

## **Minutes of the Planning Board Meeting of May 24, 2022**

Pursuant to a notice and agenda filed with the Town Clerk, the Planning Board met at 7:00 p.m. on May 24, 2022, in the first-floor meeting room at 141 Keyes Road, Concord, MA. A virtual option was provided to the public via <https://zoom.us>. The meeting was recorded and will be available on the Minuteman Media Network.

At 7:00 p.m. Chairman Flint opened the meeting. Members present in person were Mr. Flint, Ms. Miller, Ms. Orvedal, Ms. Ferguson, Mr. Boardman. Town Planner Hughes was present.

The Town Planner's agenda memorandum dated May 23, 2022, was part of the Board's packet.

### **Public Hearing, Definitive Subdivision Plan, Sunnyside Lane**

Mr. Flint reconvened the Public Hearing for the application of AWMW, LLC for a Definitive Subdivision Plan for the improvement of Sunnyside Lane and the creation of four new lots, parcels 2088, 2089, 2092, 2092-1, and 2093. Present in person was the Applicant Mark White, and virtually the engineer, Molly Obendorf, of Stamski & McNary, Inc.

Ms. Obendorf informed the Board that the Applicant met with Engineering Division staff and the Town Planner at the site to discuss the issues with the sight distance at the intersection with Laws Brook Rd. She presented to the Board a proposed sketch for the alteration of the existing sidewalk on Laws Brook Road to allow the vehicle stop line on Sunnyside Road to move closer to Laws Brook Road, improving the sight distance. Ms. Obendorf commented that the Engineering Division was in support of this modification.

Ms. Obendorf also discussed with the Board the site visit with the Natural Resources staff to review the location of the proposed detention basin and modifications to the shape and use of retaining walls to allow for the retention of additional trees. She noted that this modification had also been preliminarily accepted by the Engineering Division.

The Board agreed both modifications were an improvement.

Mr. Flint asked the Town Planner if there were any other outstanding issues that the Board had to address before a draft decision could come back to the Board for the next meeting. Ms. Hughes stated no. There were no other questions from the Board.

The Chair asked for public comment.

Sue Felshin, 19 Sunnyside Lane, noted that the Town Clerk signature block on the Definitive Plans needed to be corrected with the proper project name. She also questioned whether the Town would have an issue with plowing the modified sidewalk given the proposed curve.

Mr. White replied that the sketch did not accurately show the complete design, and that the modification to the location of the sidewalk would begin further down the street so there was a gentler curve.

Ms. Miller asked about the tree replacement requirement from the Natural Resources. Mr. White commented that NRC requires a one-to-one replacement within their jurisdiction. The Town Planner noted that for trees in the setbacks that are outside the NRC jurisdiction, the replacement would be subject to the Tree Preservation Bylaw. She added that the required trees for the

subdivision would be planted on some of the existing lots along Sunnyside Lane if those owners wished or on the new lots where they fit the best.

With no further comments, Mr. Flint moved to continue the public hearing to 7:00 p.m. on June 14<sup>th</sup>. The motion was seconded by Ms. Miller with all voting in favor.

Mr. Flint moved that the Board accept the time extension to June 17<sup>th</sup> for the Board to file its decision with the Town Clerk. The motion was seconded by Ms. Ferguson with all voting in favor.

### **Public Hearing Site Plan Review 191 Sudbury Road, Parcel 0371**

The Chair stated that the Applicant had withdrawn the application and moved to accept the withdrawal without prejudice. The motion was seconded by Mr. Boardman with all voting in favor.

### **Draft Scenic Roads Bylaw Rules & Regulations**

The Town Planner informed the Board that they should briefly discuss the draft Regulations to make sure they have an understanding of the process and to see if they have any issues, concerns, or questions they would like Town staff and/or the Historical Commission or Public Works Commission to discuss, comment on, or recommend as the Historical Commission and Public Works Commission begin their review.

Sue Felshin, 19 Sunnyside Ln. questioned whether there should be a definition of what constitutes repair or in-kind maintenance for a stone wall since stone type, color and construction methods vary so greatly, and variation could have a detrimental impact on the historical character.

Mark Giddings, 474 Barretts Mill Rd. suggested that there should be some flexibility in what people can do regarding tree replacement since the Town may not allow someone to replant a tree in the road right-of-way.

The Board discussed the draft Regulations and determined the following items needed further review, input, and recommendations for potential revisions by the Town Planner, Town staff, and/or the Historical Commission, Public Works Commission, and stakeholders:

- 1) Section 1.4.2: A definition of right-of-way maintenance.
- 2) Section 1.4.6: A definition for repair and maintenance of a stone wall.
- 3) Section 2.3: The criteria for approval under Section 2.3 and developing language for each criterion to provide applicant's better direction on what information was needed to meet the criteria.
- 4) Section 2.5: The exemption language for Town work so that it is consistent with the Bylaw approved by Town Meeting and the definition of right-of-way maintenance.
- 5) Section 4.1: Discussion and recommendations on the restoration enforcement for tree replacement and whether to include a planting replacement option or only a requirement for the payment of a fee that would go to the Tree Fund to be used by the Tree Warden.

The Town Planner will develop a memo to send with the draft Regulations to the various Town staff, Commissions, and stakeholders.

### **Draft Meeting Minutes: April 5<sup>th</sup> & April 19<sup>th</sup>**

The Town Planner noted that the minutes of April 5<sup>th</sup> were not complete. She proceeded to review with the Board edits to the draft April 19<sup>th</sup> minutes that were submitted by Ms. Miller.

Ms. Ferguson moved that the Board approve the minutes of April 19<sup>th</sup> as amended. The motion was seconded by Mr. Flint with all voting in favor.

### **Planning Board Liaison/Town Planner Updates**

Mr. Flint discussed his experiences as the Board's designee to the Community Preservation Committee and all the amazing projects they support. He noted the commitment it requires in the fall before Town Meeting but advocated that the next Board member to be designated be committed to that work because it is invaluable to the community.

### **General Public Comment**

There was no general public comment.

The Board members expressed their gratitude to Mr. Flint and Ms. Ferguson for their years of service on the Board and to the community.

With no further business, the Chair adjourned the meeting at 8:20 p.m.

Documents presented which are on file in the Planning Division Office at 141 Keyes Road, Concord, MA:

- Town Planner's Agenda Memo May 23, 2022
- Draft Scenic Roads Bylaw Rules & Regulations May 17, 2022
- Draft Minutes April 19, 2022

Approved by the Board: June 14, 2022