



Town of Sudbury

Zoning Board of Appeals

appeals@sudbury.ma.us

<http://www.sudbury.ma.us/services/planning>

Flynn Building
278 Old Sudbury Rd
Sudbury, MA 01776

MINUTES

Sudbury Zoning Board of Appeals Subcommittee

TUESDAY, June 14, 2016, 8:00 AM

Flynn Building, Silva Meeting Room, Second Floor

278 Old Sudbury Road, Sudbury, MA

1. Work Session meeting with a subcommittee of the ZBA on the Village at Sudbury Station 40B Application, property shown on Town Assessor Map G09-0100, G09-0004, G09-0300 and H09-0068, Peters Way and Peters Way Extension, Zoned Residential A-1 and Residential C.

This will be a working session between the subcommittee and the Applicant. The public is invited to attend, but public comment will not be taken. The Public Hearing will resume on June 20, 2016 at 7:30 pm, Town Hall.

Present at the meeting were: Jonathan O'Brien, Jeffrey Klofft, Barbra Saint Andre, Susan Iuliano, Bob Engler, Chris Claussen, Bill Henchy, Chris Kennedy, Lori Elson, and David Hornstein.

Mr. Henchy described a series of plans that eliminated units along the cemetery, attempted to connect the APR land with the development's green, showed alternative access which aligns with Peakham Road, and reduced the development by 26 units.

The first plan shown was the plan submitted initially. Plan 2 moved the clubhouse, removed 26 units, and improved the connection to the green. Plan 3 removed the buildings along cemetery, and reduced two four story buildings to three story buildings. In this plan the clubhouse participates in the green. Plan 4 moved everything off the cemetery, moved the clubhouse between two buildings, and connects the green to the APR land. Mr. Claussen stated the constraints they have had to work with were the leach field had to stay where it was originally proposed and the stormwater detention had to be located on the green. They still have to go through civil engineering to make sure the roads work. Mr. O'Brien asked if 10% is the maximum units they are willing to eliminate. Mr. Engler said that 10% is reasonable for the land use.

Mr. O'Brien is concerned about the noise impact on the cemetery, the proximity of the townhouses and building 11 still causes some concern. Mr. Claussen stated that the area is steep and acts as a natural buffer.

Mr. Klofft asked Susan Iuliano about the APR land and what could be done on it and whether the Town would support moving the leach fields to the APR land. Mr. Claussen added that perk tests have been completed for that concept and they passed. Ms. Iuliano stated she can't speak to the legality but as a general matter it seems consistent with agricultural space. She stated that the goal is to make the whole

project as least impactful as possible and glad it is being investigated. Mr. Claussen added that they needed something from the BOS to see if it was possible. Ms. Saint Andre added that it is not under the BOS, the governing authority for the APR is the Conservation Commission and the request will not be acceptable to the Conservation Commission.

Mr. O'Brien stated that this plan is the best that has come out of the process and it is the one they should present to the other Board members. Mr. Henchy requested they discuss the process. At the next meeting they will be presenting stormwater, the fire chief will be speaking, and supplemental traffic. Mr. Claussen said that part of the traffic update was the discussion of a gate and the right exit out of Peters Way onto Concord Road. Mr. O'Brien suggested that they don't do the gate.

Mr. Henchy stated that if the Board likes the new plan better than the original one they can't just abandon the original one without some expression of approval from the Board. He is concerned about the road grade and the new plan will need more engineering. Mr. Klofft asked if it has to be a rotary and they are having engineers look at it. Mr. O'Brien said the first item on June 20th will be if the new plan works. He will pass it out to the Board with "discussion only" listed on it. Mr. Henchy will write a memo to accompany the plan.

Ms. Saint Andre asked why wouldn't they put forward the new plan if it is better. Mr. Henchy said it is not a better plan for them. Ms. Saint Andre said the Board can't approve the plan on the 20th. Mr. Engler stated they are looking for a sense from the Board on Monday. If there is enough security and confidence they can pursue the engineering on the new plan. Mr. Henchy stated he isn't looking for a decision to rubber stamp that plan.

Mr. Claussen stated they haven't commissioned the engineer to move forward on the alignment of Peakham Road. Mr. Henchy has spoken to Ms. Saint Andre and Mr. Silverstein and they requested he put a formal request together. He believes he will still need the support from the ZBA and would like a vote. Mr. O'Brien asked what the Board's approval needs to be. Mr. Claussen said they need to process it through two DOT departments, one for access and the other to grade off the pit along the rail line.

Mr. Klofft added that there are two safety advantages for getting DOT's approval; the roads will align and there won't be a large pit next to the future rail trail. Ms. Saint Andre asked if they can grade the pit without getting the approval to go across the DOT land. Mr. Claussen confirmed that the two requests are independent of each other.

Mr. Klofft stated that the building design, a large corridor style building is an older style and he asked if it was possible to change. Mr. Claussen stated that they haven't moved forward on any architectural matters and that the applicant will be sitting down with Davis Architecture. Ms. Saint Andre stated that it might cost the applicant more money because it was not in the original scope. Mr. Claussen added that it might be possible to modify his scope. Mr. Kennedy said if this is the direction they end up going they would be willing to do that. Mr. Claussen added that the efficiency of double loaded corridor is better.

The agenda for June 20th is:

- Discussion and general sense from the Board about the new plan and if they Board is likely to entertain it, without committing
- Stormwater
- MassDOT discussion requesting BOS support
- Architect discussion
- Traffic

- Water Impact Report
- Fire and Police
- Site Distance Report
- Board of Health comments

Mr. O'Brien requested that the applicant send all 4 plans discussed today in pdf form so they can be distributed to Board members. The applicant will write a memo to accompany the plans. The applicant will also provide a memo about why they will need BOS support to move forward with the DOT.

Mr. Claussen stated that they have not done a water impact study. Ms. Saint Andre suggested that a water study is important and could be a concern for the Town. Mr. Henchy responded by saying he believes water is a local board for 40B. Mr. O'Brien asked why the Town might not be able to supply the development. Ms. Saint Andre stated that the Town has a water withdrawal permit with the state and there is a cap. The Water Board sent a letter requesting the applicant do a study.

The meeting adjourned at 8:49.