

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

At 7:36 p.m., Chairman Fee called the meeting to order.

Maple Meadows - Removal of Trees on Maple Avenue Discussion

Ms. Kablack distributed to the Board, for reference purposes, the "Maple Avenue Street Widening Project Tree Assessment and Recommendations Report" prepared by Urban Forestry Solutions, dated June 7, 2004. She reported that the Board conducted a site visit to Maple Avenue to view the trees flagged for removal. She stated that a previous Public Hearing was held, which was attended by the Tree Warden, and it was duly noticed in the *Middlesex News* and the *Sudbury Town Crier*. Ms. Kablack noted that Maple Avenue is not a Scenic Road and thereby, does not require a Scenic Road Public Hearing.

Ms. Kablack reported that two surveys have been completed to mark the area for construction and roadway work. Three trees have been flagged for removal in front of #31 Maple Avenue and eight trees for removal in the area of the entrance to the Maple Meadows development. Ms. Kablack reported that the owner of #31 Maple Avenue has expressed objections to the removal of the two maple trees in front of his home. In response to a question from Chairman Fee, the conditions of the trees were briefly discussed.

Harry Ainsworth, 44 Maple Avenue, addressed the Board to state his preference to preserve the two maple trees. He asked if the intended road construction could be shifted away from #31 Maple Avenue, so as not to impact the present location of the trees.

The Board reviewed plans of the site, and discussed right-of-way locations. Road dimensions and curvatures were also reviewed. Ms. Eggleston noted that the road design is in many ways constrained by Town regulations.

Chairman Fee opined that the Board is cognizant of the value of the trees to the property owner. Thus, the Chairman stated that the Board requests additional time to further research and discuss options available to preserve the trees, if possible, and the discussion was closed.

At 8:20 p.m., the Chairman resumed this discussion. He briefly summarized the earlier discussion for the benefit of three abutters who arrived late to tonight's meeting. Chairman Fee emphasized that the Board is inclined to recommend options be pursued which will allow the trees in question, located in front of 31 Maple Avenue to not be destroyed. Mr. Poch reiterated that the parameters of the road construction and the right of way present the two most formidable constraints to revisions. Following additional

review of the site plans with these individuals, the Board requested that Ms. Kablack consult with the development engineers and the Director of Public Works Bill Place to determine if the location of the proposed road can be moved, to the extent possible, which would allow the trees to be preserved. Ms. Kablack noted that the desired project timeframe should allow for further research of this matter in the next few weeks.

Chairman Fee assured the abutters that if it is feasible for the trees to be salvaged, the Board will pursue the needed plan adjustments. At 8:35 p.m., Chairman Fee concluded this discussion for the evening.

Olde Bostonian Estates Definitive Subdivision (Goodman's Hill Road) - Public Hearing

Present: Thomas DiPersio, Sr., Thomas Land Surveyors, Frank and Karen Gazarian, Property Owners

At 7:50 p.m., the Chairman opened a Public Hearing in connection with the application of Frank Gazarian & Karen Lento Gazarian, for approval of a Definitive Subdivision Plan of Land, entitled "Olde Bostonian Estates," property located at 267 and 273 Goodman's Hill Road, drawn by Thomas Land Surveyors and Engineering Consultants, Inc., dated June 19, 2007, and showing three lots on approximately 3.48 acres, which had been continued from September 18, 2007.

Chairman Fee reported that since the Board's last meeting, a site visit has been conducted, which was attended by all Board members except Mr. Sziabowski.

Ms. Kablack briefly reviewed the materials added to the file since the Board's last meeting which included: two letters to the Board from Thomas DiPersio, Sr., Thomas Land Surveyors, dated September 18, 2007 and October 4, 2007, respectively addressing the comments made by Ms. Kablack in her August 24, 2007 letter and addressing the Board's and abutters' comments from the September 18, 2007 Public Hearing accompanied by a Post Construction and Long-Term Operation and Maintenance Guidelines listing, a septic system worksheet for Lot 3 dated 2004, and revised plans.

Mr. DiPersio reported that revised grading plans, prepared and dated October 6, 2007, reflect a proposed swale on Lot 3 to redirect water flow and surface runoff away from the Brunner property. Mr. DiPersio also reported that hydrology calculations have been submitted to Ms. Kablack along with an Operation and Maintenance plan which could be incorporated into a Homeowner's Association.

Ms. Kablack stated she has not completed reviewing the materials received from Mr. DiPersio today. However, she has had ongoing discussions, and will meet again with Mr. DiPersio regarding final revisions and to ensure zoning compliance issues have been addressed.

Ms. Kablack further reported that the plans have been revised to modify the driveway design to conform to the 6% maximum grade requirement, and thus, that waiver is no longer required. She also reported that the required Scenic Road Public Hearing has been advertised to be held October 24, 2007, at 7:30 p.m.

Chairman Fee asked what other items remain for the Board's consideration prior to a draft decision being prepared for review. Ms. Kablack replied that soil testing within the vicinity of the infiltration basins and drainage data will need to be reviewed prior to plan approval. Ms. Kablack also suggested that the Board discuss walkways within the development and/or a contribution to the Town's walkway fund, as well as the location of a potential crosswalk.

Ms. Eggleston asked Mr. DiPersio several questions regarding exfiltration from the pond and infiltration rates. She noted she has not had a chance to fully review the drainage calculations she received today. Ms. Eggleston inquired regarding the statement within Mr. DiPersio's September 18, 2007 letter noting that "The basin has not been designed as an infiltration basin and no credit for infiltration has been taken." Mr. DiPersio responded that he believes that infiltration is part of the design, and that the statement was made in error and will be corrected.

Chairman Fee noted that the Board had expressed concerns regarding the steep drop-off on the northerly side of lot 1 and asked what systems have been designed to prevent water from flowing towards the garage. Mr. DiPersio responded that options for appropriately crowing the driveway and drainage swales are being explored.

Ms. Eggleston asked whether there will be screening along the property line of Lot 1 where a significant amount of tree clearing has been planned. Mr. DiPersio replied that Mr. and Mrs. Gazarian have committed to providing a living, evergreen-type screen, if needed. The consensus of the Board is that the design of the lots has already addressed the screening issue and that evergreens may not offer significantly more privacy. However, Ms. Eggleston stated that screening efforts should be considered as a course of due diligence on behalf of the abutters.

Chairman Fee directed the discussion to walkways. He noted that on the recent site visit, neighbors requested that sidewalks be installed on both sides of Goodman's Hill Road, however, this is not feasible given space limitations. Chairman Fee did state however, that a painted crosswalk is feasible. The Chairman referenced that since a waiver has been granted for construction of a full roadway and it has been deemed a Private Way, then the Board does not typically require walkways. However, in these instances, Chairman Fee continued to explain that the Board does require a contribution to the Town walkway fund in lieu of walkways. Ms. Kablack estimated the expected contribution to be approximately \$5,400. Given the waiver request from the applicant, the Chairman stated that the Board seems compelled to require the monetary

contribution. Chairman Fee stated that the Board would also consider a creative idea presented which would allow for public access to the site.

Mrs. Gazarian addressed the Board to state that she and her husband have considered installing a sidewalk leading up to, and around, the gazebo area. She also mentioned that a permeable material would be used for that walkway, which would further enhance the area's drainage. Ms. Kablack noted that the gazebo is located within the right of way, and asked if the public would be allowed access to this area. Mrs. Gazarian responded affirmatively.

Chairman Fee stated that the gazebo is an attractive feature, which could be appealing for public use. However, he noted that if the area were open to the public, then other questions arise such as who is responsible for maintenance of the area. The consensus of the Board was that maintenance could be required of the Homeowner's Association.

Ms. Eggleston opined that she perceives the access to the gazebo more as a landscape feature versus a feature for the public. However, Chairman Fee and other Board members believed that the creation of a sidewalk leading to the gazebo could create the potential for a new public benefit. The Chairman requested additional time for the Board to reach consensus on this matter, and to continue the discussion at a later time.

The Board unanimously agreed that a location for a painted crosswalk should be identified and provided.

Mr. DiPersio confirmed that soil testing data will be available prior to the next meeting. Ms. Kablack noted that she will obtain comments from the Fire Chief and update him accordingly.

Mr. Gazarian stated that he and his wife are prepared to make a walkway contribution to the Town if that will facilitate the approval process. Chairman Fee acknowledged the offer, but reiterated that the Board should more thoroughly discuss other options to provide a pedestrian-friendly development, such as the suggestion for a sidewalk leading to the gazebo, before a contribution amount is finalized. He stated that if an idea is presented, which offers attractive public benefits to the Town, then it is likely that a lesser contribution than what was quoted this evening could be negotiated.

Mr. DiPersio provided the Board with a brief update regarding the applicants' communications with the Conservation Commission and explained the proposed plans for filing Notices of Intent.

On motion duly made and seconded, it was unanimously:

VOTED: To continue the Olde Bostonian Estates Definitive Subdivision Public Hearing on October 24, 2007, at 7:30 p.m., and to also at that time hold the Scenic Road Public

Hearing regarding removal of a stone wall in connection with the Olde Bostonian Estates Definitive Subdivision.

Eligius Homes - Plan Endorsement

On motion duly made and seconded, it was unanimously:

VOTED: To endorse the Application for Endorsement of Plan Believed Not to Require Subdivision Approval (Form A) for Robert and Leona Johnson, 4 Gilchrist Road, Townsend, MA regarding __ Old Lancaster Road, dated September 27, 2007.

Minutes

On motion duly made and seconded, it was unanimously:

VOTED: To approve the minutes of September 12, 2007 and September 18, 2007.

Upcoming Planning Board Fall 2007 Meeting Schedule

The Board reviewed upcoming meeting schedules and conflicts for the remainder of the 2007 year.

The Board agreed to the following meeting schedule, subject to revision:
October 24, 2007, November 8, 2007, and December 12, 2007.

Mr. Poch announced he will be unable to attend the November 8th meeting due to previously scheduled business commitments. Since it is possible that a vote could be required on November 8th regarding the Olde Bostonian Estates Definitive Subdivision Plan, Chairman Fee requested that Ms. Kablack notify the applicant to determine if there is an objection to proceeding on that date, given the expected absence of a Board member.

Grouse Hill Incentive Senior Development - Review Intersection Plan, Set and Accept Bond & Release Occupancy Permit

Present: Martin Loiselle, Capital Group Properties Manager; Tim Paris, Sullivan and Connors, Engineers; William Scully, Traffic Consultant

Ms. Kablack briefly reviewed materials previously provided to the Board, including an Estimated Construction Schedule provided by Capital Group Properties, dated March 22, 2007, and a Progress to Date Report, provided by Ms. Kablack, dated September 20, 2007. Ms. Kablack briefly updated the Board on further progress updates. She and Mr. Loiselle have been reviewing and updating which Occupancy Permit requirements have been fulfilled.

Mr. Hunter suggested, and the Board agreed, that a revised Construction Schedule as of October 2007, be submitted.

Mr. Loiselle reported that much of the infrastructure for Phase 1 has been completed. He stated that the only Phase 1 work remaining is to construct retaining walls along Old Framingham Road, which has been delayed due to the existing home still being occupied.

Mr. Paris reviewed the design plans for the Old Framingham Road/Nobscot Road intersection for the Board, and fielded a few questions. Discussion focused on design dimensions for maneuverability of large tractor-trailer trucks and public safety vehicles. Mr. Paris stated that slope-granite curbing will be used for the curbs. Ms. Kablack reported that Department of Public Works Director Bill Place has stated in an email message that the sight distance is adequate for the posted speed limit, and that the new design will make the intersection safer.

Mr. Sziabowski and Ms. Kablack asked if the proposed traffic island will be planted. Abutter Ray Bachand, 63 Old Framingham Road, questioned if the proposed traffic island needs to be so large. Mr. Paris responded that three feet is recommended as a minimum width, and the proposal is for a six-foot wide island to help direct traffic appropriately and safely. Ms. Eggleston and Mr. Morely emphasized that given the narrowness of the road, the intent is to visually and physically also narrow the wideness of the present intersection. After a brief discussion, it was the consensus of the parties that the island should remain six-feet wide, and be planted.

Mr. Poch requested that more cautionary signage be provided approaching the area, especially traveling southbound on Nobscot Road, and before Dudley Road. The Board concurred with this suggestion. Ms. Kablack will coordinate the addition of appropriate warning signs (noting a dangerous intersection ahead) with Mr. Place.

Mr. Bachand asked what the timeframe is for completion. Mr. Loiselle responded that next summer has been coordinated with the Department of Public Works so that the roadway and intersection work can be done simultaneously.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the intersection plan, dated March 12, 2007, for the Grouse Hill Incentive Senior Development, as exhibited and reviewed this evening, and to include the addition of a traffic island which can be planted.

The Board had previously received copies of a request sent to the Director of Public Works by Capital Group Properties for an assessment of a performance bond for Grouse Hill, the development located at 32 Old Framingham Road in Sudbury. Ms. Kablack distributed to the Board a letter dated September 21, 2007, from Town Engineer/DPW

Director William Place, which estimated the cost to complete site work at \$801,245.00, and she recommended setting the bond at this amount.

On motion duly made and seconded, it was unanimously:

VOTED: To set the bond at \$801,245.00 to complete site work associated with the Grouse Hill Incentive Senior Development.

Mr. Loiselle asked for confirmation that Ms. Kablack, on behalf of the Town, will complete the necessary bond paperwork. Ms. Kablack responded affirmatively.

On motion duly made and seconded, it was also unanimously:

VOTED: To accept the cash bond of \$801,245.00 from the Developers Surety and Indemnity Company to complete site work associated with the Grouse Hill Incentive Senior Development.

Ms. Kablack stated that with the acceptance of this surety amount and bond, the Board is, by default, also allowing Occupancy Permits to be released.

Mahoney Farms – Bond Reduction

Ms. Kablack distributed to the Board, for discussion purposes, a letter dated August 31, 2007, from Town Engineer/DPW Director William Place, which estimated the cost to complete project work at Mahoney Farms at \$242,808.76, and she recommended reducing the bond to this amount.

Mr. Poch questioned whether the proposed amount is too low for the amount of work which is still unfinished. He noted that significant work remains to be completed. After a brief discussion, the consensus of the Board, was that the 35% contingency, which is included in the estimate, is sufficient to cover the Town's financial exposure.

On motion duly made and seconded, it was unanimously:

VOTED: To reduce the bond to \$243,000.00 to complete site work associated with Mahoney Farms.

Miscellaneous

Metropolitan Area Planning Council (MAPC) - Fall Council Meeting

Ms. Kablack distributed to the Board, for informational purposes, an announcement of the MAPC Fall Council Meeting and Policy Summit at 8:00 a.m., on October 23, 2007, to be held at the Omni Parker House in Boston. The Mann Award for distinguished public

service and leadership will be awarded at this meeting.

Chairman Fee adjourned the meeting at 9:35 p.m.