



Town of Sudbury

Planning Board

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MINUTES

APRIL 12, 2023 AT 7:30 PM

VIRTUAL MEETING

Members Present: Chair Stephen Garvin, Vice-Chair Justin Finnicum, Clerk John Hincks, Justin Finnicum, John Sugrue, Julie Perlman

Absent: Anhu Shah

Others Present: Adam Duchesneau, Director of Planning and Community Development

Mr. Garvin opened the meeting at 7:31 PM. Roll call: Mr. Finnicum- present, Mr. Hincks-present, Mr. Sugrue-present, Ms. Perlman-present, Mr. Garvin-present

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

Mr. Hincks motioned to continue the public hearing for Definitive Subdivision Plan, Stormwater Management Permit, and Inclusion of Affordable Housing Special Permit - Maynard Road aka Bonnie Brook Estates (Assessor’s Maps G08- 0025 and G08-0500) to May 10, 2023. Mr. Finnicum seconded the motion. It was on motion 5-0; Garvin-aye, Finnicum-aye, Hincks-aye, Sugrue-aye, Perlman-aye.

Immediately Continued Public Hearing – Stormwater Management Permit - 15 Bishop Lane (Assessor’s Map F10-0521)

Mr. Hincks motioned to continue the public hearing for Stormwater Management Permit - 15 Bishop Lane (Assessor’s Map F10-0521) to May 10, 2023. Mr. Finnicum seconded the motion. It was on motion 5-0; Garvin-aye, Finnicum-aye, Hincks-aye, Sugrue-aye, Perlman-aye.

Public Hearing – Citizens Petition Zoning Bylaw Amendment for the May 2023 Annual Town Meeting - Amend the Zoning Bylaw by modifying or inserting a section to prohibit the sales, assembly, and/or manufacturing of firearms and/or components thereof, ammunition, and explosives in all zoning districts in the Town of Sudbury

Resident/Petitioner Frank Riepe, 54 New Bridge Road, was in attendance to discuss the matter with the Planning Board.

Mr. Riepe mentioned local communities that have advanced a similar petition, which would not prohibit hunting in Sudbury. He stressed that gun violence is increasing.

Mr. Duchesneau presented the petition document with resident signatures. Board Members provided related comments.

Mr. Garvin mentioned the possibility of rewriting the petition, as was mentioned at the recent Select Board meeting.

Mr. Hincks applauded citizens taking initiatives, and getting the right language was important, but the Planning Board was not in the position to draft that language. Members agreed.

Mr. Sugrue asked about zoning aspects, and the creation of one area in Town where such sales could take place. Mr. Garvin had concerns about manufacturing language, and mentioned Raytheon which was in Town for many years. Mr. Riepe agreed that language modifications might be required.

Ms. Perlman Julie mentioned possible outcomes if certain individuals felt this was violating civil rights. Mr. Garvin had concerns about banning all arms-related manufacture.

Resident and ZBA Chair John Riordan, confirmed the vote from ZBA, was unanimous. He stated that drafted language and opinion by Town Counsel would likely not represent the Town appropriately. Mr. Garvin disagreed with the comment made by Mr. Riordan, indicating that the Town must listen to the expert advice from Town Counsel.

Mr. Riordan has read related decisions regarding the right to carry weaponry and suggested that Board members review the related WCVB editorial which highlighted the increase in mass shootings.

Resident and Select Board Member Janie Dretler, 286 Goodman's Hill Road, pointed out that the Town of Acton is considering a Town Meeting article to amend the zoning for weaponry sales.

Mr. Garvin mentioned the importance of seeing a memorandum from Town Counsel and viewing alternative language, before the Board considers next steps.

Mr. Hincks motioned that the Planning Board consider a memorandum from Town Counsel before considering next steps with the proposed ammunitions/firearms bylaw. Mr. Finnicum seconded the motion. It was on motion 5-0; Garvin-aye, Finnicum-aye, Hincks-aye, Sugrue-aye, Perlman-aye.

Mr. Hincks motioned to close the Citizens Petition Zoning Bylaw Amendment for the May 2023 Annual Town Meeting Public Hearing, and the Planning Board will take up the topic at a future meeting and determine if there is enough information to deliberate. Mr. Finnicum seconded the motion. It was on motion 5-0; Garvin-aye, Finnicum-aye, Hincks-aye, Sugrue-aye, Perlman-aye.

38 Fox Hill Drive (Assessor's Map B07-0210) – Stormwater Management Permit Modification

Bernard Hamill, Engineer was in attendance to discuss the matter with the Planning Board.

Mr. Hamill stated the Stormwater Management Plan had been amended, per recommendation of the Planning Board including; reduction in size of wall, reduced height where possible, with the addition of a larger drainage system.

Board Members concurred that inclusion of a peer review at a Public Hearing would be preferable. Mr. Hamill agreed with utilizing the services of a peer reviewer.

Mr. Hincks motioned that stormwater plans for 38 Fox Hill Drive (Assessor's Map B07-0210) be reviewed by peer reviewer and that a new Public Hearing be scheduled for a Planning Board meeting in May. Mr. Finnicum seconded the motion. It was on motion 5-0; Garvin-aye, Finnicum-aye, Hincks-aye, Sugrue-aye, Perlman-aye.

10 & 21 Nolan Circle (Landon Estates Subdivision) (Assessor's Maps B09-0013 and B09-0012) – Approval Not Required (ANR) Plan

Joshua Fox, Applicant's Attorney, Daniel Carr, Engineer and David Howe, Applicant were in attendance to discuss the matter with the Planning Board.

Attorney Fox described the ANR Plan to reconfigure lot #2 and lot #3, for more uniformity at the subdivision.

Mr. Garvin, Mr. Hincks and Mr. Finnicum confirmed they were part of the original request.

Mr. Hincks indicated that he was not totally comfortable with the original request and was surprised that this could be approved as an ANR because it is already an approved development. He mentioned the existing structures were far from completion, and worried that if the ANR goes through, the structure would be extremely large.

Mr. Garvin commented that any structure larger than originally approved, would have to go through stormwater aspects.

Mr. Finnicum said the Board put considerable time into this proposal and tried to preserve the site as much as possible.

Attorney Fox stated there were no plans to make the foundation any bigger than it is, and there were no plans to further cut trees.

Mr. Howe stated that one of the homes would be listed for sale in May; and confirmed that the location and footprint of the existing structure would not change.

Mr. Hincks motioned to endorse the APR for 10 & 21 Nolan Circle (Landon Estates Subdivision) (Assessor's Maps B09-0013 and B09-0012) – Approval Not Required (ANR) Plan. Mr. Sugrue seconded the motion. It was on motion 3-1-1; Garvin-aye, Finnicum-aye, Sugrue-aye, Perlman-no, Hincks-abstain

15 & 40 Fairbank Road (Assessor's Maps F05-0005 and F06-0001) – Site Plan Modification

Jennifer Pincus, Project Manager, PBC and Tom Scarlata, Engineer, were in attendance to discuss the matter with the Planning Board.

Mr. Garvin recused himself from the agenda item.

Ms. Pincus provided detail regarding lighting and the fenced basketball courts. She confirmed that State funding would be granted, thanks to efforts made by Representative Carmen Gentile.

Mr. Hincks motioned to approve the site plan modification for 15 & 40 Fairbank Road (Assessor's Maps F05-0005 and F06-0001). Mr. Sugrue seconded the motion. It was on motion 4-0; Finnicum-aye, Sugrue-aye, Hincks-aye, Perlman-aye

Discussion regarding Possible Land Donation to the Town of Sudbury (Assessor's Maps J09-0048, K09-0464, K09-0463, K09-0460, and K09-0459)

Mr. Duchesneau provided detail regarding the Hillside Place lots. He added there was not time deadline. Recommendations would be forwarded to the Select Board, the Housing Trust and the Historical Commission.

Mr. Garvin suggested the Board schedule another discussion after hearing from other Town Boards/Commissions.

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

Multi-Family Zoning Requirement for Massachusetts Bay Transportation Authority (MBTA) Communities

Mr. Garvin stated the Planning Board would schedule discussion regarding the MBTA Communities Housing topic at the April 26, 2023 meeting.

Wireless Services Overlay District

Mr. Duchesneau stated that Mr. Maxson will be presenting at the next Planning Board meeting.

Master Plan Implementation

Mr. Garvin noted that the Master Plan Priority list would be reviewed at the April 26th meeting.

Citizens' Comments on Items Not on Agenda (None Received)

Minutes for Approval: September 14, 2022

Mr. Hincks motioned to approved the September 14, 2022 Planning Board Minutes. Mr. Finnicum seconded the motion. It was on motion 5-0; Garvin-aye, Finnicum-aye, Hincks-aye, Sugrue-aye, Perlman-aye.

Designation of Member to Serve on Housing Production Plan Working Group

Mr. Duchesneau confirmed that he and Ms. Perlman had a conversation, and she is willing to represent the Planning Board as a member of the Housing Production Plan Working Group.

Mr. Hincks motioned to appoint Julie Perlman as the Planning Board representative on the Housing Production Plan Working Group. Mr. Finnicum seconded the motion. It was on motion 5-0; Garvin-aye, Finnicum-aye, Hincks-aye, Sugrue-aye, Perlman-aye.

Committee Member Updates

Mr. Sugrue provided updates to the BFRT Committee.

Administrative Report

Board Members congratulated Ms. Perlman on being elected as a full Planning Board member.

Mr. Hincks suggested the Nolan Circle development be discussed at an upcoming meeting.

Mr. Hincks advocated for carbon-neutral construction, and asked if a working group could be created to study these issues and see what other Towns are doing. Mr. Hincks offered to organize this effort. Board Members were in agreement.

Possible Future Agenda Items

Ms. Perlman mentioned the inclusion of the Camp Sewataro topic.

Future Meeting Schedule: April 26, 2023 and May 10, 2023

Adjourn

Garvin closed the Planning Board meeting of 4/12/23 at 10:22 PM.