

Minutes of Joint Meeting

Route 20 Sewer - Citizen's Advisory and Steering Committees

Wednesday October 10, 2012

CAC Attendees: Craig Blake (Chairman), John Baranowsky, Kirsten Roopenian , Jon Danielson, Dan Kenn, Peter Cramer, Peter Abair, Jonathan Lapat, Ellen Winer-Joachim and Steve Eppich

Steering Committee Attendees: Rich Robison, Bill Cossart, Jody Kablack, Mike Coutu, Ted Pasquarello, Stephan Grande, Bob Haarde, Eric Poch and Joan Carlton

Guest: Michael Fee Chairman Planning Board

Chairman Craig Blake having determined quorums present called the joint-meeting to ORDER at 7:35 PM.

Old Business

- **Member Appointment**

Steve Eppich has been accepted by the BOS, taken the Oath of Office and is now a member of the Route 20 Sewer CAC. Jody Kablack will upload his contact information and email address to the roster list.

- **Approve Minutes**

The September 12, 2012 Draft Joint-Meeting Minutes were discussed with edits made. A MOTION was made, SECONDED, and unanimously VOTED to accept the minutes as edited.

New Business

- **Report on Hudson and Maynard DPW Organization – John Baranowsky**

Hudson - John Baranowsky circulated a handout showing the Organizational structure of the Town of Hudson Department of Public Works (DPW) provided by DPW Director Anthony Marques (tel. 978-562-9333) with whom he has been working with since first being assigned this task in May (for details see report, attached).

The DPW Department includes Water and Sewer Divisions, each headed by licensed Chief Operators. Parks, Cemetery, Forestry and Street Foreman report to the General Foreman. The DPW Department employs fifty-eight persons all told per the chart.

Functionality and services rendered by the DPW are highlighted in the Annual Town report.

There is an ongoing sewer extension capital project (Brigham Street and Rolling Lane). In response to a question, Mr. Marques replied 50/50 was used as the betterment/tax ratio here as always and other ratios are not considered now or formally.

In response to the question of loan source for borrowing, Mr. Marques replied that private financing and not State Revolving Loans (SRLs) were used as rates are competitive while avoiding bureaucratic red-tape.

Maynard - Mr. Baranowsky reported on the status of discussions with Mr. Mike Sullivan (978-897-1301), Maynard Town Administrator (report attached) with respect to their DPW organization.

Mr. Sullivan confirmed that the position of DPW Director has been vacant for nine-months and will not be refilled in-kind. Instead, the Town, under his direction has committed to moving forward with a restructured organization headed by a Wastewater Operational Manager who will oversee the operation of the Town's wastewater system by the firm of Weston & Sampson, Engineers.

According to Mr. Sullivan, the three options available to the Town are:

- 1) Municipal Service (DPW)
- 2) Public/Private Partnership – Contract Services, Operations and Maintenance
- 3) Private Design/Build/Operate

Essentially "option 1" is that described above for the Town of Hudson and proposed by DPW Director Bill Place, P.E. for incorporation of the Route 20 Sewer (Town of Sudbury) should this service be included into an expanded DPW.

In describing options 2 and 3, Mr. Sullivan used terms found in the document entitled "United States General Accounting Office Public-Private Partnerships Terms Related to Building and Facilities Partnerships GAO/GGD-99-71". According to Mr. Baranowsky, descriptions which seem to appropriately fit Mr. Sullivan's option 2 and 3 were quickly found in this glossary (for "option 2", see page 4 of 17; for "option 3" see page 4 of 17).

For Maynard, "option 3" must be ruled out as a pre-existing "Publically Owned Treatment Works (POTW)" is available for the Town of Maynard. However, such is not the case in Sudbury leaving this option on the table for Sudbury.

Mr. Sullivan prefers "option 2" for reasons stated in the attached report prepared by Mr. Baranowsky.

Mr. Sullivan enumerated specific reasons why the DPW option may not be best. Slow response to plant equipment breakdowns, poor knowledge of often complex Federal and State regulatory requirements, and limited resources and capacity to perform were cited.

Positive lessons learned included the City of Holyoke experience of ending a Combined Sewer Overflow (CSO) discharge to the Connecticut River within a two day turn-around time.

- **Update of Evaluation of Sewer Alternatives (MWRA/Framingham & Marlborough)**

Andrew Sullivan, scheduled to present an update on this alternative, was unable to attend this evening.

Craig Blake asked Jody Kablack for a status update on the meeting between the Mayor of Marlborough and the Sudbury Town Manager. Jody reported that this meeting is scheduled for next Thursday.

According to Mr. Blake, the East Marlborough Plant construction upgrade began about one month ago; however work on a pumping station has been delayed. Attendees discussed the location of the proposed pumping station; the question was not resolved satisfactorily; there was some talk that the station was located south of Farm Road putting it further out of range for a Sudbury connection as compared to the distance from Horse Pond Road to Curtis Middle School believed to be 1.4 miles. CDM is the engineer of record at East Marlborough. Woodard and Curran is the Owner's representative for Construction Services.

Kirsten Roopenian stated that the Marlborough alternative subcommittee had met amongst themselves, but had not yet approached Marlborough. This subcommittee discussed excess capacity at Marlborough. Craig Blake suggested this parameter might be in the 0.5 mgd range.

Brain McNamara stated that he talked to Marlborough previously with respect to the Town of Northboro connecting to Marlboro's Westerly Wastewater Treatment plant.

Andrew Sullivan and his subcommittee intend to meet with MWRA to discuss the issues associated with Sudbury connecting to the MWRA sewer system.

- **Route 20 Zoning Changes (Status Report) – Michael Fee (Planning Board)**

Craig Blake introduced Michael Fee, Chairman of the Planning Board to present a status update on zoning initiatives for the proposed Route 20 Sewer district.

Mr. Fee stated that the Planning Board has approached this issue on two levels:

- 1) Assuming a sewer pipe was constructed along Route 20, but that no changes to the Zoning By-Law are undertaken with some redevelopment implemented by tweaking the bylaw.
- 2) Assuming the sewer is built (as above) and additionally a zoning-overlay district consistent with the MAPC 2011 concept planning document is created to provide further incentives.

Through a grant, the Metropolitan Area Planning Council (MAPC) has delivered a planning document showing possible redevelopment along the Route 20 corridor to the Planning Board; however this document has not yet been placed in the public domain. The contents of the MAPC- 2011 document have been reviewed and used to assist the Planning Board in formulating

the above two strategies as presented this evening. Mr. Fee mentioned that at this point, these concepts are very preliminary and subject to change and that requisite input from all stakeholders will be sought over the next few months.

Mr. Fee presented two concept plan sketches drawn using "Sudbury Town Maps-On-Line" (available at http://www.mapsonline.net/sudburyma/index_public.html) as a base-map. This Town-wide map-source is linked to a comprehensive resource database such that specific features can be overlaid through a menu structure. Before printing the two sketches zoning districts were selected for display from the database thus they appear on the printouts and in the map legend. Over this, Mr. Fee highlighted by hand what he believes are eight (8) potential growth areas.

Five (5) growth areas (marked as either "A", "B" or "C") located in the Central portion of the proposed "Route 20 Sewer District" were shown on the first sketch with three (3) more (all marked as "B" and located in the western portion) delineated on the second sketch for a total of eight (8) discrete areas; three marked "A", four "B" and one "C". (Note: one area "A" parcel is included in two zoning districts.

Mr. Fee described the land-use potential for central portion growth areas "A", "B", and "C" (first sketch) as follows:

A – The area which has the greatest density and growth potential as a vibrant walk-able area after redevelopment.

B – An area having slightly less density potential and consequently less vibrancy after redevelopment relative to area "A".

C – Areas comprised of larger parcels more suitable for long-term planning needs (such as hotels, multi-family housing and care facilities). The feel of a vibrant walking village comparable to either areas "A" and "B" above would not be achieved in Area "C".

Since each district or sub-district is comprised of different constituencies, the needs of all groups must be taken into account for success. The areas shown are very preliminary, subject to change and require an outreach effort to the individual property owners before proceeding further along. Several property owners (Bartlett, Stone) have already indicated a desire to opt out of Area "C". Those areas not delineated as either "A", "B" or "C" need outreach as not much attention has yet been given to these.

Michael Fee listed several constraints to development under the current zoning bylaw as:

- parking (per Zoning-Bylaw – Parking Standards Section 3100) requirement
- Thirty-percent open space (per Zoning Bylaw – Section 3532) requirement
- Landscaping (per Zoning-Bylaw – Parking Standards Section 3531) requirement
- multi-permit approval process

Mr. Fee suggested that these could be streamlined or overcome by crafting the appropriate overlay district by providing incentives. Such an approach would require a Special Permit under provisions in the overlay district.

At this point the floor was opened for discussion.

Stephen Grande stated that no parking can be located closer to the street than the front face of the building per the front-yard setback requirement.

Site plan approval requires Board of Selectman approval while the special permit is issued by the ZBA. Mr. Fee remarked that should the special permit be denied through an overlay-zone application, the applicant could then seek a site-plan permit from the Board of Selectmen in accordance with the underlying zone requirements.

Mr. Fee explained the difference between land-use by right vs. land use by special permit. While the special permit adds uncertainty, the granting authority has more discretion.

Stephen Grande stated that as a developer he would want to pay for design services twice should the special permit be denied in the overlay district.

Ted Pasquarello stated that he does not now feel that his Chiswick property would have much to gain by establishment of an overlay-district, although others might benefit.

Mr. Fee reiterated that through this process (overlay zoning) the Planning Board would strive to provide tools to help the property owner with the incentives to get what they want done.

Mr. Grande remarked that in his experience over the past forty years these property owners have been discouraged from developing their land to full potential.

Eric Poch spoke in favor of the overlay approach citing the streamlined review process and how the by-right land use would be expanded should the applicant choose to pursue the special permit option (for the overlay permit approach).

Mr. Grande then stated that he did see a benefit to a process where more discretion is exercised via the special permit process.

Jody Kablack stated that Cluster Plan Zoning has worked well on the residential zoning side and that this approach could achieve similar results here.

Several attendees commented that they still feel that the underlying zoning changes should also be considered as the third option. Stephen Grande remarked that the Planning Board should go first before the sewer construction.

Mr. Fee stated that a fundamental change to the underlying zoning would be difficult task to get through Town Meeting.

Jody Kablack brought up the recent Rugged Bear site plan for a restaurant as an example of a successful case study of adaptive reuse.

Next, Mr. Fee described proposed growth initiatives in the three “B” highlighted areas on his second conceptual plan sheet.

Between Lafayette Drive and an existing ROW (right of way) along the northerly side of Boston Post Road across a distance of 2,148 feet more or less are eight parcels of land that lie in both Business District 6 and Residential A-1 (beyond a 150 foot line set back parallel to the northern ROW line of Boston Post Road) zones.

Mike Coutu suggested that this split-zone problem could be cleaned up through a zoning initiative.

A variety of additional comments with respect to this western portion of the proposed district were offered.

Kirsten Roopenian recalled how in the 1990’s folks were opposed to a Route 20 Corridor similar to Route 9 in the Town of Framingham.

Steve Grande remarked that if zoning incentives were curtailed or reduced this corridor would in all likelihood be abandoned.

Jono Lapat remarked that there is no retail demand in the Sudbury portion of this corridor; further commenting that the Wayland Town Center project has fallen short of expectations.

Jody Kablack countered that at present, there are 9,000 employees working in Sudbury who might benefit from more retail establishments in this corridor.

Mike Coutu commented that business would work to improve the feel along this corridor whether or not the Planning Board chooses to pursue the zoning overlay initiative.

Bob Haarde suggested reaching out to the Conservation Commission to update them on project status and to seek their early input. Some discussion followed on the logistics, timing and benefits to reaching out to the Conservation Commission at this point with the suggestion that we are not yet ready to approach the Conservation Commission for their input.

- **FY14 Capital Planning Budget Submittal – Jody Kablack**

Jody Kablack proposed that a one million dollar line item to cover Route 20 Sewer design and permitting costs (Capital construction costs estimated at \$14m not included) be included in the Capital Planning Committee (CPC) FY14 budget.

Questions arose around timeline, cost allocation and project readiness.

The CPC timeline requires likely cost-allocations be submitted over the next several weeks. Those projects not included will fall behind other competing projects. Consequently, the project would lose some level of support. Therefore, submitting this request as a placeholder serves the purpose of retaining Town-wide interest.

Joan Carlton and others spoke against the partial budget (design and permitting services only) approach stating that to date multiple alternatives are still on the table.

Bob Haarde addressed the timeline by reiterating that zoning and visioning are precursor activities to design, permitting and construction. Further discussion led to consensus that the full-project needs to be ready before moving forward at Town Meeting.

Craig Blake asked for a motion.

The following MOTION was made "MOVE not to submit a line item to the Capital Planning Committee for FY14 funding for Route 20 Sewer" The MOTION was SECONDED, and without further discussion VOTED for unanimously.

- **Project Cost Allocation (Review of Potential Costs)**

Some discussion over the issue of the improved streetscape for the Route 20 corridor took place. All curb-cuts and design standards along Route 20 are controlled by Mass Highway who would need to approve any such modifications along this corridor.

The discussion wrapped up at 8:59 PM.

- **Schedule Meeting**

The next meeting is scheduled for Wednesday, November 14, 2012.

At 9:17PM a MOTION to ADJOURN was made, SECONDED, and unanimously AFFIRMED.