



# 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 26, 2021 AT 7:30 PM

### VIRTUAL MEETING

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

**Absent:** Vice Chair Charles Karustis

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

Mr. Garvin called the meeting to order 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 application for 150 Wayside Inn Road (Assessor’s Map K02-0002) 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.

#### **Continued Public Hearing – Stormwater Management Permit – Lot 42 Fox Hill Drive (Assessor’s Map B07-0214)**

Engineer Brian Waterman, Applicant/Owner Gary Bennos, 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. Waterman presented updated plans, confirmed additional testing had been performed, and noted the subsurface infiltration system was modified. He indicated additional comments from the peer reviewer regarding the revised plan had also been addressed.

Ms. Suedmeyer requested a limit of work plan be provided.

Mr. Hincks inquired about the soil types in the forested area and Ms. Bernardo described the differences.

Mr. Finnicum expressed his concerns regarding the landscape buffers between the lots. Mr. Garvin suggested the Applicant check with the Town Engineer about the requirements for erosion control.

Mr. Sugrue mentioned the limited space around the rain garden.

Mr. Hincks motioned to continue the public hearing for Stormwater Management Permit application for Lot 42 Fox Hill Drive (Assessor's Map B07-0214) 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.

**Continued Public Hearing – Stormwater Management Permit – Lot 38 Fox Hill Drive (Assessor's Map B07-0210)**

Engineer Jacob Lemieux from Hancock Associates 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. Lemieux provided information regarding the plan revisions as recommended by the Planning Board, including decreasing the retaining wall, adding more vegetation, and changes to the drainage plan. He also confirmed a structural engineer had been retained to complete the retention wall/s plan and those stamped plans would be provided to the Building Department.

Ms. Suedmeyer noted additional landscaping details were needed along with documentation regarding post-construction site conditions. Mr. Garvin advised the Applicant to properly label the various parts of the Landscape Plan.

Ms. Bernardo recapped several recommendations that were provided to the Applicant. She detailed her concerns about the positioning of the dry wells.

Mr. Hincks addressed the infiltration rate aspect which was discussed in the peer review report. He spoke of the large number of trees removed and asked for added landscaping details.

Mr. Sugrue expressed his concerns about maintaining the buffer area during construction of the proposed 24-foot retaining wall.

Mr. Garvin asked for further details regarding spot grades in the driveway. He commented that the Erosion Control Plan needed additional detail.

Mr. Garvin then reiterated areas where follow up would be needed which included details regarding the water detention area, inclusion of a clean letter on erosion control, a defined limit of work, and the status of the remaining trees on the property.

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit application for Lot 38 Fox Hill Drive (Assessor's Map B07-0210) 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.

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

Tony Haslinger of Phillips Edison & Company representing the Applicant; Greg Cloud, the Sudbury Crossing Property Manager; attorney Mike Schmidt; Farzeen Fareed and Hippa Fareed, Owners and Operators of the Goddard School; and the Town's peer review engineer Janet Bernardo from the Horsley Witten Group were in attendance to discuss the item with the Planning Board.

Mr. Haslinger provided an overview of the project at Sudbury Crossing which would involve site changes to accommodate the Goddard School Child Care Facility.

Mr. Duchesneau acknowledged the increased plantings in the updated proposal and the inclusion of fence screening, which was an improvement over the originally proposed bollards. He suggested another opening in the line of fencing on the north side of the building.

Ms. Bernardo indicated the primary issue involved with the Operations and Maintenance Plan (OMP), and requested assurance that a long-term maintenance plan would be implemented.

Mr. Hincks stressed a more comprehensive OMP was needed for the entire site.

Mr. Finnicum indicated the proposed bollards and fencing were not good choices for the site. He was also concerned about the proposed lighting affecting the neighbors.

Mr. Sugrue stated the proposed fencing would create a safety issue for pedestrians, especially children.

Mr. Garvin provided an overview of the two different permits under review by the Planning Board. He reported the plans did not guarantee ADA compliance and none of the stormwater maintenance could be determined by the submitted materials.

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 June 23, 2021. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**Public Hearing – Scenic Road (Stone Wall Removal) – 334 Old Lancaster Road (Assessor's Map H08-0035)**

Peter Condon of 334 Old Lancaster Road was in attendance to discuss the matter with the Planning Board. He provided details regarding his request to remove the tossed stone wall and install a New England-style stone wall.

Mr. Hincks asked if the new stone wall could be a tossed stone wall, which would more closely resemble the existing wall.

Mr. Finnicum opined about the proposed stone wall being consistent with the other stone walls on Old Lancaster Road.

Mr. Sugrue stated no mortar could be seen on the top or the sides of the proposed wall.

Mr. Garvin noted a stone wall without a mortar cap would be more in keeping with the style of the other stone walls in town.

Mr. Hincks motioned to approve the Scenic Road application to rebuild the stone wall at 334 Old Lancaster Road (Assessor's Map H08-0035) with the following condition:

- The Applicant/Owner shall reuse the existing stones in the new stone wall and shall supplement them with appropriate new stones, and the new wall shall be a structure consistent with the stone walls adjacent to the subject property.

Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**Public Hearing – Senior Residential Community Special Permit Modification – 40 Tall Pine Drive (Assessor’s Map J06-0023)**

Michael Martindale of 40 Tall Pine Drive, Unit 17, was in attendance to discuss the matter with the Planning Board.

Mr. Martindale reported an increase in traffic through their development during the pandemic and noted the residents at Dudley Brook/Tall Pine Drive would prefer to use the emergency exit as an “Exit Only” access point.

Mr. Duchesneau stated Town staff supported the request and the Fire Department had requested the ability to access the “Exit Only” drive in case of emergencies.

Ms. Suedmeyer noted the Town was recommending a “Right Turn Only” sign be installed in at the exit driveway in consideration of the way the driveway has been designed. Mr. Martindale agreed with the suggestion.

Richard Testa of 95 Bridal Path expressed concerns about adequate sight vision with the proposed plan, noting the lack of a sidewalk on the opposite side of the street. He stressed it was very difficult to see when one turns right out of that driveway and the developer had planted those, now large, bushes. Mr. Testa had concerns about residents not being able to see and the school bus stop was in the vicinity as well. Mr. Martindale responded that the Dudley Brook/Tall Pine Drive residents were willing to eliminate the trees that created sight distance issues.

Mr. Hincks motioned to approve the Senior Residential Community Special Permit Modification for 40 Tall Pine Drive (Assessor’s Map J06-0023) with the following conditions:

- The new “Exit Only” roadway shall meet the standards for adequate sight distances with mitigation/adjustments to vegetation and other elements as necessary. The appropriate sight distance shall be confirmed by the Town Engineer.
- The Applicant/Owner shall install a “STOP” sign and “RIGHT TURN ONLY” signage to inform and instruct vehicles exiting the residential development onto Tall Pine Drive.
- Emergency services vehicles shall be permitted to enter this new “Exit Only” roadway to access the residential development during emergencies

Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**Public Hearing – Site Plan Review and Stormwater Management Permit – 105 Boston Post Road (Assessor’s Map K11-0017)**

Attorney Joshua Fox, Gabriel Crocker of Crocker Design Group, Fred King of DGT Associates, and John Welch from Herb Chambers Jaguar-Land Rover were in attendance to discuss the matter with the Planning Board.

Mr. Fox discussed the history of the site and its proposed usage. Mr. Crocker detailed the proposed modifications and alterations.

Mr. Duchesneau stated there were differences in the flood plain measurements depicted in the Town’s plans and those of the Applicants. Mr. Duchesneau indicated Town staff’s recommendation for increased plantings within the buffer area.

Ms. Suedmeyer stated any changes made to the septic system should be included in this proposal.

Mr. Finnicum noted the proposed lighting for the site was brighter than what was likely needed.

Mr. Sugrue stated his desire to save the pines near the front of the property which would help to shield Boston Post Road/Route 20 from the lights.

Mr. Hincks indicated his concern that Boston Post Road/Route 20 might become the next “auto mile.”

Mr. Fox confirmed that revisions would be included and presented at the next Planning Board meeting.

Mr. Hincks motioned to continue the public hearing for the Site Plan Review and Stormwater Management Permit applications for 105 Boston Post Road (Assessor’s Map K11-0017) to the Planning Board meeting on June 23, 2021. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**275 Old Lancaster Road (Assessor’s Map H08-0049) – Minor Site Plan Review**

Scott Salvucci of Woodard & Curran, a consultant for the Department of Public Works, was in attendance to discuss the matter with the Planning Board. He detailed the minor site changes being proposed at the Public Works Building which included additional parking for staff, two security gates, and modifications to the entry/exit driveway.

Mr. Duchesneau confirmed Town staff was very supportive of the proposal.

Mr. Finnicum remarked about the old tractor at the entrance to the property. Mr. Duchesneau stated the tractor had already been relocated deeper into the site.

Mr. Garvin stated his preference for a new land survey.

Mr. Hincks motioned to approve the Minor Site Plan Review for 275 Old Lancaster Road (Assessor’s Map H08-0049). Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**Citizens' Comments on Items Not on Agenda**

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

**Minutes for Approval: December 9, 2020**

Mr. Garvin recommended the minutes from December 9, 2020 be considered at the next Planning Board meeting.

**Administrative Report**

Mr. Duchesneau stated all of the Planning Board's proposed Zoning Bylaw amendments were approved at the Annual Town Meeting.

Mr. Duchesneau noted the possibility of in-person Planning Board meetings occurring after June 15, 2021.

**Future Meeting Schedule: June 9, 2021 and June 23, 2021**

Mr. Garvin noted the June 2021 meeting dates.

Mr. Garvin adjourned the meeting at 11:02 PM.