

MINUTES OF THE PUBLIC HEARING CONTINUATION
SUDBURY BOARD OF APPEALS
SEPTEMBER 15, 2005

The Board consisted of:

Stephen M. Richmond, Chairman
Jonathan G. Gossels, Acting Clerk
Jeffrey P. Klofft
Elizabeth A. Taylor
Constantine Athanas

Also: Stephen A. Garanin, Alternate
Jody Kablack, Planning Director

For the Applicant:

Joshua M. Fox
Ben Stevens, Trask, Inc., Applicant

The hearing was reconvened by the Chairman, Mr. Richmond. The Board was in receipt of the following:

- Letter dated September 8, 2005 from Benjamin Stevens which includes resumes from the principal and agents of the developer, chart and booklet showing nearby townhouse style project information and other relevant information, general plan showing the site as it relates to other abutting sites, a series of conceptual plans for the proposed site
- Email from Lt. Richard J. Glavin, Police Dept., dated August 11, 2005 listing areas of concern with regard to traffic safety
- Email from Lt. Richard J. Glavin dated August 12, 2005 indicating a preference for both internal and external sidewalks
- Letter dated September 14, 2005 from Health Director Robert Leupold indicating that soil testing has been witnessed by the Board of Health but septic design plans have not been submitted for review. The letter notes that specific site or design conditions may require that additional criteria be met in order to achieve the purpose and/or intent of Title 5
- Memo dated September 14, 2005 from Town Planner, Jody Kablack, containing 11 recommendations on the revised information submitted by the applicant
- Email dated September 15, 2005 from Conservation Coordinator Deborah Dineen with comments and questions with regard to the applicant's revised information
- Memo dated September 15, 2005 from the Planning Board with comments on the revised information
- Email dated September 15, 2005 from Carole Wolfe, Sudbury Historical Commission outlining mitigation request as pertains to historical implications of the property
- Memo dated September 15, 2005 from the Design Review Board with comments on the plans

- Sketch plan depicting a 28-unit development (submitted by Mr. Gossels)

At Mr. Richmond's request, Mr. Stevens described the latest conceptual plans submitted. He said Concept A is close to the previous plans – a 40-unit concept with two entrances.

Concept B proposes a single entrance and a reduction in the unit configuration from 6 to 4-unit buildings. This creates a larger, more functional open space and provides every unit with somewhat of a private backyard.

Concept C consists of 44 units in rows. Mr. Stevens did not feel this layout would fit well on the site but was an attempt to address the Design Review Board's (DRBs) suggestions.

Concept D proposes 48 units in a 4-5 story building similar to the Northwoods development on North Road.

Mr. Stevens said he also submitted a booklet which contains information and pictures of some of the projects which have been developed in surrounding communities.

In response to a question from the Board, Mr. Stevens said he gave the Fire Chief Concepts A and B and asked for his interpretation on the one entrance vs. the two entrances and 24-foot wide road vs. 22-foot. He said basically the Fire Chief prefers two entrances and a 24-foot wide road but would not necessarily have a problem with one entrance or a 22-foot road – his main concern will always be access to hydrants and sprinklered buildings. Mr. Stevens said Concepts A and B both show a 22-foot roadway.

Mr. Richmond said Mr. Stevens has provided several different design configurations that are helpful. However, to him, he felt each of the layouts creates space problems and there is a lot going on what has become a tight lot. He said that goes to the density concern that was raised at the last hearing which has not been addressed.

In addition, Mr. Richmond said there were also public safety issues that were raised, particularly the concept of internal sidewalks. While a number of the developments shown as examples did not contain sidewalks, many were either 55+ or didn't have children in them which will not be the case here. He also had questions on whether there had been any additional movement with regard to the sidewalk outside the site leading to Route 20.

Mr. Gossels said his comments were consistent with Mr. Richmond's. He said his biggest concern is that given this type of design, there is just too much building, too much pavement, too much being crammed onto the site. He said he took the latest plan and came up with a sketch depicting 28 units which he felt addressed all the issues. Although it was an example, he felt even with those numbers, it would still work.

Mr. Klofft expressed disappointment that the plan continues to maximize density in light of the fact that this is one of the Board's principal concerns.

Mr. Garanin felt Mr. Stevens would have come back with something that would show three of four concepts, starting with 40 and reducing it downward. He said there is not enough green space and didn't see that the safety aspects were addressed.

Mr. Athanas felt the plan could be improved if the units were shifted a bit and offered suggestions as to how this could be done. He felt there was too much asphalt and the units seemed jammed together in such a small space.

Ms. Rubenstein said she saw potential for the site with just one example Mr. Gossels provided. She would like to know the lowest number of units that Mr. Stevens could go.

With regard to internal sidewalks, Mr. Stevens said he did look into them and based upon feedback from other projects and the activities from buyers of these projects, sidewalks don't get used. In addition, sidewalks will push the units another 8 feet out. He said he would be willing to explore an external side walk on Old County Road and would do so as part of working with the Conservation Commission since there are wetland issues involved, as well as the need to deal with retaining walls, grading, the potential for bringing in fill and easements from abutters

As to density, Mr. Stevens felt the project could work with 36 units, but not less than that. He said in the last six months, prices have been flat or falling while construction costs are rising. In addition, the rising interest rates dramatically decreases the affordables which was originally projected at \$170K-\$175K per unit and is now \$150K-\$155K per unit.

In response to a question from Mr. Gossels, Mr. Stevens said the \$155K is the sale price for the affordable units. He said the affordable sale price is a factor of the current interest rate. Between the sidewalk and the buy-down, there was mention of the training field, there was mention of from Conservation of offsite drainage improvements. He said he is looking at anywhere between \$375K & and \$500K of completely offsite costs - all functional with 40 units - not functional with 36 units.

Considerable discussion followed on the proposed density and construction costs associated with the project which included the affordables, buy down, offsite costs as well as the selling price of the units.

Mr. Richmond felt the question to be the starting point for the number of units. He said the Board understands that Mr. Stevens is going to have some costs or some infrastructure costs, some offsite costs and some onsite costs. He felt the Board was going to have to hire someone to do an economic analysis because he sensed that Mr. Stevens felt very strongly about the number of units.

Mr. Stevens said he did not have a problem with this hiring a consultant.

Mr. Garanin said he would like to see Mr. Stevens' numbers based on his projected square footage.

Mr. Gossels felt the first step in this process was to get an updated pro forma. Mr. Stevens said he would provide an update.

A motion was then made, seconded and unanimously voted to hire a professional to advise the Board of the economics of this project.

Mr. Klofft felt this to be the heart of the issue. He said the Board needs to know what the real numbers are in order to be comfortable that proper due diligence has been done to be sure the project ends up being appropriate.

As to the process of hiring a consultant, Ms. Kablack said she did not feel this would be over \$10,000, so it will not have to go out for bids. She said she will prepare a statement of work and send it to five consultants. The applicant will be given a copy for comments.

Mr. Richmond felt the scope would be broader than just looking at the pro forma. He said the Board will want to look at conditions that allow the project to continue and not be uneconomical.

Mr. Stevens asked if he could get an opinion from the Board on Concept A or B so he could focus on the site costs.

Mr. Richmond said the Board could individually provide their sense of the project. As for him, he said it depends on the density. He said a 40-unit development with a single outlet is a problem. If we're down to a lower number, then maybe it might not be a problem.

Mr. Gossels said his biggest concern is coming downhill on the curve – the easternmost driveway from a safety aspect. He would prefer having a single driveway depending upon density.

Ms. Taylor said density is driving this. She concurred with Mr. Gossels on the safety issue regarding the easternmost driveway.

Mr. Klofft said density aside, he preferred Concept B. He preferred the single driveway based on the safety aspect. He felt the configuration of Concept B allows for the ability to utilize open space and to also provide a better quality of life for the residents. He thought two entrances force very tight back-to-back units which is not very appealing.

Mr. Garanin liked the concept of the single driveway; however, he would like to see some safety aspect; i.e., a breakdown gate in case of fire. He was not sure sidewalks are that important within the project.

Mr. Athanas preferred the once access because of the back yard issue. He said otherwise the units are too close.

Ms. Rubenstein liked the green space provided in Concept B. She said one of her concerns is that the units in the front alongside the driveway are tight to the right, which is really a density issue. She didn't feel internal sidewalks were necessary.

Ms. Kablack said she had concerns regarding the massing of structures along Old County Road with no significant large landscaping. She didn't like Concept B at all. She also felt Concept B had more roadway.

Mr. Richmond asked for comments from the audience. There were none.

The hearing was continued to October 18, 2006.

Stephen Richmond, Chairman

Jonathan G. Gossels, Acting Clerk

Jeffrey P. Klofft

Elizabeth A. Taylor

Constantine Athanas

Stephen A. Garanin, Alternate

Nancy G. Rubenstein, Alternate

THE VILLAGES AT OLD COUNTY ROAD

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