



Town of Sudbury

Planning Board

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MINUTES

NOVEMBER 18, 2020 AT 7:30 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, Environmental Planner Beth Suedmeyer, and Janet Bernardo from the Horsley Witten Group

Mr. Garvin opened the meeting at 7:30 PM.

Continued Public Hearing – Stormwater Management Permit – 183 Boston Post Road (Sudbury-Hudson Transmission Reliability and Mass Central Rail Trail Project) (Assessor’s Maps K10-0014, K11-5000, K09-5000, K08-5000, K07-5000, J06-5000, J05-5000, and H03-5000)

Denise Bartone from Eversource Energy, Katie Kinsella from VHB, Ken Staffier from VHB, Mark Costa from VHB, and Barry Fogel of Keegan Werlin, LLP were in attendance to discuss the application with the Planning Board.

Ms. Kinsella confirmed the project reflected a joint filing between the Massachusetts Department of Conservation and Recreation and Eversource Energy.

Mr. Staffier reviewed the state, federal, and Town of Sudbury standards and regulations which applied to the project.

Mr. Costa provided detail regarding the five applicable watersheds involved at the site. He explained particulars regarding a proposed basin to treat any runoff from Landham Road. Mr. Garvin asked if a larger detention area and/or additional infiltration could be included at the bottom of the basin. Mr. Costa responded that VHB would review this aspect.

VHB representatives addressed the various design points within the four-mile stretch of corridor being studied.

Mr. Karustis inquired about how much vegetation existed in the area between the proposed bike path and the Sudbury Lumber Yard. Mr. Costa indicated the vegetation amount was variable and noted water naturally flowed to Hop Brook in this area, and maintaining the existing path was preferable for this reason.

Mr. Garvin commented it was not unusual to redirect and utilize stone and trenching to improve the peak rate in the Design Point 9.1 area. Mr. Costa acknowledged the suggestions made by Mr. Garvin and confirmed that such considerations would be further examined.

Ms. Suedmeyer asked about the corridor cut and fill analysis, especially in regard to those areas more susceptible to flooding. She added that further discussion regarding the existing vegetation would be helpful.

Ms. Bernardo indicated the Applicant did review and amend several areas of interest, and agreed with Mr. Garvin that review of Design Sections 9.1 and 9.4 would be beneficial.

There were no public comments presented.

Ms. Suedmeyer stated it would be most beneficial if the Applicant could detail the two phases of the project in further detail to help assure the Planning Board the full project (both phases) would be completed.

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit for 183 Boston Post Road (Sudbury-Hudson Transmission Reliability and Mass Central Rail Trail Project) (Assessor's Maps K10-0014, K11-5000, K09-5000, K08-5000, K07-5000, J06-5000, J05-5000, and H03-5000) to the Planning Board meeting on December 9, 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.

554 & 560 Boston Post Road (Assessor's Map K06-0602) – Site Plan Modification

Applicant/Owner Quentin Nowland, engineer Vito Colonna of Sullivan, Connors & Associates, architect Bill Dickinson of Dickinson Architects, and Construction Manager Joe Polizzotti of New England Development were in attendance to discuss the matter with the Planning Board.

Mr. Nowland confirmed the presentation materials reflected the proposed Site Plan Modifications including an easement plan, landscape plan, and Stone Tavern alterations. He mentioned he had no authority to amend the easement plan as directed by the Town's Engineering Department.

Mr. Garvin stated he would prefer the inclusion of a gravel road rather than a swale. Mr. Nowland presented the amended landscape plan which reflected changes in the easement plan.

Mr. Dickinson noted the inclusion of two small windows which were added to comply with the Americans with Disabilities Act regulations and gable plans were re-submitted per the recommendation of the Historical Commission.

Select Board member Janie Dretler of 286 Goodman's Hill road requested photos of the current site. She offered to share photos she possessed and stressed that enhancements to the existing property buffer were necessary. Mr. Garvin suggested Ms. Dretler submit her photos and the Planning Board would consider the buffering aspect.

Historical Commission member Dianna Warren of 32 Old Framingham Road stated any proposed screening should not obstruct the view of the historic cupola and the Stone Tavern. She expressed support regarding the gable and window modifications.

The Planning Board members expressed their concern regarding generator noise, fence screening, and vegetation.

Mr. Hincks motioned to approve the Site Plan Modifications for 554 & 560 Boston Post Road (Assessor's Map K06-0602) with the following conditions:

- A solid/privacy fence shall be installed along the south and west sides of the smoke evacuation system generator.
- A cut sheet/detail sheet for the privacy fence shall be submitted to the Planning and Community Development Department for review and approval prior to installation of the privacy fence.
- The smoke evacuation system generator shall only be exercised between the hours of 9:00 AM and 5:00 PM.

Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Anthony Drive/North Ridge Farm Subdivision – Tri-Party Lenders Agreement Release Request

Developer Jim Fenton was in attendance to discuss the matter with the Planning Board.

Mr. Duchesneau stated Mr. Fenton was requesting a full release of the \$156,089.88 Tri-Party Lenders Agreement. He added the Department of Public Works was recommending an amount of \$10,000 be held back to address the maintenance of the detention basin on Lot #1 as well as the drainage system clean-out to take place in the spring. Mr. Duchesneau indicated there was going to be a Warrant Article at the 2021 Annual Town Meeting proposing to accept Anthony Drive as a public way. He also affirmed there appeared to be outstanding fees involving overdue permitting which Town staff was currently researching.

Ms. Suedmeyer confirmed she and Town Engineer Bill O'Rourke had conducted a final inspection which discovered several items that needed to be addressed in consideration of the As-Built documentation and stormwater management adherence for each lot of the subdivision. She stressed the outstanding item identified was additional work to be performed on the side slopes of the infiltration basin and the adjacent lawn at 5 Anthony Drive.

Mr. Garvin suggested Mr. Fenton resubmit the related documentation he had provided nine months ago. The Planning Board members recalled extending the subdivision deadlines and concurred with the resubmission of the documentation.

Mr. Hincks motioned to continue the Anthony Drive/North Ridge Farm Subdivision – Tri-Party Lenders Agreement Release Request matter to the Planning Board meeting on December 9, 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.

Town Meeting Zoning Bylaw Discussion, including but not limited to:

- Storage Trailers by Special Permit**
- Expansion of Wireless Services Overlay District**
- Modifications to Section 3200. Signs and Advertising Devices**
- Fence Height Limitation**
- Section 2110 – References to Overlay Districts**

The Planning Board members reviewed the proposed bylaws, focusing their discussion on the storage trailer bylaw. The Planning Board members all agreed the stacking of such trailers should not be allowed.

Mr. Duchesneau indicated a temporary storage trailer use for six months or less would be permitted under the proposed bylaw. However, anything longer than such a timeframe would require a Special Permit from the Zoning Board of Appeals, except for this type of storage in the Industrial, Limited Industrial, and Industrial Park Zoning Districts.

Master Plan Update

Mr. Duchesneau provided an update regarding the Master Plan approval timeline.

The Planning Board discussed conducting a joint meeting with the Master Plan Steering Committee and/or the Horsley Witten Group for some time in January of 2021. Mr. Garvin acknowledged the final approval of the updated Master Plan was the responsibility of the Planning Board. Mr. Hincks expressed his preference for including a final conversation with the Master Plan Steering Committee and Mr. Garvin agreed.

Board Appointment – Bruce Freeman Rail Trail Advisory Task Force

Mr. Hincks motioned to re-appoint Charles Karustis to the Bruce Freeman Rail Trail Advisory Task Force. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Administrative Report

Ms. Suedmeyer indicated Fuss & O’Neill, Inc. had been hired as the design engineering firm for the next phase of the Bruce Freeman Rail Trail and would complete the design. A related kick-off meeting with Fuss & O’Neill, Inc. had taken place earlier in the day.

Ms. Suedmeyer stated the Select Board had voted in favor of the CSX corridor acquisition.

Minutes for Approval: June 10, 2020

Mr. Hincks motioned to approve the minutes for June 10, 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.

Future Meeting Schedule: December 9, 2020 and 2021 Meeting Schedule (Public Hearing Date for Proposed Zoning Bylaw Amendments)

The Planning Board members agreed with the proposed 2021 meeting schedule as outlined.

Mr. Garvin motioned to accept the 2021 Meeting Schedule as shown. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Mr. Duchesneau noted the public hearing for the proposed Zoning Bylaw amendments should take place no later than January 27, 2021 and the Planning Board members agreed.

Executive Session – Pursuant to MGL Chapter 30A, Section 21(a)(exception 6) to consider the purchase, exchange, lease, or value of real property if the Chair declares that an Open Meeting may have a detrimental effect on the negotiating position of the public body with respect to the possible expansion of the Wireless Services Overlay Zoning District. Vote to end Executive Session and not return to Open Session

Mr. Garvin motioned for the Planning Board to enter Executive Session pursuant to MGL Chapter 30A, Section 21(a)(exception 6) to consider the purchase, exchange, lease, or value of real property, and declared that an Open Meeting may have a detrimental effect on the negotiating position of the public body with respect to the possible expansion of the Wireless Services Overlay Zoning District, and to vote to end the Executive Session and not return to Open Session. Mr. Hincks seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

The Open Session meeting was adjourned at approximately 10:43 PM.