



# Town of Sudbury

## Planning Board

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### MINUTES

DECEMBER 15, 2021 AT 7:30 PM

### VIRTUAL MEETING

**Members Present** Chair Stephen Garvin, Vice Chair Justin Finnicum, Clerk John Hincks, Anuraj Shah, and John Sugrue

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

Mr. Garvin called the meeting to order at 7:31 PM.

**Immediately Continued Public Hearing – Stormwater Management Permit – 25, 35, 45, & 55 Widow Rites Lane (Assessor’s Maps E07-0146, E07-0147, E07-0148, E07-0154, E07-0155, and E07-0459)**

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit application for 25, 35, 45, & 55 Widow Rites Lane (Assessor’s Maps E07-0146, E07-0147, E07-0148, E07-0154, E07-0155, and E07-0459) to the Planning Board meeting on January 12, 2022. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

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

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit application for 150 Wayside Inn Road (Assessor’s Map K02-0002) to the Planning Board meeting on January 12, 2022. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

**Immediately Continued Public Hearing – Stormwater Management Permit – 565 and Lot B Concord Road (Assessor’s Maps F10-0013 and F10-0229)**

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit application for 565 and Lot B Concord Road (Assessor’s Maps F10-0013 and F10-0229) to the Planning Board meeting on January 12, 2022. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

**Immediately Continued Public Hearing – Definitive Subdivision Plan and Stormwater Management Permit – Maynard Road aka Bonnie Brook Estates (Assessor’s Maps G08-0025 and G08-0500)**

Mr. Hincks motioned to continue the public hearing for the Definitive Subdivision Plan and Stormwater Management Permit applications for Maynard Road aka Bonnie Brook Estates (Assessor's Maps G08-0025 and G08-0500) to the Planning Board meeting on January 12, 2022. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

**Continued Public Hearing – Stormwater Management Permit – Lot 43 Fox Hill Drive (Assessor's Map B07-0215)**

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

Mr. Geaudreau presented the updated Stormwater Management Plan for the project. Ms. Bernardo confirmed all questions regarding the proposal had been addressed by the Applicant.

Mr. Hincks motioned to approve the Stormwater Management Permit with conditions for Lot 43 Fox Hill Drive (Assessor's Map B07-0215). Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Abstain, and Mr. Sugrue – Aye.

**Continued Public Hearing – Site Plan Review and Stormwater Management Permit – 15 & 40 Fairbank Road (Assessor's Maps F05-0005 and F06-0001)**

Architect Joel Bargmann, engineer John Kucich, project manager Chris Eberly, landscape architect Kyle Zick, traffic advisor Timothy Thompson, and the Town's peer review engineer Janet Bernardo from the Horsley Witten Group were in attendance to discuss the matter with the Planning Board.

Mr. Garvin recused himself from the hearing.

Mr. Eberly detailed aspects of the proposed plan regarding the proposed driveway layout and traffic plans. Mr. Bargmann addressed various modifications made to the Site Plan.

Mr. Zick addressed specifics regarding the relocation of the basketball courts, crosswalks within the parking lot, and the relocation of the proposed dumpster. Mr. Duchesneau requested confirmation that two crosswalks would lead to the parking area across Fairbank Road and Mr. Kucich indicated that was correct.

Mr. Shah elaborated on the comments made by the Park & Recreation Commission, especially regarding the lighting around the pool.

Mr. Hincks questioned the omission of the large windows around the pool and asked if another form of natural light could be included, such as skylights.

Mr. Finnicum inquired about the potential for two basketball courts at the property. Mr. Kucich confirmed the potential for a second basketball court was included and it could be installed at some point in the future. Mr. Finnicum stressed the beneficial health aspects regarding natural light for the pool area.

Mr. Hincks motioned to continue the public hearing for the Site Plan Review and Stormwater Management Permit applications for 15 & 40 Fairbank Road (Assessor's Maps F05-0005 and F06-0001) to the Planning Board meeting on January 12, 2022. Mr. Sugrue seconded the motion. Roll Call Vote: Mr. Garvin – Recused, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

At this time Mr. Garvin returned to the meeting.

**Public Hearing – Site Plan Review and Stormwater Management Permit – 199 Raymond Road (Assessor's Map L08-0001)**

Sudbury Water District Executive Director Vin Roy, project manager Kyle Hay, engineer Jesse Johnson, engineer Sara Francis, and the Town's peer review engineer Janet Bernardo from the Horsley Witten Group were in attendance to discuss the matter with the Planning Board.

Mr. Roy stated the Sudbury Water District had been notified of PFAS (polyfluoroalkyl) contamination at the Stow Fire Fighter Academy. He explained water samples were taken at Town wells and low levels of contaminants were found. Mr. Roy confirmed the Raymond Road well location would be treated first.

Ms. Bernardo mentioned the associated challenges would involve determining the extent of the existing gravel area and diverting parking lot runoff away from the drip trenches near the new structure.

Ms. Suedmeyer stated the primary goal was to improve the treatment of the stormwater from the driveway area.

Mr. Duchesneau questioned the color of the membrane for the proposed structure and Mr. Hay indicated it was proposed to be a tan/beige color.

Mr. Garvin opined about a statement regarding the updating of the way the contaminants were calculated and the prescribed treatment. He also indicated a clean letter was needed from the Town's peer review engineer.

Mr. Hincks motioned to continue the public hearing for the Site Plan Review and Stormwater Management Permit applications for 199 Raymond Road (Assessor's Map L08-0001) to the Planning Board meeting on January 12, 2022. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

**Public Hearing – Site Plan Review and Stormwater Management Permit – 141 Boston Post Road (Assessor's Maps K11-0019 and K11-0019-A)**

Attorney Joshua Fox; John Welch from the Herb Chambers Companies; Gabe Crocker, David Newhall, and Maggie Laracy from Crocker Design Group; architect James Mullarkey; engineer Fred King from DGT Associates; and the Town's peer review engineer Janet Bernardo from the Horsley Witten Group were in attendance to discuss the matter with the Planning Board.

Mr. Fox provided a summary of the proposed project and noted permit filings had also been submitted to the Conservation Commission and Zoning Board of Appeals. Mr. Crocker then discussed the proposed Site Plan, drainage plan, landscaping, and lighting for the property.

Ms. Laracy presented the stormwater management aspects of the proposed project, including a summary of the Massachusetts Department of Transportation (MassDOT) drainage easement. Ms. Bernardo commented about the proposed grading closest to the wetlands.

Mr. Duchesneau noted Town staff did not support the proposed vehicle display pads along Boston Post Road/Route 20, nor the expanded parking area on the east side of the property.

Ms. Suedmeyer mentioned the non-wetland portion of the site was already highly developed. She requested the existing natural surfaces be retained.

Mr. Hincks concurred with the elimination of the vehicle display pads and recommended the proposed parking area be reduced considerably.

Mr. Sugrue stressed an open lawn area was critical to any redevelopment of the site and did not favor adding any parking to the east side of the property.

Mr. Shah expressed his disdain for the proposed vehicle displays along Boston Post Road/Route 20 and the proposed expansion of the parking area.

Mr. Finnicum echoed the other Planning Board members' comments, emphasizing the proposed amount of parking was excessive. He requested additional information regarding light fixtures and the proposed car wash.

Mr. Garvin recommended preservation of the existing landscaped area to every extent possible. He inquired about electric vehicles, charging stations, and battery storage. Mr. Garvin also stated there was no difference between gravel and impervious pavement.

Mr. Fox acknowledged similar comments were received from the Zoning Board of Appeals and Design Review Board.

Mr. Crocker stated the proposed car wash would be a closed system, and any runoff would be collected and reused at the site.

Select Board member Janie Dretler inquired about the driveway connection to Buddy Dog at 151 Boston Post Road.

Mr. Hincks motioned to continue the public hearing for the Site Plan Review and Stormwater Management Permit applications for 141 Boston Post Road (Assessor's Maps K11-0019 and K11-0019-A) to the Planning Board meeting on January 26, 2022. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

**Public Hearing – Stormwater Management Permit – Lot 2 Goodman's Hill Road (Assessor's Map H09-0026)**

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

Mr. Geaudreau described the proposed stormwater management and construction plan for a new home at the subject property.

Ms. Bernardo confirmed she had provided a peer review letter which questioned the use of the old soil test pits to locate the stormwater treatment area.

Ms. Suedmeyer commented regarding the proposed incline of the driveway and noted the requirement it needed to stay under a 10% grade.

Mr. Sugrue endorsed the retention of mature trees on the subject property. Mr. Shah stressed the importance of preserving the buffer between the abutting property.

Mr. Garvin recommended the driveway slope be reduced to 9% in order to leave some room for error when it would be constructed in the field.

Mr. Hincks motioned to continue the public hearing for the Stormwater Management Permit application for Lot 2 Goodman's Hill Road (Assessor's Map H09-0026) to the Planning Board meeting on January 12, 2022. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

**Lot 37 Fox Hill Drive (Assessor's Map B07-0209) – Stormwater Management Performance Bond Estimate**

Engineer Brian Geaudreau was in attendance to discuss the matter with the Planning Board.

Ms. Suedmeyer stated the proposed Performance Bond amount should be increased by \$10,000. Mr. Geaudreau indicated the Performance Bond amount should remain the same. Mr. Hincks confirmed the Planning Board deferred to the bond estimate amount recommendations provided by the Town Engineer.

Mr. Hincks motioned to set the Stormwater Management Performance Bond for Lot 37 Fox Hill Drive (Assessor's Map B07-0209) at \$94,000. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

**36 North Road and 435 & 437 Cold Brook Drive aka Cold Brook Crossing (Assessor's Maps C12-0101 and C12-0100) – Stormwater Management Permit Modification**

Chris Claussen and engineer Matt Leidner were in attendance to discuss the matter with the Planning Board.

Mr. Claussen indicated a considerable amount of ledge found on the property was impacting construction. Mr. Leidner requested a modification to one of the subsurface infiltration systems.

Mr. Hincks motioned to approve the Stormwater Management Permit Modification for 36 North Road, and 435 & 437 Cold Brook Drive aka Cold Brook Crossing (Assessor's Maps C12-0101 and C12-0100). Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

**439/447/457 Boston Post Road (Assessor's Map K08-0003) – Site Plan Modification**

Roche Brothers Director of Real Estate James Sperber, Sudbury Farms Manager Kevin McCafferty, and Sean Connor from Roche Brothers Store Operations were in attendance to discuss the matter with the Planning Board.

Mr. Sperber presented the proposed locations for cart corrals in the parking area.

Mr. Garvin inquired if a Special Permit was required for parking space relief. Mr. Duchesneau responded the zoning requirement would still be satisfied even with the reduction in the number of parking spaces to accommodate for the cart corrals.

Mr. Hincks stated the zoning requirements for parking lots should be reevaluated. Mr. Garvin agreed that such parking regulations should be updated.

Mr. Hincks motioned to approve the Site Plan Modification for 439/447/457 Boston Post Road (Assessor's Map K08-0003). Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

**Dakin View/Skyview Lane Subdivision – Performance Bond Release Request**

Monique Mooney was in attendance to discuss the matter with the Planning Board.

Mr. Duchesneau stated the Department of Public Works had confirmed the subdivision had satisfied all aspects associated with the performance bond.

Mr. Hincks motioned to release the performance bond for the Dakin View/Skyview Lane Subdivision. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

**Planning Board Associate Member Interviews**

Julie Zelermyer Perlman was in attendance to discuss the matter with the Planning Board.

Ms. Perlman indicated she had grown up in Acton and lived in Sudbury for approximately four years. She shared her real estate and architectural background with the Planning Board.

Mr. Hincks motioned to appoint Julie Zelermyer Perlman as the Associate Member of the Planning Board for a term of two (2) years ending on December 16, 2023. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

**2022 Annual Town Meeting Zoning Bylaw Amendments Public Hearing Date**

Mr. Duchesneau stated a public hearing was required to address the proposed bylaw changes for the Stormwater Management Bylaw and the proposed Fence Bylaw. Mr. Garvin suggested the public hearing be held on January 26, 2022 and all Planning Board members agreed.

### **Master Plan Implementation**

Mr. Garvin confirmed the Planning Board Master Plan Implementation discussion was scheduled for December 21, 2021.

Mr. Duchesneau discussed how short-term goal setting and the Planning Board prioritizing the top five (or so) goals would take place at the December 21, 2021 meeting.

### **Citizens' Comments on Items Not on Agenda**

There were no topics discussed under this item.

### **Minutes for Approval: May 12, 2021 and May 26, 2021**

Mr. Hincks motioned to approve the minutes for May 12, 2021, and May 26, 2021. Mr. Finnicum seconded the motion. Roll Call Vote: Mr. Garvin – Aye, Mr. Finnicum – Aye, Mr. Hincks – Aye, Mr. Shah – Aye, and Mr. Sugrue – Aye.

### **Administrative Report**

Mr. Duchesneau announced the 2022 Annual Town Meeting had been scheduled for May 2, 2022.

### **Committee Member Updates**

Mr. Garvin asked the Planning Board members to provide quick updates on the various other committees each members sat on, in the future.

### **Possible Future Agenda Items**

Mr. Sugrue suggested each member's preferred five Master Plan implementation priorities should be submitted to Mr. Duchesneau prior to the December 21, 2021 meeting. Mr. Duchesneau agreed and stated he would distribute a compiled list to the entire Planning Board before the meeting.

### **Future Meeting Schedule: December 21, 2021, January 12, 2022, and January 26, 2022**

Mr. Garvin announced the upcoming meetings of the Planning Board as indicated on the agenda.

Mr. Garvin adjourned the meeting at 10:58 PM.