

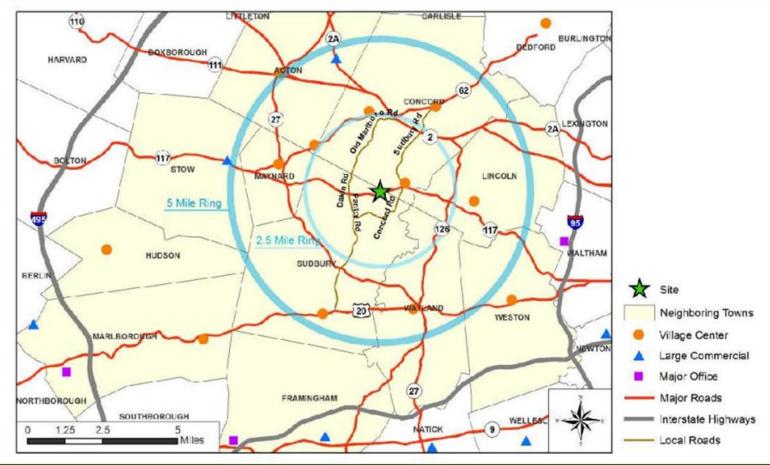
November 27, 2018

## WHAT IS THE MELONE PROPERTY?

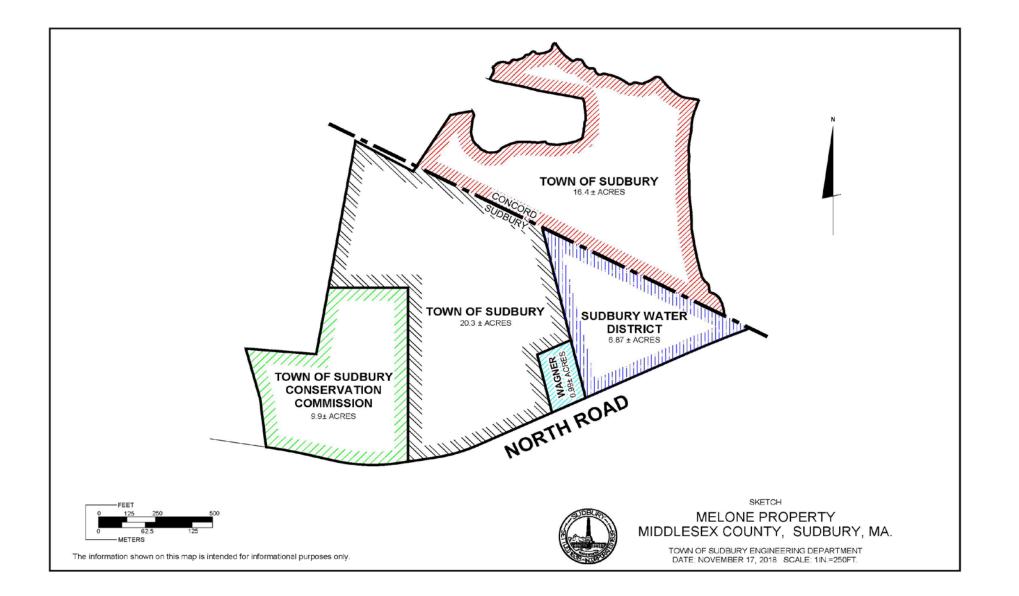
- The Melone property is a 46.6 acre parcel located on Route 117, at 10 North Road, of which 16.4 acres of the property are located in the Town of Concord and 9.9 acres are conservation land.
- Of the 46.6 acres, the Town is proposing to sell 36.7 acres, and will retain the 9.9 acres of conservation land.
- The Town purchased this property in 1992 and operated a gravel operation on the parcel since the 1990s.
- Estimates from the Department of Public Works indicate that nearly all the gravel has been removed from the parcel.



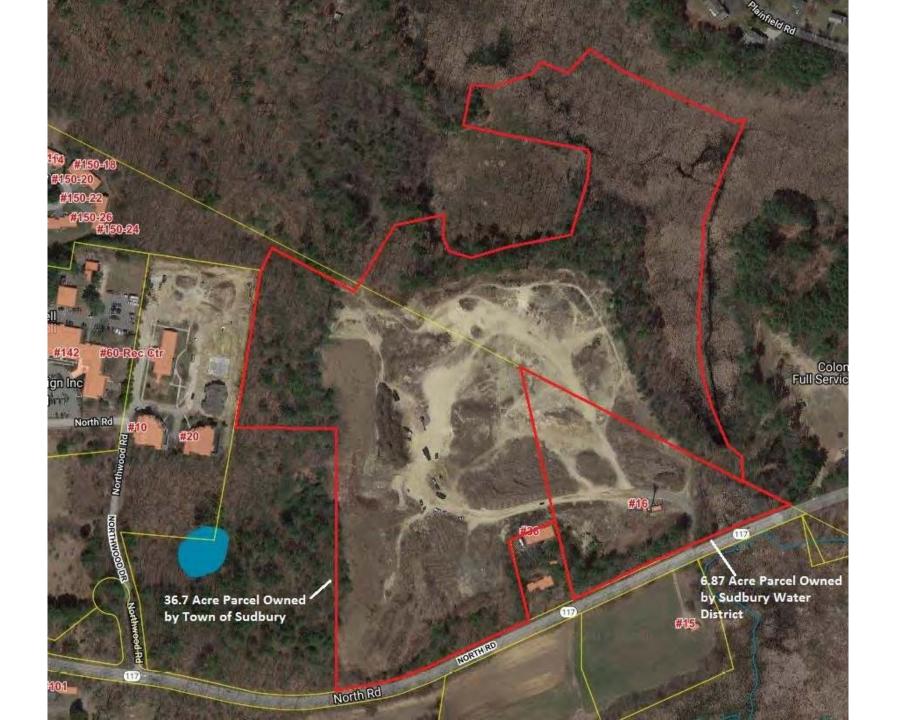
## MELONE LOCATION













# WHAT IS SUDBURY STATION?

- A 40B development proposed for a 39.87-acre parcel of land off Concord Road behind Mount Pleasant Cemetery.
- The proposal is for the construction of 250 rental units, a clubhouse and associated infrastructure. The primary access is proposed at 30 Hudson Road. Secondary access is from Concord Road at Peter's Way, the driveway entrance to the cemetery near the intersection with Candy Hill Road.
- The development will contain 187 units of market rate housing, and 63 units of housing affordable to households making 80% of the area median income.
- The Town received this application prior to reaching 10% of affordable housing.
- The Zoning Board of Appeals awarded a comprehensive permit to the Development for 30 units. The Developer appealed this award to the Housing Appeals Committee (HAC) at the state level. The Town is defending that appeal and arguing the local concerns should outweigh the need for affordable housing.



#### SUDBURY STATION LANDSCAPE PLAN





#### **RENDERING FROM PARKINSON FIELD**





#### **RENDERING FROM TOWN CEMETERY**





#### RENDERING FROM HUDSON ROAD





## SUDBURY STATION LITIGATION CONTD.

- The Town is arguing to the HAC that local concerns at this location outweigh the Town's need for affordable housing.
- Since 2010, only 43 cases have been decided at the HAC.
  - 32 of those cases were won by the developer
    - Six of these cases involved local concerns and the HAC found that the need for affordable housing outweighed local concerns
  - 5 were won by a municipality
    - Deed restriction
    - 20 years after permitted tried to add garages
    - Upheld that developer couldn't remove age restriction
    - Proper procedure when applying for permit was not followed
    - Determined that certain units should have been added to SHI



# SUDBURY STATION LITIGATION CONTD

- 6 cases were not determinative
  - An abutter was allowed to be a party
  - HAC determined it didn't have jurisdiction
  - Substantial change issue
  - Appeal of a conditionally granted comprehensive permit
  - Incomplete building permit issue
  - Applied conditions to comprehensive permit as a result of local concerns (flooding and environmental)
- <u>Very slim chance of prevailing at the HAC: No cases on local concerns (traffic and public safety) have prevailed since 2010.</u>



## SUDBURY STATION LITIGATION

- Total spent to date: \$329,146
- Projected spending through appealsAdditional \$160,000
- Trial slated to begin on February 5



# MELONE DISPOSITION PROCESS

- In March, the Town of Sudbury issued a request for proposals for the disposition of the Melone property under MGL Chapter 30B.
- On July 2, the Town received three proposals
  - Cavicchio's for agricultural use
  - EDF Renewables for Solar Farm Use
  - Quarry North for residential use
- In July, August and September, the Board:
  - Received feedback from department heads, committees, and commissions
  - Held a public hearing
  - Completed rankings as required by law.
- On September 11<sup>th</sup>, the Board of Selectmen unanimously voted to award the proposal to Quarry North Road LLC pending town meeting approval.



# MELONE DISPOSITION PROCESS CONTD

- The Town immediately entered into negotiations with the Developer to enter into a Development Agreement.
- Negotiations have been ongoing.
- The town completed the following studies and analysis since the award of the contract
  - Fiscal
  - Appraisal
  - Traffic
  - School Capacity
- During negotiations it became evident that zoning changes would be required, and those zoning changes have been drafted and will be voted on at the December 11 Town Meeting



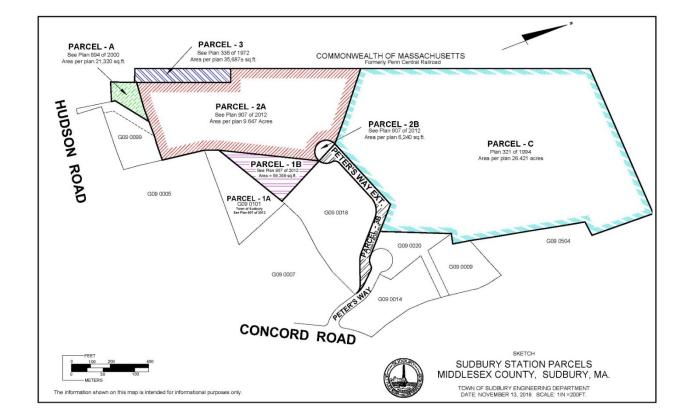
# QUARRY NORTH AS PROPOSED

#### 333 total units

- 225 market rate apartments/townhouses
- 75 affordable housing rental apartments
- 24 age restricted for sale market rate townhouses
- 9 age restricted for sale affordable townhouses
- \$1,000,000 cash payment
- Transfer of Sudbury Station land in Town Center
  - Valued by Masshousing at \$2,910,000 in 2015
  - Transfer of this land ends the Sudbury Station litigation
- \$100,000 for Water District to fund test wells and preliminary pump testing for locating for future drinking water supply well on Sudbury Station land.



#### MAP OF TOWN CENTER LAND

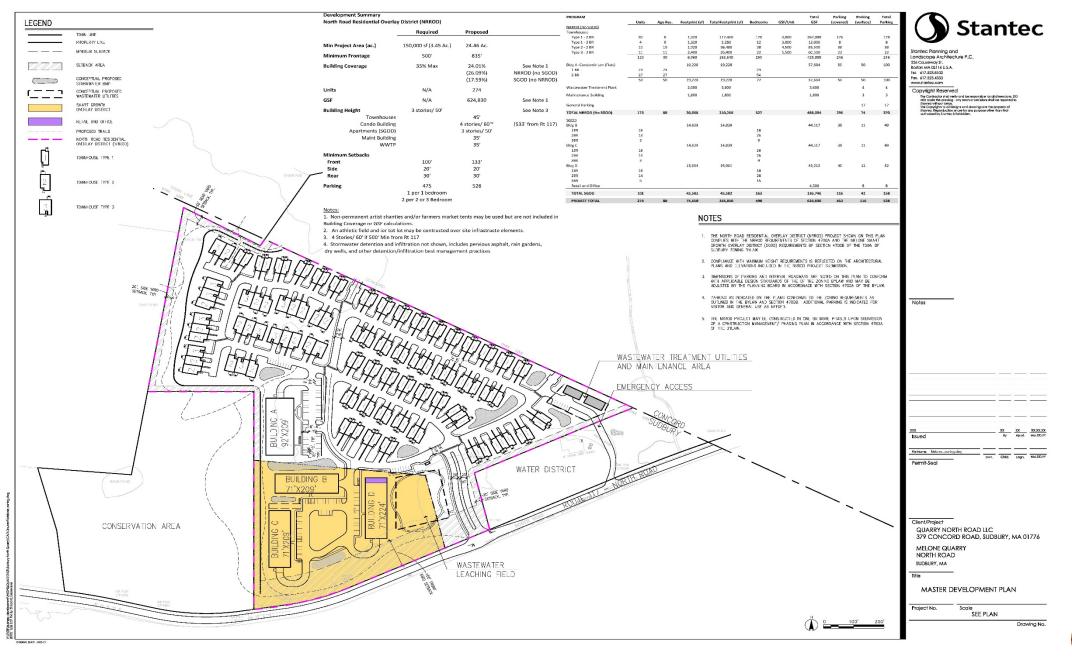




# QUARRY NORTH DEVELOPMENT AS NEGOTIATED

- 274 units total
  - 101 units under Massachusetts General Law Chapter 40R or under a friendly 40B/LIP process
    - 26 of these to be affordable units
      - 80% Area Median Income for a four person household is \$81,100
    - All of the 101 will count on the town's subsidized housing inventory pending state approval
  - 173 market rate for sale units/townhouses built under overlay zoning
    - 80 of these units to be age restricted
  - Capped any Concord development at 6 residential units (Need Concord approval)







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#### TOWNHOUSES





#### AGE RESTRICTED CONDO BUILDING





#### **3-STORY APARTMENT BUILDING**





# SUBSIDIZED HOUSING INVENTORY

- Subsidized Housing Inventory is a calculation of the percentage of affordable housing units in a community
- The town's goal is to stay at or above 10 percent.
- This is re-calculated after each census
- The town estimates growth in order to prepare for the recalculations and in order to take steps to maintain the 10 percent



# SUBSIDIZED HOUSING INVENTORY CONTD.

- Current: 11.21% with 664 units of affordable housing
- 2020 projection: 10.17% only 10 units over the ten percent threshold
- 2030 projection: 10.64% with Quarry North project (43 units above)
- 2030 projection: 12.68% with Sudbury Station (192 units above)
- 2030 projection: 9.96% with no Quarry North and Sudbury Station at 30 units (short 28 units)
- 2030 projections: 9.57% with no Quarry North and no Sudbury Station (short 58 units)



## THE DEVELOPMENT AGREEMENT

- A development agreement is a contract between a Town and a Developer regarding a real estate development. The agreement details the obligations of both parties as well as the parameters of the development.
  - Development type and size
  - Mitigation
    - Traffic
    - Landscaping
    - Pedestrian safety
    - Etc.



## THE DEVELOPMENT AGREEMENT: UNIT REDUCTION

- Negotiated the number of units down from 333 to 274 (Was 300 rental and 33 ownership)
- Increasing the number of age restricted units from 33 to 80
- 26 affordable units with a local preference

40R	(Rentals)
l Bedroom	50
2 Bedroom	40
3 Bedroom	11
Total	101

Market Rate	(For sale)
l Bedroom	23 (age restricted)
2 Bedroom	146 (57 age restricted)
3 Bedroom	4
Total	173



## THE DEVELOPMENT AGREEMENT: UNIT REDUCTION

- Projected population based on Meadow Walk Fiscal Analysis
- 499 residents

Non age restricted	# of units	Residents	Age restricted	# of units	Residents
1 Bedroom	50	61	1 Bedroom	23	29
2 Bedroom	129	285	2 Bedroom	57	72
			3 Bedroom	0	0
3 Bedroom	15	52	Total	80	101
TOTAL	194	398			



## MEADOW WALK POPULATION ESTIMATOR

Type of Unit	Number of projected residents per unit
Age restricted	1.27
One Bedroom	1.22
Two Bedrooms	2.21
Three Bedrooms	3.48



# THE DEVELOPMENT AGREEMENT: TERMS

- In addition to the exchange of land and \$1,000,000 cash payment, the Developer has agreed to the following:
  - \$1,000,000 to be used for development mitigation
    - In addition to cash payment
  - \$50,000 to pay for studies (traffic, school capacity, planning)
  - \$100,000 toward legal expenses of Sudbury Station HAC case
  - \$54,716 waiver of land court fees plus 12% interest
  - Landscaping
    - Maintain up to a 100 foot landscaping berm along North Road
    - Create 75 foot building setback from property line adjacent to Northwood
  - Local preference
    - Agreed to a local preference for units in the 40R development
  - Cost of December 11, 2018 Town Meeting
  - Transportation management plan with shuttle service to transit and shops



## THE DEVELOPMENT AGREEMENT: TRAFFIC

- The Town performed a traffic study and peer reviewed that study at the Developer's expense.
- Traffic study occurred on September 20, 2018 in the morning, September 27, 2018 in the evening (not Yom Kippur)
- Original study done by McMahon Transportation Engineers and Planners. Peer review completed by Howard Stein Hudson and concurred with initial study. Traffic light analysis was completed by Ocean State Signal.



## THE DEVELOPMENT AGREEMENT: TRAFFIC

- Summary: the proposed project is expected to generate 110 new trips in the weekday morning peak period and 136 new trips in the weekday evening peak period. The analysis showed that roadways and intersections have capacity to handle the increase in traffic volumes
- According to the 24 hour Automatic Traffic Recorder Count, conducted on September 24, North Road carries a daily volume of approximately 12,400 vehicles per day.



## DEVELOPMENT AGREEMENT: TRAFFIC

- Morning Rush Hour
- Quarry North-generated eastbound traffic on Route 117 is 1.92%
- Quarry North-generated westbound traffic on Route 117 is less than 6%
- Quarry North-generated overall area traffic is 3.78%
- Evening Rush Hour
- Quarry North-generated eastbound traffic on Route 117 is less than 6.5%
- Quarry North-generated westbound traffic on Route 117 is 2.32%
- Quarry North-generated overall area traffic is 4.08%
- The Consultant has stated that the proposed mitigation would improve traffic by at least 4%.



## THE DEVELOPMENT AGREEMENT: TRAFFIC

- Traffic count was done to determine number of vehicles currently and what directions they are traveling
- Data provided in the Institute of Transportation Engineer's Trip Generation Manual and empirical data count was used, and projected traffic volumes were assigned to the study area to develop what conditions would be like if the Melone project was built.



## THE DEVELOPMENT AGREEMENT: TRAFFIC

- The consultant used Synchro traffic engineering software to analyze all the intersections in the network. Synchro engineering software is an industry standard that allows engineering practitioners to model traffic operations based on various inputs such as traffic volumes and traffic control devices
- The analysis showed that the impact on the intersections in question did not change in between the build and no build analysis.
- Traffic light analysis showed that green light cycle times are out of sync for the 117 lights at Dakin, 9 Acre(Concord) and 126(Lincoln).



## DEVELOPMENT AGREEMENT: TRAFFIC

- The Consultants recommended the following improvements, mitigation, and cost estimates.
  - These are independent of the development
- Route 117/Mossman Rd/Powder Mill Rd \$270,000
  - Pedestrian safety measures like crosswalk lines and stop lines
  - Evaluation and installation of traffic signal
- North Road at 144 North Road (Cummings Office Park) \$196,000
  - Create turning lane for access to office park
- Plainfield \$230,000
  - Passing lane Eastbound to create a turning lane



# **DEVELOPMENT AGREEMENT: TRAFFIC**

- Traffic lights with updated technology \$200,000 (4 lights)
  - Study of traffic lights determined that the lighting is out of sync on 117.
    - Recommendation to set the lights to a different recall to avoid premature greens.
  - Traffic light technology at 9 Acre Corner is not functioning properly.
  - Upgrades to technology should be considered at Dakin and 126
  - Installation of a traffic light at Mossman with advanced video technology
  - Our existing technology can only "see" 50 feet, the new video technology can "see" cars 600 feet away.
  - New technology could include: Miovision, Iteris and Sur trac.
- The Developer has agreed to give the town \$1,000,000 toward mitigation.



## DEVELOPMENT AGREEMENT: TRAFFIC LIGHT REVIEW

- As part of our study, the Developer agreed to analyze
  - The traffic lights at the intersection of Concord and Hudson
  - All the traffic lights on Route 20, Sudbury.
- While a future study may be necessary, the initial study shows that those traffic lights would benefit from video/radar detection, adaptive signalization technology or additional loops.



# THE DEVELOPMENT AGREEMENT: SCHOOL CAPACITY STUDY

- Town commissioned a study to review all four elementary schools to determine whether adequate space is available in them for the Quarry North development or the Sudbury Station development
- Study was conducted by TBA Architects, Inc.
- We looked at the development as if it were to open tomorrow to complete this analysis.



# SCHOOL STUDENTS

 The Town used actuals at Meadow Walk to estimate the number of students at Quarry North

Meadow Walk				
			Current	Projected
			Number	Number
	%	Total	of	of
Unit Type	Rented	Units	Students	Students
l Bedroom	48.60%	53	0	0
l Bedroom - Loft	48.60%	72	5	10
2 Bedroom	49.00%	100	27	55
3 Bedroom	65.00%	25	26	40
		250	58	105



# PROJECTED NUMBER OF STUDENTS AT QUARRY NORTH

Quarry North		
		Projected
	Total	Number
	Projected	of
Unit Type	Units	Students
l Bedroom	0	0
l Bedroom - Den	57	8
2 Bedroom	122	67
3 Bedroom	15	24
	194	99



#### SCHOOL AGED CHILDREN BY DISTRICT

Quarry North			
	Total	Estimated	Projected
	Estimated	Grade Level	Students/
Grade	Students	Percentage	Unit
Elementary	99	72.38%	72
High School	99	27.62%	27
	99	100.00%	99



### PROJECTED NUMBER OF SCHOOL AGED CHILDREN: SUDBURY STATION

		Projected
	Total	Number
	Projected	of
Unit Type	Units	Students
l Bedroom	0	0
l Bedroom - Den	116	16
2 Bedroom	109	60
3 Bedroom	25	40
	250	116



# THE DEVELOPMENT AGREEMENT: SCHOOL CAPACITY STUDY- HAYNES SCHOOL

- Under the Quarry North proposal, the Haynes School is estimated to increase by 47 students
  - 7.78 children per grade.
- Based on estimates, all the grades at the Haynes would stay under the district minimum expect Kindergarten and Second grade, which may require additional classrooms. Right now right on the cusp.
  - Note- addition of classrooms results in lower student count
- There is adequate space to home 47 new Sudbury students at the Haynes School.
  - No need for redistricting
- Haynes was built for 432 students (per SPS) post development there would be 404 students.
- Based on capacity study and enrollment projections, some additional staff could be needed: Assistant Principal, two new teachers, two new special education teachers and two support staff.



#### SPS CLASS ROOM SIZE GUIDELINES

K	20
First	22
Second	22
Third	24
Fourth	24
Fifth	24



# SCHOOL CAPACITY AT CURTIS

- The population at Curtis has decreased by 67 in the last 5 years.
- This development is projected to increase the population at Curtis by 23.



# SCHOOL CAPACITY STUDY-SUDBURY STATION

- If the Sudbury Station development proceeds, then the Noyes and/or Nixon will have 56 more students.
  - 9.33 more students per grade
- Noyes School capacity per SPS is 592. Post development it would be 597
  - Noyes would be very difficult because not additional homeroom space available
- Nixon School capacity per SPS is 390. Post development it would be 393
- Currently not likely to trigger redistricting, but with continuing normal growth, that is a future possibility.
- Both schools may require three new classrooms with three new teachers. Noyes would definitely require at least two new classrooms
  - Other potential needs include administrative staff, two new special education teachers and two support staff.



### FISCAL ANALYSIS

 Based on the negotiated development and studies performed during the negotiation period, the Town prepared a fiscal analysis.



## FISCAL ANALYSIS

- In the first year of final completion of the development the Town anticipates revenues from the development to be \$2,128,140.46
  - Based on current tax rate
- The Town expects total expenditures to be \$1,551,614.27
  - Based on current budget
- The Town expects to have surplus revenue from this development of \$576,626.19 annually



### FISCAL ANALYSIS: REVENUES

- \$2,032,140.46 in Property Tax per year
- The estimated assessed value of the 40R development is \$14,430,195
  - Taxes paid per year \$258,733
- The estimates assessed value of the market rate for sale units is \$87,803,504
  - Taxes paid per year \$1,773,407
- Excise Taxes per year: \$96,000



# FISCAL ANALYSIS: EXPENDITURES

- To determine non-education costs to the budget related to this development, the Town used the same metrics used in the Meadow Walk fiscal analysis.
- In order to estimate the cost of residential services, consultants analyze our operating budgets to identify population-sensitive costs and then assign each category of service an increase based on estimated impacts.
- Based on this analysis, we determined that non school costs will increase by \$283,061.06 per year.



# FISCAL ANALYSIS: EXPENDITURES

- Based on the capacity study and student number forecast, the Town estimated the potential increase to school spending.
- We increased the budget for the maximum number of personnel possibly needed and multiplied all of the instructional items by the percentage of new students to create this conservative approach.
  - Based on current budget
  - In this analysis for instance you would not increase the line item for electricity or custodial services, but would increase the line item for textbooks, art supplies, transportation and special education.
- Total spent on education per year: \$1,268,553
  - Estimated cost per student: \$12,813.67



# FISCAL ANALYSIS: REVENUES VS EXPENDITURES

- Estimated revenues in first year: \$2,032,140.46 + \$96,000
- Total estimated expenditures in first year: \$1,551,614.27
  - Education-SPS: \$777,818,95
  - •Education-LS: \$496,734.26
  - •Non-education: \$283,061.06
- Total excess revenue annually: \$576,526.19



# FISCAL ANALYSIS: SUDBURY STATION

Estimated revenues in first year: \$966,022.28 + \$90,240

- Total estimated expenditures in first year: \$1,719,244.66
  - Education-SPS: \$887,016.59
  - Education- LS: \$576,878.72
  - •Non-education: \$255,399.35

Total estimated deficit annually:-\$662,982.38



# DEVELOPMENT AGREEMENT: PER CAPITA PAYMENT

- Town negotiated a per capita mitigation payment
- If the development exceeds both the population (by ten percent) and expenditure forecasts after the 5<sup>th</sup> year, then the town will receive per capita payments from the developer up to \$500,000
- Per capita for today's budget is approximately \$5,100



# LAND APPRAISAL

- 36.7 acres of Research District & Residence AA Zoned Land Owned by the Town of Sudbury on North Rd, Sudbury and Concord (Parcels C12/100 and 15E/3419)
  - \$2,800,000
  - Completed 9/25/18



# QUARRY NORTH VS SUDBURY STATION

- In the end, we all recognize that this comes down to deciding between Sudbury Station and Quarry North
- Town staff, committees and commissions have weighed in to advise that Quarry North is a better outcome for the town.
- With both Quarry North and Sudbury Station there are burdens to the town, but by choosing Quarry North, the Town has the chance to mitigate those burdens through the Development Agreement.
- There is no chance for mitigation at Sudbury Station.
- The developer has stated that he will go forward with Sudbury Station if Quarry North fails at Town Meeting. This is our only chance to settle this case and end the Villages at Sudbury Station.



# QUARRY NORTH VS SUDBURY STATION: TRAFFIC AND PUBLIC SAFETY

- Both the Police and Fire Chiefs have stated that Sudbury station is far inferior in regards to traffic.
- They both agree that the traffic at Sudbury Station creates a legitimate public safety concern, but historically these types of local concerns have not been persuasive at the HAC. They have concerns about safety of the access, and about the substantial back ups that they fear will block the access in and out of their stations.
- Sudbury Station presents a unique challenge to pedestrian safety.
- Both Chiefs recognize that both developments will have impacts on public safety operations, but they both know that those impacts will occur whether the development is built at either site.
- Both Chiefs deemed Melone the better site for this development.



#### QUARRY NORTH VS SUDBURY STATION: COMMITTEES, COMMISSIONS AND DEPARTMENTS

- Board of Health
- Historic Districts Commission
- Two members of the Conservation Commission
- Land Acquisition Review Committee
- Planning Board
- Sudbury Housing Authority
- Zoning Board of Appeals

- DPW Director Nason
- Building Inspector Herweck
- Fire Chief Whalen
- Conservation Coordinator Dineen
- Police Chief Nix
- Former Director of Planning Donoghue
- Town Engineer O'Rourke



	Quarry North	VS	Sudbury Station
Location	Former Gravel Pit		Historic Town Center
Units	274		250
Bedroom Count	490		409
Acres	36.7 acres		39.87
Population	500		461
School aged children	99		116
Revenue	\$2,128,140.46		\$1,056,262.28
Cost to Town	\$1,551,614.27		\$1,719,244.66
# Age restricted	80		0
# Affordable	26		63
Traffic	Can be mitigated		Can not be mitigated
Development Agreement	Yes		No
Town input	Yes		No
Chance for additional housing on site	Only in Concord		Yes when agricultural preservation restriction that exists on a section of the land expires in 5 years
SHI	101		250

# **REGULATORY PROCEDURE**

- Melone is Town-owned property
- Town Meeting must vote by a 2/3<sup>rd</sup> vote to allow the Board of Selectmen to transfer the property to Quarry North
- Master plan would need to be approved at Town Meeting for the development to go forward under this framework
- Board of Selectmen would still need to declare property as not needed by the Town
- Development still needs to go through Public Hearing process with Planning Board and ZBA
- Still needs state approvals for some portions
- Permitting is still required (Conservation Commission, DEP, Stormwater, wastewater, etc.)



#### TOWN MEETING ARTICLE 1:NORTH ROAD RESIDENTIAL ZONING OVERLAY DISTRICT

- Includes the entire Research District
- Approximately 24.5 acres of land at Melone
- 173 units
- Similar regulatory process to Meadow Walk
  - Master Plan must be approved by Town Meeting for the development to go forward
    - No other development in the Research District would be allowed without future TM approval.
  - Development agreement with Town is required
- Permitted uses
  - Small commercial
  - Residential and assisted living



# TOWN MEETING ARTICLE 2: SMART GROWTH OVERLAY

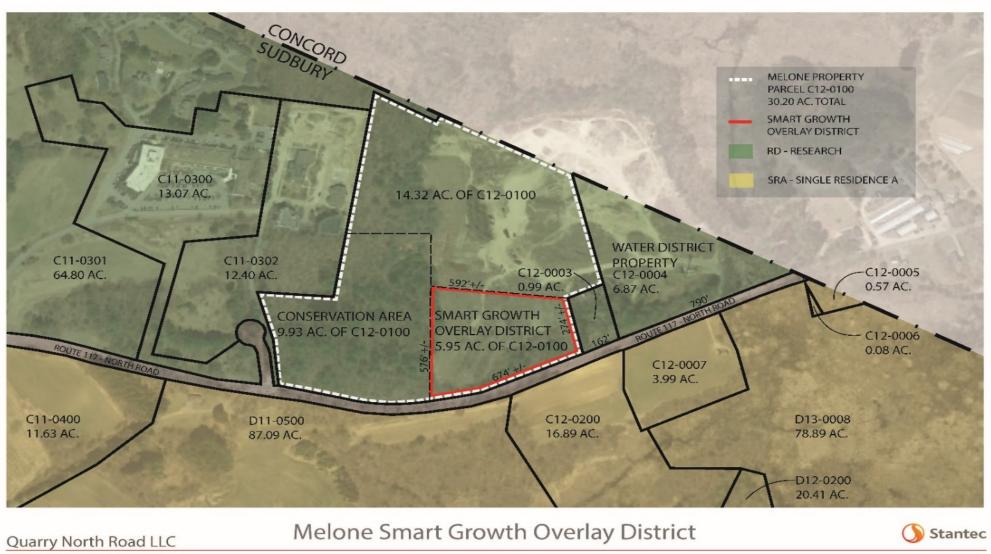
- Zoning overlay District under Massachusetts General Law Chapter 40R
  - 5.95 acres of the parcel falls under this zoning- applies only to this section of the Melone property
  - 101 40R units
  - 25% of these will be affordable, but all 101 would count toward the Town's subsidized housing inventory pending state approval.
  - Only allowed uses are multifamily residential, parking, small commercial use to supplement the residential housing and accessory uses like a gym or club house.
  - Restrictions to make sure that the required number of units are affordable and stay affordable
  - Design elements and procedural requirements



# TOWN MEETING ARTICLE 2: SMART GROWTH OVERLAY

- Chapter 40R of the Massachusetts General Laws encourages cities and towns to establish new overlay zoning districts to promote housing production and, more generally, smart growth development.
- Under Chapter 40R, communities that adopt special zoning districts allowing as-ofright higher density residential development are provided financial rewards: \$200,000 plus \$3,000 per unit.
- Before adopting a smart growth zoning district, communities must apply to DHCD for district approval. The Department must determine if the proposed location is an eligible site and must also approve the proposed zoning regulations and design standards.
- Once an application has been approved by the Department, a community then adopts the zoning regulations for the overlay district. So, if we don't get approval by Town Meeting this article will be indefinitely postponed.





379 Concord Road, Sudbury, MA 01776

Sudbury, MA 01776

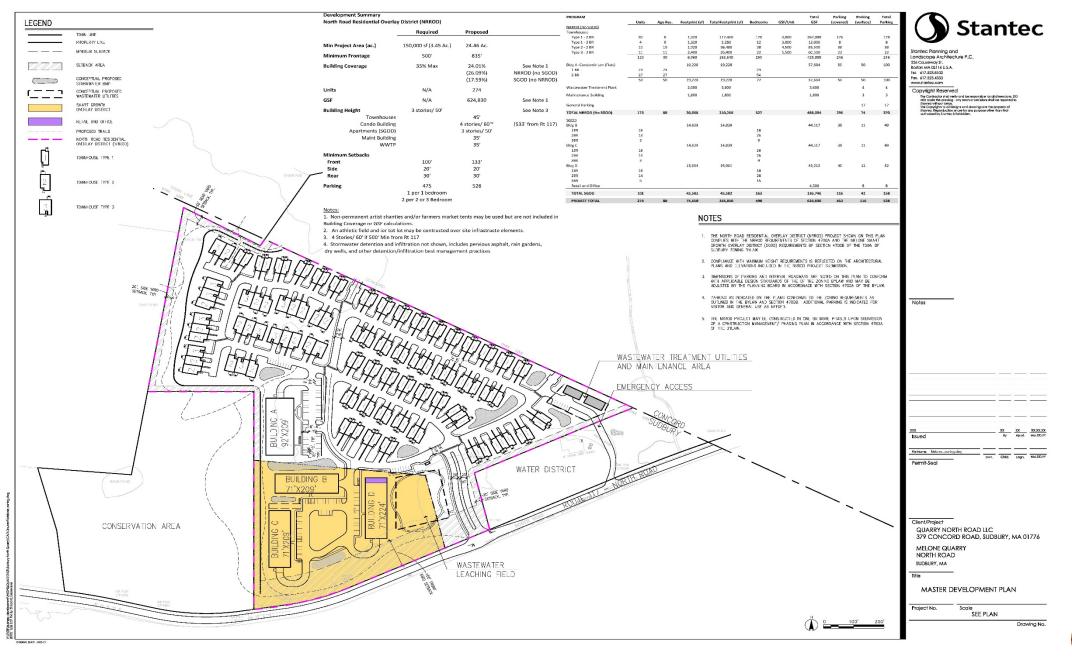
November 13, 2018



# TOWN MEETING ARTICLE 3: MASTER PLAN

- Town Meeting will need to approve the Master Plan of the Development under the North Road Residential Zoning Overlay District
- Majority vote
- Planning Board and Zoning Board of Appeals will review the Master Plan under a site plan review process when engineering is completed.

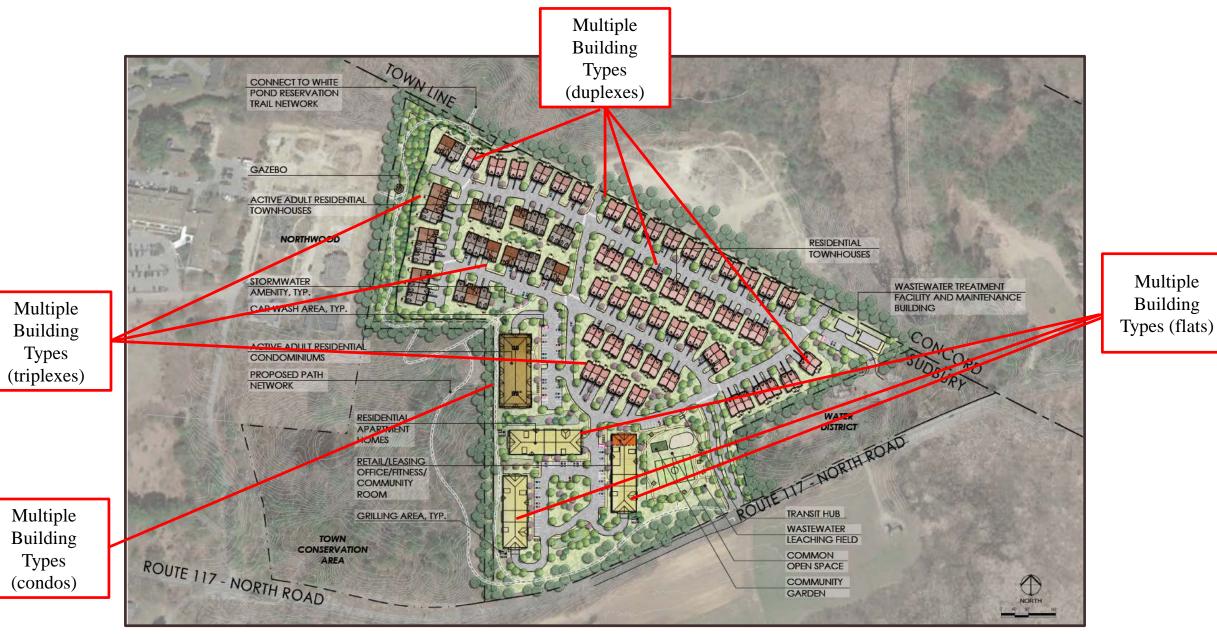






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## TOWN MEETING ARTICLE 4

- Disposition of the Melone Property
- This article will allow the Board of Selectmen to dispose of the Melone property by selling it to Quarry North LLC.
- Requires a 2/3<sup>rd</sup> vote



# TOWN MEETING ARTICLE 5

- In 2015, Town Meeting created a stabilization account and transferred \$1,100,000 to fund it.
- The funding was from the sale of the gravel at Melone
- The account was created to restore the property's surface for future use or sale.
- This property is being sold as is so this funding is no longer required.
- The Town is asking Town Meeting to repurpose this account to allow it to be used for either Broadacre or Town Center and is asking to appropriate \$350,000 to be used on the parcel just acquired at Broadacre, which will be used for recreation.

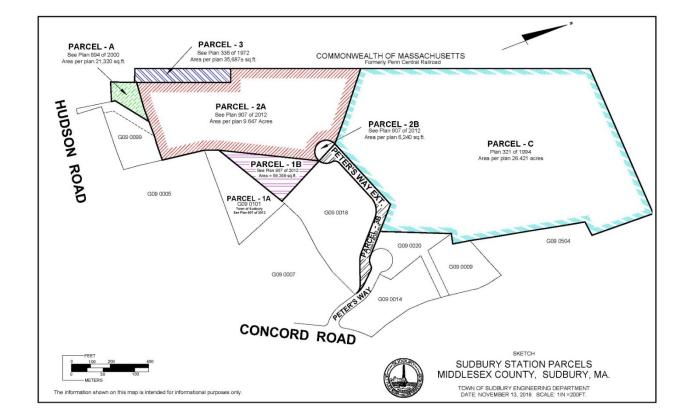


## TOWN MEETING ARTICLE 6

 In order to complete the transaction for the Melone property and accept the land in Town Center that is being included as part of the purchase price, Town Meeting needs to accept this land and all easements necessary to access it.



#### MAP OF TOWN CENTER LAND









Quarry North Land Swap

Town Owned & Conservation Proposed Bruce Freeman Rail Trail

# QUESTIONS?

