

MINUTES OF THE PUBLIC HEARING
SUDBURY BOARD OF APPEALS
Monday, June 22, 2011

The Board consisted of:

Elizabeth T. Quirk, Chair; Benjamin D. Stevenson, Clerk; Jonathan G. Gossels; and Jonathan F.X. O'Brien.

Also: Jody Kablack, Director of Planning and Community Development

For the Applicant:

Susan Gittelman, Executive Director of B'nai B'rith Housing New England

Holly Grace, Senior Project Manager, B'nai B'rith Housing New England

Michael Liu, Project Architect, The Architectural Team

Jim Koningisor, Development Consultant, Koningisor Associates

Giles Ham, Traffic Engineer, Vanasse & Associates

Joe Peznola, Civil Engineer, Hancock Associates

Mike Jacobs, Financing Consultant with HMJ Associates

Joshua M. Fox, Attorney, Rollins, Rollins & Fox

Mr. Gossels called the meeting to order.

Documents received for June 22, 2011 included the following:

- 6/2/2011 Memo from Jody Kablack, Director of Planning and Community Development
- 6/10/2011 Memo from Michael C. Fee, Chairman, Planning Board

Ms. Kablack walked the Board through a memo she wrote and submitted to the Board on June 2, 2011 with a zoning analysis. The main points related to the massing of the buildings and their distance from Boston Post Road and Landham Road. She noted that these issues were key discussion points of the working session. She also said that there were issues to address related to public safety. Data from the Sudbury Fire Department had been obtained, as well as comparative data to the housing complex, Muskategquid Village, located on Hudson Road. Ms. Grace is looking into public safety information from the Metrowest Regional Transportation Association.

Ms. Kablack reported that the driveway entrance located on Boston Post Road would be moving eastward.

The applicants would be bringing their plans to the Design Review Board soon to get their feedback.

To address any concerns about mature trees on the property that might be affected by construction she suggested that the applicants locate any mature trees on their plans.

Ms. Kablack will also review the initial interest from US Fish and Wildlife to create a trail head from this property to their nearby land.

The Sudbury Housing Trust has declined to serve as the housing lottery agent for the project.

Regarding the requested waiver of filing fees and building permit fees, Ms. Kablack said that this project will cost the town money for staff review and legal notice fees so she recommended retaining some kind of fee to cover costs. She noted that the Board of Selectmen have offered a 15% discount off building permit fees for the last two 40B applications.

Mr. Gossels said that in regard to fees he would agree that town costs should be covered. The Board then discussed requesting \$2,000 in escrow fees, and waiving the \$100 per unit non-refundable fee.

Mr. Fox said that the applicants would be agreeable to this plan.

Ms. Quirk reported on the working session held on June 9, 2011. She said that it was a productive meeting. The issue of massing had been discussed and the applicants had suggested many creative ways to address this, even increasing the building's setback to 40 feet. She said that while there was still the same interior volume and configuration there were changes made to the roofline and architectural treatments to make the structure appear smaller. She said that ZBA Member Steve Garanin had asked about the possibility of reducing the number of units, however the applicants had said that reducing the units would make the project infeasible economically. Ms. Quirk said she felt that the unit count should remain as is given that there should be no impact on the schools and the project would be a good revenue source for the town. She also said that the project would help Sudbury reach its affordable housing inventory goals.

Mr. Fox reiterated what Ms. Quirk said about the working session being productive. He said that after hearing the ZBA's preferences the applicants had researched the site plan. The building was moved back nine feet but if moved farther it would hit topographical and other site constraints. He said that the building's grade was lowered about two feet. And he said that the architectural changes also lessen the impact of the building's height. He said that a goal of this meeting would be to gather an informal consensus from the ZBA on the new location of the building and on the architectural style so that the applicants can bring the new plans to the Design Review Board.

Mr. Fox also noted that the drainage, stormwater and septic plans will also need review by the Planning Board.

In regard to the stand of evergreen trees along Boston Post Road, the applicants had hired an arborist, Gregory Carbone, of Bartlett Tree Experts to assess their type and health. The report was submitted to the ZBA at the meeting. The arborist's report said that several of the spruce and pine trees along Boston Post Road are dead and declining and the majority had compromised form and structure. He also said that several of the trees need cabling to support weak branches. Mr. Fox said that the applicants would like to preserve the trees if possible, but would also be amenable to removing them.

Mr. Fox said that Giles Ham, Traffic Engineer, has reviewed plans to move the building and driveway eastward and reported that there are no negative impacts with doing so.

Mr. Fox also said that moving the front setback to forty feet may require a variance due to the topography.

Mr. Liu then showed the original May 16 rendering as a point of reference. He pointed out where suggestions had been made to reduce the scale of the building and to rethink the project plan as a

collection of buildings. He then showed various views of the revised plan. The orientation of the north and south buildings are now different. The connector between buildings had been changed to create an enclosed porch concept. The roof of would be flat and more windows were added to that section.

The north building along Boston Post Road was changed from Colonial style to a gambrel style building with a height of 35 feet. With a colonial style treatment the height could rise to 41 feet at the gable. He said that this change created a hybrid of styles which could be further enhanced through alternating colors. The rendering showed the gambrel section in gray and the colonial building was shown in yellow. The perspective from the intersection of Boston Post Road was of one building behind the other.

Mr. Peznola walked the Board through the preliminary layout. The structure will be 77 feet from Landham Road, which was moved 17 feet from the original plan. The fire lane was reconfigured to be 45 feet from Boston Post Road. The parking area, with 70 spaces, was reconfigured, compressing it, and introducing a one-way circle. He said that he revisited the site with Health Director Bob Leupold to determine the site for the septic system. Good soils were found down to 11 feet and so it was determined that the building could also be lowered two feet. The driveway entrance moves farther down Boston Post Road and has a gradual elevation. The elevation off of Boston Post Road is 156-157. The additional setback allows movement for water and a swale. Water will take a larger path around the building but there is plenty of room to make the grade.

Ms. Quirk asked about the snow removal plan. Mr. Peznola said that they envision berming along the street with an area created for snow storage.

Mr. O'Brien asked why the entrance was moving farther down Boston Post Road. Mr. Peznola said that it was Selectman Larry O'Brien who brought up concerns about cars accelerating in the area where it was initially aligned with the proposed Landham Crossing development across the street.

Mr. Stevenson asked if there were additional limitations with moving the building even farther east. Mr. Peznola said that they had looked at more of a move but given the location of the septic system they cannot move it any more to the east nor can they move it more southerly.

Mr. Gossels asked whether there could be more room for landscaping with the extended driveway. He said that given the letter from the arborist he hopes that the area would be replanted with something appropriate.

Ms. Kablack said that the driveway's location would divide the mature pine trees. She suggested perhaps saving the eastern half of the trees as a priority habitat and to accommodate the abutting neighbor. She noted that the entrance area would be opened up, however. Ms. Kablack suggested having a meeting with the Sudbury Tree Warden and the applicant's arborist to see how a blend of the old and new plantings would fit. Ms. Quirk and Mr. Stevenson agreed. Mr. Fox said that the landscape architect serving on the DRB may also have suggestions. Ms. Grace said that the applicants do not have a preference in regard to the trees but they do want to be sensitive to the neighbor across the street.

Mr. O'Brien raised questions about stormwater. The Planning Board has yet to review the stormwater plan.

Mr. O'Brien also asked about whether there was flexibility with the paint color for the north building because he felt that the gray might be contributing to the increased massing. Mr. Liu said that they felt

that the gray and cream was a traditional color scheme. Mr. O'Brien asked whether a red and cream combination would be better and likened it to the colors found at the Wayside Inn. There was more discussion about the use of the gambrel style, however in the end it was decided that it was logical due to the lower height. Mr. Gossels said that the design is cleaner, and noted that affordable units were saved by using the gambrel style. The Board liked the Wayside Inn reference made with the two architectural styles and all agreed that the DRB's input would be useful.

No abutters made comments.

A motion was then made to continue the hearing.

The hearing was continued to Monday, August 8, 2011 at 7:30 p.m. in the Lower Town Hall Meeting Room.

Jonathan G. Gossels, Acting Chair

Jonathan F.X. O'Brien

Benjamin D. Stevenson, Clerk

Elizabeth T. Quirk