



Town of Sudbury

Planning Board

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MINUTES

SEPTEMBER 8, 2021 AT 7:30 PM

VIRTUAL MEETING

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

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

Mr. Garvin called the meeting to order at 7:33 PM.

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 application 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 September 22, 2021. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Immediately Continued Public Hearing – Stormwater Management Permit – Lot 37 Fox Hill Drive (Assessor’s Map B07-0209)

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit application for Lot 37 Fox Hill Drive (Assessor’s Map B07-0209) to the Planning Board meeting on September 22, 2021. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

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

Engineer Peter Bemis was in attendance to discuss the matter with the Planning Board.

Mr. Garvin itemized some of the areas needing further review including infiltration rates, overflow considerations, and the inclusion of a gravel driveway.

Mr. Bemis noted that even with the recent extreme rainfall there had not been any issues at the site. He indicated that in consideration of approaching colder weather, the Applicant was seeking to commence with pasture planting in the very near future.

Mr. Garvin confirmed a clean letter from the peer reviewer was needed in order for the project to move forward, with a particular focus on the driveway.

Mr. Hincks questioned the timing of pasture planting and asked if the Planning Board might consider approval of such planting with conditioning. Mr. Finnicum agreed with adding a gravel driveway to the proposed project.

Mr. Shah indicated a preference for a gravel driveway as well and advocated for commencing with the pasture planting.

Mr. Sugrue agreed with all of the comments which had been made and appreciated the planting issues. Mr. Garvin stated the Planning Board would consider solutions to plant the pasture.

Mr. Duchesneau noted the Stop Work Order was still in place on the property, which would likely affect conditioning associated with pasture planting. Ms. Suedmeyer agreed with the comments made by Mr. Duchesneau and added that such an approval was not often granted in these circumstances.

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 September 22, 2022. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

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

Ms. Suedmeyer confirmed the Planning Board had closed the public hearing for the 423 & 437 Boston Post Road Site Plan Review decision at the last meeting. She referenced the draft Stormwater Management Permit decision and its variety of conditions.

Mr. Hincks agreed with the proposed conditions related to the excavation of soils and replacement with clean soil as recommended by the Town's peer reviewer.

Mr. Hincks motioned to approve the Stormwater Management Permit for 423 & 437 Boston Post Road (Assessor's Map K08-0004). Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Abstain, and Mr. Sugrue – Aye.

Public Hearing – Stormwater Management Permit – 18 Wolbach Road (Assessor's Map H11-0100)

Fred King from DGT Associates and Brendon Parker from Sudbury Valley Trustees were in attendance to discuss the matter with the Planning Board.

Mr. King summarized the proposed project at the Sudbury Valley Trustees' headquarters which proposed to increase the parking lot by 10 spaces and reconstruct the location of the existing sidewalk to be ADA compliant. He added a paved plaza with blackboard and literature/booklet display was being proposed as well.

Minor Site Plan Review – 18 Wolbach Road (Assessor’s Map H11-0100)

Mr. King presented and discussed the erosion control plan and plans for the proposed parking lot. He also presented various material options for the proposed walkway. Ms. Suedmeyer confirmed the Planning and Community Development Department was still awaiting peer review comments. Mr. Finnicum inquired about the corners of the proposed parking lot and asked about possible trail access. Mr. Parker referred to the main trail access near the kiosk area.

Mr. Shah endorsed the proposed Site Plan as presented as well as the use of the rain garden. Mr. Sugrue favored the proposed Site Plan as well.

Mr. Garvin preferred the use of gravel in the parking lot. He also inquired about the grading of the parking lot and mentioned the connectivity aspect in consideration of the proposed plans. Mr. Garvin indicated stormwater management considerations would be addressed at another meeting.

Mr. Duchesneau stated Town staff was supportive of the proposed Site Plan.

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit application and Minor Site Plan Review for 18 Wolbach Road (Assessor’s Map H11-0100) to the Planning Board meeting on October 13, 2021. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Nolan Circle/Landon Estates Subdivision (fka Woodward Glen/Greenscape Park) off Powers Road (Assessor's Map B09-0001) – Definitive Subdivision and Stormwater Management Permit Decisions Modifications and Partial Performance Bond Release Request

Developer David Howe was in attendance to discuss the matter with the Planning Board. He provided details regarding his proposal to alter the granite curbing for the project from a sloped curb to vertical curbing.

Mr. Garvin asked if there would be accessibility issues for emergency response vehicles for one type of curbing or the other. Mr. Howe indicated he would verify that aspect of the proposal with the Fire Chief.

Mr. Hincks motioned to approve the installation of vertical granite curbing for the project in the cul-de-sac and entry radius areas of the subdivision roadway, subject to approval by the Fire Department. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Mr. Howe proposed installing a utility pole beside an existing Eversource utility pole in order to allow for an underground utility conduit to be installed.

Mr. Shah indicated a double pole was not preferable.

Mr. Finnicum opined about other possible options.

Mr. Hincks inquired about the ownership of the property where the pole would be situated. Mr. Howe indicated the property in question belonged to the Town of Sudbury as the location was within the public right of way. Mr. Duchesneau stated the Select Board would have to consider the matter and provide their

approval for the location of the new pole. Mr. Hincks noted the proposed location of the new utility pole was also on a Scenic Road. Mr. Duchesneau confirmed a public hearing would be required if the Applicant was going to request a tree be removed or a stone wall be altered.

Mr. Garvin raised comments regarding the sight distance at the intersection of the subdivision roadway and Powers Road, and requested the Applicant submit a sketch to confirm a safe sight distance could be maintained even when the new utility pole was installed.

Mr. Hincks motioned to approve the Definitive Subdivision Plan Modification for the Nolan Circle/Landon Estates Subdivision off Powers Road (Assessor's Map B09-0001) to add a second utility pole on the southeast side of Powers Road, within the public right of way, subject to the review and approval of any sight distance requirements. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Mr. Howe requested that propane gas tanks be permitted to be installed at the project site in lieu of natural gas service in consideration of the anticipated lengthy wait for National Grid to install the gas line piping. The Planning Board members agreed the natural gas installation had been approved for good reason and they would not support removal of this piece of infrastructure from the project.

Mr. Finnicum suggested the Applicant research heat pump installations.

Mr. Duchesneau reviewed the Applicant's Performance Bond reduction request. Mr. Hincks expressed his concerns regarding the release of any amount of money from the bond at this time.

Mr. Hincks motioned to approve the Town Engineer's recommendation to release \$31,225.17 of the Performance Bond for the Nolan Circle/Landon Estates Subdivision. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – No, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Mr. Hincks motioned to approve the request to permanently eliminate the requirement to install natural gas service and substitute it with underground propane fuel at the Nolan Circle/Landon Estates Subdivision. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – No, Mr. Finnicum – No, Mr. Hincks – No, Mr. Shah – No, and Mr. Sugrue – No.

554 & 560 Boston Post Road (Assessor's Map K06-0602) — Site Plan Modification

Quentin Nowland was in attendance to discuss the matter with the Planning Board. He described the Site Plan Modification request which called for retaining more of the existing vegetation on the property and installing less new plantings.

Mr. Duchesneau stated he had conducted a site visit the previous week, and agreed the copula was large and required less vegetation around it.

Mr. Finnicum requested additional information regarding the existing trees and shrubs. He indicated the described existing vegetation did not appear to be in good health.

Mr. Shah agreed with Mr. Finnicum, and noted additional evergreen plantings would be a good solution and would provide for year-round screening.

Mr. Hincks suggested a site walk be conducted by a Planning Board member. Mr. Sugrue agreed with the suggestion presented by Mr. Hincks.

Mr. Garvin agreed with Mr. Hincks and indicated saving too many unhealthy trees would not be advisable. He also noted the project seemed to be progressing well.

Mr. Finnicum recommended an arborist tag the healthy trees and then the Planning Board could review them.

In consideration of time, Mr. Nowland withdrew his request for a Site Plan Modification to retain several existing trees and shrubs.

Mr. Hincks motioned to accept the withdrawal of the Site Plan Modification request to retain several existing trees and shrubs as part of the landscape plan for 554 & 560 Boston Post Road (Assessor's Map K06-0602). Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

100 Horse Pond Road (Assessor's Map J06-0506) – Minor Site Plan Review

Rabbi Yisroel Freeman was in attendance to discuss the matter with the Planning Board.

Mr. Duchesneau provided details regarding the Minor Site Plan Review proposal to increase the size of the deck at 100 Horse Pond Road. He noted religious activities at the Chabad Center of Sudbury had shifted outside due to the COVID pandemic.

Rabbi Freeman emphasized the proposed deck would provide flexibility for services and activities, and since purchasing the property, many improvements had been made to the center.

Mr. Hincks motioned to approve the Minor Site Plan Modification to increase the size of the deck at 100 Horse Pond Road (Assessor's Map J06-0506). Mr. Sugrue seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – No, Mr. Shah – Aye, and Mr. Sugrue – Aye.

2022 Town Meeting Zoning Bylaw Amendments

Wireless Services Overlay District

Ivan Pagacik of IDK Communications was in attendance to discuss the matter with the Planning Board.

Mr. Duchesneau indicated the Sudbury Water District had issued an RFP for the installation of a wireless communications station for a property on East Street. He noted an amendment to the Zoning Bylaw or a Variance would be needed to allow this type of use in this location.

Mr. Hincks welcomed the wireless consultant, Mr. Pagacik, to help the Town explore the topic further. He noted any considerations should be based on striking a balance between functionality and adverse impacts to the community.

Mr. Pagacik stated the key component to such an analysis was to select properties that had the least impact and consider applications to limit heights within locations that had natural screening. He indicated there was an increased demand for wireless communications services due to the COVID pandemic and people working from home.

Mr. Sugrue stated the inclusion of a related education process would be essential.

Mr. Garvin emphasized the necessity of balancing all considerations on this issue, as well as gaining an understanding of related regulations.

Mr. Finnicum acknowledged the Planning Board had conducted a related discussion at previous meetings and recommended reviewing minutes/notes focusing on bylaws, overlay districts, etc.

Mr. Hincks motioned to authorize Town staff to move forward with the development of a wireless communications analysis plan for the Town of Sudbury working with consultant Ivan Pagacik of IDK Communications. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – No, Mr. Shah – Aye, and Mr. Sugrue – Aye.

The Planning Board members discussed designating a particular member to work with Town staff on this wireless communications analysis initiative.

Dog Kennels

Mr. Duchesneau noted the Town's definition of kennel in the Zoning Bylaw and the state's definition of kennel in the Massachusetts General Laws were somewhat different.

Fence Bylaw and Dark Sky Bylaw

Mr. Duchesneau asked if the Planning Board wanted to address these items or any other items for next Town Meeting. Mr. Finnicum recommended the Planning Board review the fence document for further discussion and consideration.

2021 Town Forum Discussion: Master Plan

Mr. Garvin indicated a joint meeting with the Select Board had been scheduled to address the Town Forum to be held in October of 2021. He confirmed a Master Plan Implementation Committee and related action planning would be addressed at the Town Forum.

Citizens' Comments on Items Not on Agenda

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

Minutes for Approval: January 27, 2021

Mr. Hincks motioned to approve the minutes for January 27, 2021. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Future Meeting Schedule: September 13, 2021 (Joint Meeting), September 22, 2021, October 13, 2021, October 27, 2021, and November 17, 2021

Mr. Hincks motioned to reschedule the November 17, 2021 Planning Board meeting to November 10, 2021. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Mr. Garvin adjourned the meeting at 10:47 PM.