

The Board consisted of:

Jeffrey P. Klofft, Acting Chairman; Nancy G. Rubenstein, Clerk; Elizabeth T. Quirk; Stephen A. Gararin; Jonathan G. Gossels; and Benjamin D. Stevenson.

Also: Jody Kablack, Director of Planning and Community Development; Beth Rust, Community Housing Specialist

For the Applicant:

Lydia Pastuszek and Amy Lepak, Sudbury Housing Trust; Bob Wegener, Architect, The Narrow Gate; Toby Kramer, Project Manager, NOAH, Inc.; Mark Beaudry, Engineer, Meridian Associates.

### MEETING OF THE ZONING BOARD OF APPEALS

#### NOAH, Inc. – Case 10-8, 278 Maynard Road:

The meeting was convened at 7:30 p.m.

Documents received for September 27, 2010 included the following:

- 9/23/2010 memo from NOAH, Inc., 278 Maynard – Revised Development Plan for Three Units
- 9/15/2010 site plan exhibit
- 9/22/2010 Exterior Elevations, Axonometric Views, First Floor Plans, Second Floor Plans
- 9/23/2010 Proforma
- 9/23/2010 Draft Scope of Construction Work
- 9/23/2010 List of Waivers
- 9/23/2010 Sales Price Estimates
- 9/23/2010 Project Timetable
- 9/27/2010 Memo from the Design Review Board

Lydia Pastuszek, resident at 15 Griffin Lane and member of the Sudbury Housing Trust, spoke on behalf of the Sudbury Housing Trust to present revised development plans for three-units of affordable housing at 278 Maynard Road. She said that the Housing Trust's objective for the meeting was to identify remaining items needed to complete the application for the Comprehensive Permit. Ms. Pastuszek said that the Sudbury Housing Trust felt that the new proposal was of high quality and was the result of many collaborative efforts. She reported that the project and project costs were reviewed by Ed Marchant, an independent real estate advisor. The Sudbury Housing Trust has approved the project costs. She noted that Sudbury's Design Review Board had also submitted favorable comments to the ZBA and the Maynard/Marlboro Road neighborhood group had also had an opportunity to review the project.

Referring the Board to the site plans provided, Ms. Pastuszek explained that the project would consist of one building with two two-story units and one single-story unit that would be accessible by persons with disabilities. All of the units would be provided as community housing. One unit at eighty percent of area median income (AMI) and two would be at one hundred percent of AMI. Ownership preference would be given to Sudbury workers and/or those with a Sudbury connection for two units. The total building footprint is 2,398 square feet and the total unit size is 3,807 square feet. The linear length of the structure measures ninety-six feet by twenty-five feet in width which is comparable to a good-sized single-family house in Sudbury. The streetscape design would give the impression of a single-family home. The single driveway would be shared with an abutting neighbor with the entry on Maynard Road.

It was the Sudbury Housing Trust's hope that the timeline for the project would include a decision to be finalized in early November with a building permit obtained by December 30, 2010.

Speaking for himself and on behalf of the ZBA, Mr. Klofft noted that a lot of hard work had been done to revise the plans since the meeting in July.

Ms. Quirk expressed dissatisfaction that the plan had been changed to reduce the number of units from six to three because she felt that an opportunity was missed to create a greater number of affordable homes in the town.

Bob Wegener, architect with The Narrow Gate, then walked the Board through the site plan. Of the changes he explained that the three units are situated lower on the hillside closer to the road, and are laid out in a linear fashion to maximize solar orientation and to create a traditional street-facing building. The main entries to the duplex units would be recessed to appear as one large entry to a main house. The one-story unit was designed to look like the wing of a main house with the main entry at the corner to appear as secondary. The driveway is shared and parking is tucked behind the units which allows less cutting into the hillside. He said situating the structure closer to the street offered a sensible, more natural setting than previous plans showed. He explained that the floor plans in the two story units were identical, and both had good-sized patios with direct access to parking. On the ground floor one would enter into the foyer area and there is a living room, dining room, kitchen and half bath as well. A stair leads down to a basement. The single-story unit is handicapped accessible and is sited at grade level. The entry leads to a vestibule, living room, kitchen, dining room and half bath with laundry facilities nearby. Each unit would have one and a half baths, two-bedrooms, and each includes a storage shed. A fourth, stand-alone shed would accommodate common utilities and the sprinkler system. He then walked through a visual of the exterior elevations.

Mr. Klofft then asked the Board for their comments.

Beth Quirk said that she was not supportive of the new proposal. In regard to the new design she said that it appeared too long and because of its length it looks like a school or an institutional building. She felt that it is not in-keeping with the New England vernacular that stood on the site originally and as was conveyed in the previous plan, plan #2 shown in April 2010. She said that Plan #2 was a far more attractive and appropriate design. She also expressed her disappointment in the process by which the new design was created. She did not understand how the town was unable to come together for the six-unit plan which would have provided twice as many affordable housing options as this three-unit plan will yield.

Mr. Klofft read the letter submitted from the Design Review Board which approved the plan but voted in favor of the motion with the understanding that the applicant would come before the DRB to review any architectural landscaping plans. He said that landscaping could perhaps help address Ms. Quirk's concerns about design elements of the house. He then asked for clarification from Ms. Quirk about whether her concerns were more about unit number rather than solely design. She said that she would prefer six units on the site.

Ms. Rubenstein concurred that the previous design plan fit better with the neighborhood. She said that she was not as fond of this design and added that due to its length it looks like two houses put together. While she appreciated the siting closer to the road she also was disappointed with the design since she preferred the previous version with the farmhouse and barn appearance.

Steve Garanin felt too that 100 feet is a huge length. He said that the shed on the end is a problem because it looks too much like a shed. He is also not comfortable with the parking space or spaces on the end of the house, because it looks too much like a parking lot.

Mr. Wegener said that the amount of parking necessary in that area depends upon visitors spaces. The area could end up being green space. Alternative methods of paving have been explored, but what will ultimately be used is dependent upon budget. The orientation of the house, which accounts for its length, was decided upon by location that would minimize grading of the hillside and what would take best advantage of the solar orientation.

Toby Kramer said that NOAH had tried to take into consideration the concerns of the market that NOAH is trying to serve and one of the issues was that the neighborhood group did not want any patios in the front of the building, so patio placement became an issue and alternate building shapes would not work.

Mr. Klofft then asked whether there were any neighbors present who wished to speak.

Nancy MacPhee, abutting neighbor at 5 Marlboro Road, said that she had the same idea about the length as did the Board. She wondered whether one or two artificial dormers similar to those seen on store fronts could be added to the one-story unit for balance and to make it appear larger and give the facade a better look rather than one long piece. Mr. Wegener said that an eyebrow dormer did appear on an earlier plan but that there were costs to consider when adding architectural elements. Ms. MacPhee suggested that if the extension were 33% smaller it would look more pleasing.

Mr. Klofft noted that the extension would be similar to a garage on a single-family house. But he noted that garages are typically about thirty-six feet long whereas this is much longer.

Manny Leung, 8 Ward Road, said that he felt that three units were better than six. He felt the layout was better for handicapped people and better for the homeowners. He wondered, with the building being so linear, where the storm water would flow. He had specific concerns about water flowing down the driveway.

Steve Tripoli, 31 Marlboro Road, said that Sudbury Housing Trust Chairman Mike Fee had forwarded the plans electronically to the neighbors so that they could see the revised plans. He said that while he had no comments at this time of his own or from his neighbors he did say that he generally approves of the concept in terms of density. He felt that the neighbors are generally going to be well-disposed of the plan.

Mr. Klofft asked Mr. Wegener and the Sudbury Housing Trust about their meeting with the Design Review Board. Ms. Kablack said that the DRB was in receipt of the same plans and information that the ZBA has been given. She noted that there are some new members serving on the Board since the original plan was proposed. She further said that comments from the DRB earlier in the process related to number of units. While decisions about unit numbers are not part of the DRB's jurisdiction, it did become clear that number of units was an issue for those members of the DRB. Of the new plans the DRB members liked the look of the site better with only three units as opposed to six. They had specific comments about rooflines, particularly about the lower ridge on the one-story unit, and suggestions about a roof over the two sheds in the back of the building. Other suggestions included adding windows to the sheds and into the stairwells. As a condition of the special permit the DRB will review final plans prior to issuance of the building permit.

In regard to neighbor comments, Ms. Kablack said she had thought that the main concerns of the neighbors were addressed by lowering the number of units and that comments were not going to be about bricks and mortar but rather about the general perceptions of the concept plan with fewer units.

Mr. Klofft asked the Board for additional comments.

Ms. Rubenstein acknowledged that reducing the number of units was a compromise. She felt that the three-unit plan was not the best aesthetically for the site. She wondered about the neighbors and whether they were not commenting because they were relieved that the plan is for three units or because they are actually happy with the design.

Mr. Tripoli said that he endorses what Ms. Kablack said and does not personally anticipate a lot of controversy.

Steve Salvatore, 279 Maynard Road, said that he felt the neighbors were supportive of the process from the beginning and took a reasonable approach. As a neighbor, he said that although this plan is not perfect it is better than past proposals. He asked whether the number of variances being requested is more or less than in past proposals. Mr. Klofft answered that there were fewer being requested than most projects that come before the ZBA. Mr. Salvatore felt that the neighbors would have fewer objections.

Ms. MacPhee reminded the Board that the neighbors did actually want only two units on the site, but had compromised with three.

Mr. Gossels wanted to take a sense of the Board since there were no plans to vote at this meeting.

Mr. Stevenson asked whether or not anyone had a comparison of the financials. He said that he could see the desire for fewer units from the neighbors' perspective but from the Town's perspective it would best to have the greatest return on the investment. He requested more documentation for analysis.

Ms. Kablack explained that this very argument was debated by the Sudbury Housing Trust over a series of five meetings where they discussed how to move forward and how to reduce costs. She said that Ed Marchant analyzed costs for six units and three units and determined that the three unit plan was, in fact, less economical. The Sudbury Housing Trust required NOAH, Inc. to come back with a new budget.

Beth Rust added that the Trust was split on how to proceed because of costs. They did, however, vote to proceed to build housing, but ultimately it is their money and political reputation on the line. Ms. Rust then walked the Board through the construction budget. She added that the eight months of time spent on the project to date and materials used also added to the costs. She said she would provide the requested cost comparison for the next meeting.

Mark Beaudry, engineer with Meridian Associates, walked through the site layout and discussed the contouring and various materials proposed to minimize impervious surfaces. He described the storm water plan along with the location of a swail and sloped driveway to aid in directing the water away from the units. Gutters, a collection basin, drywells, and impervious surface are all considerations in the plan. He then discussed the location and type of septic system that would be used. He said that relief is being sought from the Board of Health to use a Title V system rather than the Presby System as discussed for previous proposals. He described the low retaining wall at the patio area, which will become a landscape feature. A full landscaping plan will be proposed at a later date.

Setbacks will comply with the guidelines with twenty feet at the side and at the rear. Mr. Beaudry said that while the building may appear long the frontage does comply by measuring 42.6 feet.

Manny Leung said that he was comfortable with the setbacks and water drainage in this new proposal.

Nancy MacPhee wanted to know what the depression for the drainage pool would look like next to the built up site. She wanted to know how many hills and valleys there would be. Mr. Beadry explained the contours saying that the bottom of the basin would be about three feet lower than street level and about fifty feet back from the pavement. Ms. MacPhee wanted to know whether the rise would be moundy. The answer was yes, there would be a gradual rise of about three feet above the road. Mr. Klofft said that the three feet would be fairly inconsequential and would be landscaped. Ms. MacPhee was concerned about it looking weird.

Mr. Klofft had concerns about the DRB's level of comfort with the project given their feedback.

Mr. Wegener said that the DRB did not comment on the overall width of the structure, however the DRB did mention the extended portion for the one-story unit where it drops lower than the two-story section. Mr. Wegener explained that it does this at grade due to handicapped accessibility. The two-story section is between two and three feet higher.

Mr. Klofft asked that a representative from the DRB be in attendance at the next ZBA meeting.

Mr. Stevenson asked for financial comparisons.

Mr. Klofft asked whether the Police and Fire Departments had submitted their comments yet. Their comments would be received prior to the November 1 meeting.

In regard to scheduling of the decision, Ms. Kablack referred to NOAH's memo discussing urgency due to the possibility of the 40B law being repealed on November 2. If 40B is repealed then any project that does not have a building permit issued by December 31, 2010 renders projects ineligible for funds. This would come at a substantial price for the Sudbury Housing Trust as the project could not be done. The majority of a year has been spent working on this project and so the Sudbury Housing Trust and NOAH would like to see the schedule work so that the project is not in jeopardy.

Ms. Kablack said that final memos and a draft decision would be provided to the ZBA for the November 1 meeting and will include complete building plans and elevations, complete site plans with the endorsement block, memos in regard to storm water compliance, the development contract, the share driveway agreement, and a landscaping and lighting plan, along with other items asked for at this meeting. She said that the decision would actually be rather standard and that the Sudbury Housing Trust is at this point would like a commitment to move forward.

Mr. Klofft said that he felt that was a reasonable plan and timetable.

In regard to a landscaping plan Mr. Klofft suggested that there be landscaping along the edge of the driveway so that it can be screened from Maynard Road. From the audience Ms. MacPhee agreed.

In regard to project finances, Mr. Stevenson wanted to know what would be the total development costs and what would be the Town's total out-of-pocket costs given that state funding would not be obtained with this plan.

Mr. Tripoli asked when a decision would be rendered. He wanted to make sure that neighbors would have time to make comments. Mr. Klofft said the decision would be reviewed on November 1 and any notes or letters from neighbors should be submitted to the ZBA, the Town Planner, and the Sudbury Housing Trust by October 20 so that the project team can address them.

In regard to the ballot issue on 40B, Ms. Quirk asked what needed to be done on November 1 so that the Trust would not lose the project. Ms. Kablack said that if a decision were completed in early November then there would time to obtain a building permit by the end of December, 2010. She said that the Housing Trust is not releasing Narrow Gate to do final building plans until the Comprehensive Permit is issued.

The public hearing of the ZBA was continued to Monday, November 1, 2010 at 7:30 p.m. in the Flynn Building, Silva Meeting Room.

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Jeffrey P. Klofft, Chair

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Elizabeth T. Quirk

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Nancy Rubenstein, Clerk

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Jonathan G. Gossels

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Benjamin D. Stevenson

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Stephen A. Garanin