

SUDBURY ZONING BOARD OF APPEALS
DRAFT MINUTES
MARCH 7, 2016

The Board consisted of:

Jonathan F.X. O'Brien, Chair; Jonathan G. Gossels; Jeffrey P. Klofft; Nicholas B. Palmer, Clerk; Jonathan W. Patch; and Benjamin Stevenson (Alternate).

Also present at the meeting on behalf of the Town were: Mark Herweck, Building Inspector and Zoning Enforcement Agent, Jody Kablack, Planning & Community Development Director.

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

Mr. O'Brien opened the hearing by asking the Clerk to read the notice as published in the newspaper.

1. Public Hearing Case 16-6 - Christina Gill, Applicant and 429 Dutton Road LLC., Owner for a Special Permit under the provisions of Section 2460B of the Zoning Bylaws, to construct a dwelling of approximately 3,773 s.f. after demolition, which will exceed the total floor area of the original structure, property shown on Town Map H05-0257, 429 Dutton Road, Residential Zone A-1.
2. Request to release the performance bond for Landham Crossing.
3. Public Hearing Case 16-5 - Sudbury Avalon, Inc., Applicant and BPR Sudbury Development LLC, Owner, for a Comprehensive Permit pursuant to Massachusetts General Laws, Chapter 40B, Sections 20-23, and 760 CMR 56.04, for the construction of a 250-unit rental apartment community, 25% of which will be affordable, on a 17.4 + acre parcel, property shown on Town Map K07-0011 and 0013, 526 and 528 Boston Post Road, Zoned Limited Industrial District and Residential A-1.

Mr. O'Brien opened the 40B hearing with the Public Hearing Preamble for Sudbury Avalon, explaining the Board's authority as well as the process. This preamble is attached in full herein, but to summarize key points:

- The Board is reviewing this application because less than 10% of the year round housing units in Sudbury are qualified "affordable" units pursuant to 760 CMR 56.03 (3) (a).
- The project has received a Project Eligibility Letter from the Massachusetts Housing Partnership, affirming that the project appears generally eligible under the requirements of the housing subsidy program, subject to final approval under 760 CMR 56.04(7).
- The public hearing is expected to last approximately 6 months. The hearing is expected to close by September 20, 2016 and a decision issued by October 12, 2016.
- The Board will attempt to review specific issues at each hearing. The hearing schedule is tentatively set as follows:
 - Hearing 1, Mar. 7 - Overview of project by applicant; expectations of the board for review fees and consultants; additional information needed; initial public comments
 - Hearing 2, April 4 - Architectural Design/Building Massing/Density/unit sizes and configuration
 - Hearing 3, May 9 - Other site impacts – traffic, visual, fiscal impacts, Mitigation/Community Needs
 - Hearing 4, June 6 - Physical constraints of the site – stormwater, wastewater, clearing & grading

SUDBURY ZONING BOARD OF APPEALS
MINUTES
MARCH 7, 2016

- Hearing 5, July 11 – Landscaping, lighting
- Hearing 6, August 1 - Additional information

All documents are available on the Town's website. Correspondence received to date on this application consists of:

- Comprehensive permit application, including waivers & exceptions, jurisdictional documentation, abutters list, site plans & architectural drawings
- Email from David Gillespie, consenting to extension of first hearing date
- Memo from Bill Place, DPW Director, dated 2/17/16
- Memo from Jody Kablack, Planning & Community Development Director, dated 2/26/16
- Two memos from VHB: traffic memo dated 3/1/16, and a stormwater management memo dated 3/4/16

Mr. O'Brien asked Scott Dale from AvalonBay to present the Sudbury Avalon, Inc. plan and basic overview, with timelines, etc. Mr. Dale introduced David Gillespie, Vice President, who in turn introduced Stephen Schwartz, Attorney, from Goulston & Storrs, Karen Staffier, engineer from VHB, and Ed Bradford, from the Architectural Team. AvalonBay will use other specialists as needed. Other team members not present tonight are: Sanborn, Head & Associates (environmental & geotech), Tata & Howard (wastewater treatment). Mr. Dale introduced the Avalon Bay company by giving some background – AvalonBay has created over 80,000 apartments nationwide, with 10,000 apartments in the Greater Boston area. It is a financially stable company with regional offices managed by local teams. Twenty-three AvalonBay communities have been permitted under MGL 40B in Massachusetts.

Mr. Gillespie explained the existing conditions. This is a 50-acre site, with two primary buildings. Raytheon has vacated 1 building already, will vacate the second large building at the end of 2016, and will remain in the smaller Beltran building through the end of 2020. The site is accessed off of Route 20 through two unsignalized driveways. The site is substantially paved & covered with impervious surface. There is a large retention basin on-site that will remain. There is an existing wastewater treatment plant that will be upgraded & expanded as part of the development.

AvalonBay is in partnership with National Development. National Development is permitting 80,000 SF of retail, including a Whole Foods Market, along with other retail stores at the front of the site and amenities including a village green. Access to the site will be through a signalized intersection off of Route 20. National Development also has 60 units of active adult residential condominiums, as well as a 48-unit memory care facility. The Avalon portion is the northwest section of the site, and will include 250 rental apartments. The site will be pedestrian-friendly, with sidewalks and walking paths throughout. If/when the Mass Central Rail Trail goes forward, there will be a connection through the site. Infrastructure improvements along Route 20 will also benefit the Shaw's Plaza and Highland Avenue. Stormwater systems will be upgraded. There will be less impervious coverage when the development is complete than exists in its current condition. There are over 2,000 parking spaces currently on-site and over 560,000 SF of buildings that will be demolished.

Avalon Bay purchased the property with National Development in December 2015. Demolition will begin summer 2016. Construction is scheduled to begin fall 2016. The Whole Foods Market is tentatively scheduled to open August 2017. Avalon Sudbury is expected to open late 2017. The permitting for Whole Foods is currently underway. The May 2016 Town Meeting may authorize the other retail and housing components of the master plan. The Order of Conditions from the Conservation Commission for the demolition is currently under appeal, and is under review by MassDEP. The MEPA ENF form has been submitted, and the wastewater treatment studies for the upgrade and expansion of the plant are underway with coordination by DEP. Also underway is the design for the Route 20 infrastructure.

SUDBURY ZONING BOARD OF APPEALS
MINUTES
MARCH 7, 2016

The Avalon site plan includes 250 apartments in 30 buildings. Fifty percent will be 1-BR units, 40 % 2-BR units, and 10% 3-BR units. This is a low-density community – only two and three story buildings, and smaller buildings that range from 4 to 10 units each. There is only one 16 unit building planned. Each town-house style unit has its own front door & garage. There are no common doorways, hallways, lobbies, elevators or other similar spaces. Parking is hidden in the back. All units will have high-end finishes. There will be a centralized clubhouse that will feature the leasing office, fitness center & resident lounge. Outdoor amenities include a pool, outdoor living areas/lounges and barbeque grills. There will be a maintenance building closer to the wastewater treatment plant, with staff shop space, storage and trash/recycling center.

The 16-unit building will front on the proposed town green. Architecturally, there are a lot of set-backs, bump-outs and front stoops to make the buildings more interesting. You cannot see any garages from the town green. Some direct entry buildings do not face a street & face each other. There is a landscaped courtyard in between, with garages hidden around back, providing front-door appeal, and a pleasant experience for pedestrians. The town houses have different materials, textures, bump-outs, architectural treatments, plane changes, etc. to break up the buildings and still create a great street front. Buildings along the main entry drive all have front doors, with garages hidden around back & not visible from the street. There are some front garage town houses in the rear of the site, but roof lines and architectural plane changes break them up and make them more architecturally pleasing. Interiors to the apartments include high end finishes, countertops, flooring, stainless steel appliances, open floor plans, island kitchens and terraces.

The clubhouse is at the end of the main entry drive, and is visible from a distance. It has a three-story element on the front. Amenities include a pool, landscaped courtyard, outdoor barbeque and fireplace, fitness center and resident lounge.

Mr. Gillespie turned the presentation over to Ms. Staffier to give an overview of the engineering on-site. Ms. Staffier noted that this redevelopment project gives them the opportunity to improve environmentally what is happening on-site currently, through the stormwater management system. The existing retention pond will remain, but the new system will be designed to protect the on-site and downstream natural resources, the wetlands, and provide water quality benefits through a DEP-compliant water quality management system. Part of the project reduces impervious cover. The developer will also be implementing a series of Best Management Practices (BMPs), whether they be subsurface infiltration, or dry-wells for roof runoff, and supplementing with other features such as bio-retention basins and other vegetated stormwater management features. All of these items will improve water quality at the site, reduce the amount of water run-off, increase groundwater recharge – helping the underlying aquifer, and will improve the off-site water resources downstream receiving waters. During the construction phase, the project will include a comprehensive erosion and sediment control plan. Once constructed, the project will include a long-term operations and maintenance plan that will ensure that the stormwater management measures are maintained and function as they were designed to do.

There is ample water supply and private utility service provided to the site through existing infrastructure. This will support the redevelopment of the site. Avalon Bay is looking to implement water-conservation measures, not just in the Avalon portion, but the entire master development plan, to reduce the amount of potable water used at the project. Studies are underway to evaluate the hydrogeologic assessment for the on-site wastewater treatment plant. The opportunities of that plant are not just to take the potable water and recharge it into the ground, but gives the opportunity to bring the system further into compliance with DEP standards, enhance the water quality of the effluent that is coming out of the treatment plant, provide redundancy in the treatment plant that is currently not part of the system now, and provide additional protection to the natural resources.

SUDBURY ZONING BOARD OF APPEALS
MINUTES
MARCH 7, 2016

Mr. Gossels asked if the wastewater treatment plant was expanded, where would the extra wastewater go? Would current areas of dry land become wet? Ms. Staffier explained that the ongoing hydrogeologic study will look at the underlying soils to determine their capacity for additional wastewater disposal. Mr. Gossels asked with the capacity of the plant at full build out, can the aquifer absorb it all? Mr. Gillespie said that their engineer is studying that now, with oversight from DEP and the Town's Board of Health, digging test pits to determine if the aquifer can accept the amount of effluent that is being proposed. Mr. Dale added that there are three sand beds on-site currently, so that when the treated effluent comes out of the plant, it is rotated between the three beds, and percolated down into the ground. The surface of the beds are maintained, no vegetation is allowed to grow in them. Mr. Gossels reminded everyone that the aquifer flows into Sudbury's Town wells. Mr. Dale noted that DEP has minimum standards called "time of travel" that would determine, in years, the time that it would take for the ground water, plus the discharge water added to it, to reach the Town wells. There are stringent criteria that their engineers use and present to DEP for review. It is very highly regulated and they are in the midst of doing all of those studies now.

Mr. O'Brien asked that the Town receive copies of any communications between Avalon and DEP. Mr. Dale agreed. Mr. Gillespie noted that they have been going through the Board of Health, but is happy to provide anything to any other Board. Ms. Kablack said that the Zoning Board would like it through her office, as well as the Board of Health. Mr. Dale said that there was a scope of work relative to the studies submitted and approved by DEP and a proposed study regime has been sent to the Board of Health.

Moving on to traffic, Ms. Staffier noted that the Traffic Master Plan Analysis was given to Ms. Kablack this evening, along with the Stormwater Master Plan. The Traffic Master Plan covers the full build-out of the project, including mitigation and proposed infrastructure improvements associated with that plan, a new traffic signal on Boston Post Road, dedicated turn lanes, and opportunities for multi-modal benefits. They are adding bike lanes and sidewalks on both sides of the street. The traffic signals will be coordinated with the Nobscot Road and Union Ave intersections. There will be a pre-emption signal at the fire station. The traffic improvements are warranted by the retail portion of the site. The Avalon portion does not warrant traffic mitigation measures.

At the end of the presentation, Mr. Gillespie noted that the comprehensive permit application includes requested waivers. They have read the letter from Ms. Kablack and will update the request to provide more detail. Also, the application contemplates the approval of the subdivision and any local wastewater treatment approvals that they would need.

Mr. O'Brien reiterated Ms. Kablack's memo with some of the items the Board would like to see, such as a listing of the construction and exterior finishes, building heights, signage – where it will be, how high it will be, how will they work together? Mr. Dale said there will be coordinated signage at the entry to Route 20. Signs for the Whole Foods Market are under review by the Town currently. Avalon will have a placard on any freestanding sign proposed at the entrance to the development. They are also proposing a small freestanding, non-illuminated sign at front of the apartment development. Signs will be coordinated around a similar theme. There will also be wayfinding signs throughout the development. Mr. O'Brien voiced concern against a giant, box-lit sign. Mr. Gillespie noted preference for an externally illuminated sign, lit from the ground.

Mr. O'Brien would also like to see a lighting plan, and noted a preference for dark-sky lighting. He would also like to see the visual impacts on the local residents/neighborhoods, and also from Route 20. He would like to see sight lines, tree lines and vegetation. Mr. Gossels would also like to see the sight line across Horse Pond Road and the agricultural field. Will there be screening between the buildings and Horse Pond Road?

SUDBURY ZONING BOARD OF APPEALS
MINUTES
MARCH 7, 2016

Mr. Dale would like input from the Fire Department, regarding maneuverability around the back of the buildings against the property line. Should the abutting parcel get developed, what would they like to see? Mr. Gossels noted concern from EMTs carrying people down from three-story buildings.

Mr. Stevenson asked who the abutter was on the north side. Ms. Kablack said it was the Mass Central Rail Trail. Mr. Gillespie noted that they have met with the residents of Trailside Circle and Highland Ave, and may have site plan changes coming to the Board after they finalize discussions with the neighborhood. They are reviewing the landscaping plan, and there may be more screening they can do. They will also maintain the fence along the agricultural field, in existing condition or like-kind that would serve the same purpose.

Mr. Gossels said he was not concerned about the integrity of the fence or security, he was worried about the view of the backs of the buildings from Horse Pond Rd. and the field. Mr. Dale said that no unit was larger than a single family home. Mr. Gossels said he is not concerned about density, but about screening. The site should not impose on the neighbors. Mr. Dale will look again at the western edge and see what they can come up with.

Mr. O'Brien would also like to see the official stormwater management plan and the traffic impact. He acknowledged proposals for two experts – Horsely & Witten for the stormwater, and Vanasse & Associates for the traffic. Ms. Kablack noted that Vanasse is already under contract with the Town for the Planning Board review and has done a full review of the consolidated traffic plan. The Planning Board will be reviewing the traffic recommendations this week. She will make sure the Board gets a copy of that final memo. The traffic study was handed in tonight and the Board has a copy of the traffic memo from VHB.

The Town met with Janet Bernardo from Horsely & Witten, VHB and some of the project team. They described how they are going about the stormwater management, which is a Master Plan for all of the components, and they will also show the specific stormwater components for each of the development areas. The Master Stormwater Report was submitted tonight. They have not received the project specific stormwater report for the Avalon portion, which will go into more detail. They will utilize some low-impact development techniques, such as swales, that will be specific to this development but will enhance the stormwater protections.

Mr. Klofft asked if the stormwater plan was for the entire site, or was it separated by component? Ms. Kablack noted that the existing detention basin services the entire current site. Ms. Staffier noted that the detention pond will service 60% - 70% of the site. The southerly portion of the site will be collected in a closed drainage system, mostly from roof run-off, parking and driveway from the front portion. The outfall from the pond and the drainage system connect and discharge offsite, at a rate and volume equal or less than what it does now. If no other BMPs were on the site, the hydrology is going to balance due to the reduction in impervious area, and the recharge requirement will be met. As they recently submitted for the retail area, they did a project specific stormwater analysis that determines exact catch basins, pipes, water quality systems, infiltration systems. They will get to that level of detail with this project once site planning is complete.

Mr. Gossels discussed two philosophies for detention basins – rip rap hardscape or wetland plantings. What are you looking to do? Ms. Staffier said that the detention pond is currently a state-regulated wetland resource. They will not change it but will add elements upstream of it, so that the water is a higher quality before entering the basin. Mr. Gillespie noted that there is very little they can do to change the basin, and will leave as is, what you see today. Mr. Dale noted that Raytheon has done a great job maintaining the pond over the years, and serviced it about 2-3 years ago.

Mr. Klofft asked that while the construction is happening in stages, at no point will the stormwater system be overwhelmed, because parts of the system haven't been designed or constructed yet? Ms. Staffier affirmed

SUDBURY ZONING BOARD OF APPEALS
MINUTES
MARCH 7, 2016

this. Ms. Kablack noted that Horsley & Witten will be reviewing each aspect of this. The same consultant will be working for the ZBA, the Planning Board and reviewing the entire development Master Plan. Ms. Staffier said the final report should be complete once they have settled on a site plan, once they have heard feedback from the Board and the community.

Mr. Klofft asked about snow storage and where would that occur? Mr. Dale and Mr. Gillespie said they would produce a snow management plan.

Mr. Stevenson asked a question about wastewater, with the understanding that it is under the jurisdiction of the DEP. If Avalon is increasing the treatment plant, how does the plan relate to what exists there now? How much are you looking to increase it? Mr. Gillespie replied that there are three things they are looking at as part of their hydrogeological study:

- How much wastewater effluent can the groundwater safely accept based on DEP & state regulations? We estimate that to be approximately 90,000 gallons per day.
- How much wastewater capacity do we need, using Title V state regulated flows? We estimate that to be approximately 80,000 gallons per day. This can vary based on the retail uses. More restaurants would use more water.
- How much actual flow do we think we will send through this plant? We estimate that to be approximately 60,000 gallons per day. This number is based on Title V requirements for apartments at 110 gallons per day per bedroom. Based on their other communities with treatment plants, they typically flow about half that amount.

Mr. Stevenson asked if the 80,000 gallons was for the whole site or just the Avalon portion? Mr. Gillespie replied that it was for the whole site. The 60,000 gallons is how much wastewater is being sent to the plant, actual flow not Title V flow.

Mr. Gossels asked if each restaurant would have its own grease trap? Mr. Gillespie deferred to the National Development team. He would request that information. Mr. Gillespie noted that all the internal infrastructure, roads, trash, wastewater and stormwater facilities will be privately owned and managed. It is in their best interest to make sure everything is maintained and performs as it should. Mr. Gossels said he would like to see a management plan. Mr. Gillespie also said that there will be redundancies in the wastewater treatment plant, so if there is an issue, the plant can keep running.

Mr. Stevenson asked what the current capacity was for Raytheon? Mr. Gillespie said that the plant was designed and permitted for 50,000 gallons per day. Mr. O'Brien asked how they would be reusing the plant? Are they upgrading it or rebuilding it? Mr. Gillespie said they were unsure at this point. They may reuse portions of it, but it needs to be substantially upgraded if they reuse anything. They are unsure how old the plant is. The sand beds are in good shape and the plant was well maintained, but for a development such as this, it would need to be substantially upgraded or rebuilt. They are investigating if they need to add a fourth bed. Mr. Gossels asked that since beds do degrade, you are evaluating the quality and capacity of the beds so you know whether or not you need to extend the beds or reuse the beds? Mr. Gillespie responded that Tate & Howard would study that in full and also that DEP will confirm that whatever existing infrastructure was being reused would be up to the current standards.

Mr. Klofft asked if there was any insect mitigation plan for the detention basin? Mr. Dale said they would look into it, but that he thought it was too large a body of water, that it is not stagnant and always moving, but would get another opinion.

Mr. Klofft then asked about preliminary financials, what would rents look like? Mr. Gillespie said rents would start at \$2,000/month and travel north of \$3,000-\$3,300 for the larger units. For the affordable rents,

SUDBURY ZONING BOARD OF APPEALS
MINUTES
MARCH 7, 2016

prices are set by the state. Based on the 2015 figures, a 1-BR rents for \$1,250/month and the 3-BR rents for \$1,450/month.

Mr. Gossels noted that those were very profitable numbers, at 250 units. Perhaps the number of units can go down or the amenities can go up. This is an enormously profitable development. Mr. Dale responded that it met all the financial profitability criteria for 40B's and those financials are in the site eligibility information submitted to MHP. There are no excess profits as it relates to 40B. The focus should be on the plan and not how profitable the development should be. Mr. Klofft concurred that there may be some flexibility the Board would like to see as they get further into the process. Mr. Dale replied that a lot of money and expense went into the design and planning of this high-end, low-density development. If they start scaling back or changing apartment types, it may not be appropriate for Sudbury from a marketing perspective. They have invested a lot in the buildings, the amenities, and finishes of the apartments.

Mr. O'Brien asked about the Raytheon building leased through 2020 – is that part of the P&S? Mr. Dale replied yes, it is leased back to Raytheon. Mr. O'Brien asked if more units were planned for this area in the future? Mr. Dale said there were no plans currently, only as open space. The land is zoned for a single family home. They could build that as-of-right, but anything else would have to come back before this Board. Mr. Klofft asked if open space in that area was a condition of the permit, what would Avalon's response be? Mr. Dale responded that was their plan for the land; however, the land was not part of the application.

Mr. Stevenson asked what is the ownership structure of the Avalon portion as compared to the National Development portion? Who owns which part? Mr. Gillespie said that they both owned all of it right now. They both co-purchased the property at the end of last year and are going to jointly do all the demolition, asbestos abatement, infrastructure work, and utility work. Then each party will accept their individual piece. On the subdivision plan, the Avalon portion is identified as Lot 3.

Mr. Klofft asked how that worked from a site control point of view? Are they considered having full control of the site? Mr. Dale replied yes, MHP was satisfied with the joint venture having ownership of the site and Avalon Bay being party to the joint venture is sufficient for that purpose.

Ms. Kablack asked if Avalon was contemplating subdivision through the 40B process or outside the 40B process? Mr. Dale replied that it would be through the 40B process.

Mr. Stevenson asked how the joint ownership relates to the future development of the active adult living and senior care facility? Mr. Gillespie responded that those are National Development's phases, and they will be seeking permits for those portions of the project. Assuming they are successful in receiving those permits, then an entity of National Development would buy it from the joint venture that currently owns the property. Mr. Stevenson asked if they were being proposed as 40B's? Mr. Gillespie replied no, that is was all being done by National Development through rezoning and a Town Meeting process.

Mr. Gossels asked if the retail in the front would work the same way, that some entity would buy it from the joint venture? Ms. Kablack clarified that the retail, other than the Whole Foods store, will be part of the zoning change that will be presented at Town Meeting in May. If Town Meeting approves it, it would be as-of-right. Mr. Gossels then asked if the approved retail pads would then be sold? Mr. Gillespie replied that was a question for National Development, but there were no sales planned other than to the partners. Ms. Kablack clarified that National Development or one of its arms would own and manage the retail, adult living and elder care facility.

Mr. Klofft said that since the next meeting focused on design and that one of the key issues brought up in Ms. Kablack's memo is on-street parking, he wanted to ask how a reduction in on-street parking would

SUDBURY ZONING BOARD OF APPEALS
MINUTES
MARCH 7, 2016

impact things? He noted Ms. Kablack's concerns, but wondered if you removed that parking, do you lose the whole effect of the front door spacing? Ms. Kablack replied that maybe it could be minimized but not eliminated altogether. You would still have sidewalks on both sides and still have green spaces. Mr. Dale responded that there are two issues - the overall number of parking spaces and the value of the spaces. If you count all the parking spaces individually, it may seem a little heavy, but they practice effective parking. Based on experience, they understand how people utilize different types of parking spaces. They do not give the same credit or weight to a tandem space outside a garage versus an on-street space or parking lot space. They discount those a little bit, and feel they have an effective parking ratio of two per unit. This does give them a little cushion, so they may look at Main Street again to see if there is opportunity to eliminate some of the parking spaces in favor of additional landscaping. Maybe they can increase the size of the islands. There may be areas, however, where the distribution is more heavily weighted. Mr. Klofft said he was concerned about people being jammed up behind the buildings after such care was given to front-door space, if there was nowhere to park nearby. Mr. Gillespie added that the amount of parking on-site is a function of the types of buildings that are being constructed. An empty space at the back of the site is of no value to those that live in the front of the site. A low-density site needs more spaces closer to the actual homes.

Mr. O'Brien asked for clarification on where the Town Green was going to go, the one outside the 16-unit building. Ms. Kablack also noted that the Town Common on the retail side is still evolving. Mr. Gillespie responded that they may have the opportunity to remove the road that separates the two, to connect the two spaces and create a large open space that more closely resembles the rendering.

Mr. O'Brien then opened the hearing up to public comment.

Yong Cao – 11 Trailside Circle – If the Eversource transmission line goes forward, all of the trees will be cut down between this development and his home. Eversource will clear a path of trees 82 feet wide. This is 10 feet from his property line and 10 feet from their property line. And this line carries 100,000 volts and may pose a danger. These two projects may need to coordinate.

Mr. Gossels responded that the ZBA has no power over that project. It is before the Board of Selectmen. Mr. Klofft noted that this Board could ask the developer to incorporate enough screening to anticipate the transmission line project moving forward.

Mr. Cao - We cannot take the tree barrier for granted. We cannot assume those trees will exist in the future.

Mr. Stevenson said that Mr. Cao and the developer had their goals aligned, no one wants to look at power lines.

Mr. Cao - I understand Mr. Gossels is concerned about how this looks from Horse Pond Rd, but you should be more concerned how it looks from my backyard. These buildings are very tall. My home is expensive and these buildings are affordable. My best view is to the south, and now this is my best view.

Jenny Yanzhen - 11 Trailside Circle – I appreciate Avalon coming to talk with us, work with us, to improve whatever they could do. But in Sudbury, you do not see many three-story buildings. Is there any interest in preserving Sudbury's look from an historical perspective? Why do we need to develop the tall buildings? I understand from Avalon's perspective, that three stories are lower than other developments. But from Sudbury's perspective, you hardly see any three-story building in town. And why does it all have to be in one place? This creates impacts on the environment.

Mr. Dale asked the resident where her home was located on the map. Mr. O'Brien asked the Avalon team what buildings the resident would look at. Mr. Gillespie responded that they have been speaking with the neighborhood about making some alterations in this area to hopefully address some of their concerns. But as

SUDBURY ZONING BOARD OF APPEALS
MINUTES
MARCH 7, 2016

currently designed, that endcap is a 2-story building, three 3-story townhouses in a row, and then another 2-story endcap. These buildings are 3-story, but the front portions are 1-story that steps back to a 3-story elevation. Mr. O'Brien asked if they were all 3-story buildings in the development? Mr. Gillespie responded that they were all 2 and 3-stories. This was a conscious decision rather than doing a 4 to 5 story elevator building that is more efficient from a site perspective.

Mr. Dale added that they were really trying to build a neighborhood. They looked at designing big buildings with vast parking lots around them, but didn't feel it was the right solution for this particular location. They have a series of things they are considering for that northern edge including a berm, a fence, or additional screening. There may be some building moves in that corner, where that closest building is, providing a greater setback there, more consistent with the other buildings which are farther set back than the existing buildings that are on the site today, by 15-20 feet or so. The objective is to provide a continuous berm and fence, with a minimum screening to the top of the fence to get to a certain level of screening above the finished floor of our adjacent buildings. So the views of residents looking out of the buildings and vice-versa, basically would be screened. We are also looking at taking a floor off those 3-story buildings, just in that location.

Mr. Stevenson asked if there was any thought to making the buildings in the west and the north 2-story buildings to soften the visual approach into the project? Mr. Dale said they are looking at that on the north side and is part of the discussions they are having with the neighbors. They are looking at sightlines from the ground, from the second floor, trying to make sure that the top of that screening achieves the objective they are looking for. Mr. Gillespie noted that all screening would be on their lot, owned and controlled by them, no matter what happens with Eversource.

Mr. O'Brien said they could move some units on the north side from the center, move that occupancy around a little bit. Mr. Dale said that is tricky – they are tight by design, because it allows them do high-impact landscaping and pedestrian areas, giving a real neighborhood feel. They will need to look at where the lost units from the top floors could be replicated. But these are the discussions that we are open to and these people are going to be our neighbors forever. We want to coexist to their satisfaction as well as our own.

Joe Scanga – 21 Woodland Rd – We have spoken with Avalon quite a bit and they seem more amicable than the other 40B developers. The concern is the density. We would like to hear more about the green space. We would like more green space for the kids. There is currently greenspace across the street at Shaw's, which isn't used. We would like a more open field, similar to the Fairbanks Field, where there is a little bit more of a community there. This may be harder to do here where they need so much land for the septic. A second concern is sidewalks outside of the property – they are very important. I understand the sidewalks will be created & widened. The sidewalks on the Shaw's side are atrocious. That would be a major improvement for the community.

Mr. Klofft concurred. Route 20 is impossible if you try to walk it. Mr. O'Brien noted that this was part of the discussions with Whole Foods as part of the signalized intersection. Mr. Klofft asked Ms. Kablack if there were some site mitigation funds for improvements, could these be leveraged even though it is a state road? Ms. Kablack said the Town would need to look into that. Certainly within the project area, they are proposing new sidewalks on both sides of the street, and there has been discussions about what length those sidewalks were going to be.

Mr. Gillespie discussed the sidewalk plan for the Route 20 improvements. There is a signalized intersection, with turning lanes. Highland Avenue will have their own signal phase to make sure they can get in and out safely. Ms. Kablack asked how far the new sidewalks will continue? Mr. Gillespie responded that they went all the way to the fire station on the south side of the street. But this is a state road and requires MassDOT approval.

SUDBURY ZONING BOARD OF APPEALS
MINUTES
MARCH 7, 2016

Mr. O'Brien noted that during the special permit review of the Whole Foods, the ZBA required additional walkways to create more pedestrian opportunities.

Mr. Scanga – The Highland Ave and Woodland Rd residents can walk to Shaw's through a path in the woods. The most important thing is a sidewalk in front of Shaws, and the ability to cross the street easily. Mr. Klofft was unsure if there was a signalized crosswalk at Nobscot Rd. Ms. Kablack said there was, just not on the south side. There is no walkway on the south side. That is something the Town would like. There is nothing across the front of Shaw's, but the Town did construct a walkway from the CVS to the end of that property. Then there is nothing from Sullivan Tire to Nobscot Rd.

Mr. Klofft added that if we get improvement mitigation, maybe we can implement some measures to make this corridor more pedestrian friendly. Ms. Kablack said continuation of walkways to east can be accomplished, but that to the west is more problematic due to wetland constraints. But at least with this plan, it allows you to cross to the north side which is a continuous walkway.

Ms. Staffier added that they recently provided updated grocery store plans to the Planning Board and incorporated those sidewalk comments that were discussed at the prior hearing.

There were no other public comments.

Mr. O'Brien noted that the next hearing was April 4, 2016. They would discuss architectural design, massing, density, unit size and configuration.

Mr. Gossels would like to see if there was any way to know what this would look like across the Horse Pond Rd field. Mr. Gillespie said they work on this.

Ms. Kablack noted that in terms of the hearing topic schedule, that was made according to what was submitted in the application and what items were still outstanding. If the development team has any issues or concerns, the topics can be moved around. It is the dates that have to be maintained. We can arrange the topics so that they have the information in time for the peer review to then present at that hearing. Mr. Dale said that working on site plans, building design and architecture early on is good, so there is time to resubmit and have things reviewed as plans change.

Ms. Kablack said they usually go with engineering and feasibility first, but this is a developed site and feasibility of development is assumed. The engineering plans submitted to date are indicating that.

Mr. Dale said they would coordinate any peer review fees, consultants and anything else outstanding directly with Ms. Kablack. Ms. Kablack said they would be getting the final proposals from the stormwater reviewer and the traffic engineer. Contracts are signed through the Town Manager, as long as the Board is in agreement.

Mr. O'Brien called a close to the hearing this evening, and a motion was made, seconded and voted to continue the Avalon Sudbury Comprehensive Permit public hearing to Monday, April 4, 2016 at 7:30 pm.

Approval of Meeting Minutes – N/A

There were no minutes to be approved.

SUDBURY ZONING BOARD OF APPEALS
MINUTES
MARCH 7, 2016

There being no further business, the meeting was adjourned at 9:40 p.m.