



Town of Sudbury

Planning Board

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MINUTES

JUNE 23, 2021 AT 7:30 PM

VIRTUAL MEETING

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

Others Present: Director of Planning and Community Development Adam Duchesneau

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

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

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 July 14, 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 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 a project update, noting the comments from the Planning Board and Ms. Bernardo had been addressed. He confirmed Ms. Bernardo’s office had issued clean letter with no outstanding issues for the proposed project. Ms. Bernardo concurred the Applicant had responded adequately to her comments in the peer review letter.

Ms. Bernardo asked if the tree removal company could leave the stumps on site to prevent further soil erosion.

Mr. Duchesneau asked the Applicant to provide updated plans.

Mr. Hincks agreed the tree clearing was a sensitive issue and inquired about what controls could be implemented.

Mr. Finnicum commented he would prefer remediation as a condition if too many trees were removed.

Mr. Sugrue agreed with keeping the tree stumps in place until all other erosion control measures were implemented.

Mr. Garvin opined about aspects included in the peer review letter, in particular regarding the annual maintenance report for the infiltration area on the back of the lot. He suggested the existing easement might limit the use of a wall and recommended Town Counsel review the clause in the deed.

Mr. Duchesneau explained a newly implemented procedure whereby Town staff would walk the perimeter of the work area after staking to ensure the appropriate trees marked for preservation would be retained before the erosion control sign-off would be provided. He noted the procedure was now part of the standard decisions issued for Stormwater Management Permits. Mr. Duchesneau confirmed Town staff was in favor of a condition that if a tree marked for preservation were removed, it would be replaced with two six-inch trees. The Planning Board members agreed with this proposal.

Mr. Duchesneau confirmed the tree replacement policy would be incorporated into the decisions for all Stormwater Management Permits in the future.

Discussion then evolved around the replacement ratio of trees removed from areas outside of the designated work area and their replacements.

Mr. Hincks motioned to approve the Stormwater Management Permit for Lot 38 Fox Hill Drive (Assessor's Map B07-0210) with conditions as amended. 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 (Assessor's Map K08-0004)

Tony Haslinger of Phillips Edison & Company representing the Applicant; Attorney Michael Schmidt; Mark Porter, the Sudbury Crossing Property Manager; attorney Mike Schmidt; Farzeen Fareed, Owner and Operator of the Goddard School; 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 stated only the Site Plan Review application would be discussed at the meeting as the Applicant was still awaiting a clean letter from the Town's peer review engineer regarding the stormwater management aspects of the project and additional soil testing was needed.

Mr. Haslinger recapped the changes which had been made to the original proposal.

Mr. Duchesneau stated there would be some tree loss in order to modify the wastewater treatment area.

Mr. Sugrue agreed the surface changes to the crosswalk areas were improvements.

Mr. Hincks asked if the changes were in compliance with the Goddard School standards for new locations and Mr. Haslinger replied in the affirmative.

Mr. Finnicum asked if the proposed lighting could be put on a dimmer with a timer in consideration of the neighbors in the surrounding area. Mr. Haslinger indicated a dimmer and timer would be installed.

Mr. Garvin requested the submission of an As-Built Plan for the ADA requirements, which was a requirement for receipt of a Building Permit.

Stephanie Kuster of 245 Raymond Road asked if evergreen plantings could be considered as replacements for the trees which would be removed from the site. She explained evergreens would provide year-round screening for the residential properties near the site.

Kevin Westerberg of 239 Raymond Road requested a meeting with the officials of Phillips Edison & Company in order to walk through the back of the property and review how the proposed screening would be implemented.

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit application for 423 & 437 Boston Post Road (Assessor's Map K08-0004) to the Planning Board meeting on July 14, 2021. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Mr. Hincks motioned to approve the Site Plan Review application for 423 & 437 Boston Post Road (Assessor's Map K08-0004), with conditions as amended. 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 – 631 Boston Post Road (Assessor's Map K06-0502)

Attorney Joshua Fox, applicant and owner Jake Parsons, and engineer Vito Colonna were in attendance to discuss the matter with the Planning Board.

Mr. Fox provided details of the proposed project including discussing the landscape plans for the property.

Mr. Parsons stated the site was a good opportunity for redevelopment.

Ms. Bernardo inquired about the easement at the rear of the property and noted the front of the property drained towards Route 20/Boston Post Road which was controlled by the Massachusetts Department of Transportation (MassDOT).

Mr. Colonna confirmed the curb cut process with MassDOT would commence.

Mr. Finnicum suggested the planting of a low-maintenance lawn cover might be preferable.

Mr. Sugrue suggested modifying the front façade of the building.

Mr. Hincks asked if a medical office building was the type of commercial development the Master Plan envisioned for this property in this location.

Mr. Garvin questioned the appearance of the building, as the proposed building was a dramatic change from what was presently there.

Mr. Duchesneau confirmed the medical center or clinic use Special Permit application was being heard by the Zoning Board of Appeals.

Mr. Hincks motioned to continue the public hearing for the Site Plan Review and Stormwater Management Permit applications for 631 Boston Post Road (Assessor's Map K06-0502) to the Planning Board meeting on July 14, 2021. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Anthony Drive/North Ridge Farm Subdivision – Tri-Party Lenders Agreement Release Request

Mr. Duchesneau reported all conditions had been addressed and he advised the release of the deposited funds to the developer.

Mr. Garvin inquired if the Town Engineer was satisfied and Mr. Duchesneau responded in the affirmative.

Mr. Hincks motioned for the Planning Board to release all funds being held as part of the Tri-Party Lenders Agreement for the Anthony Drive/North Ridge Farm Subdivision. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Board Reorganization

Mr. Duchesneau discussed the vacant Planning Board seat and suggested a joint meeting with the Select Board to interview prospective candidates be held on June 29, 2021. Mr. Duchesneau then noted it was time to reorganize the officer positions on the Planning Board.

Mr. Hincks motioned to nominate Stephen Garvin for Chair, Justin Finnicum for Vice Chair, and John Hincks as Clerk of the Planning Board. Mr. Sugrue seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Board Appointments

- Community Preservation Committee, Land Acquisition Review Committee, and Bruce Freeman Rail Trail Advisory Task Force

Mr. Garvin motioned to reappoint John Hincks as the Planning Board's representative on the Community Preservation Committee and Land Acquisition Review Committee; and to appoint John Sugrue as the Planning Board's representative on the Bruce Freeman Rail Trail Advisory Task Force. Mr. Hincks seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Mr. Duchesneau extended Town staff's and the Planning Board's appreciation to Mr. Sugrue for his chairmanship of the Master Plan Steering Committee.

Mr. Hincks motioned for the Planning Board to dissolve the Master Plan Steering Committee. 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.

Administrative Report

Mr. Duchesneau suggested the Planning Board might consider requesting a wireless communications consultant attend the July 14, 2021 meeting.

Mr. Duchesneau reported the Town would be re-opening Town Offices to full in-person service as of July 6, 2021.

Future Meeting Schedule: July 14, 2021 and August 11, 2021

Mr. Garvin noted the joint meeting scheduled with the Select Board for June 29, 2021, as well as the upcoming July 14, 2021 and August 11, 2021 regular meetings.

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