



# Town of Sudbury

## Planning Board

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### MINUTES

**JUNE 10, 2020 AT 7:00 PM**

### VIRTUAL MEETING

**Members Present:** Chair Stephen Garvin, Vice Chair Charles Karustis, Clerk John Hincks, Justin Finnicum, John Sugrue, and Associate Member Anuraj Shah

**Others Present:** Director of Planning and Community Development Adam Duchesneau and Environmental Planner Beth Suedmeyer

Mr. Garvin opened the meeting at 7:00 PM.

**Immediately Continued Public Hearing – Modifications and Time Extension to Definitive Conventional Subdivision Decision, and Stormwater Management Permit – 210-212 Pratts Mill Road (Assessor’s Map G05-0022)**

Mr. Hincks motioned to continue the public hearing for the Modifications and Time Extension to a Definitive Conventional Subdivision Decision, and Stormwater Management Permit application for 210-212 Pratts Mill Road (Assessor’s Map G06-0022) to the Planning Board meeting on June 24, 2020. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**Public Hearing – Scenic Roads (Stone Wall Alteration) – 279 Willis Road (Assessor’s Map D07-0006)**

Peter Ferland from the Sudbury Design Group was in attendance to discuss the application with the Planning Board. He indicated the homeowners were requesting to relocate the driveway at 279 Willis Road and to also relocate the stone wall opening.

Mr. Duchesneau referenced the existing wall via photographs and referred to the proposed location of the new wall.

Mr. Hincks indicated the new proposed stone wall and driveway location would be an improvement, and requested the Applicant conduct maintenance to ensure the poison ivy did not grow back.

Mr. Karustis asked if moving and extending the driveway would increase the amount of impervious surface on the subject property. Ms. Suedmeyer responded she would check to determine if such an impervious surface would exceed the 5,000 square foot threshold for impervious surfaces.

Mr. Finnicum stressed that if more stones were needed to supplement the relocated stonewall, the replacement stones should match the existing stones. Mr. Sugrue agreed with Mr. Finnicum’s comment.

Mr. Shah indicated the project would result in an overall improvement.

Aidan Parte of 261 Willis Road asked if the curbing would be high enough to prevent possible water retention. Mr. Garvin recommended additional grading, if needed.

Mr. Duchesneau stated the project would also require a Driveway Permit from the Engineering Department and any potential stormwater runoff down Willis Road would be reviewed. Mr. Ferland indicated the Town Engineer had already issued the Driveway Permit. He also confirmed a strip drain would be installed around the garage with Cultec material to address any stormwater issues.

Mr. Hincks motioned to approve the Scenic Roads (Stone Wall Alteration) application for 279 Willis Road (Assessor's Map D07-0006). Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

### **Lot Releases for 2, 5, & 6 Bostonian Way (Assessor's Maps H09-0030, H09-0029, and H09-0205)**

Ezra Levine, the property owner of 6 Bostonian Way, was in attendance to discuss the matter with the Planning Board.

Mr. Hincks indicated he was recusing himself from the matter.

Mr. Levine stated he was requesting a release of the covenant for all three lots on Bostonian Way.

Mr. Duchesneau presented the Release of Covenant document for the Planning Board members to sign. He acknowledged the subdivision release was made, but never recorded at the Registry of Deeds, and the owner is now requesting the release be recorded due to the pending sale of property.

Mr. Karustis motioned to release Lots 1, 2, and 3 (2, 5, and 6 Bostonian Way) of the Covenant made by Frank R. Gazarian and Karen Lento Gazarian, dated December 5, 2007. Mr. Garvin seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Recused, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

### **Discussion regarding Safety and Health Issues related to 5G Technology**

Leslie Frodema, RN of 32 Moran Circle and Cece Doucette of Massachusetts for Safe Technology were in attendance to discuss the matter with the Planning Board.

Ms. Frodema conducted a PowerPoint presentation entitled "Massachusetts for Safe Technology." She indicated there were health concerns associated with 5G technology, including possible brain disease and neurological damage. She stressed that such technology had never been tested for safety.

Ms. Frodema suggested the Planning Board take a proactive roll in the effort to ensure safe 5G technology would be implemented in Sudbury. She referenced a related article written by Dr. Martin Pall, a widely-known expert regarding health implications of 5G technology.

Ms. Frodema spoke of neighboring towns taking action with the Burlington Small Cell Policy, including Burlington, Bedford, Lincoln, Southborough, Andover, Concord, Natick, Woburn, and Westford.

Ms. Doucette and Ms. Frodema advocated for Sudbury to further educate the residents about safe technology.

Mr. Garvin requested additional 5G information be submitted to the Planning Board and suggested Town staff consider next steps.

Mr. Hincks commented he would like to learn more about this topic. He opined the item would be an appropriate one for review by the Master Plan Steering Committee under the topic of infrastructure build-out.

Ms. Doucette provided related internet links and stressed children, the elderly, and those with pre-existing conditions were the most susceptible to 5G related health problems.

Ms. Doucette inquired about bylaw setbacks for wireless communication facilities. Mr. Duchesneau offered to provide related information and documentation.

### **Board Appointment – Community Preservation Committee – John Hincks**

Mr. Duchesneau stated the Community Preservation Committee term appointment of Mr. Hincks was expiring this year. He noted Mr. Shah was currently serving as the CPC member-at-large and Mr. Hincks was serving as the Planning Board's representative.

Mr. Hincks affirmed Mr. Shah would make an excellent Community Preservation Committee Planning Board representative, though the Planning Board associate membership of Mr. Shah was a consideration. Mr. Shah recognized that full Planning Board membership as opposed to associate membership status, appeared to be problematic. Mr. Hincks noted Mr. Shah's associate membership status was still in effect.

Mr. Karustis motioned to appoint John Hincks to the Community Preservation Committee. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Abstain, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

### **Master Plan Update**

Mr. Duchesneau indicated the latest draft of the updated Master Plan had been submitted to Town staff and the consultant, the Horsley Witten Group, had asked for comments back from staff by June 17, 2020. He stated the Horsley Witten Group would review the comments and distribute a new draft by July 1, 2020 to the Planning Board and Master Plan Steering Committee for review.

### **Town Meeting Zoning Bylaw Discussion**

Mr. Duchesneau confirmed the proposed Zoning Bylaw Amendment Warrant Articles would be discussed at a public hearing with the Planning Board on August 12, 2020.

### **Administrative Report**

Mr. Duchesneau reiterated the Town remained in its current COVID-19 phase 2 operating status with no phasing dates established for the Town to reopen. He also noted restaurants were compiling and submitting applications to the Board of Selectmen to allow for outdoor seating.

**Minutes for Approval: March 11, 2020**

Mr. Hincks motioned to approve the March 11, 2020 minutes. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

**Future Meeting Schedule: June 24, 2020 and July 15, 2020**

Mr. Garvin confirmed the future meeting schedule dates.

**Continued Public Hearing – Final Plan Approval, Plan Approval, and Stormwater Management Permits – 16 & 36 North Road (Cold Brook Crossing) (Assessor’s Maps C12-0003, C12-0004, and C12-0100)**

Applicants Chris Claussen and Chris Kennedy, Matt Leidner of Civil Design Group, LLC, and attorney William Henchy were in attendance to discuss the matter with the Planning Board. Janet Bernardo from the Horsley Witten Group, the Planning Board’s peer review engineer, was also present on behalf of the Town.

Mr. Claussen summarized updates as requested by the Planning Board, with several additions including:

- Street name approval had been received from the Fire Department and the Department of Public Works, with a revised numbering system and several street name changes.
- The distance between the back-to-back townhomes (their porches) was approximately 30 feet apart on average.
- A striped Crosswalk Plan with updated plans was provided.
- An updated Landscape Plan which added landscaping near townhomes 83, 84, and 85. Additional landscape material had been planned near the wastewater treatment facility and included native vegetation.
- The alternative Emergency Access location had been designed in the plans per the direction of Fire Chief John Whalen.

Mr. Claussen provided other plan updates, which included:

**Stormwater**

Mr. Claussen presented a Stormwater Management Plan and an Operations Management Plan including a maintenance schedule program.

Ms. Bernardo presented several stormwater-related recommendations. Mr. Leidner agreed with the recommendation made by Ms. Bernardo regarding contour changes on North Road/Route 117 and stated the plan would be amended to reflect that change.

Ms. Suedmeyer stated she had communicated with Vincent Roy of the Sudbury Water District. Mr. Roy agreed with the inclusion of a robust Operations and Management Plan (OMP) to address the porous pavement areas. Ms. Suedmeyer added that stormwater conditioning would be included, and confirmed Planning and Engineering staff would inspect the system to ensure compliance with the maintenance plan as proposed.

Mr. Karustis asked Ms. Bernardo if a 50% pervious surface would be safe. Ms. Bernardo responded the 50% pervious ratio would be effective, if well-maintained.

#### Wastewater Treatment

Mr. Claussen explained the Granulated Activated Carbon (GAC) typically would get replaced every two years. He reviewed effluent parameter considerations and suggested the Planning and Community Development Department reference the Massachusetts Department of Environmental Protection (MassDEP) Groundwater Discharge Permit before drafting conditions.

Mr. Claussen addressed concerns regarding depth of gravity lines, sewer pipe depth, and drainage for the Wastewater Treatment Facility. He indicated Tom Lee, the wastewater treatment consultant from the Horsley Witten Group, was satisfied with the wastewater aspects of the project.

Ms. Bernardo confirmed Mr. Lee was satisfied with the wastewater treatment plan.

Ms. Suedmeyer noted Mr. Roy had not received comments from his technical reviewer to date, but indicated the wastewater treatment design looked acceptable.

Mr. Karustis asked if the Sudbury Board of Health had submitted any related comments. Mr. Duchesneau responded that due to the size of project, the Board of Health had not reviewed the plan in detail because it was being regulated by MassDEP. Ms. Suedmeyer mentioned all peer reviews and plans had been submitted to the Health Department.

Mr. Garvin suggested the Board of Health consider providing their opinion in writing per the regulations.

#### Architecture Elevation Updates

Mr. Claussen noted no significant elevation changes had been included since the last review. Mr. Claussen then briefly reviewed all of the architectural renderings.

#### Zoning Board of Appeals Signage Special Permit Application Update

Mr. Claussen indicated that at the Zoning Board of Appeals public hearing the previous week, Zoning Board of Appeals members had requested the elimination of the columns at each end of the two entries and to gradually taper the walls toward the ground.

Mr. Claussen stated the Zoning Board of Appeals was open to using a back lit channel-type letter or removing the goose-neck style flood lights that would be mounted on the ground to relocate such light from the top of the sign, down. He confirmed their design team would explore both of the options suggested. He noted the Zoning Board of Appeals had also recommended the three signs be made from fieldstone. Mr. Claussen stated the fieldstone composition would be researched and noted mounting signage to fieldstone would be difficult. Mr. Claussen stated his preference for using a fieldstone veneer for the signage.

In relation to the permanent signage, Mr. Claussen noted a Zoning Board of Appeals member had requested sign colors be coordinated throughout the subject property. He added Zoning Board of Appeals members had recommended signage at the Emergency Access gate.

Mr. Claussen stated a continued Zoning Board of Appeals public hearing had been scheduled for July 13, 2020.

Mr. Duchesneau mentioned the Planning Board had requested renderings of the Emergency Access gate to be reviewed at the next Planning Board meeting on June 24, 2020.

Mr. Sugrue reiterated back lit signage was preferred rather than lighting from above. Mr. Finnicum was in agreement, adding the back lit concept would not be visible during the day.

Mr. Garvin stated either lighting approach would be acceptable and noted he preferred actual stone being used to construct the wall.

Mr. Garvin outlined the topics to be covered at the next meeting:

- Expanded Traffic Study
- Sidewalks
- Emergency Access

Mr. Duchesneau confirmed the signage Special Permit application would likely be voted upon at the next Zoning Board of Appeals meeting on July 13, 2020, but there would not be a decision available for the next Planning Board meeting on June 24, 2020.

Mr. Hincks motioned to continue the public hearing for the Final Plan Approval, Plan Approval, and Stormwater Management Permits – 16 & 36 North Road (Cold Brook Crossing) (Assessor's Maps C12-0003, C12-0004, and C12-0100) to the Planning Board meeting on June 24, 2020. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

There being no further business, the meeting was adjourned at approximately 8:52 PM.