



# Town of Sudbury

## Planning Board

PlanningBoard@sudbury.ma.us

Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776  
978-639-3387  
Fax: 978-443-0756

www.sudbury.ma.us/planning

### MINUTES

WEDNESDAY March 27, 2024 AT 7:30 PM

### VIRTUAL MEETING

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

**Members Absent:** Ahnu Shah

**Staff Present:** Adam Burney Director of Planning & Community Development

Mr. Garvin opened the meeting at 7:33 PM, and requested roll call: Finnicum-present, Sugrue-present, Perlman-present, Garvin-present

**Immediately Continued Public Hearing – Stormwater Management Permit Application Lot 2 Brimstone Lane (Assessor’s Map L04-0008)**

Mr. Sugrue motioned to continue the Public Hearing – Stormwater Management Permit Application for Lot 2 Brimstone Lane (Assessor’s Map L04-0008), to April 10, 2024. Mr. Finnicum seconded the motion. It was on motion 4-0; Garvin-aye, Finnicum-aye, Sugrue-aye, Perlman-aye

**Immediately Continued Public Hearing – Scenic Road Application Lot 2 Brimstone Lane (Assessor’s Map L04-0008)**

Mr. Sugrue motioned to continue the Public Hearing - Scenic Road Application for Lot 2 Brimstone Lane (Assessor’s Map L04-0008), to April 10, 2024. Mr. Finnicum seconded the motion. It was on motion 4-0; Garvin-aye, Finnicum-aye, Sugrue-aye, Perlman-aye

**Immediately Continued Public Hearing – Site Plan Review and Stormwater Management Permit 631 Boston Post Road (Assessor’s Map K06-0502)**

Mr. Sugrue motioned to continue to continue the Public Hearing – Site Plan Review and Stormwater Management Permit for 631 Boston Post Road (Assessor’s Map K06-0502), to April 10, 2024. Mr. Finnicum seconded the motion. It was on motion 4-0; Garvin-aye, Finnicum-aye, Sugrue-aye, Perlman-aye

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

Mr. Sugrue motioned to continue the Public Hearing – Site Plan Review and Stormwater Management Permit for 502 Concord Road (Assessor’s Map F10-0031), to May 22, 2024. Mr. Finnicum seconded the motion. It was on motion 4-0; Garvin-aye, Finnicum-aye, Sugrue-aye, Perlman-aye

**Public Hearing – Proposed Zoning Amendments for the May 2024 Annual Town Meeting including Discussion and Vote on Warrant Articles**

Mr. Burney stated that he and Mr. Garvin met with Town Counsel to review the finalized May 2024 Annual Town Meeting bylaw documentation:

**Compliance with MBTA Communities Law – Creation of a Multi-Family Overlay District, Alteration of the Zoning Map, and Addition of Definitions to Section 7000**

Mr. Burney presented “Town of Sudbury MBTA Communities: Zoning Power Point” topics:

- Introduction to MBTA Communities Act – To address the current housing crisis, to be in proximity to public transportation and to reduce the use of vehicles
- Requiring MBTA Communities to adopt zoning districts where multi-family housing is permitted as of right; Sudbury being one of 59 “adjacent communities,” must comply with such zoning by December 31, 2024. If noncompliant, the Town forfeits eligibility for many state grants
- As one of the “Adjacent Communities,” Sudbury must consider creating a 750 multi-family unit capacity. There is no requirement to necessarily construct these units
- MBTA Communities zoning requirements include: minimum gross density, no age restricts, being within ½ mile of a commuter rail station
- Progress to Date – Sudbury received technical assistance from the MA Housing Partnership and VHB to identify zoning district options for pre-approval, per final language approved by Town Counsel
- Proposed Sudbury overlay districts; an overlay district split between two districts (South Sudbury and North Sudbury) – Meadow Walk and Cold Brook Crossing
- Proposed maximum permitted units – Meadow Walk and Cold Brook Crossing
- Benefits of Compliance –Sudbury will remain eligible for improvement grants, such as Housing Choice Grant, grant to replace Well #5 and a sewer design plan
- Next Steps – Preapproval and Town Approval at May Annual Town Meeting

Board Members concurred with the presented bylaw documentation and suggested grant language be included within the grant description. Ms. Perlman suggested including a printout of related graphs. Mr. Sugrue recommended including proportionate-type percentages of growth and not just number of new units.

Resident Kay Bell, 348 Old Lancaster Road, commented that the bylaw amendments reflected zoning and not actual units. She noted that septic was a limiting factor. Mr. Sugrue commented that the State is not requiring anything be built at this time. Ms. Bell asked if accessibility is being considered. Mr. Burney responded in the affirmative.

Resident Janie Dretler, Chair of the Select Board and Member of the Sudbury Housing Trust, 286 Goodman’s Hill Road, asked about an affordability component. Mr. Burney mentioned that the 10% affordability ratio would continue unless a possible increase was sought.

**Section 5600 Inclusion of Affordable Housing – Add the Exclusion of proposed Multi-Family Overlay District**

Mr. Burney stated that such bylaw would require Special Permitting and would include the exempt section of the affordable housing bylaw.

Mr. Sugrue spoke of the sliding scale aspect, adding that a developer could increase the 10% affordability ratio, if desired.

Mr. Garvin addressed various aspects of the Town's affordable housing bylaw.

Ms. Dretler stressed that such zoning additions, would not jeopardize the Town's safe harbor affordability standing.

#### Section 6300 Site Plan Review – Change of Appeals Process

Mr. Burney explained the Planning Board relies on the Site Plan Review process when considering development, which reflects an objective process driven by regulations. He commented that this proposed amendment would avoid unintended consequences where the Town could sue itself.

**Mr. Sugrue motioned that the Planning Board recommend favorably the proposed zoning amendment – Section 6300 Site Plan Review – Change of Appeals Process, for the May 24, 2024 Annual Town Meeting. Mr. Finnicum seconded the motion. It was on motion 4-0; Garvin-aye, Finnicum-aye, Sugrue-aye, Perlman-aye**

**Mr. Sugrue motioned that the Planning Board recommend favorably the proposed zoning amendment for compliance with the MBTA Communities Law – Creation of a Multi-Family Overlay District, Alteration of the Zoning Map, and Addition of Definitions to Section 7000, for the May 24, 2024 Annual Town Meeting. Mr. Finnicum seconded the motion. It was on motion 4-0; Finnicum-aye, Sugrue-aye, Perlman-aye, Garvin-aye**

**Mr. Sugrue motioned that the Planning Board recommend favorably the proposed zoning amendment for Section 5600 Inclusion of Affordable Housing – Add the Exclusion of proposed Multi-Family Overlay District, for the May 24, 2024 Annual Town Meeting. Mr. Finnicum seconded the motion. It was on motion 4-0; Garvin-aye, Finnicum-aye, Sugrue-aye, Perlman-aye**

#### Untimed Items

##### Master Plan Implementation

Mr. Burney confirmed that he, Town Manager Sheehan and Select Board Chair Jen Roberts, attended the Community Economic Development session at the Sudbury Chamber of Commerce. Stakeholder feedback was encouraged. The Chamber offered to partner with the proposed plan regarding an Economic Development consultant for the Town.

Board Members discussed the possibility of ARPA funding for such consultation.

##### Citizens Comments on Items Not on Agenda

No comments received.

##### Minutes for Approval: January 24, 2024

**Mr. Sugrue motioned to approve the minutes for January 24, 2024. Mr. Finnicum seconded the motion. It was on motion 4-0; Garvin-aye, Finnicum-aye, Sugrue-aye, Perlman-aye**

### **Committee Member Updates**

Mr. Burney stated that positive feedback was shared at last weeks' Housing Production Plan meeting.

### **Administrative Report**

Mr. Burney announced that the Planning Board would be sponsoring a hybrid Firearms Business Use Article Information session. He added that the Article would be discussed at the next Planning Board Meeting.

### **Ongoing Items/Hearings**

**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 April 24, 2024**

**Site Plan Review and Stormwater Management Permit 225 & 227 Boston Post Road (Assessor's Map K10-0040 & K10-0009)**

**CONTINUED TO April 10, 2024**

### **Future Meeting Schedule:**

April 10, 2024 and April 24, 2024

### **Adjourn**

Mr. Garvin adjourned the Planning Board meeting at 9:01 PM.