



Town of Sudbury

Planning Board

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MINUTES

APRIL 27, 2022 AT 7:30 PM

VIRTUAL MEETING

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

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

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

Immediately Continued Public Hearing – Site Plan Review, Stormwater Management Permit, and Water Resource Protection Overlay District Special Permit – 540 & 550 Boston Post Road (Assessor’s Maps K07-0012 and K07-0026)

Mr. Hincks motioned to continue the public hearing for the Site Plan Review, Stormwater Management Permit, and Water Resource Protection Overlay District Special Permit applications for 540 & 550 Boston Post Road (Assessor’s Maps K07-0012 and K07-0026) to the Planning Board meeting on May 11, 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 – Definitive Subdivision Plan and Stormwater Management Permit – Maynard Road aka Bonnie Brook Estates (Assessor’s Maps G08-0025 and G08-0500)

Applicant/Owner John Derderian, Bruce Saluk of Bruce Saluk & Associates, Inc., attorney Robert Levy, and traffic engineer Kirsten Braun were present to discuss the matter with the Planning Board.

Mr. Derderian provided a status update for the project.

Mr. Saluk detailed aspects of the proposed site plan for the Bonnie Brook Estates Subdivision. He presented several possible cluster development options for the project.

Mr. Duchesneau explained the regulations in the Zoning Bylaw would not allow for a cluster development on the site and the Planning Board could not provide a waiver from the parameters of the Zoning Bylaw.

The Planning Board members shared comments and agreed a substantial amount of acreage could be considered as restrictive conservation area. Mr. Levy stated a conservation restriction might be implemented.

Ms. Braun confirmed the traffic study was one of safety, rather than excessive traffic being generated by such a development. She noted the project would be in compliance with the requirements.

Mr. Finnicum stated that whether the proposed subdivision was a conventional or cluster one, there appeared to be an excessive number of lots.

Mr. Shah agreed with Mr. Finnicum and questioned the benefit to the Town if a waiver was issued to increase the number of lots above what was allowed by right.

Ms. Perlman noted the character of the abutting properties were very different.

Mr. Sugrue agreed with the statements of the other Planning Board members and wanted to further consider what really might fit at the site.

Mr. Hincks stated any proposed waiver would have to be a benefit to the Town. Mr. Derderian mentioned the development team did not want to build a cluster development. He stressed the 30 acre site reflected a large parcel of land.

Mr. Garvin indicated eight or nine dwelling units would reflect an excessive amount of homes for the property.

Mr. Derderian confirmed a conventional subdivision development was preferred by the Planning Board and Mr. Garvin agreed.

Mr. Hincks motioned to continue the public hearing for the Definitive Subdivision Plan and Stormwater Management Permit applications for Maynard Road aka Bonnie Brook Estates (Assessor's Maps G08-0025 and G08-0500) to the Planning Board meeting on May 25, 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 – 565 and Lot B Concord Road (Assessor's Maps F10-0013 and F10-0229)

Owner Chantal Charles, landscape architect Clara Batchelor, Bert Corey of DGT Associates, real estate agent Lanre Olusekun, and the Town's peer review engineer Janet Bernardo from the Horsley Witten Group were present to discuss the matter with the Planning Board.

Mr. Corey presented modifications to the plans as requested by the Planning Board.

Mr. Duchesneau noted Mr. Finnicum had exercised the Mullin Rule for the meeting he had missed and was eligible to vote on the application.

Ms. Suedmeyer acknowledged most recommendations had been addressed by the Applicant and several drainage aspects were discussed.

Ms. Bernardo stated a number of reviews had been conducted and the Applicant had proposed many effective stormwater management measures to control stormwater runoff.

The Planning Board members indicated their approval of the modifications which had been made.

Ms. Charles mentioned the dwelling unit which would be constructed would likely be smaller than what was being proposed.

Mr. Hincks motioned to approve the Stormwater Management Permit for 565 and Lot B Concord Road (Assessor's Maps F10-0013 and F10-0229) with the conditions as modified at the meeting. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Public Hearing – Stormwater Management Permit – Lot 15 Kato Drive (Assessor's Map J10-0615)

Engineer Vito Colonna, Applicant/Owner Perry Beckett, and the Town's peer review engineer Janet Bernardo from the Horsley Witten Group were present to discuss the matter with the Planning Board.

Mr. Colonna noted the proposed 5-bedroom home would be located away from the steeper areas of the subject property.

Ms. Suedmeyer noted the infiltration system was close to the abutting property and related comments from the abutter had been submitted to the Planning & Community Development Department.

Ms. Bernardo indicated she did not include a significant number of comments in her peer review and suggested the Applicant might wish to address the abutter's concerns about the possible impact the house might have on their property.

Mr. Finnicum highlighted the steepness of the proposed grade change.

Mr. Shah expressed his concern about the retaining wall being located on the property line.

Ms. Perlman questioned the proposed grade change and how it would affect the subject property.

Mr. Hincks suggested changes to the house and septic system.

Mr. Sugrue questioned if a significant number of trees could be maintained and if the proposed location of the house could be shifted.

Mr. Garvin concurred moving the house to the north would be preferred.

Ms. Suedmeyer reported the disturbance on the lot was not recent. Mr. Colonna indicated there was nothing going on presently at the subject property.

Martin Young of 23 Kato Drive stated the banking on the lot line adjacent to his property was added after his home had been constructed.

Dafne McNicholas of 32 Kato Drive noted the site presented challenges.

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit application for Lot 15 Kato Drive (Assessor's Map J10-0615) to the Planning Board meeting on May 11, 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.

2022 Annual Town Meeting and Possible Future Zoning Bylaw Amendments – Discussion and Updates

Wireless Services Overlay District

Consultant David Maxson from Isotrope, LLC was in attendance to discuss the matter with the Planning Board.

Mr. Duchesneau acknowledged Mr. Maxson's proposal had been submitted. Mr. Maxson confirmed he had worked with the Town in 2009, adding six parcels to the overlay zoning district, and he would be able to update those models. Mr. Maxson also presented different analysis options.

Mr. Duchesneau asked if phasing would be possible for the study and Mr. Maxson confirmed it would be possible.

Mr. Garvin made general inquiries about the Zoning Bylaw regarding the height of facilities.

Mr. Duchesneau noted two consultants were being considered but the Planning Board was still awaiting the second proposal.

Warrant Articles

Article 16 – Funding of a Land Use Consultant for the Sewataro/Liberty Ledge Property

Mr. Duchesneau stated Article 16 had been increased to \$200,000 of proposed funding and a Citizen's Petition for the same item was also being presented as a separate Warrant Article. He also provided some related background information.

Mr. Garvin asked about the scope of the research proposal. Mr. Duchesneau stated the Open Space & Recreation Plan and the Athletic Fields Needs Assessment & Master Plan should be completed before this Camp Sewataro study was undertaken. Mr. Hincks stated he felt that should be the response of the Planning Board in consideration of the Master Plan. The Planning Board members agreed that the needs of the Town should be considered first.

Mr. Hincks motioned for the Planning Board to endorse the Director of Planning & Community Development's recommendation to first complete the Open Space & Recreation Plan and the Athletic Fields Needs Assessment & Master Plan, as recommended by the Master Plan, before supporting funding for a land use consultant to study the Camp Sewataro property, and to therefore not support Warrant Article 16 at this time. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Article 19, Article 20, Article 47, and Article 48 – Bruce Freeman Rail Trail Articles

Mr. Hincks motioned for the Planning Board and Master Plan Implementation Committee to endorse Articles 19, 20, 47, and 48. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Article 29 – Amend the Process for Creating New Local Historic Districts

Mr. Shah provided details regarding the proposed project.

Mr. Hincks motioned for the Planning Board to endorse Article 29. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Article 45 and Article 46 – Old Framingham Road/Nobscot Road Walkway Extension Project

After some discussion, the Planning Board members determined they would not take formal positions on the two Warrant Articles.

Article 49 – Historic Districts Commission Design Guidelines

Mr. Shah provided additional details regarding the Warrant Article.

After some discussion, the Planning Board members determined they would not take a formal position on the Warrant Article.

Article 51 – Open Space & Recreation Plan and Athletic Fields Needs Assessment & Master Plan

Mr. Hincks motioned for the Planning Board and Master Plan Implementation Committee to endorse Article 51. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Article 57 – Hire Land Use Consultant for Liberty Ledge/Sewataro Property

Mr. Hincks motioned for the Planning Board and Master Plan Implementation Committee to not support Article 57. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Article 58 – Climate Emergency Declaration

Mr. Hincks motioned for the Planning Board and Master Plan Implementation Committee to acknowledge the related goals of this Warrant Article with the Master Plan, but to not support this Warrant Article until the goals were fully explored as to how they would be addressed. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Master Plan Implementation

There were no topics discussed under this item.

Citizens' Comments on Items Not on Agenda

There were no topics discussed under this item.

Minutes for Approval: October 27, 2021 and November 10, 2021

Mr. Hincks motioned to approve the minutes of October 27, 2021 and 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.

Board Appointments

The Planning Board members decided to postpone the discussion of this item until a future meeting date.

Committee Member Updates

There were no topics discussed under this item.

Administrative Report

Mr. Duchesneau confirmed the May 2022 Annual Town Meeting was scheduled for May 2, 2022 (and May 3rd and May 4th if additional evenings were necessary) at the Lincoln-Sudbury Regional High School.

Possible Future Agenda Items

The Planning Board members asked the following items be added to the next meeting agenda:

- Master Plan Action Item Tracking
- Climate Emergency Declaration
- Zoning Bylaw Amendments

Future Meeting Schedule: May 2, 2022 (Town Meeting), May 11, 2022, and May 25, 2022

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

Mr. Garvin adjourned the meeting at 10:58 PM.