



Town of Sudbury

Planning Board

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MINUTES

JANUARY 26, 2022 AT 7:30 PM

VIRTUAL MEETING

Members Present: Chair Stephen Garvin, Vice Chair Justin Finnicum, Clerk John Hincks, John Sugrue, and Associate Member Julie Zelermyer Perlman

Members Absent: 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 7:32 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 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 February 9, 2022. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, and Mr. Sugrue – Aye.

Immediately Continued Public Hearing – Definitive Subdivision Plan and Stormwater Management Permit – Maynard Road aka Bonnie Brook Estates (Assessor’s Maps G08-0025 and G08-0500)

Mr. Hincks motioned to continue the public hearing for the Definitive Subdivision Plan and Stormwater Management Permit at Maynard Road aka Bonnie Brook Estates (Assessor’s Maps G08-0025 and G08-0500) to the Planning Board meeting February 9, 2022. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, and Mr. Sugrue – Aye.

Immediately Continued Public Hearing – Site Plan Review and Stormwater Management Permit – 141 Boston Post Road (Assessor’s Maps K11-0019 and K11-0019-A)

Mr. Hincks motioned to continue the public hearing for the Site Plan Review and Stormwater Management Permit for 141 Boston Post Road (Assessor’s Maps K11-0019 and K11-0019-A) to the Planning Board meeting on February 23, 2022. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, and Mr. Sugrue – Aye.

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

Engineer Peter Bemis 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. Bemis outlined revisions to the plan to address the peer review comments.

Ms. Suedmeyer discussed the draft conditions for the permit noting the two distinct property ownerships would be reflected in the conditions, with further consideration of joint management and other possible considerations.

Mr. Hincks stated he favored the project as a whole, but wished to understand the ownership aspect better. Mr. Garvin agreed with comments made by Mr. Hincks. Mr. Bemis confirmed the transfer of ownership had happened some time ago and this action was intended as a long-term asset protection for the Applicant’s children. Mr. Bemis also agreed to present a letter from counsel before the Planning Board voted on the matter and indicated he understood the concerns of the Planning Board.

Michael Shapanka of 170 Wayside Inn Road stated he had been an abutter to the subject property since 1981 and supported the project.

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 February 9, 2022. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, and Mr. Sugrue – Aye.

Continued Public Hearing – Stormwater Management Permit – Lot 2 Goodman’s Hill Road (Assessor’s Map H09-0026)

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 presented project updates, including revisions to the driveway. He noted communications were in process with the Fire Department to determine the driveway access to best accommodate public safety vehicles, with provisions for turnaround areas.

Ms. Bernardo asked several questions about the driveway revisions and calculations as suggested by the Fire Department.

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit for Lot 2 Goodman’s Hill Road (Assessor’s Map H09-0026) to the Planning Board meeting on February 9, 2022. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, and Mr. Sugrue – Aye.

Continued Public Hearing – Site Plan Review and Stormwater Management Permit – 15 & 40 Fairbank Road (Assessor’s Maps F05-0005 and F06-0001)

Architect Tom Scarlata, project manager Chris Eberly, Permanent Building Committee Member Jennifer Pincus, 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.

At this time Mr. Garvin recused himself from the meeting.

Mr. Eberly stated that as recommended by the Planning Board, windows would be included in the plans for the pool area. He reviewed other aspects of the Fairbank Community Center project noting Town officials, the Permanent Building Committee, and the Sudbury Water District were considering planning regarding the waterline issue.

Mr. Duchesneau provided a summary of the Site Plan Review decision and Ms. Suedmeyer outlined various topics to be included in project conditioning such as the following:

- Tree retention and protection plan
- Stormwater management considerations
- Proposed patio approval for future installation
- Water line issue/planning

Ms. Bernardo confirmed all of her questions had been answered.

Mr. Finnicum confirmed that if any changes were made in the future, such as the windows, those aspects would have to come before the Planning Board. Mr. Duchesneau confirmed that was correct.

Ms. Perlman thanked the project team for the inclusion of the pool windows.

Mr. Sugrue agreed with the revisions made to the plans.

Mr. Hincks echoed the Planning Board's comments and was in full support of the project. He mentioned the aspects of safety and privacy, such as adding shades to the proposed windows, as needed.

Mr. Finnicum thanked the project team for their considerations.

Mr. Hincks motioned to approve the Site Plan Review and Stormwater Management Permit for 15 & 40 Fairbank Road (Assessor's Maps F05-0005 and F06-0001) with the conditions as presented. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, and Mr. Sugrue – Aye.

At this time Mr. Garvin rejoined the meeting.

Public Hearing – Proposed Zoning and General Bylaw Amendments for the May 2022 Annual Town Meeting, including Discussion and Vote on Warrant Articles:

Fence Bylaw

Mr. Duchesneau provided an overview of the draft Fence Bylaw and acknowledged the Town had no such bylaw at present. He noted the proposed Fence Bylaw would address the following items:

- Fence heights

- Fence locations
- Special Permitting for certain types of fences
- The definition of “fence”

Henry Sorett of 58 Longfellow Road stated the proposed bylaw appeared very restrictive.

Ms. Perlman wondered if the fence topic could be covered under the Farming Preservation Bylaw. Mr. Duchesneau stated a stand-alone Fence Bylaw or Special Permitting would be a more direct approach.

Mr. Duchesneau further described the Farming Preservation Bylaw. Mr. Sugrue suggested the commercial agricultural aspect would be the key to the bylaw language and would define the exemptions by right, otherwise Zoning Board of Appeals action would be required.

Mr. Garvin suggested a Planning Board member work with Town staff to refine the proposed bylaw language.

Mr. Hincks volunteered to work with Town staff to finalize the proposed bylaw language.

Mr. Finnicum motioned to approve the proposed Fence Bylaw and to appoint Planning Board member John Hincks to work with Town staff to finalize the Warrant Article language for the May 2022 Annual Town Meeting. Mr. Sugrue seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, and Mr. Sugrue – Aye.

Modifications to the Stormwater Management Bylaw

Ms. Suedmeyer explained the primary modification to the Stormwater Management Bylaw would reflect the appeal period being shortened to 20 days, from the current 60-day appeal period.

Mr. Sorett agreed with the proposed amendment, especially in consideration of the commercial sites on Boston Post Road/Route 20. He indicated personal property should not be subject to the proposed modification and stressed modifications related to statutes with associated fees should be voted upon at Town Meeting.

Mr. Garvin noted the Stormwater Management Bylaw allowed for protection of Town infrastructure, including groundwater. He then provided details regarding the Municipal Separate Storm Sewer Systems (MS4) aspect of the bylaw. Ms. Suedmeyer confirmed the amendment would apply to an acre or more of ground disturbance and smaller residential projects would not be changed.

Mr. Hincks commented the Planning Board balanced the rights of all property owners and his property was adversely affected by a large local development.

Mr. Hincks motioned to approve the proposed modifications to the Stormwater Management Bylaw, the draft Town Meeting Warrant Article, and to also designate Planning Board Chair Stephen Garvin to work with Town staff to finalize the Warrant Article language for the May 2022 Annual Town Meeting. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, and Mr. Sugrue – Aye.

83 & 105 Boston Post Road (Assessor’s Maps K11-0015, K11-0099, and K11-0017) – Site Plan and Stormwater Management Permit Decisions Modifications

Attorney Joshua Fox; Gabe Crocker and David Newhall from Crocker Design Group; landscape architect Alan Aukeman; 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. Fox explained the request for a Site Plan Modification and a modification to the Stormwater Management Permit.

Mr. Newhall provided a description of the proposed modifications, including grading, removal of berms, and the inclusion of a retaining wall.

Mr. Aukeman described the proposed Landscape Plan with additional trees to be included.

Mr. Duchesneau noted the modifications presented would enhance the landscaping and retain a considerable amount of vegetation with gentle sloping. Ms. Suedmeyer agreed a more natural approach, as presented, would still include effective screening between the two buildings.

Ms. Bernardo agreed the proposed modifications would improve grading between the two subject properties. The Planning Board members concurred the suggested modifications would improve the overall site.

Mr. Hincks motioned to approve the Site Plan Modifications for 83 & 105 Boston Post Road (Assessor's Maps K11-0015, K11-0099, and K11-0017). Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, and Mr. Sugrue – Aye.

Mr. Hincks motioned to approve the Stormwater Management Permit Modifications for 83 & 105 Boston Post Road (Assessor's Maps K11-0015, K11-0099, and K11-0017), subject to review and approval by the Town's Peer Review Engineer at the Horsley Witten Group. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, and Mr. Sugrue – Aye.

2021 Annual Report

Mr. Duchesneau provided a summary of the draft 2021 Annual Report.

Mr. Garvin suggested the inclusion of the 2021 Town Forum regarding the Master Plan.

Mr. Hincks motioned approve the 2021 Annual Report as amended. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, and Mr. Sugrue – Aye.

Master Plan Implementation

Mr. Duchesneau confirmed Planning and Community Development Department staff would coordinate with Mr. Finnicum on ensuring the advancement of a comprehensive Facilities Assessment and Maintenance Plan and other related Master Plan Action Items under Part D of the Town Facilities, Services, and Infrastructure section of the Action Item Matrix.

Mr. Sugrue asked about some of the other updates regarding Master Plan Action Items. Mr. Garvin suggested that by February 3, 2022, the Planning Board should review any related updates.

Citizens' Comments on Items Not on Agenda

There were no topics discussed under this item.

Minutes for Approval: June 23, 2021

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

Committee Member Updates

Mr. Hincks provided a Community Preservation Committee update indicating the Committee's work was completed until April of 2022. He explained the Historic Districts Commission Design Guidelines funding application was supported by Community Preservation Committee and would be voted upon at the May 2022 Annual Town Meeting.

Administrative Report

Ms. Suedmeyer stated the 100% Bruce Freeman Rail Trail design had been submitted the previous week, much progress had been made, and the project was on schedule.

Mr. Duchesneau announced the Historic Preservation Plan Public Forum was scheduled for February 16, 2022 and would be held virtually via Zoom.

Future Meeting Schedule: February 9, 2022 and February 23, 2022

Mr. Garvin announced the upcoming meetings of the Planning Board as indicated on the agenda.

Mr. Garvin adjourned the meeting at 10:09 PM.