



Town of Sudbury

Planning Board

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MINUTES

AUGUST 10, 2022 AT 7:30 PM

VIRTUAL MEETING

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

Members Absent: 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 7:31 PM.

Public Hearing – Inclusion of Affordable Housing Special Permit and 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., and Environmental Engineer Desheng Wang were in attendance to discuss the matter with the Planning Board.

Mr. Duchesneau provided a project update and described how Section 5600, Inclusion of Affordable Housing, applied to the proposed development.

Mr. Garvin confirmed the Planning Board had conducted a site walk at the subject property.

Mr. Finnicum commented about the ecosystem and wildlife aspects of the proposed project, and noted excessive grading and tree removal were being proposed as well.

Mr. Hincks inquired about the distances between the proposed houses. Mr. Saluk stated the side yards would have 40 foot setbacks, with 30 foot setbacks in the rear. Mr. Hincks stated the Conservation Commission must determine the possible benefit of the proposed 10 acres to be donated to the Town.

Mr. Garvin indicated the Sudbury Valley Trustees had also submitted comments regarding the proposed project.

Mr. Shah expressed his concerns regarding the proposed clear-cutting and extensive grading. He stated his preference was for three to four developable lots for the entire subdivision project.

Mr. Sugrue agreed with the sentiments of the other members of the Planning Board, especially with regard to the proposed grading. He suggested decreased development for the subject property.

Mr. Garvin agreed with the other Planning Board members and discussed the stormwater management aspects about the project.

Mr. Wang addressed two major concerns of the Planning Board regarding site grading and tree cutting. He stressed that replanting would provide for healthy trees and vegetation.

Mr. Saluk stated the proposed grading and tree cutting would be further considered. Mr. Derderian indicated he would try to improve the development plan.

Ms. Suedmeyer stressed the proposed grading and clearing from property boundary to property boundary would create excessive disturbance.

Doreen Neale of 75 Wake Robin Road expressed neighborhood concerns about the project.

Anna Bhattacharya of 84 Maynard Road stated she did not see any native vegetation being proposed.

Mr. Hincks motioned to continue the public hearing for the Definitive Subdivision Plan, Stormwater Management Permit, and Inclusion of Affordable Housing Special Permit applications for Maynard Road aka Bonnie Brook Estates (Assessor's Maps G08-0025 and G08-0500) to the Planning Board meeting on September 28, 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 – Lot 15 Kato Drive (Assessor's Map J10-0615)

Applicant/Owner Perry Beckett was in attendance to discuss the matter with the Planning Board.

Mr. Finnicum recommended a change in the location of the home on the subject property.

As this time, Mr. Finnicum left the meeting.

Mr. Beckett stated that based upon the topography of the site and factoring in ledge at the subject property, the proposed building was well positioned on the lot.

Ms. Suedmeyer stated the Town's peer review engineer had issued a clean letter of review for the proposed stormwater management system.

The Planning Board members expressed concerns regarding the project's proximity to the neighboring property, grading, and the proposed large retaining walls.

Martin Young of 23 Kato Drive stated his concerns regarding issues with retaining walls and the closeness of the mature trees to his property.

Mr. Garvin asked Mr. Beckett if he was willing to change the position/location of the proposed dwelling unit. Mr. Beckett replied in the negative.

Ms. Suedmeyer agreed a more definitive tree line detail and grading specifications should be provided for the project.

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 September 14, 2022. Mr. Sugrue seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Absent, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Lot 43 (#7) Fox Hill Drive (Assessor's Map B07-0215) – Stormwater Management Permit Decision Modification

Engineer Brian Geaudreau was in attendance to discuss the matter with the Planning Board. He stated a Stormwater Management Permit for the subject property had been issued and a small retaining wall was now being requested.

Ms. Suedmeyer asked the Applicant to compare the original limit of work with the proposed modified limit of work. The Planning Board members expressed concerns regarding the proposed retaining walls, and location of the structure.

Mr. Hincks motioned to continue the Stormwater Management Permit Decision Modification application for Lot 43 (#7) Fox Hill Drive (Assessor's Map B07-0215) to the Planning Board meeting on September 14, 2022. Mr. Sugrue seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Absent, 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 Maps B09-0001, B09-0011, B09-0012, and B09-0013) – Definitive Subdivision and Stormwater Management Permit Decisions Modifications

Developer Dave Howe was in attendance to discuss the matter with the Planning Board. He presented the details of his proposed modifications including the installation of an 8 foot high privacy fence and increased landscaping/screening plantings.

Mr. Hincks stated the proposal to prune some trees outside of the limit of work was acceptable, but he also indicated he was not in favor of the proposed privacy fencing.

Mr. Sugrue did not understand the reasoning behind the proposed changes to the property boundaries for Lots 2 and 3, but he was supportive of the inclusion of green technology in the project with natural gas acting as a backup.

Mr. Howe stated the heat pump system would lose efficiency when temperatures got below 35 degrees and he proposed propane as the backup.

Mr. Hincks motioned to authorize the Applicant to selectively prune trees and remove areas of large organic debris outside the limit of work at the Nolan Circle/Landon Estates Subdivision (fka Woodward Glen/Greenscape Park) off Powers Road (Assessor's Maps B09-0001, B09-0011, B09-0012, and B09-0013), with the following conditions:

- No heavy equipment shall be allowed outside of the limit of work for the project.
- Town staff shall be on site at the subject property when the tree pruning and removal of dead vegetation is being performed to determine which vegetation is permitted to be removed or cut.

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

Mr. Hincks motioned to approve the modifications to the property boundaries for Lots 2 and 3 in the Nolan Circle/Landon Estates Subdivision (fka Woodward Glen/Greenscape Park) off Powers Road (Assessor’s Maps B09-0001, B09-0011, B09-0012, and B09-0013). Mr. Sugrue seconded the motion. Roll Call Vote: Mr. Garvin – No, Mr. Finnicum – Absent, Mr. Hincks – No, Mr. Shah – No, and Mr. Sugrue – No.

Mr. Hincks motioned to approve the installation of an 8 foot high privacy fence in the Nolan Circle/Landon Estates Subdivision (fka Woodward Glen/Greenscape Park) off Powers Road (Assessor’s Maps B09-0001, B09-0011, B09-0012, and B09-0013). Mr. Sugrue seconded the motion. Roll Call Vote: Mr. Garvin – No, Mr. Finnicum – Absent, Mr. Hincks – No, Mr. Shah – No, and Mr. Sugrue – No.

Mr. Hincks motioned to approve the proposed landscape planting adjustments to the Nolan Circle/Landon Estates Subdivision (fka Woodward Glen/Greenscape Park) off Powers Road (Assessor’s Maps B09-0001, B09-0011, B09-0012, and B09-0013). Mr. Sugrue seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Absent, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Mr. Hincks motioned to approve the installation of green technology (heat pumps) in lieu of installing natural gas and to substitute the use of propane as a backup energy source in the Nolan Circle/Landon Estates Subdivision (fka Woodward Glen/Greenscape Park) off Powers Road (Assessor’s Maps B09-0001, B09-0011, B09-0012, and B09-0013). Mr. Sugrue seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Absent, Mr. Hincks – Aye, Mr. Shah – No, and Mr. Sugrue – Aye.

137 Brimstone Lane (Assessor’s Map L04-0006) – Chapter 61 Notice of Intent to Sell

Mr. Duchesneau explained the Chapter 61 land situation at the subject property and indicated the Planning Board should provide the Select Board with a recommendation as to whether or not the Town of Sudbury should exercise its right of first refusal for the parcel.

The Planning Board members discussed the possible value of the subject property if the Town of Sudbury were to acquire the land.

Mr. Hincks motioned to recommend to the Select Board the Town of Sudbury not exercise its right of first refusal on the Chapter Land at 137 Brimstone Lane (Assessor’s Map L04-0006). Mr. Sugrue seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Absent, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

2023 Annual Town Meeting and Possible Future Zoning Bylaw Amendments – Discussion and Updates

Wireless Services Overlay District

Mr. Duchesneau provided the Planning Board with an update on the progress being made by Isotrope, LLC, the consulting firm which was working to update the Wireless Services Overlay District Zoning Bylaw.

Master Plan Implementation – Discussion regarding Update to Select Board on Implementation

Mr. Garvin suggested the discussion regarding this matter take place when all of the Planning Board members were in attendance.

Citizens' Comments on Items Not on Agenda

There were no topics discussed under this item.

Minutes for Approval: March 1, 2022 and March 23, 2022

Mr. Hincks motioned to approve the minutes of March 1, 2022 and March 23, 2022. Mr. Sugrue seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Absent, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

Committee Member Updates

Mr. Hincks stated he would be providing the Planning Board with updates after the Community Preservation Committee meeting the following evening.

Ms. Suedmeyer indicated the Massachusetts Department of Transportation (MassDOT) had advertised the construction services for the Bruce Freeman Rail Trail Phase 2D project the previous Saturday and the Select Board had approved three related items at their meeting the previous night.

Administrative Report

Mr. Duchesneau noted the Draft Historic Preservation Plan would be posted on the Town website for two weeks and any comments could be submitted to the Planning and Community Development Department.

Ms. Suedmeyer announced she would be leaving the Town of Sudbury for a new position with the Devens Enterprise Commission. The Planning Board members thanked Ms. Suedmeyer for her contributions to the Town and the Planning and Community Development Department.

Possible Future Agenda Items

There were no topics discussed under this item.

Future Meeting Schedule: September 14, 2022 and September 28, 2022

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

Mr. Garvin adjourned the meeting at 10:30 PM.