

Minutes of Joint Meeting

Route 20 Sewer – Citizen's Advisory and Steering Committees

Wednesday July 17, 2013

CAC Attendees: Craig Blake (Chairman), John Baranowsky (Clerk), Kirsten Roopenian, Peter Abair, Jon Danielson, Andrew Sullivan, Mark Minassian and Stephen Eppich

Steering Committee Attendees: Eric Poch (Co-Chair), Jody Kablack, Lisa Eggleston, Stephen Grande, Rich Robison and Len Simon

Guest: Scott Nassa

At 7:30 P.M. having determined quorums present, Craig Blake called the meeting to order.

Old Business:

- Review of Minutes – June 19, 2013

Draft Minutes were circulated beforehand. Craig Blake, Lisa Eggleston and Jody Kablack offered comments. Discussion ensued and edits made. A MOTION was MADE, SECONDED and unanimously VOTED for approval as edited.

- Reorganization - Ellen Joachim has resigned from the CAC. Joan Carlton has resigned from Sewer Steering. Peter Abair is moving from CAC to Steering as Planning Board liaison replacing Jody Kablack. Andrew Sullivan is moving from CAC to Steering as Finance Committee liaison replacing Joan Carlton. All moves must be confirmed by the Board of Selectmen before becoming official.

Scott Nassa intends to apply for CAC membership replacing Ellen Joachim. Rich Robison explained that the position is at-large. He continues as SPS liaison to Steering. Scott must formally apply for the position by filling out a short application available on the Town of Sudbury web-site.

Len Simon joins Bob Haarde as BOS liaison to the Joint-Committee. John Baranowsky asked whether Len Simon and Bob Haarde would share a seat on the Sewer Steering Committee when determining quorum. This matter is under further review.

New Business:

- Reports from Subcommittees

- *Sewer Alternatives (East Marlborough Presentation)* – As Craig Blake will be presenting the Alternatives Sub-Committee findings and the recommendation for the Town of Sudbury to engage in inter-municipal agreement discussions with the City of Marlborough for wastewater treatment facility operation and maintenance sharing (made first to CAC then from CAC to Steering) to the BOS (at their on July 30, 2013 meeting), he sought member input for presentation content and approach given the

limited time-block allocated for this purpose. Other sub-committee activity post 2011 may also be discussed, time permitting. Finally some time should be devoted to pre-2011 activity and project history.

Mr. Blake's opening statement caused further discussion requiring clarification as some members are new and not all members were in attendance at the prior meetings where the "East Marlborough" and "Framingham/MWRA" were discussed as alternatives to the "Route 20 Decentralized Sewer Plan".

John Baranowsky recalled the process which got us to this point. Two alternatives (East Marlborough and Framingham/MWRA) were brought forth, one was considered infeasible (Framingham/MWRA) while the other ("East Marlborough") feasible. Motions were made and votes taken to bring these matters forward to the BOS both as an information item and for action; that negotiation for potential inter-municipal agreement between Marlborough and Sudbury be explored by the BOS through the Town Manager.

Lisa Eggleston commented that the presentation should briefly touch on the initial visioning prior to the 2011 ballot vote to bring context suggesting that the wastewater needs assessment be emphasized .

Kirsten Roopenian recited the CAC Mission Statement to focus the CAC mission.

Craig Blake stated that the CAC was tasked to find "the best sewer collection and treatment facility possible" and "how you can do it".

Stephen Grande described how in 2011 he was not fully convinced but has since "gradually come on board" and is now in favor of the "best plan approach".

Jon Danielson does not agree that the "wastewater need" has been fully established.

Kirsten Roopenian then read verbatim from the Steering Committee Mission Statement.

Craig Blake again cautioned that in the CAC actions the problem may never be reduced down to "yes" or "no" vote for sewers and believes we are working well within the charge granted to us by the BOS.

Jody Kablack reiterated how at the 2011 ATM, design funding passed overwhelmingly only to fail at the ballot. She went on to describe how the CAC and Steering Committees were formed to address concerns raised at the time while stressing the finding from the 2001 "Needs Assessment Report" as worthy of emphasis at the BOS presentation and to answer Mr. Danielson's questions. Ultimately, the decision to go forward will be again be put back in the hands of the voters.

The discussion then turned on the meanings of statements made previously by former Steering Committee and Sudbury Water District member Mr. William Cossart concerning whether or not he stated “that the wells are threatened”.

Lisa Eggleston’s recollection was that Mr. Cossart did not feel the wells were threatened beyond the dry cleaning establishment incident which has been resolved. Mr. Cossart viewed the proposed wastewater collection system as an insurance policy against future impacts. Stephen Grande recalled how over time and through discussion “he got Bill to support the project more than he once did”.

Craig Blake reminded all present that such questions are to be gathered and given over to the “Outreach Committee” who has been charged with developing the “content for this narrative”.

Eric Poch suggested that thirty minutes of time be allocated to the presentation on July 30, 2012 BOS Agenda as follows:

Brief Overview – 5 minutes

Subcommittee Assignments – 5 minutes

Alternatives – 20 minutes

Jody Kablack agreed with this allocation while cautioning that time for Questions and Answers from the BOS should be allocated.

Stephen Grande remarked that the presentation should incorporate visioning for the corridor consistent with that presented by the MAPC in 2011.

Len Simon stated that a lot of information is going to be presented in a short time-frame. To make this work the presentation must be “very sharp”. First establish a strong foundation for the problem and build on that. Visioning for an improved Route 20 Business Corridor would have to rest on the strong foundation, the need for wastewater treatment. Avoid at all costs the appearance of “a solution in search of a problem”.

Stephen Grande commented that it is his belief that the “East Marlborough” alternative is promising and the presentation should bring this point home.

Peter Abair remarked that the presentation should demonstrate that “due-diligence” has been done.

Craig Blake closed by stating that he would prepare and distribute a draft of the presentation on a schedule that would allow comments by the joint-membership. He would review all comments received, evaluate them and incorporate those deemed worthy into a final draft.

Andrew Sullivan and Jody Kablack would attend the meeting to assist Mr. Blake as needed. Craig welcomed other members to attend and to lend support.

- *Cost Allocation/Financing* – Tabled until we learn more about how the BOS feels about pursuing the East Marlborough Alternative.
- *Facility Operations/Management* – Tabled. No report.
- *Zoning* – Peter Abair reported that to date four (4) meetings have been posted. Of these, two were well represented, the others not. Mr. Abair distributed a handout (Attachment I) of a draft set of recommendations that will be discussed at a future Zoning Sub-committee meeting(s).

The “charge” undertaken by the subcommittee is to “find what could be built” in compliance within the current Zoning Bylaw and “what could be built” using the proposed “Zoning Overlay District” (now under development) within portions of the Route 20 Sewer District (both scenarios assume a decentralized sewer in-place).

Based on this charge, the some draft recommendations have been proposed which depend on the validity of certain “third-party findings” (as listed):

Party	Source	Third-Party “Findings”
Weston & Sampson	Route 20 Business District Wastewater Management Plan Update, August 2010	“septic systems are a limiting factor in the economic development of existing businesses along the Route 20 corridor...”
MAPC	“Sudbury Route 20 Zoning Project”, December 2012, page 14	“if the current zoning is not modified and the wastewater system is constructed, heights will remain capped at 2.5 stories, or 35 feet. Maximum building coverage as percent of the lot will remain at 60%..... with no changes in the zoning, the status quo will remain.”

Similarly, any recommendations made should be consistent with prior “visioning” workshops, studies and reports (also listed, see Attachment I). Mr. Abair reported that the Metropolitan Area Planning Council (MAPC) is heading up the “Route 20 Zoning

Project” in support of the community’s desires as expressed over time through these workshops.

Party	Source	“Vision”
Cecil Group	2002 Report “A community Vision for the Old Post Road”	Over time and with citizen participation, improvements can be made.
MAPC	October 26, 2011 “Town of Sudbury Community Forum Route 20 Zoning Project”	“visioning”

Two visioning sessions separated by time have been held for the purpose of gauging community acceptance and gaining input.

Mr. Abair provided details of the desired outcome of a redeveloped new village commerce center along the corridor (from Raymond Road to Raytheon/Shaw’s Plaza including portions of Union Avenue from Route 20 to the intersection of Station Road).

The center would be aesthetically pleasing with greater mixed use, more pedestrian friendly walkways and including provisions for traffic calming.

Progress toward implementing these desired outcomes could be achieved in one of two ways, 1) by right using the provisions of the existing Zoning Bylaw or 2) by Special Permit mechanisms provided under the proposed Zoning Overlay District (under development).

Mr. Abair presented the following three recommendations that will be discussed by the Sub-committee:

1. Build the decentralized sewer-system to leverage greater investment in commercial assets.
2. Provide zoning changes to permit modestly greater building heights and lot coverage to enable the desired outcome.
3. Adopt an Overlay Zoning District in the above delineated corridor which along with the sewer, enable property investments consistent with the desired outcome.

Mr. Abair listed some next steps and responsibilities necessary to move the process along. Assistance is required from the Planning Board, the Board of Selectmen and ultimately Town Meeting to implement the Zoning Overlay District. Additionally, rendering and further visioning efforts are required by the Office of Planning and Community Development. Many other issues must first be addressed including modeling, street level renderings, mappings, traffic mitigation plans, clarity on what

uses are NOT allowed and how hostile 40B developments can be forestalled should the proposed decentralized sewer come to fruition (see Appendix for details).

The floor was opened for discussion.

Jon Danielson recalled that Jono Lapet, a commercial real estate developer, stated that he does not see the market demand for the proposed “build-out” scenarios. Mr. Danielson then suggested that in his view “the approach should be higher value development rather than more aggregate development”. He also questioned “generally why are we moving ahead with this given the market. He felt forty-five (45) feet building height was overwhelming and that flipped the other way the likely hood exists for 3 and one-half story high density residential development.

Craig Blake suggested that given such poor-attendance at prior posted subcommittee meetings, a concerted effort to hold another meeting should be made to flush out and more clearly define and resolve the “various visioning” scenarios. He would like to see a much higher degree of commitment by individual members to the task at hand. Tentatively a Wednesday August 7, 2013 (6:30PM) time was proposed for this meeting.

- *Utilities* – Craig Blake reported on proceeding of the July 9, 2013 meeting held at the Town of Sudbury DPW Office Conference Room.

At a prior meeting only Nstar (electric service) was present. However, all utilities in the proposed Route 20 Sewer District were represented (Attachment II) for this follow-up meeting.

Mr. Blake advised the joint-committee that to these utilities, the scope of work is far greater and logistically more complicated than what these utilities deal with for the most part. This is particularly true for the utilities that normally share utility-poles (i.e. Nstar, Comcast and Verizon) in an overhead arrangement.

Craig Blake stated that the scope of work from King Phillip Road to the Sudbury Fire Station would require service relocation to forty-three (43) new properties.

Some properties (i.e. Raytheon) are already serviced underground from pad-mounted enclosures located near the property line.

Mr. Blake described how the timeline for a sewer project which includes ancillary underground utility relocation becomes lengthy and more costly than first envisioned. First the sewer would be installed in a separate trench along the corridor. Then conduit (possibly as many as nine (9), 3-inch pvc pipes encased in concrete exclusively for use by Nstar) would be installed in a separate trench by another contractor from their preferred list (not the Sewer Contractor). In like ways, this conduit work would be repeated for the other utilities (Comcast, Verizon) by contractors from their preferred list. Finally, these conduits would be populated by pulling wires through in accordance

with the respective design plans (for each utility so affected). The project could take up to four years (worse case estimate from those present).

Mr. Blake pressed for a cost estimate from NStar for this scope of work. NStar again insisted that such estimates can only be returned upon receipt of an upfront payment to accompany detailed plans and scope of work to the Engineering Unit (Southborough Office). No ballpark figures or estimates are forthcoming per policy by this utility.

Mr. Blake again pleaded his case asking NStar to reconsider whether some rough estimate of the construction cost could be developed for budgeting purposes given what has been learned about the scope of work over these two meetings. The cost estimate would be brought back to the Joint-Committees for discussion.

Mr. Blake asked whether others in attendance had anything else to report. John Baranowsky replied that another important takeaway is the need to obtain all necessary rights of way (ROW) from private property owners as without same, the various utilities cannot proceed with connection work.

The discussion turned to whether suppression of overhead-utilities underground constitutes a separate project or should this portion be viewed as ancillary. Eric Poch expressed the view that the beautification gained by utility burial is advantageous in promoting the overall vision of making the corridor more inviting.

Peter Abair expressed the view that Mass DOT be approached for assistance in developing and supporting this ancillary project piece.

Stephan Grande commented that pursuit of such amenities by development interests should not be taken for granted given market factors. Whether “developers take advantage of” these proposed improvements “is a roll of the dice”.

Beginning in 1987, the Town of Concord has invested 3.8 million dollars toward a 100 year beautification plan. Chris Roy is the contact person.

Craig Blake suggested that we cut off this discussion and wait for recommendations brought forward from the sub-committee before resuming this discussion.

- *Outreach/Public Education* – The sub-committee distributed a handout to the Joint-Committee (Attachment III). Included in the three page document were 1) information list proposed for dissemination, 2) a schedule, 3) reach-out group list, 4) resource information list, 5) resource media list, 6) to-do list and 7) expanded information list.

The Outreach Sub-committee suggested making contact with “Sudbury Town Crier” for the purpose of collaborating on an article for next week’s edition featuring the July 30 presentation to the Board of Selectmen (to discuss the East Marlborough Alternative). Chairman Blake advised the subcommittee to hold off on this article for now. Mr. Blake

believes that the subcommittee does have a suitable program outline (with ten (10) outreach resources) but that until we have a preferred sewer alternative, such an article would be premature and more likely to cause confusion (we have more to lose than to gain). His experience suggests that one never reaches the point in a project where one can say “we have all the answers”.

Mr. Grande saw a “Sudbury Town Crier” article as an opportunity bring to the public’s attention that the Town has put in place a “Sewer Steering Committee” to address issues as they come up.

Len Simon felt that the best approach is keep the message simple and understandable so as to lay a firm foundation on which to build. This task could be accomplished through a short article in the Sudbury Town Crier.

Andrew Sullivan mentioned that the July 30 BOS presentation was intended to focus primarily on the “East Marlborough” alternative.

Lisa Eggleston suggested that questions have been raised since 2011 and that these meetings have served the intended purpose of answering concerns as they come up.

Scott Nassa suggested that should such an article be printed, the City of Marlborough would react in ways that might tend to weaken our bargaining position thereby driving up inter-municipal agreement costs.

Len Simon suggested that because utility relocation is being discussed in the meetings, we should expect questions to come up and be prepared to answer them. The Steering Committee did indeed send a letter to the BOS requesting that the BOS expand the Mission Statements appropriately.

Craig Blake cautioned against pursuing too wide an outreach effort until the alternative is more clearly defined.

Stephan Grande expressed the view that an article would help to let the people know that we exist and are actively meeting.

Len Simon remarked that there are two different audiences to reach, 1) the BOS and 2) Public. The Selectmen are aware of developments through the “Reports from Selectmen” mechanism (Mr. Haarde liaison).

Craig Blake stated that he will put together a draft of his presentation to the BOS and circulate it for comments. All such comments will be considered for inclusion. Mr. Blake asked that we table further discussion on the contents of the BOS presentation in favor of returning to the Outreach-Subcommittee update.

Eric Poch commented that in his view it is too early in the timeline to begin the outreach program as depicted in the handout. We run the risk of not following procedures as MOTIONS must be made and accepted before-hand, resources need to be matched up with the to-do list and the “who-to” list from 2011 needs to be refreshed.

Craig Blake remarked that we need an outreach program showing 1) “who” and 2) “how” for each task. Mr. Blake concurs with the template as a valid methodology for content delivery. At this time however, the “content” is still under development.

▪ Other New Business

- Reorganization - Eric Poch confirmed membership changes to both CAC and Steering consistent with those previously discussed (under “New Business”).
- Clearinghouse - Should members wish to be added to a sub-committee or offer comments for the July 30 BOS presentation they should email these to Jody Kablack. Deliberation must not be done via email in accordance with the “Open Meeting Law”.
- Suggestion - Len Simon suggested that the BOS presentation include 1) what is new since 2011, 2) a brief description of the core-project foundation 3) a brief history and 4) a summary to bring it all home.
- Schedule Next Meeting - August 18 meeting cancelled. Next meeting September 18, 2013

At 9:30 P.M. a MOTION to Adjourn was MADE, SECONDED and VOTED UNANIMOUSLY

ATTACHMENT I

Draft Recommendations of Zoning Sub-Committee of CAC

THIRD PARTY FINDINGS

"...septic systems are a limiting factor in the economic development of existing businesses along the Route 20 corridor..."

- Route 20 Business District Wastewater Management Plan Update, August 2010, by Weston & Sampson Environmental Consultants.

"If the current zoning is not modified, and the wastewater system is constructed, heights will remain capped at 2.5 stories, or 35 feet. Maximum building coverage as percent of the lot will remain at 60%. . . With no changes in the zoning, the status quo will remain."

- Sudbury Route 20 Zoning Project, MAPC, December 2012, P. 14.

Vision for Route 20 Corridor - new commercial center

(Based on 2002 Cecil Group report and 2011 Visioning Study)

The corridor is defined as from Raymond Road in the east to Raytheon/Shaws Plaza on the west and the intersection of Union and Station Road to the north.

A. Desired Outcome

To redesign and redevelop the corridor into a new village commercial center, aesthetically pleasing with greater mixed use assets (restaurants, niche shops, public park), pedestrian friendly walkways, traffic calming. "A vibrant, pedestrian-oriented commercial center", which matches the community's character.

As noted above, without a sewer system, such a new vibrant new commercial center will not be feasible. With a new sewer but with no zoning changes, as noted above, the status quo will remain.

Therefore, a new sewer is requisite for the changes envisioned by the community to be possible and zoning must accommodate the kind of development and redevelopment made possible by the sewer.

- B. Attributes of proposed Overlay District would allow greater heights, as noted below, by special permit.

	Current Zoning	Proposed Overlay
Stories	2.5	3.5*
Height	35 feet	40/45 feet*
Setbacks		Variable setbacks allowing for development closer to Route 20, while accommodating sidewalks

*limited to 2 stories and 25' on Route 20 frontage

Other recommendations of the MAPC report include:

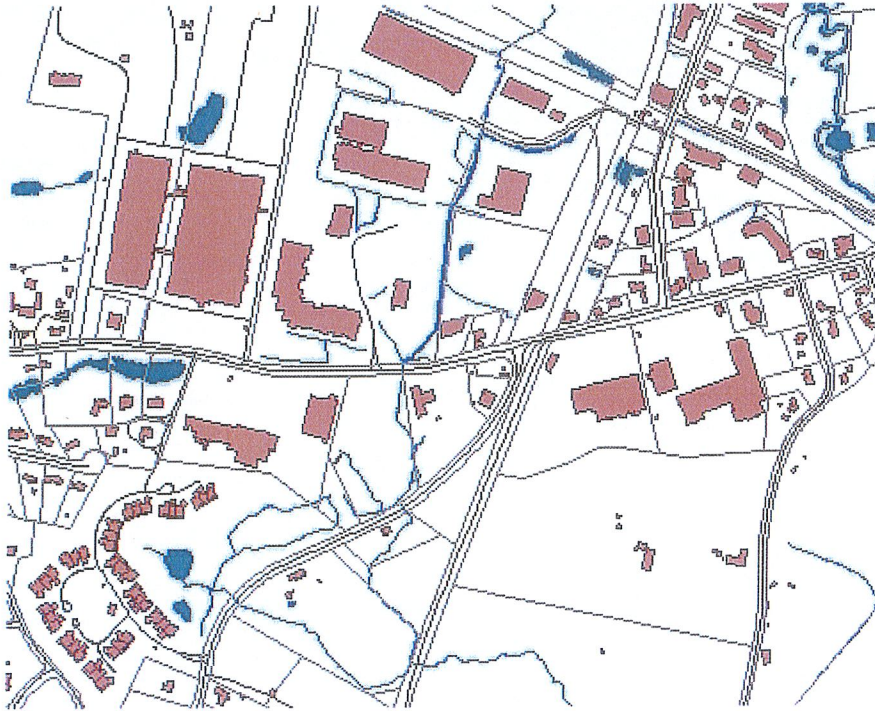
- Design Guidelines for buildings
- Maintain current prohibited uses
- Route 20 redesign (planting strip, lighting, benches, improved curbing) to enhance pedestrian experience and contribute to village feel.

Recommendations of the Zoning Sub-committee

1. The Sewer is intended enable the type of commercial center desired by the community, as it will leverage greater investment in commercial assets sought after by residents.
2. Without zoning that allows, by special permit, buildings of modestly greater height and coverage, then, even with the sewer in place, the desired outcome of greater investment would not be enabled.
3. The sewer sub-committee recommends to the CAC that it support an Overlay District in the target area which will enable property investments leveraged with sewer service.

It is up to the Planning Board, Board of selectmen, and Town Meeting to recommend and adopt changes to the town zoning by-law. As part of this process, we recommend that the Planning and Community Development Office provide renderings of the vision that the zoning would allow so that the public can see the types of changes that may occur. We recommend that these renderings include the pedestrian and streetscape improvements, samples of allowable new buildings or redeveloped buildings, possible

park space, and traffic mitigation that the new zoning and vision allows. In other words, we want to see the map below reflect the improvements envisioned, accompanied by appropriate street level renderings.



We also want to be clear on what the Overlay will not allow: no buildings over 45 feet in height or 3.5 stories, no buildings over 25 feet on Route 20 frontage, nor big box stores or buildings that don't meet design guidelines acceptable to the community.

Aware that 40B projects can trump town zoning and that the provision of a sewer could support such projects, we also recommend that the Town identify a parcel in the proposed sewer district for a high density housing project and leverage such a development via a tool such as Chapter 40R. In such a way, the town can direct higher density housing to where it can serve the goals of community. This will allow the Town to pursue the goals of its Housing Development Plan, maintain its interim safe-harbor position, and effectively forestall 40B developments where they are *not* desired in the sewer district.

ATTACHMENT II

July 9 Rt. 20 South CAC - DUTY Sub-Committee
MEETING

DPW BUILDING CONFERENCE ROOM

NAME	AFFILIATION	PHONE / email
CRDIL BLAKE	Rt. 20 CAC	781-929-1474 cblake@woodardcorran.com
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Bob Heard	Sudbury	617-909-7477 rhaarde@comcast.net
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John Baranowsky	Rt 20 CAC	978-835-6674
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Sue Scarella	National Grid	Susan.Scarella@nationalgrid.com 781-907-1011
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Douglas Stone	Sudbury Fine	stone@Sudbury.ma.us
Scott Brinch	N-Grid	scott.brinch@nationalgrid.com

ATTACHMENT III

Route 20 Sewer Citizen's Advisory Committee Outreach Committee

February 20, 2013, 740 Boston Post Road

Present: Andrew Sullivan, Steve Grande, Kirsten Roopenian, Jody Kablack

Copies of the written materials used in the 2011 outreach campaign for the sewer design funds were distributed. There were 3 articles written for the Town Crier, a Frequently Asked Question brochure and other project descriptions. The group agreed that these should be reviewed, updated and supplemented.

The information that needs to be disseminated includes:

- What is the project/Genesis
- What has the CAC been doing for the past year?
- Why is this project important?
- Why are we bringing this back after it failed in 2011?
- What is the vision for Route 20? Should we brand it?

A schedule should be created to include tasks needed to be completed between now and January 31, 2014 (when the warrant for the 2014 Annual Town Meeting closes).

Groups we should reach out to:

- Hop Brook Protection Association
- Chamber of Commerce
- Town Crier/Patch
- Business property owners

Sewer Outreach

Available resources for information:

- TAC Report
- Town Meeting 2011 Presentation
- 2001 Needs Assessment
- 2010 Update
- 2000 Master Plan
- 2001 Visioning – aka Cecil Report
- 2001 DHC Report
- 2011 MAPC Zoning Forum
- 2013 Project Engineering Report (PER)
- New Information- updates, ie. MWRA/Marlboro studies, Surveys, development of CAC/Steering Comm. (Show flow chart)etc.

Resources for Public to Access Information:

- Town Website
- Paper
- Attend Presentation
- Cable TV

Who to reach out to for Presentation:

- School Parents
- Newcomers Club
- Chamber of C.
- Cable TV
- Hop Brook
- Business Owners
- Public Forums
- Council on Aging
- Selectmen to Present Updates – try to get on May 21 Or June 4th meeting.

To Do:

- Develop Material List
- FAQs
- Series for Paper
- Cable Show
- Assign Tasks/Deadlines/Milestone dates.

Outreach Materials

2013 Weston & Sampson Project Engineering Report (not completed yet)

Route 20 Zoning Forum October 26, 2011

2011 Route 20 Sewer Frequently Asked Questions

2011 Business Support Letter for Article 20

2011 ATM Article 20 - Route 20 Sewer TAC narrative and PowerPoint

2011 ATM Article 20 - Route 20 Sewer Planning Board narrative and PowerPoint

May 25, 2011 Meeting Presentation – Lisa Eggleston

2010 Weston & Sampson Needs Assessment Update

2001 A Community Vision for the Old Post Road – Cecil Report

2001 Mullin Route 20 Visioning Report

2000 Weston & Sampson Needs Assessment

2000 Sudbury Master Plan

Visual Aids:

Sewer District Service Area Map

Development of Treatment Plant Property, 641 Boston Post Road

Pictures of other decentralized wastewater treatment plants

Streetscape View of Treatment Plant, 641 Boston Post Road