Town of Sudbury
Planning Board

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MINUTES

WEDNESDAY OCTOBER 14, 2026 at 7:30 PM

Virtual Meeting

Members Present: Chair Stephen Garvin, Vice-Chair John Sugrue, Clerk Ahnu Shah, Member Julie Perlman, Member Kirsten Roopenian

Staff Present: Director of Planning & Community Development Adam Burney

Mr. Garvin opened the Planning Board meeting at 7:30 PM, and requested Roll Call: Mr. Sugrue-present, Mr. Shah-present, Ms. Perlman-present, Ms. Roopenian-present, Mr. Garvin-present

7:30 PM Untimed Items:

Stormwater Bond Request - Bright Path Child Care 694 Boston Post Road (Assessor's Map K05-0017)

Ben Hartley, representing the developer, 632 Washington Street South Easton was present to discuss the matter with the Board.

Mr. Burney confirmed the Town Engineer estimated the bond and with an escalator clause (normally 20% of the bond) was estimated at $54,000.00.

Mr. Garvin questioned if the bond included labor cost. Mr. Burney replied in the affirmative.

Mr. Shah motioned that the Planning Board accept a bond in the amount of $54,000 for the landscape portion of the Stormwater Management bond for Bright Path Child Care, 694 Boston Post Road (Assessor's Map K05-0017). Mr. Sugrue seconded the motion. It was on motion 5-0: Shah-aye, Roopenian-aye, Sugrue-aye, Perlman-aye, Garvin-aye.

Definitive Subdivision Bond Request Bonnie Brook Estates

Brian Jacobs, Sudbury Preserve LLC, 727 Bacon Street, Waltham, MA was present to discuss the matter with the Board.

Mr. Burney mentioned that Peer Review company Horsley Witten would be responding to the bond aspect very shortly and would also verify the cost of the proposed bond.

Mr. Jacobs asked if there might be a way for the Board to approve a smaller portion of the road project and proposed the completion of approximately 70% of the road between now and mid-December.

Mr. Garvin acknowledged a list of proposed bond exclusions, including: an "as-built," wetland replication, fencing and utility conduit. He stressed that infrastructure planning is very important and the items listed as exclusions should be included when submitting the subdivision bond for Bonnie Brook Estates. Mr. Garvin opined that a "phased" approach for the project might be considered by the Board.

Mr. Shah concurred that the exclusions listed were necessary when considering proposed road work.

Ms. Roopenian commented that she was still reviewing the proposed plan.

Ms. Perlman agreed with comments made by Mr. Shah and Mr. Garvin.

Mr. Sugrue stated that his questions were mentioned by other Board Members and was in agreement with comments provided.

Mr. Jacobs acknowledged that he was awaiting peer review recommendation to address various aspects of the project, namely the bonding amount; and indicated that asphalt companies are usually open into December and his goal included installation of a road binding coat by mid-December. Mr. Garvin confirmed that for this type of project, the Planning Board approved bonds for the entirety of a project.

Given the ever-rising cost of materials, a discussion regarding related escalator clause took place. Mr. Burney agreed to pass along such consideration to Horsley Witten, the peer review company.

Mr. Garvin outlined three possible options:

- That the Board initially consider a bond amount based on the estimated amount provided by Mr. Jacob's contractor and then provide additional bond funding and conduct such discussion at the next Planning Board meeting, based on Horsley Witten calculations; which would allow for immediate commencement of work, as proposed
- That the Board consider the bond amount based on the estimate provided by the development team and within a defined upcoming date have the second bond amount submitted, per the direction of Horsely Witten
- To consider not voting tonight and wait for Horsley Witten to present at the upcoming Planning Board meeting, which would delay commencement of work

Board Members agreed that starting the project as soon as possible, would be preferred. Mr. Burney stated that beginning work with a two-part bond option was not an unusual approach and has been voted on by the Board on other projects.

Mr. Shah motioned that the Planning Board approve an initial bond for the Bonnie Brook Estates Definitive Subdivision in the amount of $1,246,152.49, pending review by Peer Reviewer Horsley Witten and Town Engineering for the second bond. Mr. Sugrue seconded the motion. It was on motion 5-0: Shah-aye, Roopenian-aye, Sugrue-aye, Perlman-aye, Garvin-aye

Mr. Garvin stated that during the next Planning Board meeting, a related discussion regarding project gas-line installation would be discussed.

Bylaw Change Section 3423 Noise

Mr. Burney presented the "Bylaw Change Section 3423 Noise" document and related edits. He noted that he and the Building Inspector discussed aspects of the Bylaw including no work on Sundays or Holidays (as observed by the Federal Government and/or the Commonwealth of MA). Mr. Burney stressed the importance of codifying the Bylaw.

Mr. Garvin recommended that "Stormwater Permit" language be added to Section 3423; to read: "as defined in an approved Special Permit, Stormwater Permit, or Site Plan Approval if different than those aforementioned." Board Members agreed with such added language.

Mr. Shah motioned that the Planning Board approve the Bylaw Change to Section 3423 Noise and approve of forwarding Section 3423 Noise Change to the Select Board to be included in the Warrant for the next Town Meeting, as presented and amended. Mr. Sugrue seconded the motion. It was on motion 5-0; Sugrue-aye, Shah-aye, Perlman-aye, Roopenian-aye, Garvin-aye

Battery Energy Storage System Bylaw

Mr. Burney detailed that related consideration/input from himself, the Assistant Planning Director and the Sustainability Director has taken place with a fair amount of outreach taking place. He noted that the Assistant Planning Director is currently working on the Battery Energy Storage System Bylaw, with the goal of presenting the Bylaw draft to the Planning Board for review at the 11/4/26 or 11/18/26 meeting.

Mr. Burney confirmed that such draft would also be reviewed by various Town Departments who have interest in the Bylaw.

Adoption of the Walkway Request Policy

Mr. Burney stated that comments made by the Planning Board Members during the past several months had been submitted to the DPW Director and the Select Board.

Mr. Burney noted that a few wording modifications would likely be added for Bylaw clarification which would not change the intent of the Bylaw or the related process.

Mr. Burney recognized that the Planning Board commented about the accessibility factor as part of the matrix for evaluation and consideration by the DPW Director.

Mr. Garvin mentioned related variance/waiver exceptions.

Mr. Shah motioned that the Planning Board adopt the Walkway Request Policy, as presented tonight. Mr. Sugrue seconded the motion. It was on motion 5-0; Sugrue-aye, Shah-aye, Perlman-aye, Roopenian-aye, Garvin-aye

Master Plan Implementation

Mr. Burney noted that the Open Space Plan draft is posted and tomorrow evening (10/15/26) a hybrid Open Space Public Forum (including Plan recommendations and goals) will take place at the Fairbank Community Center at 7:00 PM.

Mr. Burney acknowledged that related public comments will be accepted until 10/22/26, with hopes for submittal of such Plan to the Commonwealth of MA by the end of the current year or by January, 2027.

Citizens' Comments on Items Not on Agenda – No Comments Received

Minutes for Approval: September 23, 2026

Mr. Garvin recused himself from related vote as he was not present at the meeting.

Mr. Shah motioned to approve the 9/23/26 Planning Board Minutes, as amended tonight. Mr. Sugrue seconded the motion. It was on motion 5-0; Sugrue-aye, Shah-aye, Perlman-aye, Roopenian-aye, Garvin-aye

Committee Member Updates

Ms. Roopenian stated that the Community Preservation Committee (CPC) considered many applications at their meeting last week and noted that applications were reviewed along with comments submitted to applicants.

Ms. Roopenian detailed that the walkway request from Mr. Burney was discussed at that CPC meeting, along with applications proposed for work at Davis Field, Feeley Field and Featherland Field.

Ms. Roopenian confirmed that several mentioned applications may or may not include the Planning Board, such as stormwater aspects in relation to Town fields. She noted that the CPC is holding off on any investment consideration outlined in a letter submitted from the Select Board.

Administrative Report

Mr. Burney commented that he had mentioned various administrative topics during this meeting. He recognized Ms. Roopenian's comment about communication from the Select Board Chair regarding Preservation funds, petition to change aspects of the Act to allow sidewalks to be considered as recreation-related. He asked Board Members if they would like to include the Select Board letter as referenced by Ms. Roopenian, be included as a discussion agenda item for an upcoming Planning Board meeting. Ms. Roopenian commented that Park & Recreation and CPC indicated that such Select Board suggestion might be premature at this time and not under the purview of those two groups at this time.

Mr. Garvin mentioned as the Master Plan, the Board maintains that sidewalks reflect "good planning," however the Board would be neutral regarding the funding aspect and not under the purview of the Planning Board. He noted that the Planning Board does support efforts to increase sidewalks in Town,

which aligns with the Master Plan goals. Ms. Roopenian agreed and stated there was no pending legislation at this time and the "CPC Coalition is looking at ways to get around the walkway issue on CPC money, but nothing has been filed yet." Mr. Garvin agreed that the Planning Board would agree with such comment and indicated that such an agenda item did not need to be included. Mr. Burney stated he would send that message from the Planning Board to the Select Board.

Possible Future Agenda Items Agenda

Just discussed.

Ongoing Items/Hearings:

Public Hearing – Stormwater Management Permit - 0 & 1011 Boston Post Road (Assessor's Maps L02-0210 & L02-0200) Continued to October 28, 2026

Future Meeting Schedule:

October 28, 2026
November 4, 2026
November 18, 2026

Ms. Perlman noted that she would not be able to attend the October 28th Planning Board meeting.

Adjourn:

Mr. Garvin adjourned the Planning Board meeting at 8:29 PM.