seeking to continue his service on the Design Review Board.

Mr. Parker confirmed he was a retired physician, had an interest in architecture, and would be happy to continue his service with the Design Review Board.

Mr. Hincks motioned to re-appoint Dr. Jim Parker to an additional three-year term on the Design Review Board. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Town Meeting Zoning Bylaw Amendments

Mr. Duchesneau confirmed all of the Planning Board's Town Meeting Warrant Articles had been recorded.

Citizens' Comments on Items Not on Agenda

Mr. Duchesneau indicated no citizens' comments had been received.

Minutes for Approval: October 28, 2021 and November 18, 2021

Mr. Hincks motioned to approve the minutes for October 28, 2020 and November 18, 2020. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Administrative Report

Mr. Duchesneau provided a Planning & Community Development Department/Town Offices re-opening plan update and acknowledged the Planning Office would be open on Monday, May 17, 2021 with one or more staff members in the office. He also indicated the goal was to open all Town buildings on July 6, 2021. Mr. Duchesneau mentioned in-person meetings could commence as early as July 2021.

Ms. Suedmeyer reported the Bruce Freeman Rail Trail 75% Design Plan would be submitted to the Massachusetts Department of Transportation (MassDOT) that week.

Future Meeting Schedule: May 26, 2021 and June 9, 2021

Mr. Garvin suggested Planning Board members attend meetings so a quorum can be maintained for voting purposes.

Mr. Garvin adjourned the meeting at 10:13 PM.