

Present: Michael Fee (Chairman), Lisa Eggleston, Christopher Morely,
Eric Poch (7:45 p.m.), Joe Sziabowski (Associate), and
Jody Kablack (Director of Planning and Development)
Absent: Michael Hunter,

Chairman Fee called the meeting to order at 7:45 p.m.

Maple Meadows Senior Residential Community - Review of Architectural Plans

Present: Robert Roth and Robert McGinty, Partners of Linbrook Properties, Inc.

Ms. Kablack presented a brief status report referencing a memo dated November 2, 2006, which noted that the litigation related to this project has been completed, and that the developer is working towards issuance of a building permit and fulfilling all outstanding provisions. All other requirements for plan endorsement have been met, as well as several of the requirements for a building permit. Ms. Kablack is in possession of final, stamped architectural plans, which have been submitted for review and approval to the Planning Board. Pursuant to the special permit, approval of the architectural plans must be granted prior to endorsement of the plans.

Ms. Kablack also shared with the Board a copy of the June 23, 2004 decision by the Design Review Board (DRB), which recommended approval of the Maple Meadows Senior Community Plan by the Planning Board and Board of Selectmen with minor revisions. Mr. Roth confirmed that the plans presented comply with the recommended DRB revisions.

Mr. Roth responded to a few questions from the Board regarding the evolution of the development. Material was originally presented to the Planning Board and Design Review Board in June 2004, however, the project had since been on hold due to legal proceedings and appeals. Litigation has since been dismissed, and the newly submitted proposal is fundamentally the same plan submitted in 2004 with minor interior revisions. Mr. Roth explained the original footprint of the development has been maintained and the minor interior revisions have been made in the bedrooms and living area and some dining rooms have been realigned. Plans are for 23 units of approximately 2800-2900 square feet.

Chairman Fee asked if the price points have changed in the past two years. Mr. Roth responded that the highest unit has decreased during that time from \$1,100,000 to \$995,000.

Board members expressed overall satisfaction with the plans with the exception of an observation by Ms. Eggleston that perhaps, double garage doors may be too heavy for a

senior resident to operate manually in case of an emergency. However, everyone agreed double doors have more aesthetic appeal.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the Maple Meadows Senior Residential Community Architectural Plans, as presented, in accordance with the approved Special Permit.

Ms. Kablack noted that the final plans will be signed at the November 29, 2006 Planning Board meeting.

Grouse Hill Incentive Senior Development - Public Hearing Continuation and Scenic Road Public Hearing

Present: William DePietri, Capital Group Properties President, Martin Loiselle, Capital Group Properties Manager, William Pezzoni, Capital Group Properties Attorney, Lyn MacLean and Carole Wolfe, Sudbury Historical Commission Members

At 7:55 p.m., the Chairman opened a Scenic Road Public Hearing concerning the removal of four ash trees and one maple tree and removal of approximately 90 linear feet of stone wall on Old Framingham Road, in connection with the application of Capital Group Properties, Grouse Hill Incentive Senior Development and read the legal notice for the record. Chairman Fee also noted that the Board was in receipt of a Scenic Roads Application for Approval with accompanying schematic and a detailed memorandum from Ms. Kablack, dated November 8, 2006, regarding the status of Grouse Hill Incentive Senior Development application open issues.

Scenic Road Public Hearing - Trees - Ms. Kablack briefly described that according to the public shade bylaw, the trees to be flagged did not have the appropriate markings due to the wrong trees being flagged. Unfortunately, the notice which must be posted for one week by the Tree Warden was inadvertently posted on the wrong trees.

On motion duly made and seconded, it was unanimously:

VOTED: To continue and re-advertise the portion of the Scenic Road Public Hearing in accordance with M.G.L. Chapter 87, concerning the removal of four ash trees and one maple tree on Old Framingham Road, in connection with the application of Capital Group Properties, Grouse Hill Incentive Senior Development to November 29, 2006 at 7:45 p.m.

Scenic Road Public Hearing - Stone Wall - The discussion began with a description by Mr. Loiselle of the condition of the approximately 90 linear feet of stone wall on Old Framingham Road to be removed as degraded and overgrown. In response to a question from Mr. Morely, it was noted that the stones being removed will be reused in the restoration process of the project. Sudbury Historical Commission (SHC) Member

Lyn MacLean initiated a discussion regarding dry walls and farmer walls and expressed the preference of the SHC for a new farmer's wall to be constructed at the entrance area, which will age with time and be more consistent with the rural, historical aesthetics. Ms. MacLean noted the Commission would accept the use of mortar in the middle of the wall for structural purposes, as long as it was not visible. The existing stones should be used for the walls.

Ms. Eggleston reinforced that appropriate attention should be given to the transition of the old and new wall and streetscape appearance and suggested that the remaining stone wall be cleaned up and some of the brush removed to make it more visible. Abutter Ray Bachand, 63 Old Framingham Road, concurred that maintaining the rural character of the area throughout the construction process must be seriously considered.

The Board suggested to the applicant that a newly-restored farmer's wall on Plympton Road be visited to view an excellent and acceptable example of what the Town would prefer to see. Ms. Kablack mentioned that the SHC has also provided her office with photographs of farmer's walls, which she will be incorporating into a web story.

The Board will consider incorporating design specifications for the stone wall as part of the Special Permit and will work to reach consensus on a mutually acceptable definition of a farmer's wall for all parties.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the Scenic Road Public Hearing concerning the removal of approximately 90 linear feet of stone wall on Old Framingham Road, in connection with the application of Capital Group Properties, Grouse Hill Incentive Senior Development to November 29, 2006 at 7:45 p.m.

Grouse Hill Incentive Senior Development - Public Hearing Continuation

The discussion focused on a review of Ms. Kablack's memorandum regarding the status of Grouse Hill Incentive Senior Development application open issues dated November 8, 2006. Topics reviewed with the developers included: the construction schedule and needed revisions for berm installation and planting, wastewater disposal design plans, erosion control (including stockpile location and basin designs), off-site mitigation issues and relocation of water line issues.

Abutter Ray Bachand, 63 Old Framingham Road, asked for clarification regarding Phase I and Phase I with regard to site work. Mr. DePietri and Mr. Loiselle also clarified that there will be no excavation in the field and that there are no trees to be cleared in Phase II. There will be some stockpiling of earth from Phase I in the field.

Abutters Audrey Murphy, 118 Nobscot Road, and David Clark, 118 Nobscot Road, broached drainage issues for consideration with the applicant. Ms. Kablack stated that DEP and a Conservation Commission inspector will monitor the area weekly to be sure proper erosion control and drainage procedures are being implemented.

Mr. Sziabowski expressed concern that the development will not have walkways and that the revised lighting plan is designed for low light levels. A spirited discussion ensued regarding walkways and pedestrian trails.

Ms. Kablack also updated the Board on the October 19, 2006 waiver analysis submission by the applicant, which explained five waivers. After reviewing the analysis, Chairman Fee proclaimed that the Board is inclined to vote favorably for all waivers requested with the exception of walkways and trails. The Board requested submission of a definitive plan for pedestrian access to be presented and continued to the November 29, 2006 meeting.

Abutters Audrey Murphy and Ray Bachand asked that equestrian trails also be considered with the open space, and that signage and maintenance be included in legal documents for the development. Ms. Kablack responded that the Conservation Commission would need to be consulted regarding these issues.

Mr. Bachand also asked whether the condominium bylaws will include how/who will maintain the trails, who will be able to use the trails and what the use will be for the trails. Ms. Kablack will consult with the Conservation Commission to provide appropriate guidance on these matters.

The applicant provided the Board with an informational handout regarding the windows which will be used and displayed sample roof shingles under consideration. The developer will use metal-clad, wood-core windows. The Board recommended, and the applicant agreed, to use a minimum 25-year architectural roof shingle.

Ms. Kablack reported on a meeting she had today with Building Inspector Jim Kelly, who believes the construction specifications will provide durability, quality and energy efficiency. Mr. Kelly did highlight a few items for discussion such as handicap-accessible units. Mr. DePietri stated that a unit could be retrofitted for handicap use, but may not meet all ADA requirements. The Planning Board determined that it will need to revisit this very broad discussion of ADA standards and regulations for developments.

Ideas were generated for an ideal mailbox location, shelter, and access. Mr. DePietri will visit the site and propose an all-inclusive mailbox design at the next meeting on November 29, 2006.

It was determined that the Board of Selectmen has jurisdiction for construction site trailers and thus, discussion was deferred.

The Board is inclined to approve the revised landscape plan presented, but will need to defer a vote on the plan until the next meeting due to the absence of Board Member Hunter.

Chairman Fee announced the deferral of all traffic-related issues tonight. Ms. Kablack also recommended deferring discussion regarding the paving of Old Framingham Road and to include that topic with traffic issues.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the public hearing in connection with the application of Capital Group Properties, Grouse Hill Incentive Senior Development to November 29, 2006 at 7:45 p.m., for discussion related to traffic, walkways, mitigation, pedestrian access (including commentary from the Conservation Commission), mailbox location, base and maximum price and any other items.

Willis Hill II - Bond Reduction

The Board was in receipt of a letter dated October 30, 2006 from the developer, Robert D. Quirk, requesting a bond reduction. He stated that the berm is complete and granite curbing is installed at both entrances. He also reported Kendra Lane has drainage, water lines and gas.

The Board also reviewed a letter dated October 30, 2006 from the Town Engineer/DPW Director, Bill Place, estimating the need for \$94,264.64 to complete Kendra Lane.

Ms. Kablack recommended reduction of the bond to \$107,000 (taking into consideration a previous allocation of \$12,000 for two driveways).

On motion duly made and seconded, it was unanimously:

VOTED: To reduce the bond for Willis Hill II to \$107,000.

Arboretum Subdivision

This item was removed from tonight's agenda.

2007 Annual Town Meeting - Potential Articles

1. Adoption of the Mullin Rule which allows members of the Planning and Zoning Boards as well as the Conservation Commission and other adjudicatory boards to miss one session of a public hearing and still be able to vote on an application as long as the member examines the evidence presented at the missed session, avails themselves of all video and audio tapes of the proceeding, reads all transcribed materials, and files an affidavit certifying that the evidence has been examined. Multiple members from a board may miss the same meeting as long as quorum rules for a session have been met. All boards that want to adopt this option must be mentioned in the Town Meeting article.

The Planning Board is inclined to sponsor this article.

2. Street Acceptances for Brookside Farm, Arboretum Way, Tall Pine Drive, Skyview Lane, Mary Catherine Lane, Fox Hill

The Planning Board is inclined to support this article, but has not made specific recommendations on any of the streets.

3. Building Height - revised definition

Ms. Kablack reported that in general, the bylaw is acceptable and would recommend the Board not pursue this item at this time. This is also agreed to by the Building Inspector.

4. Allow cluster subdivisions and flexible developments on parcels of five or more acres (current requirement is no less than ten acres).

The Board briefly discussed varying and opposing viewpoints on this item and consensus could not be reached this evening. Chairman Fee expressed strong reservation that support of this article would be highly unpopular and perceived as granting developers more options for producing more-dense locales. Ms. Eggleston and Ms. Kablack presented strong opposition to this perspective, stating that the clusters would actually allow the Town more flexibility to control the density issues.

5. Allow Senior Residence Communities (SRC) and Incentive Senior Developments (ISD) on parcels of five or more acres (current requirement is 20 acres for SRCs and 10 acres for ISDs). New legislation allows development of age-restricted housing on any size parcel of land. Used to need five acres or more.

The Planning Board is inclined to not pursue this at this time.

6. Irrigation wells - should commercial properties be subject to the bylaw?

The Planning Board perceives this article as anti-business/commerce and thus, is inclined to not support this at this time. Ms. Kablack will compose a letter for distribution to the Sudbury Water District, Board of Health, Board of Selectmen, Conservation Commission and other interested parties regarding the basis of the Board's position related to hydrology and the proximity of most businesses to Zone 2.

7. Earth Removal Bylaw -new one needed

The Planning Board is inclined to not pursue this at this time, but may support it as an article in 2008.

8. Community Preservation Committee (CPC) Proposals - Town Center Survey

On motion duly made and seconded, it was unanimously:

VOTED: To support the Community Preservation Committee (CPC) Proposal to fund the historic portion of the Town Center Survey for \$30,000.

Land acquisition - Johnson Property purchase of approximately 35 acres for a small affordable housing development on Landham Road and the majority of the parcel preserved as permanent open space.

Also, on motion duly made and seconded, it was unanimously:

VOTED: To support the Johnson Land Acquisition Proposal for a negotiated price to be determined between \$1,000,000 and \$1,400,000 for affordable housing and open space.

Bruce Freeman Rail Trail Development Related Projects

Ms. Kablack was in receipt of an email message from Carole Wolfe dated November 7, 2006, which was requested to be part of the official meeting minutes. Ms. Kablack responded to Ms. Wolfe that the Board would require additional time to adequately review the issues broached. All Board Members agreed, future time should be spent becoming more acquainted with the Rail Trail Project.

Mr. Poch is a member of the Rail Trail Conversion Advisory Committee (RTCAC) and clarified that the intent of the following three requests is to gather more information by which to make an informed decision regarding the feasibility of the Project.

Ms. Kablack stated that the Board has never been asked to establish a position on this project. She suggested Mr. Poch, on behalf of the Board, communicate to the Rail Trail Conversion Advisory Committee that the Board would be amenable to developing such a position, if invited to do so. Chairman Fee stated the Board, in general, supports rail trails and thereby, is inclined to support the following three requests as normal due diligence.

- 1. To request the Community Preservation Committee provide administrative funds or submit as part of Town Meeting funding for \$15,000 to perform a full title review to trace the title from when the railroad originally acquired the land, forward in time to the present, as recommended by the Rail Trail Conversion Advisory Committee.**
 - 2. To request the Community Preservation Committee provide funding to perform a two-step wildlife study field survey of the proposed Rail Trail Right of Way (ROW), whereby funds are to be released only upon completion of a satisfactory title review.**
 - 3. To request the Community Preservation Committee provide funding to create an existing conditions base map of the entire rail corridor, including a wetland resource delineation, field survey and preparation of the base map.**
9. Regulation of farm animals - The Board reviewed an email message from Laura Abrams, Chairman of the Agricultural Commission, suggesting animals be under the jurisdiction of the Board of Health and the Animal Inspector. This would necessitate the Planning Board going to Town Meeting to have the bylaws deleted. Hence, the Agriculture Committee and the Board of Health would work collaboratively to develop regulations. When a new bylaw is developed, the Board will explore deleting the zoning bylaw sections related to animals.

The Planning Board is inclined to not pursue this at this time.

10. Wireless Bylaw - needs to be developed.

Ms. Kablack recommended to the Board beginning work and publicity for this now, in preparation for support of a 2008 article submission. Additional parcels should be investigated for inclusion into the overlay district.

Chairman Fee adjourned the meeting at 10:15 p.m.

