



Town of Sudbury

Planning Board

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MINUTES

APRIL 28, 2021 AT 7:30 PM

VIRTUAL MEETING

Members Present: Chair Stephen Garvin, Vice Chair Charles Karustis, Clerk John Hincks, Justin Finnicum, and John Sugrue

Members Absent: Associate Member Anuraj Shah

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

Mr. Garvin called the meeting to order at 7:30 PM.

Continued Public Hearing – Stormwater Management Permit – 150 Wayside Inn Road (Assessor's Map K02-0002)

Engineer Peter Bemis and the Town's peer review engineer Janet Bernardo from the Horsley Witten Group were in attendance to discuss the item with the Planning Board.

Mr. Bemis presented the new plan dated April 7, 2021 and discussed various revised details associated with the new plan.

Ms. Suedmeyer explained the project would need to be reviewed by the Conservation Commission due to the updated plans. She requested surety that grass seed would be included around the wetland buffer zones. Ms. Suedmeyer stressed that the proposed tree line and vegetation would remain as they were important aspects of the plan. She also requested a clearly defined limit of work be shown on the plans as well.

Ms. Bernardo inquired about the tree stumps remaining on the subject property. Mr. Bemis indicated the stumps would be removed and seeding for the pasture would take place. Ms. Bernardo indicated retaining the stumps might help prevent erosion and land disturbance. She recommended adding more erosion control measures along Wayside Inn Road as well. Ms. Bernardo further recommended that as many mature plants/trees as possible be saved. She then asked if soil testing had been performed and recorded. Mr. Bemis affirmed that soil testing had been performed. Ms. Bernardo mentioned several other aspects associated with the project, including a long-term management plan for the proposed trench drain.

Mr. Finnicum mentioned several tree-related considerations. He inquired about the proposed grading and soils brought onto the site. Mr. Finnicum stated more information regarding soil testing should be presented. He mentioned the adequacy of the drainage trench. Mr. Finnicum asked where the fence line would be, as well as the location of the proposed barn.

Mr. Hincks echoed all of the points which had been raised. He stated he completely supported the project in light of the historic agricultural past of the community, provided the project met the requirements for a Stormwater Management Permit. Mr. Hincks also wanted to be sure any hazardous materials would not be introduced to the adjacent waterways, such as horse manure.

Mr. Karustis mentioned the proposed tree line and asked about the width of the buffer. Mr. Bemis responded it was approximately twenty feet wide and he agreed that sufficient stormwater protections must be implemented, especially in the vicinity of the wetlands.

Mr. Sugrue agreed with the comments of the other Planning Board members and also desired to have the tree line clearly delineated. He then asked about the trench drain location.

Mr. Garvin also expressed his concerns about potential soil erosion and the project's proximity to significant wetland areas on both sides of the road. He mentioned the importance of a clearly delineated tree line as well.

Michael Shapanka of 170 Wayside Inn Road stated there were a significant number of trees on his side of the property line and on the Wayside Inn property line there was 500 feet of trees. He stated the drainage issue had not been a problem in the past. Mr. Shapanka added the front acreage had not been cleared by the Applicant and indicated there were no runoff issues onto his property or on Wayside Inn Road. Mr. Shapanka also advocated for fencing, and expressed concerns about potential manure piles or where the stable might be located in consideration of the well water provided to his property. He emphasized he was very much in favor of the project.

Resident and property owner Jon Delli Priscoli stated he had owned property in the area for over forty years, specifically on Prides Crossing Road and at 150 Wayside Inn Road. He mentioned he had been a trustee at the Wayside Inn for some fifteen years. Mr. Delli Priscoli detailed his passion for the area and noted he had great interest in connecting the properties. He stressed he was looking forward to bringing the pastures back to the area in the 18th and 19th century agricultural style. Mr. Delli Priscoli emphasized there was not one drop of water leaving the site currently. He stated that equipment had not moved after the stop work order had been issued. Mr. Delli Priscoli maintained drainage into the Grist Mill Pond came from the Marlboro Treatment Plan and not from his property.

Mr. Delli Priscoli stated he planned to introduce a few horses to the property for the benefit of those visiting the Wayside Inn, and would later include a vintage barn on the site. He stressed an arborist had assessed all the trees which had come down and the remaining trees were healthy deciduous ones. Mr. Delli Priscoli maintained the soil on the property was composed of sand and gravel, and had been tested on three separate occasions. He indicated there would be no export of soils from the premises and the boulders would be used for stone walls. Mr. Delli Priscoli stated he would be using agricultural grasses suitable for horses to eat on the property as well.

Mr. Garvin thanked Mr. Delli Priscoli for his informative presentation and requested he put his comments in writing for the Planning Board members to consider.

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit for 150 Wayside Inn Road (Assessor's Map K02-0002) to the Planning Board meeting on May 26, 2021. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Continued Public Hearing – Stormwater Management Permit – Lot 42 Fox Hill Drive (Assessor's Map B07-0214)

Engineer Brian Waterman, Applicant/Owner Gary Bennos, and the Town's peer review engineer Janet Bernardo from the Horsley Witten Group were in attendance to discuss the item with the Planning Board.

Mr. Waterman provided updates to the proposal including additional soil testing, and the redesigned driveway and infiltration system. He noted the Stormwater Management Plan had also been adjusted.

Ms. Suedmeyer agreed the revised plan was an improvement over the originally submitted plan.

Ms. Bernardo acknowledged the changes made and noted several remaining issues that could be easily adjusted.

The Planning Board members agreed the revised plan was much improved.

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit for Lot 42 Fox Hill Drive (Assessor's Map B07-0214) to the Planning Board meeting on May 26, 2021. 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 – Stormwater Management Permit – Lot 38 Fox Hill Drive (Assessor's Map B07-0210)

Engineer Jacob Lemieux and Project Manager Brian Goudreau from Hancock Associates, as well as the Town's peer review engineer Janet Bernardo from the Horsley Witten Group, were in attendance to discuss the item with the Planning Board.

Mr. Lemieux discussed updates to the proposed project, including drainage and infiltration aspects.

Ms. Bernardo addressed the considerable drop near the retaining wall. She also mentioned tree removal and the amended tree plan.

Discussion took place regarding the retaining wall materials and height.

Mr. Hincks questioned the necessity of tree cutting in the backyard of the lot. Mr. Lemieux responded keeping the trees would interfere with the capture of stormwater drainage.

Mr. Karustis inquired about Lot 37 and expressed some concern regarding tree clearing to the property line.

Mr. Sugrue asked for more detailed information regarding the retaining wall and tree clearing.

Mr. Garvin requested the Applicant have test pits completed before installation of the retaining walls occurred. He recommended additional drainage structures implemented, or added grading to the driveway be considered, and a detailed Erosion Control Plan be submitted.

Hayley Barnes of 42 Mary Catherine Lane spoke about disturbance of 50% of the lot and expressed concern regarding the cutting of trees as well as the substantial retaining walls. She inquired about possible alternatives to the proposed plans.

Sany Iskandar of 36 Mary Catherine Lane stated his concerns regarding tree removal, ponding, berms, drainage, and retaining walls. He recommended the Applicant consider alternatives and suggested adding additional dry wells.

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit for Lot 38 Fox Hill Drive (Assessor's Map B07-0210) to the Planning Board meeting on May 26, 2021. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Nolan Circle/Landon Estates (fka Woodward Glen/Greenscape Park) off Powers Road (Assessor's Map B09-0001) Definitive Subdivision Plan and Stormwater Management Permit Decisions Modifications

Applicant and owner David Howe was in attendance to discuss the matter with the Planning Board.

Mr. Duchesneau provided a summary of the proposed modifications to the plans, including the expansion of the limit of work area on Lot #1. The second item reviewed was regarding an error in the setback calculation on Lot #2.

Mr. Howe added two trees would need to be removed to adhere to the proposed modifications and two other trees originally slated for removal, would be preserved. He also indicated that within the woodland area, he was intending to plant a significant amount of additional landscaping.

Ms. Suedmeyer suggested trees to be retained be marked as such on the updated plan.

The Planning Board members agreed with the inclusion of added details regarding the tree plan.

Mr. Hincks motioned to approve the Nolan Circle/Landon Estates (fka Woodward Glen/Greenscape Park) off Powers Road (Assessor's Map B09-0001) Definitive Subdivision Plan and Stormwater Management Permit Decisions Modifications including the side yard setback and the adjustment of the driveway, with the condition that the existing trees to be maintained are documented on the plan. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

61 King Philip Road (Assessor's Map K09-0049) – Minor Site Plan Review

Applicant and owner Nick Chunias was in attendance to discuss the matter with the Planning Board. He provided details regarding the application for Minor Site Plan Review for a pop-up pizza stand at Juliana's Catering, which started in 2020, and had been quite successful during the COVID pandemic. Mr. Chunias added he had been working with the Building Inspector regarding seasonal operations of the stand and noted pending approval by Board of Health and Fire Department.

Mr. Duchesneau indicated various Town departments were reviewing the associated plans. He also noted the Applicant was requesting to continue this pop-up pizza stand model on an annual basis and any proposed signage would need to be reviewed by the Historical Districts Commission.

Mr. Finnicum commented Juliana's Catering was great for the neighborhood and strongly supported the proposed project. He recommended employees park off-street, however, due to the limited space on streets in the area.

Mr. Hincks supported the plan as a Minor Site Plan Review project.

The Planning Board members agreed Juliana's Catering was a great asset to the community. Mr. Garvin recommended the parking spaces in the lot which is accessed from Route 20/Boston Post Road be for food pick-up only to avoid any backup on Route 20/Boston Post Road.

Mr. Hincks motioned to approve the Minor Site Plan for 61 King Philip Road (Assessor's Map K09-0049) with the condition that the parking spaces in the lot which is accessed from Route 20/Boston Post Road be for food pick-up only. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

Master Plan Update (Internal Discussion of Final Documents)

Nate Kelly and Krista Moravec from the Horsley Witten Group were in attendance to discuss the matter with the Planning Board.

Mr. Duchesneau provided an update of the final Master Plan Baseline Report, and the Master Plan appendix and Action Item Matrix.

Mr. Kelly noted several comments were received from the Historical Commission.

The Planning Board members agreed the Master Plan restructuring was very effective. The members also agreed with all work provided by the consultants at the Horsley Witten Group.

Mr. Hincks motioned to endorse the Master Plan with the minor modifications as submitted by the Historical Commission. 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. Hincks motioned to designate the finalization of the Master Plan letter to John Sugrue, Chair of the Master Plan Steering Committee, and for the letter to be signed off by Stephen Garvin, Chair of the Planning Board. Mr. Karustis seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Karustis – Aye, Mr. Hincks – Aye, Mr. Finnicum – Aye, and Mr. Sugrue – Aye.

16 & 36 North Road (Cold Brook Crossing) (Assessor's Maps C12-0003, C12-0004, and C12-0100) Performance Bond Agreements

Mr. Duchesneau confirmed that as part of the Cold Brook Crossing residential development's Stormwater Management Permit, Performance Bond agreements and related checks were required to be filed with the Town's Finance Department.

Ms. Suedmeyer stated the Director of the Department of Public Works and the Town Engineer had reviewed the related proposals regarding the Performance Bonds and had made recommendations regarding those values. She stated an additional bond was required for operations and maintenance, which

was not captured to date, and approval of such bond would not present until occupancy of the dwelling units.

Mr. Hincks motioned to approve the Performance Bond Agreements for 16 & 36 North Road for the Cold Brook Crossing residential development (Assessor's Maps C12-0003, C12-0004, and C12-0100). 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 Amendments

Mr. Duchesneau stated the Planning Board Town Meeting presentations had been submitted for the three proposed Zoning Bylaw amendments. He added the Town Meeting Warrant would be distributed in the near future.

Citizens' Comments on Items Not on Agenda

There were no citizens' comments.

Minutes for Approval: October 7, 2020 and October 14, 2020

Mr. Hincks motioned to approve the minutes for October 7, 2020 and October 14, 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.

Administrative Report

Mr. Duchesneau indicated the MetroWest Home Consortium distributed federal funds to membership communities, which included Sudbury. The Consortium recently completed an analysis regarding the Fair Housing Report and the Consortium was now forming a working group to help implement some of the items in that report. The Consortium had asked staff in each community to reach out to their Planning Board's to determine if a Planning Board member had interest in being part of the working group. Mr. Duchesneau asked the Planning Board members to consider such a membership and commitment.

Future Meeting Schedule: May 12, 2021 and May 26, 2021

The Planning Board members indicated their ability to attend the May 12, 2021 and May 26, 2021 meetings.

Mr. Karustis stated he would be resigning from the Planning Board and would be stepping down from his position on the Bruce Freeman Rail Trail Task Force. He also indicated he would be interested in being a part of the Master Plan implementation process.

Mr. Hincks noted the Planning Board would likely examine the Board's reorganization shortly after the Annual Town Meeting in May. Mr. Garvin stated a quorum of Planning Board members would still be in place in the meantime.

Mr. Garvin adjourned the meeting at 10:10 PM.