



# Town of Sudbury

## Planning Board

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### MINUTES

WEDNESDAY APRIL 10, 2024 AT 7:30 PM

### VIRTUAL MEETING

**Members Present:** Chair Stephen Garvin, Clerk John Sugrue, Anuraj Shah, and Julie Perlman

**Members Absent:** Vice-Chair Justin Finnicum

**Staff Present:** Adam Burney Director of Planning & Community Development

Mr. Garvin opened the Planning Board meeting at 7:32 PM, and requested roll call: Mr. Sugrue-present, Ms. Perlman-present, Mr. Shah-present, Mr. Garvin-present

**Immediately Continued Public Hearing – Stormwater Management Permit Application Lot 2 Brimstone Lane (Assessor’s Map L04-0008)**

Mr. Sugrue motioned to continue the Public Hearing – Stormwater Management Permit Application for Lot 2 Brimstone Lane (Assessor’s Map L04-0008) to the April 24, 2024 Planning Board meeting. Mr. Shah seconded the motion. It was on motion 4-0; Garvin-aye Perlman-aye, Shah-aye, Sugrue-aye

**Immediately Continued Public Hearing – Scenic Road Application Lot 2 Brimstone Lane (Assessor’s Map L04-0008)**

Mr. Sugrue motioned to continue the Public Hearing – Scenic Road Application Lot 2 Brimstone Lane (Assessor’s Map L04-0008) to the April 24, 2024 Planning Board meeting. Mr. Shah seconded the motion. It was on motion 4-0; Garvin-aye Perlman-aye, Shah-aye, Sugrue-aye

**Immediately Continued Public Hearing – Site Plan Review and Stormwater Management Permit Codjer Lane (Assessor’s Map J07-0009)**

Mr. Sugrue motioned to continue the Public Hearing - Site Plan Review and Stormwater Management Permit for Codjer Lane (Assessor’s Map J07-0009) to the April 24, 2024 Planning Board meeting. Mr. Shah seconded the motion. It was on motion 4-0; Garvin-aye Perlman-aye, Shah-aye, Sugrue-aye

**Untimed Items:**

**Cold Brook Crossing Residential Development (Assessor’s Maps C12-0101 and C12-0100) Apartments at Cold Brook Crossing, 435 & 437 Cold Brook Drive – Bond (Surety) Reduction Request for Stormwater Management Permits**

**North Road Residential Overlay District - Phase 1**

**North Road Residential Overlay District - Phase 2**

**North Road Residential Overlay District - Phase 3 – North Road Residential Overlay District - WWTP**

**North Road Residential Overlay District - Entrance Drive**

Mr. Burney confirmed that the Town Engineer supported reducing the existing surety bond associated with Stormwater Management Permits at the Cold Brook Crossing development.

**Mr. Sugrue motioned to reduce the surety bonds at Cold Brook Crossing Residential Development (Assessor's Maps C12-0101 and C12-0100) Apartments at Cold Brook Crossing, 435 & 437 Cold Brook Drive, as requested in the materials provided. Mr. Shah seconded the motion. It was on motion 4-0; Garvin-aye Perlman-aye, Shah-aye, Sugrue-aye**

**Minutes for Approval: February 14, 2024**

**Mr. Sugrue motioned to approve the February 14, 2024 Planning Board Minutes, as presented. Mr. Shah seconded the motion. It was on motion 4-0; Garvin-aye Perlman-aye, Shah-aye, Sugrue-aye**

**Timed Items:**

**Continued Public Hearing - Site Plan Review and Stormwater Management Permit 225 & 227 Boston Post Road (Assessor's Map K10-0040 & K10-0009)**

Dan Dumais, Peer Reviewer - Traffic Engineer (MDM Traffic Consultants), Mark Bobrowski, Applicant's Attorney, and Josh Kline; Civil Engineer were present to discuss the matter with the Board.

Mr. Dumais presented the related traffic report and explained recommendations for the traffic plan at the Primrose School.

Mr. Kline mentioned the study was in conformance with industry standards. He mentioned an adjustment to the location of the proposed driveway.

Mr. Sugrue indicated he would like to keep the driveway in the same location and perhaps address the traffic in an alternative way. He recommended that stripping not be included.

Mr. Shah expressed concern about vehicles using the school entry to turn around. He agreed with Mr. Sugrue about maintaining the location of the proposed driveway.

Ms. Perlman recommended keeping the driveway in the presented location, without stripping.

Mr. Garvin indicated that moving the driveway to the west would create challenges. He suggested widening the drive or creating an island of some sort. He stressed that stripping with this type of building was not appropriate.

**Mr. Sugrue motioned to continue the Public Hearing - Site Plan Review and Stormwater Management Permit for 225 & 227 Boston Post Road (Assessor's Map K10-0040 & K10-0009) to**

**the May 22, 2024 Planning Board Meeting. Mr. Shah seconded the motion. It was on motion 4-0; Garvin-aye Perlman-aye, Shah-aye, Sugrue-aye**

**Continued Public Hearing – Site Plan Review and Stormwater Management Permit 631 Boston Post Road (Assessor’s Map K06-0502)**

Dan Dumais, Peer Reviewer - Traffic Engineer (MDM Traffic Consultants), Vito Colonna, Engineer; Jake Parsons/Applicant, and Josh Fox, Applicant’s Attorney were present to discuss the matter with the Board.

Mr. Fox referenced the landscape plan, in keeping with recommendations provided by the Planning Board. He mentioned aspects associated with the proposed septic system, adding that the Sudbury Board of Health had provided suggestions regarding maintenance with submittal of reports.

Mr. Dumais provided details regarding the traffic study report, and the proposed 34 parking spaces.

Mr. Colonna addressed the turning radius for larger emergency vehicles and proposed turnarounds. He mentioned access to dumpsters, as well as entry and exist modes.

Mr. Shah appreciated the inclusion of three trees.

Ms. Perlman agreed with comments made by Mr. Shah.

Mr. Sugrue mentioned the number of parking spaces.

Mr. Garvin supported the planting of three trees, noting that conditioning should address the parking, turnaround, and emergency vehicle aspects.

**Mr. Sugrue motioned to continue the Public Hearing - Site Plan Review and Stormwater Management Permit for 631 Boston Post Road (Assessor’s Map K06-0502) to the Planning Board Meeting on April 24, 2024. Mr. Shah seconded the motion. It was on motion 4-0; Garvin-aye Perlman-aye, Shah-aye, Sugrue-aye**

**Public Hearing – Proposed Zoning Amendments for the May 2024 Annual Town Meeting including Discussion and Vote on Warrant Articles**

**Codification of Zoning Bylaws – Renumbering**

Beth Klein, Town Clerk and Sadie Kohn, Code Editor were present to discuss the matter with the Board.

Mr. Garvin noted that the Planning Board was not presenting Article 31 – Amend Zoning Bylaw: Codification – Additional Changes; and the Town Clerk was the proponent for Article 31.

Ms. Klein explained that passage of Article 31 would complete all codifications regarding the Renumbering of Zoning Bylaws. She added that the changes proposed were not substantive and reflected numbering and related grammatic changes.

Recodification – Article

Mr. Burney acknowledged that the described codification would provide clearer understanding of ECO 360.

Resident Key Bell, 348 Old Lancaster Road, asked about related fees. Ms. Klein confirmed that the ECO 360 code is being edited and fee items would remain.

**Mr. Sugrue motioned that the Planning Board supports Warrant Article 31 - Amend Zoning Bylaw: Codification – Additional Changes, as described. Mr. Shah seconded the motion. It was on motion 4-0; Garvin-aye Perlman-aye, Shah-aye, Sugrue-aye**

Firearms Safety Business Use – Amend Zoning Bylaw Sections 2200 and 7000

Select Board Member Charles Russo, Proponent was present to discuss the matter with the Board.

Mr. Russo presented the Article and presented slides titled: “Firearm Safety Business Use Bylaw”

- Why a Bylaw? He noted there are no firearm regulations in place at this time and would be reviewed as any other business. This bylaw seeks to provide additional oversight.
- Why This Bylaw? He mentioned communities with this proposed bylaw in place shifting from a “by right” firearm business to a “permitted,” business – providing the Town with additional controls
- Risk-Reward – Full ban might increase litigation
- Newton as a Cautionary Tale/ Brookline as a Model
- Keep A Promise – The Select Board promised to improve a related firearms petition presented at the previous Annual Town Meeting
- Bylaw Overview – Not a full firearms business ban, rather a bylaw with strict location restrictions, while respecting constitutional rights
- Expert Recommendations – Experts follow the Giffords Law Center by permitting by zoning; full ban not recommended.
- Other Communities – Compared similar bylaw in local communities
- The Process – This topic has been discussed by the Town more than any single topic in the past year

Mr. Burney confirmed he provided related materials and Town Counsel reviewed the proposed bylaw for zoning components, which meets the regulatory 40A standards.

Board Members indicated that the presentation was very clear; Mr. Garvin noted that passing of Article 16 would definitely promote additional controls for the Town.

Resident Kay Bell, 348 Old Lancaster Road, inquired about lighting requirements for such firearms businesses. Mr. Garvin mentioned security lighting, dark-sky compliance and related input from the Sudbury Police Department.

Mr. Ahnu commented that some control would be better than no control.

Ms. Perlman noted that control measures are needed, and the petitioner’s article presented last year was totally different.

Mr. Sugrue agreed with comments made by Mr. Shah and Ms. Perlman.

Mr. Garvin indicated the proposed article reflected good planning for the Town.

**Mr. Sugrue motion to support Article 16 - Firearms Safety Business Use – Amend Zoning Bylaw Sections 2200 and 7000. Mr. Shah seconded the motion. It was on motion 4-0; Garvin-aye Perlman-aye, Shah-aye, Sugrue-aye**

**Untimed Items:**

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

Master Plan Implementation

Mr. Garvin stressed that much of tonight’s agenda items, as discussed; exemplified Master Plan topics regarding zoning, infrastructure and traffic planning.

**Citizens’ Comments on Items Not on Agenda – No Comments Received**

**Committee Member Updates**

Mr. Sugrue detailed that BFRT – Phase 111 would be discussed at the Rail Trail Advisory Committee meeting on April 23, 2024.

**Administrative Report**

Mr. Burney provided information regarding sharing the Board’s approach regarding MBTA Communities – 3A with the Villagers at their recent meeting. He noted that group expressed considerable approval. Mr. Burney mentioned he would share related information with the Board, as such information became available.

**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 April 24, 2024

Site Plan Review and Stormwater Management Permit 502 Concord Road (Assessor’s Map F10-0031)  
CONTINUED TO May 22, 2024

**Future Meeting Schedule:**

April 24, 2024, and May 22, 2024

**Adjourn:**

Mr. Garvin adjourned the Planning Board meeting at 9:33 PM.