



Town of Sudbury

Planning Board

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MINUTES

WEDNESDAY, NOVEMBER 29, 2023 AT 7:30 PM

VIRTUAL MEETING

Members Present: Chair Stephen Garvin, Vice-Chair Justin Finnicum, Secretary John Sugrue, Member Ahnu Shah, Member Julie Perlman

Staff Present: Director of Planning and Community Development Adam Burney

Mr. Finnicum opened the meeting at 7:30 PM, and requested roll call: Mr. Sugrue-present, Mr. Shah-present, Ms. Perlman-present, Mr. Finnicum-present

Public Hearing – Site Plan Review
187 Boston Post Road (Assessor’s Map K10-0081)

Adam Thurrell, and Alparslan Avci of Sunbug Solar were present to discuss the matter with the Board.

Mr. Thurrell presented the solar installation plan for B’nai Brith Housing New England, Inc. at 187 Boston Post Road.

Mr. Burney confirmed Town departments did not provide any significant comments; and approval from the Sudbury Fire Department was to follow.

Mr. Sugrue motioned to approve the site plan for 187 Boston Post Road (Assessor’s Map K10-0081). Mr. Shah seconded the motion. It was on motion 4-0; Finnicum-aye, Perlman-aye, Shah-aye, Sugrue-aye

Public Hearing – Public Hearing – Definitive Subdivision Plan, and Stormwater Management Permit 210-212 Pratt’s Mill Road (Assessor’s Map G05-0022 and G05-0922)

Jacob Lemieux, Engineer and Ben Maiden, Developer/Applicant were present to discuss the matter with the Board.

Mr. Maiden stated that the proposal reflected two homes, not three.

Mr. Lemieux reviewed the history of the project; detailing waivers, mitigation plans and proposed stormwater plan.

Mr. Garvin joined the meeting at approximately 7:43 PM.

Mr. Garvin stressed the present plans were not indicative of the recommendations made by the Board; and this is not a typical process.

Mr. Sugrue stressed the importance of use variance, noting that the proposed footprint was greater than what was last presented to the Board.

Mr. Finnicum stated the present plan was inconsistent with the previously presented waivers, including preservation of the existing home. He stated that grading modifications regarding proposed driveways, pools and septic system required additional review.

Mr. Shah indicated the proposed plan would be out of character with the rest of the neighborhood, and did not reflect the spirit of the project.

Ms. Perlman requested additional information associated with the preservation of the existing home. Mr. Garvin suggested that the new buildings reflect what was recommended by the Board at previous meetings, including the design of the driveway and impervious ground coverage aspects.

Mr. Burney stated that he was researching the variance aspect, and the proposed structure/s are significantly larger than what was on the site. He noted the Town Engineer had concerns about the driveway from a fire safety perspective and drainage perspective. Mr. Burney confirmed soil testing results had not been submitted to date, and agreed that the proposed size of the new homes had been increased.

Mr. Lemieux requested Board recommendation. Mr. Garvin referenced the previous approval by the Planning Board, adding that the Board spent much time considering all aspects of the subdivision plan.

Mr. Maiden requested that the hearing be continued to the January 10, 2024 meeting.

Mr. Sugrue motioned to continue the public hearing - Definitive Subdivision Plan, and Stormwater Management Permit for 210-212 Pratt's Mill Road (Assessor's Map G05-0022 and G05-0922) to 1/10/24, per Planning Board 2024 Calendar approval. Mr. Finnicum seconded the motion. It was on motion 5-0; Garvin-aye, Finnicum-aye, Perlman-aye, Shah-aye, Sugrue-aye

Untimed Items:

Lot 38 Fox Hill Drive (Assessor's Map B07-0210) – Partial Release of Bond for Stormwater Management

Bernard Hamill, Applicant was present to discuss the matter with the Board.

Mr. Hamill requested partial release of Bond for Stormwater Management.

Mr. Burney confirmed that the Town Engineer had reviewed stormwater management aspects and recommended holding \$10,000 in order to review success of recently planted vegetation after a growing season.

Mr. Sugrue motioned to release the partial bond for Stormwater Management at Lot 38 Fox Hill Drive (Assessor's Map B07-0210) in the amount of \$85,000. Mr. Finnicum seconded the motion. It was on motion 5-0; Garvin-aye, Finnicum-aye, Perlman-aye, Shah-aye, Sugrue-aye

2024 Annual Town Meeting and Possible Future Zoning Bylaw Amendments – Discussion and Updates

Multi-Family Zoning Requirement for Massachusetts Bay Transportation Authority (MBTA) Communities

Mr. Garvin confirmed that the MBTA Communities topic was discussed recently at the joint meeting with the Select Board.

Mr. Burney announced a Housing Production Plan Forum was scheduled for December 13, 2023.

Wireless Services Overlay District

Mr. Burney stated he would be in communication with Mr. Maxson, the wireless services consultant.

Site Plan Review

Mr. Burney explained that Town Counsel had reviewed a pending application, and related site plan appeal would be considered by the Zoning Board of Appeals (ZBA). Mr. Burney mentioned that the Board could consider Special Permitting via Superior Court.

Master Plan Implementation

Mr. Garvin confirmed this item was discussed at the joint meeting with the Select Board last week. He stated that many Master Plan actions are moving ahead, and many actions are influenced by the MBTA Communities process.

Mr. Garvin recommended the Board continue the Master Plan discussion to the December 20, 2023 Planning Board meeting. He suggested that the Sustainability Director provide a presentation at the December 20, 2023 meeting, or at a Planning Board meeting in January 2024.

Citizens' Comments on Items Not on Agenda

Sudbury Resident Madison Herel, 25 Rumbling Road was present to discuss a matter with the Board.

Ms. Herel reviewed her “Accessory Dwelling Units” (ADU) PowerPoint presentation, which included sections regarding:

- Definition of ADUs
- Personal interest in creating an ADU
- Purpose of ADUs in Residential Districts (Section 5510)
- Section 5523 (and provisions) under the current bylaws who can build a detached ADU?
- Why ADUs
- Why “detached”
- Examples of how to move forward

Mr. Burney mentioned that Sudbury went the Special Permit route in order to maintain housing consistency; and the plan involves presenting 3A (MBTA Communities) Housing at Annual Town Meeting.

Mr. Sugrue mentioned he performed related research, noting such study was worth further exploration, and that making even one small change to ADU housing, could have ramifications at this time.

Mr. Finnicum agreed that further study, as mentioned by Mr. Sugrue, would be the better way to proceed in order to achieve long-term housing success.

Ms. Perlman mentioned the importance of community support and that the housing production plan would be relevant.

Mr. Shah acknowledged the challenge involved, and a “by right” approach would likely require extended research and thought.

Mr. Garvin mentioned septic vs. sewer aspects, noting that adding rooms would most likely require new septic systems. He recommended going forward with the Special Permit process.

Landon Estates Abutters (Mary Sterling, Kurt Schillinger, Fred Burnham, Armin Sethna, Amy & Mike Robinson) were present to discuss a matter with the Board

Resident/abutter Mary Sterling, 59 Hunter’s Ridge Road, Concord; reviewed neighbor queries as submitted to the Planning Department:

- Timing aspects and protections to abutters/neighbors. Mr. Garvin responded that the Building Inspector’s Office is responsible for those considerations.
- Continuance of progress reports to be made available to the neighbors. Ms. Perlman noted that the Planning Board Staff has recommended the developers share those updates with the neighbors
- Progress since the beginning of the project. Mr. Burney stated that subdivision regulations cover lot layout, which is a product of zoning. Mr. Finnicum stated that much design is by right, and the Planning Board made many recommendations, which provided for an improved project. Mr. Garvin mentioned the importance of the Stormwater Management Bylaw.

Resident Kurt Shillinger, 169 Powers Road, recognized that the Planning Board put much work and attention into the Definitive Subdivision Plan, though the neighbors were never informed about renewing of permits. Mr. Garvin confirmed the Planning Board is not an enforcing board, and enforcement considerations are the responsibility of the Building Department. Mr. Garvin confirmed that residents can review an agenda or reach out to Staff regarding related questions/updates.

Mr. Burney recognized the Board worked diligently with owner/s and the original owner sold the property. He added that the current application is not requesting waivers and zoning standards have been met.

Review and Approve 2024 Meeting Schedule

Board Members reviewed the 2024 Meeting Schedule & Application Deadline draft schedule.

Mr. Sugrue motioned to accept the 2024 Planning Board Meeting Schedule, with modification that there be one Planning Meeting in May, on May 22, 2024; in consideration of Annual Town Meeting. Mr. Finnicum seconded the motion. It was on motion 5-0; Garvin-aye, Finnicum-aye, Perlman-aye, Shah-aye, Sugrue-aye

Minutes for Approval: June 28, 2023 and July 9, 2023

Mr. Sugrue motioned to approve the minutes of June 28, 2023, as presented, and to approve the minutes of July 9, 2023, as amended. Mr. Finnicum seconded the motion. It was on motion 5-0; Finnicum-aye, Sugrue-aye, Shah-aye, Perlman-aye, Garvin-aye

Committee Member Updates

Ms. Perlman stated she would not be able to attend the December 13, 2023 Housing Production hearing, and would report any comments from tomorrow's Housing Production Meeting.

Mr. Finnicum detailed that at the last Community Preservation Committee (CPC) meeting on November 15, 2023 the CPC members reviewed four of the eight CPC applications. He acknowledged that the remaining four applications would be reviewed at the December 6, 2023 CPC meeting.

Mr. Sugrue noted at tonight's Bruce Freeman Rail Trail (BFRT) Advisory Committee meeting, consultants Fuss & O'Neill were addressing next steps regarding the BFRT Framingham extension, to include sidewalks and amenities associated with that extension. He confirmed he would be providing the Board with project updates.

Administrative Report

Mr. Burney noted the Planning Board electronic signature process in consideration of COVID, would be voted on at the next Planning Board meeting on December 20, 2023.

Possible Future Agenda Items

Ongoing Items/Hearings

– Definitive Subdivision Plan, Stormwater Management Permit, and Inclusion of Affordable Housing Special Permit

- Maynard Road aka Bonnie Brook Estates (Assessor's Maps G08-0025 and G08-0500) CONTINUED TO 20 December 2023 – Site Plan Review and Stormwater Management Permit - 502 Concord Road (Assessor's Map F10-0031) CONTINUED TO 20 December 2023

Future Meeting Schedule: December 20, 2023

Adjourn:

Mr. Garvin adjourned the meeting at 9:48 PM.