



Town of Sudbury

Planning Board

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MINUTES

WEDNESDAY, SEPTEMBER 11, 2024 AT 7:30 PM

VIRTUAL MEETING

Members Present: Vice-Chair Justin Finnicum, Secretary John Sugrue, Member Ahnu Shah

Absent: Chair Stephen Garvin, Member Julie Perlman

Mr. Finnicum opened the meeting at 7:30 PM, and requested roll call: Mr. Finnicum - present, Mr. Sugrue - present, Mr. Shah-present

Staff Present: Director of Planning & Community Development Adam Burney

Immediately Continued Public Hearing* - Scenic Road Permit and Stormwater Management Permit Applications - 24 Goodnow Road (Assessor's Map G07-0501)

Mr. Burney noted that comments from the consultant had not been received by Planning.

Mr. Sugrue motioned to continue the public hearing for Scenic Road Permit and Stormwater Management Permit Applications for 24 Goodnow Road (Assessor's Map G07-0501), to the Planning Board meeting on September 25, 2024. Mr. Shah seconded the motion. It was on motion 3-0; Sugrue-aye, Shah-aye, Finnicum-aye

Immediately Continued Public Hearing* – Site Plan Review and Stormwater Management Permit Application - 502 Concord Road (Assessor's Map F10-0031)

Mr. Sugrue motioned to continue the public hearing for Site Plan Review and Stormwater Management Permit Application for 502 Concord Road (Assessor's Map F10-0031) to the Planning Board meeting on September 25, 2024. Mr. Shah seconded the motion. It was on motion 3-0; Sugrue-aye, Shah-aye, Finnicum-aye

Immediately Continued Public Hearing* – Site Plan Review and Stormwater Management Permit Application - 60 Hemlock Road (Assessor's Map H05-0029)

Mr. Sugrue motioned to continue the public hearing for Site Plan Review and Stormwater Management Permit Application for 60 Hemlock Road (Assessor's Map H05-0029) to the Planning Board meeting on September 25, 2024. Mr. Shah seconded the motion. It was on motion 3-0; Sugrue-aye, Shah-aye, Finnicum-aye

Mr. Burney confirmed that comments from the consultant had not been received to date.

Untimed Items

Nolan Circle/Landon Estates Subdivision (fka Woodward Glen/Greenscape Park) off Powers Road (Assessor's Maps B09-0011, B09-0012, B09-0013, and B09-0014 (fka Assessor's Map B09-0001)) – Time Extension Request for Definitive Subdivision Decision and Stormwater Management Permit

David J. Howe, Developer was present to discuss the matter with the Board.

Mr. Finnicum stated he wanted further description regarding points mentioned in recent a letter submitted by Mr. Howe.

Mr. Howe referenced the questions and responses as presented in that letter, including:

- *The reasons requiring an extension* – Mr. Howe stated that the project had created major financial problems, and he could no longer fund the project until one of the homes is sold. He indicated that he would pay off what is owed to the bank. Mr. Howe explained that the currently marketed home was being shown to the same party for a second time.
- *What had delayed any significant progress on the completion of the project* – Mr. Howe emphasized finances, adding he would likely not be realizing any profit on the project.
- *Why have you been unwilling or unable to comply with the condition of the time extension granted in 2023.* Mr. Howe responded that construction had been dormant for an extended period (8 to 10 Months), and he had nothing to report. He explained that underground utility work had just been completed by Eversource and the final inspection by Eversource might take several days.
- *If the extension were granted what steps would be taken to ensure that the project is completed to an acceptable standard before the expiration of the extension.* Mr. Howe responded that absolute assurances could not be given. He detailed that he substantially reduced the price of the home.

Mr. Burney stated that Mr. Howe's communications with the Town, the Board and neighbors had been poor and the agreed upon bi-weekly updates were not provided. Mr. Burney added that the Applicant did not share actual occurrences with the department; he noted that even a simple email would have been appreciated.

Mr. Burney confirmed that he met at the development with Mr. Howe and his banker; a review of numerous items to ensure occupancy was discussed at that meeting. Mr. Burney stated that the site is stabilized; sidewalks and driveways must have top course of pavement installed. He explained that large weeds dominate the site and rip rap must be re-established.

Mr. Burney confirmed that Lot 1 continues to be without permanent electrical service. He confirmed that the post and rail fence along the wetlands needs to be installed, as well as other stormwater management implementations.

Mr. Burney stressed the Town is very clear about expectations and receiving timely communications from Mr. Howe, if an extension is to be considered.

Mr. Sugrue stated that any extension would require bi-weekly updates to Planning, and he wanted to see the project completed.

Mr. Shah agreed with wanting to see the project completed and opined that if the extension were granted by the Board, it would be very likely that much of the same practices would continue. Mr. Shah asked what might happen if the extension was not granted. Mr. Burney responded that in such event, the Town would be responsible for claiming the bond and finishing essential construction measures at the site. Mr. Burney indicated he could examine the total bond amount remaining, and the amount of funds needed to complete the project. He agreed it would be best for the Board to consider the options when the other two Board Members would be present at the next Planning Board meeting.

Mr. Finnicum agreed with Mr. Burney's suggestion and wanted Mr. Howe to address erosion control measures and to ensure electric approval by the next meeting and to provide the Planning Department with such update/detail a week before the next meeting on September 25.

Mr. Howe stated that the storm basin had been cleaned; new straw wattles were installed, and the development roadway was cleaned as well.

Mr. Howe detailed that Jordan Furniture would be bringing in furnishings to stage the home being marketed within the upcoming week. Mr. Burney confirmed that the rip rap must be laid out in the finalized form. Mr. Howe mentioned there might be very little in the cash bond, maybe \$65,000. Mr. Burney commented that the bond balance reflected \$150,000.

Mr. Finnicum recognized that another follow-up hearing would be scheduled for the next Planning Board meeting on September 25th and the applicant would present detailed updates at that time, which must be submitted to the Planning Department a week before the meeting. Mr. Finnicum emphasized that such reporting would reflect very important conditioning.

Approval Not Required Plan (ANR) – 94 & 100 Prides Crossing Road (Assessor's Maps K02-0310 & K02-0311)

Arthur F. Borden, Registered Land Surveyor – AFB Survey was present to discuss the matter with the Board.

Mr. Borden explained the ANR plan.

Mr. Sugrue motioned to endorse the ANR for 94 & 100 Prides Crossing Road (Assessor's Maps K02-0310 & K02-0311). Mr. Shah seconded the motion. It was on motion 3-0; Sugrue-aye, Shah-aye, Finnicum-aye

Master Plan Implementation

Mr. Burney indicated he was anticipating receiving updates in a week or so.

Mr. Burney mentioned related ADU housing status and indicated it might be beneficial to involve the Zoning Board at some time in the near future.

Citizens' Comments on Items Not on Agenda

No comments were received.

Minutes for Approval: June 12, 2024

Mr. Sugrue motioned to approve the Planning Board Minutes for June 12, 2024. Mr. Shah seconded the motion. It was on motion 3-0; Sugrue-aye, Shah-aye, Finnicum-aye

Committee Member Updates

Mr. Finnicum asked about the BFRT completion timeline. Mr. Burney responded that June, 2025 was the official completion date. Mr. Finnicum mentioned that the new signage was excellent.

Mr. Finnicum confirmed he participated in the CPC meeting last week and would provide updates to the Board at the next meeting.

Ongoing Items/Hearings

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) CONTINUED TO SEPTEMBER 25, 2024

Public Hearing - Site Plan Review and Stormwater Management Permit Application Lots 1 & 2 Harvey's Farm Lane (Assessor's Map H10-0201 and H10-0202) CONTINUED TO SEPTEMBER 25, 2024

Future Meeting Schedule:

September 25, 2024 and October 9, 2024

Mr. Shah confirmed he would not be able to attend the September 25th Board meeting.

Adjourn

Mr. Finnicum adjourned the Planning Board meeting at 8:15 pm.