



**Sudbury Housing Trust**  
***Request For Proposals***

**Disposition of Municipal Property at**  
**278 Maynard Road**  
**Sudbury, Massachusetts**

**February 19, 2014**

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## **Section 1: Introduction**

The Sudbury Housing Trust (the 'Trust'), an agent of the Town of Sudbury, Massachusetts, is soliciting proposals for the construction of a 3-unit affordable housing development on an unimproved parcel of land at 278 Maynard Road in Sudbury (Town Assessor's map E07-400).

This parcel of land is owned by the Sudbury Housing Trust which has the sole purpose to provide for the preservation and creation of affordable housing in the Town of Sudbury for the benefit of low and moderate income households. The Trust intends to convey the property for nominal consideration to the most responsive proposal for the construction of a 3-unit affordable development and sale of the units to qualified first time homebuyers.

The purpose of this Request For Proposals ('RFP') is to select a developer with experience in constructing affordable residential housing and familiarity with M.G.L. c. 40B.

Responses to this RFP are due on or before:

**May 9, 2014 @ 1:00 pm to:**

Sudbury Housing Trust  
Attention: Jody Kablack  
Office of Planning and Community Development  
278 Old Sudbury Road  
Sudbury, MA 01776

## **Section 2: Instructions to Respondents**

The RFP may be obtained from the Department of Planning and Community Development, Monday through Friday, between 8:30 a.m. and 4:00 p.m, by email or mail. The Department contact information is: e-mail: [pcd@sudbury.ma.us](mailto:pcd@sudbury.ma.us), phone: (978) 639-3387.

A Pre-bid conference will be held on Tuesday, March 18, 2014 at 11:00 am at 278 Old Sudbury Road, Sudbury, MA.

Requests for interpretation or supplemental information must be made in writing via e-mail and must be received by the Department of Planning and Community Development by e-mail no later than April 4, 2014. Any interpretation or supplemental information provided to respondents will be issued in the form of written addenda to the RFP and will be sent by e-mail to all persons on record as having received the RFP no later than April 18, 2014.

Proposals must be received by the Planning and Community Development Office, 278 Old Sudbury Road, Sudbury, MA 01776 in accordance with the instructions in Section 10 below.

Regardless of the cause of delay, no proposals that are received after the deadline shall be given any consideration. The responsibility for assuring the receipt of proposals before the specified closing time is incumbent upon the respondents.

## **Section 3: Project Introduction**

The Trust invites qualified developers to submit proposals to develop and sell 3 affordable homeownership units on a property owned by the Sudbury Housing Trust at 278 Maynard Road.

The Trust is prepared to collaborate with the developer during all phases of the project and to assist in making the project a success for the community. **The Trust has available funds set aside to support the project, as noted in the project budget in Section 7.**

The purpose of this RFP is to select a developer who can demonstrate the experience and capacity necessary to complete the project in conformance with the Sudbury Housing Trust's Goals and Guidelines detailed in Section 7 below, and best meets the Comparative Evaluation Criteria described in Section 12 below.

#### **Section 4: Population/Demographics**

Sudbury is a suburban community of 24.6 square miles, located 20 miles west of Boston and 26 miles east of Worcester in Middlesex County. It is divided by Routes 20 and 117 running east to west, and Route 27 running north to south. The Town is bordered by Wayland and Lincoln to the east, Framingham to the south, Concord and Maynard to the north, and Marlborough, Stow and Hudson to the west.

Sudbury's current total population is 18,317 (2012 Town Census). Median age of Sudbury residents has increased over the last decade from 38.8 years to 42.5 years, and the over age 65 year population has increased by 2.35%. Sudbury continues to have a high percentage of family households with children under 18, a high average family size and a growing senior population. 51% of all households have children under the age of 18; the average household size is 3.02; and 24% of all households have at least 1 person age 65 or older. Minorities count for approximately 11% of the total population.

The median income in Sudbury continues to rise with the 2009 report of \$147,383, an increase of 23% since 2000. Comparatively, the median income for a family of 4 in our Metropolitan Statistical Area (Boston-Quincy-Cambridge) is \$94,100. The median home price in Sudbury in 2013 was \$640,277.

Sudbury's affordable housing inventory is at 5.94%, or 352 units.

#### **Section 5: Property Description/Site Characteristics**

The following information is provided for preliminary informational purposes only and should be independently determined and verified by prospective developers.

Location and Site Information: The property consists of an unimproved parcel of land located at 278 Maynard Road at the northwestern corner of Marlboro Road. The property is 0.97 acres (approx. 42,178 square feet). It has 180 feet of frontage on Maynard Road. The parcel map is included below. A previously existing house, slab and garage have been demolished and removed.

A topographical survey has been completed.

Public water and utilities are available to the property along the street frontage.

Environmental Review: The property will be conveyed "as is". The Trust has completed a Phase I Environmental Site Assessment for soil, water and asbestos and has found no contamination (Executive Summary attached).

Septic and Soils: The Town has no public wastewater facilities. The property has been tested for on-site septic witnessed by the Sudbury Board of Health which indicates the ability to design a system of adequate size for the proposed development. Septic system and stormwater management areas will be generally located at the front of the lot due to soil conditions.

Other site considerations: The crab apple tree at the front of the property and the stone wall along the eastern property line should both be preserved to the extent feasible.

## **Section 6: Zoning and Permitting**

The Trust has received a Comprehensive Permit for the project. It is expected that the Trust will amend the Comprehensive Permit (as needed), as well as transfer or assign the Comprehensive Permit to the developer upon conveyance of the property.

The developer will be required to obtain the Final Approval documents from MassHousing, which will include the execution of a Regulatory Agreement.

The developer will be required to prepare final site plans, construction and engineering plans for the Building Permit, a final Landscape Plan, and as-built plans and other information, including condominium documents, in compliance with the Comprehensive Permit requirements.

The developer will help to build local support for the project and address concerns raised by the abutters.

## **Section 7: Sudbury Housing Trust Goals and Guidelines**

The Trust has the following requirements for the development:

1. The Trust requires a design consistent with the design concept and outline specifications included below.
2. Three (3) units of deed restricted housing for sale to eligible households will be constructed. One of the units (the detached unit) will be sold to a household earning under 100% of the Boston Area Media Income (AMI), adjusted for household size, and two units (the duplex units) will be reserved for eligible households earning under 80% of the Boston AMI. The sales price of the units must be satisfactory to the Town and the Department of Housing and Community Development (DHCD). Preference for Sudbury residences shall be given in the sale of the Affordable Units to the extent permitted by law. The Affordable Units shall be eligible for inclusion in the Town's Subsidized Housing Inventory (SHI).
3. There are two separate structures – a detached unit with 2 or 3 bedrooms, and a duplex building with two, 2-bedroom units. A new driveway enters from Maynard Road. The front entrances and back patios are sited to provide privacy. The duplex unit is designed to appear as a large single family home. The detached unit shown on the conceptual plan is approximately 1,450 SF, and the duplex units are approximately 1,250 SF each. No unit shall be smaller than 1250 sq. ft.
  - 3a. The Trust requires proposals for the detached unit as both a 2-bedroom and a 3-bedroom unit. Two bedrooms are approved in the Comprehensive Permit, which will require an amendment if increased to 3-bedrooms. The ZBA has indicated that this amendment would likely be approved. The Trust will be responsible for obtaining the amendment to the Comprehensive Permit.
4. Eight (8) parking spaces shall be proposed, 2 for each unit plus 2 visitor spaces.
5. A condominium association shall be established at the initial sale of the units by the developer.
6. All conditions of the Comprehensive Permit shall be fulfilled by the developer, unless modified by the Zoning Board of Appeals upon approval of the Trust.
7. The Trust has prepared an ideal project budget. As shown below:

These prices are based on 2014 HUD income figures; interest rates as of 1/13/14 and a condo fee of \$100 for the 80% of AMI units and \$140 for the 100% of AMI unit.

Sources		Total
2-bedroom Unit Proceeds	80% AMI, 2014 values	\$ 160,000
2-bedroom Unit Proceeds	80% AMI, 2014 values	\$ 160,000
Detached Unit Proceeds (2BR or 3BR)	100% AMI, 2014 values	\$224,000 to \$253,000
Sudbury Housing Trust Subsidy		Up to \$200,000
Total		\$744,000 to \$773,000

8. The Trust expects a design/build approach to the project using the design concept attached to this RFP. Engineering and building construction plans will be required to be prepared by the developer.
9. The Trust is interested in exploring green building designs especially those which will reduce on-going utility and other expenses. The development has been planned with the following sustainable design strategies in mind:
  - Design shall exceed the Massachusetts State energy code and the Stretch Energy Code
  - Compact and space-efficient design and minimal site impact
  - Minimize the amount of vehicular pavement and impervious surfaces as much as possible
  - Careful siting and window placement to maximize natural light
  - High-efficiency furnaces

The Trust is interested in additional sustainable strategies to be pursued as an optional green package to include:

- Rainwater harvesting for landscape irrigation
- LED or CFL high efficiency light fixtures
- Solar panels or similar alternative energy sources

10. Community outreach: The developer shall be prepared to work with the Sudbury Housing Trust, Town boards and departments and collaborate in the implementation of an Affirmative Fair Housing Marketing Plan.

### **Section 8: Site Control and Title Considerations**

The Trust purchased the parcel in August 2008 in a private sale and is the holder of the deed.

The Trust will execute a Purchase and Sale Agreement with the developer upon the following:

- Site Plans, architectural plans and elevations and construction specifications approved by Trust
- Project budget and schedule approved by the Trust

The Trust will convey the Property to the developer within 60 days of demonstration that all conditions stated in the Purchase and Sale Agreement are met.

## **Section 9: Project Scope**

The overall project includes the construction of 3 units of deed restricted housing, and the sale of those homes to selected and qualified households through an Affirmative Fair Housing Marketing Plan as per DHCD guidelines. This will include many tasks and details including finalizing the site plan and budget, completing the conditions of the Comprehensive Permit, receipt of Final Approval from MassHousing, construction of the development, sale of units to selected and eligible households and other community outreach aspects.

## **Section 10: Proposal Submission Requirements**

Each response must include 10 copies of the proposal, sealed and clearly marked "RFP: 278 Maynard Road Development" along with the developer's name and address.

All Proposals shall include, as a minimum, the following information:

1. Name and address of lead developer.
2. Name of contact person, including phone, fax and email information.
3. Name and address of all partners, officers, and directors and any other person with an ownership interest greater than 5% of all firms working on the project.
4. Names of any Town officials or employees who are related to any of the partners, officials or directors of any firm working on the project, or others who have any ownership interest in the firm.
5. Names and resumes of all personnel who will be assigned to work on the project including any registrations and certifications.
6. Demonstration that the developer meets the Minimum Criteria in Section 11 below.
7. Demonstration that the proposal meets the Comparative Evaluation Criteria in Section 12 below.
8. Concept site plans, building plans and elevations.
9. Project Budgets, in MassHousing format, for both a 6 bedroom option and a 7 bedroom option, including a list of additions to or deviations from the recommended outline specifications.
10. A list of recent similar projects, including a brief description of the project, location, costs, site plan and date services provided. Identify projects as completed or underway. Photographs or other visual representations of recent projects should be included where possible.
11. Contact name, phone number, email address and project name for at least 3 references for similar projects, including one from a Massachusetts subsidizing agency.
12. Proposed scope of the project and list of tasks to be completed, proposed timetable and schedule for completion of the project.
13. Other information which will document the developer's capabilities and qualifications for the project.

### **Section 11: Minimum Qualifications of Developer**

The Town is seeking a developer for the construction and sale of 3 affordable homes in Sudbury. The minimum qualifications must include:

1. Developers must be associated with an organization that constructs residential housing.
2. Developers must comply with Chapter 40B requirements (including establishing an LLC for this project or documentation of non-profit status), and comply with Cost Certification procedures at the completion of the project, limiting profits on the project to no more than 20%.

### **Section 12: Comparative Evaluation Criteria**

In general, proposals must be responsive to the requested information set forth in the RFP. Proposals deemed to be non-responsive shall be given a ranking of Unacceptable.

Specifically, the proposals will be evaluated and rated according to the following criteria:

- I. The developer is experienced (constructed or permitted) with similar projects for small-scale multi-family affordable housing development:  
Highly Advantageous: The developer has experience with more than two similar projects.  
Advantageous: The developer has experience with one or two similar projects.  
Not Advantageous: The developer has no experience with similar projects.
- II. The developer is experienced with Chapter 40B development:  
Highly Advantageous: The developer has constructed at least one project approved under M.G.L. Chapter 40B.  
Advantageous: The developer has no experience with Chapter 40B development but demonstrates an awareness of the obligations and an ability to perform them.  
Not Advantageous: The developer has no experience with Chapter 40B development and has not demonstrated an awareness of the obligations or an ability to perform them.
- III. The developer has submitted a realistic budget that meets the goals of the Trust listed in section 7:  
Highly Advantageous: The developer has submitted a realistic budget that meets the goals of the Trust.  
Advantageous: The developer has submitted a realistic budget that meets the goals of the Trust, within 10%.  
Not Advantageous: The developer has not submitted a realistic budget, or the submitted budget is greater than 10% above the estimated ideal budget.
- IV. The proposal exceeds the minimum requirements of section 7:  
Highly Advantageous: The proposal includes central air conditioning in each unit, uses fiber cement siding and provides one or more components listed in the additional green package  
Advantageous: The proposal includes either central air conditions in each unit, or uses fiber cement siding.  
Not Advantageous: The proposal does not include either central air conditioning or fiber cement siding.



V. Quality of the References provided:

Highly Advantageous: The work of the developer is deemed excellent by all of their 3 references.

Advantageous: The work of the developer is deemed good or excellent by at least 2 of their 3 references.

Not Advantageous: The work of the developer is deemed good or excellent by 1 reference, or deemed poor by any reference.

VI. Readiness to Proceed and Complete Project Within Time Frame and Scope:

Advantageous: The developer is able to begin upon execution of contract (within two weeks of notice to proceed) and complete entire scope within the projected time frame.

Not Advantageous: The developer is unable to begin within 60 days of notification to proceed, or unable to complete entire scope of project.

### **Section 13: Acceptance or Rejection of Proposals**

The Trust reserves the right to accept or reject any or all proposals, to waive any informalities or non-conformities in a proposal, amend the Request For Proposals, or issue a new request for proposals, for any reason deemed appropriate by the Trust in order to serve the best interest of the Town. Those who enter into contractual obligations with the Town must not discriminate against qualified, handicapped individuals in their employment decisions. The Trust will evaluate the proposals submitted and either accept one proposal or reject all of the proposals.

Proposal corrections, modifications, or withdrawals may be submitted until the proposal deadline; any such shall be in writing in a sealed enveloped appropriately labeled and delivered as indicated above.

The Trust reserves 90 days from the proposal deadline to make an award if it is in the best interests of the Trust to do so.

No more than one proposal from the same developer, whether or not the same or different names, shall be considered. Reasonable proof for believing that any developer is interested in more than one proposal for the work contemplated shall cause the rejection of said proposals made by him/her, directly or indirectly.

Material submitted in response to this RFP will not be considered confidential under the terms of the Massachusetts Public Records Law.

### **Section 14: Final Selection and Award of Contract**

The Trust will review and rate the proposals received, and may select the most highly advantageous developers for interviews.

The contract award, if any, will be made by the Trust upon determination of the most advantageous proposal from a responsible, qualified and responsive developer, taking into consideration all evaluation criteria set forth in the RFP. If the selected developer and the Trust are unable to come to agreement after a reasonable period of time, the Trust may proceed to negotiate the contract award with the next highest ranked finalist.

The developer selected for the work will need to provide certification of insurance coverage and will be required to indemnify and hold the Town of Sudbury harmless.

The decision of the Trust to dispose of this property will be ratified by a vote of the Sudbury Board of Selectmen.

**EXHIBITS:**

1. Property map/topographical survey
2. Soil test logs/preliminary septic design plan
3. Phase 1 Environmental Assessment
4. Comprehensive Permit
5. Davis Square Concept Plans for 3 unit development
6. Outline Specifications
7. Preliminary Construction Budget (MassHousing Format)

N/F  
CHANCE & MARY PARKER  
MAP E07, PARCEL 407  
DEED BK 37371, PG 581

N/F  
LEE & STEPHEN MACPHEE  
MAP E07, PARCEL 406  
DEED BK 24625, PG 26

BENCHMARK  
NAIL-S, UP#9/59  
ELEV.=208.89  
(NGVD 1929)

MAYNARD  
(ROUTE 27 1992 COUNTY LAYOUT)  
(VAR. W DTH - PUBLIC WAY)  
ROAD

MARLBORO ROAD  
(VAR. WIDTH - PUBLIC WAY)

S.B.D.H. Fnd.  
HELD

Plan 167 of 1983

TEMPORARY BENCHMARK CHART:

T.B.M.#	DESCRIPTION	ELEVATION
△	NAIL FOUND 1.0' A.G. IN UTILITY POLE 9/59	203.89
△	FRONT CAP BOLT HYDRANT, 2.0' A.G.	206.95

(SEE NOTE 6)

RECORD OWNER:

SUDBURY HOUSING TRUST  
278 MAYNARD ROAD  
SUDBURY, MASSACHUSETTS 01776  
-DEED BOOK 51485, PAGE 311 \*

REFERENCES:

-DEED BOOK 51485, PAGE 311 \*  
-PLAN No. 257 OF 1982 \*  
-PLAN No. 167 OF 1983 \*

\* DENOTES DOCUMENTS RECORDED AT THE  
MIDDLESEX SOUTH REGISTRY OF DEEDS.

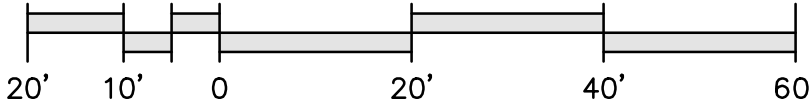
LEGEND:

---	ONE FOOT CONTOUR
---	FIVE FOOT CONTOUR
+210.2	SPOT ELEVATION
○	REMAINS OF STONE WALL
—○—	STONE RETAINING WALL
BB	BITUMINOUS BERM
---	EDTW
---	EOP
---	EDGE OF PAVEMENT
□CB	CATCH BASIN
—D—	DRAIN LINE
RCP	REINFORCED CONCRETE PIPE
INV	INVERT
—OHW—	TERMINUS UNKNOWN
—UP—	OVERHEAD WIRE
○	UTILITY POLE
—G—	COMPILED GAS LINE
---	COMPILED TELEPHONE LINE
---	COMPILED TRANSITE WATER LINE
○	HYDRANT
○	SIGN
○	CONIFEROUS TREE
○	DECIDUOUS TREE
---	TREE LINE
BIT. CONC.	BITUMINOUS CONCRETE
A.G.	ABOVE GRADE
TP#	TEST PIT

NOTES:

- THE TOPOGRAPHY, SITE DETAIL & SURFACE IMPROVEMENTS DEPICTED HEREON WERE OBTAINED FROM AN INSTRUMENT SURVEY CONDUCTED ON THE GROUND BY MERIDIAN ASSOCIATES, INC. ON DECEMBER 14, 2009.
- THE LOCUS PROPERTY DEPICTED IS LOCATED IN ZONE RES A-1, SINGLE FAMILY RESIDENCE "A".
- THE LOCUS PROPERTY IS DEPICTED AS LOT 400 ON TOWN OF SUDBURY ASSESSOR'S MAP E07.
- THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE AND ARE BASED UPON A PARTIAL FIELD SURVEY AND COMPILATION OF PLANS OF RECORD. MERIDIAN ASSOCIATES, INC. DOES NOT WARRANT NOR GUARANTEE THE LOCATION OF ALL UTILITIES DEPICTED OR NOT DEPICTED. THE CONTRACTOR, PRIOR TO COMMENCEMENT OF CONSTRUCTION, SHALL VERIFY THE LOCATION OF ALL UTILITIES AND CONTACT DIG SAFE AT 1-888-344-7233.
- THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT, VISIBLE USES OF THE LAND; HOWEVER, THIS DOES NOT CONSTITUTE A GUARANTEE THAT NO SUCH EASEMENTS EXIST.
- THE ELEVATIONS DEPICTED HEREON WERE BASED ON THE NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D.) OF 1929. STARTING BENCHMARK: HYDRANT CAP BOLT "C" IN CHATTANOOGA, LOCATED AT CORTLAND LANE AND FAIRBANK ROAD, SEE PLAN RECORDED AS PLAN No. 760 (3 OF 6) OF 2000\*. ELEVATION=202.70'
- PROPERTY LINES DEPICTED HEREON ARE BASED ON COMPILED DEEDS AND PLANS OF RECORD. THIS PLAN IS NOT TO BE USED FOR THE RECONSTRUCTION OF BOUNDARY LINES OR FOR TITLE INSURANCE PURPOSES. ALL BOUNDARY LINES DEPICTED ARE APPROXIMATE ONLY. MAI DID NOT PERFORM A BOUNDARY RETRACEMENT SURVEY.
- DEEP TEST PITS (FOR SEPTIC DESIGN) TP-1 THROUGH TP-4, PERC-A AND PERC-B WERE PERFORMED BY OTHERS AND WITNESSED BY THE SUDBURY BOARD OF HEALTH ON JUNE 9, 2008.
- DEEP TEST PITS (FOR GEOTECHNICAL DESIGN) TP1 THROUGH TP12 WERE PERFORMED BY McPHAIL ASSOCIATES, INC. ON NOVEMBER 3, 2009. ONE ADDITIONAL PERC TEST WAS PERFORMED IN TEST PIT TP12 BY MAI AND WITNESSED BY THE SUDBURY BOARD OF HEALTH ON NOVEMBER 3, 2009.

SCALE: 1"=20'



DWG No. 8333\_PER07\_EX\_COND

Existing Conditions Plan  
Affordable Housing Project  
278 Maynard Road  
Sudbury, Massachusetts



500 CUMMINGS CENTER, SUITE 302  
WESTBOROUGH, MASSACHUSETTS 01580  
TELEPHONE: (508) 871-7000

DATE:  
October 21, 2010  
(See Revision Block)

SCALE:  
1"= 20'

PROJECT No.  
8333

SHEET No.  
2 OF 10

TOWN OF SUDBURY

ZONING BOARD OF APPEALS

BUILDING INSPECTOR

ZONING BOARD OF APPEALS

DPW DIRECTOR

ZONING BOARD OF APPEALS

PLANNING DIRECTOR

ZONING BOARD OF APPEALS

I hereby certify that no notice of appeal was received during the 20 day period after the notice of the decision by the Board of Appeals had been filed.

ZONING BOARD OF APPEALS

TOWN CLERK

DATE OF ENDORSEMENT



## LEGEND

PROPERTY LINE (EX. ROW & PROPOSED)  
PERC. HOLE SOIL TESTING LOCATION  
DEEP HOLE SOIL TESTING LOCATION  
EXISTING FIELDSTONE WALL  
EXISTING TOPOGRAPHY  
4" SEWER LINE  
WATER LINE  
PROPOSED CONTOUR  
PROPOSED SPOT ELEVATION  
INVERT ELEVATION  
FIRST FLOOR ELEVATION  
PRESBY TUBE  
SEPTIC TANK  
DISTRIBUTION BOX  
IMPERMEABLE BARRIER  
DRY WELL  
ROOF DRAIN LINE

MS  
ION  
S  
W  
108  
+ 107.3  
INV.  
FF  
ST  
DB  
DW  
RD

PROPOSED 2:1 SLOPE  
TRANSITION ALONG  
PROPERTY LINE (TYP)

PIPE  
=2.0% (TYP)

TEST PIT No. TP#1 ELEV. 204.9±
A HORIZON SANDY LOAM
B HORIZON LOAMY SAND
C1 HORIZON MED. SAND
C2 HORIZON COARSE SAND W/COBBLES
C3 HORIZON SANDY LOAM

MOTTLES @ 59"  
ESHW  
ELEV.= 200'±

MOTTLES @ 83"  
ESHW  
ELEV.= 197.1±

TEST PIT No. TP#2 ELEV. 204.0±
A HORIZON SANDY LOAM
B HORIZON
C1 HORIZON FINE/MED. SAND
C2 HORIZON COARSE SAND W/COBBLES

MOTTLES @ 65"  
ESHW  
ELEV.= 199.1±

MOTTLES @ 83"  
ESHW  
ELEV.= 197.1±

TEST PIT No. TP#3 ELEV. 204.5±
A HORIZON SANDY LOAM
B HORIZON LOAMY SAND
C1 HORIZON FINE/MED. SAND
C2 HORIZON COARSE SAND W/COBBLES

MOTTLES @ 65"  
ESHW  
ELEV.= 199.1±

MOTTLES @ 83"  
ESHW  
ELEV.= 197.1±

TEST PIT No. TP#4 ELEV. 206.7±
A HORIZON SANDY LOAM
B HORIZON LOAMY SAND
C1 HORIZON FINE/MED. SAND
C2 HORIZON COARSE SAND W/COBBLES

MOTTLES @ 63"  
ESHW  
ELEV.= 201.5±

MOTTLES @ 83"  
ESHW  
ELEV.= 197.1±

TEST PIT No. TP#5 ELEV. 207.9±
A HORIZON SANDY LOAM
B HORIZON LOAMY SAND
C1 HORIZON MED. SAND
C2 HORIZON COARSE SAND W/COBBLES
C3 HORIZON SANDY LOAM

MOTTLES @ 64"  
ESHW  
ELEV.= 202.5±

MOTTLES @ 83"  
ESHW  
ELEV.= 197.1±

TEST PITS #1, #2, #3 PERFORMED BY: BY M. SULLIVAN, S.E.  
TEST PITS #4, #5 BY W. KEEFNER, S.E. WITNESSED BY BOB LEUPOLD, DATE 11/3/09

## DEEP OBSERVATION HOLE LOGS

OBSERVATION HOLE TP 1(P-A) OBSERVATION HOLE TP 3(P-B) OBSERVATION HOLE TP 5(P-C)  
DEPTH OF PERC. 65" DEPTH OF PERC. 78" DEPTH OF PERC. 72"  
RATE MIN./INCH 2 MPI RATE MIN./INCH 2 MPI RATE MIN./INCH 2 MPI

## PERCOLATION DATA

## GENERAL NOTES:

- THE USE OF GARBAGE GRINDERS IS PROHIBITED WITH THIS SYSTEM.
- ALL CONSTRUCTION SHALL CONFORM TO STATE SANITARY CODE, TITLE 5, AND PRESBY ENVIRONMENTAL, INC. REQUIREMENTS.
- SUBSURFACE DISPOSAL CONSTRUCTION SHALL COMPLY WITH DETAILS AND SPECIFICATIONS PROVIDED ON THESE PLANS. THE SYSTEM IS DESIGNED ONLY FOR THE DESIGN FLOW INDICATED.
- ALL EQUIPMENT AND STRUCTURES SHALL BE INSTALLED AT THE ELEVATIONS AND LOCATIONS INDICATED ON THE PLANS. ANY CHANGES MUST BE APPROVED BY MERIDIAN ASSOCIATES, INC. ELEVATIONS SHOWN ON THE PLAN ARE APPROXIMATE ONLY AND SHALL BE ADJUSTED IN THE FIELD TO CONFORM ACCURATELY TO FINISHED GRADES.
- MATERIAL SPECIFICATION/QUANTITY DELIVERY SLIPS SHALL BE KEPT ON-SITE AT ALL TIMES DURING CONSTRUCTION AND AVAILABLE TO THE DESIGN ENGINEER, BOARD OF HEALTH AND PRESBY ENVIRONMENTAL, INC.
- TOPSOIL, SUBSOIL, EXISTING DISPOSAL SYSTEM AND OTHER UNSUITABLE MATERIALS SHALL BE REMOVED FROM ALL AREAS BENEATH THE LEACHING FACILITY & FUTURE RESERVE AREA FOR A DISTANCE OF 5 FEET IN ALL DIRECTIONS AS OUTLINED ON THE PLANS. THIS MATERIAL SHALL BE REPLACED WITH SEPTIC SAND ACCORDING TO THE SPECIFICATIONS.
- THE SEPTIC SYSTEM SHOULD BE INSPECTED AND PUMPED OUT REGULARLY (AT LEAST ONCE EVERY YEAR). HARMFUL MATERIALS SHOULD BE KEPT OUT OF THE SYSTEM. ALL COMPONENTS OF THE UNDERGROUND SEWAGE DISPOSAL SYSTEM SHALL BE MAINTAINED IN ACCORDANCE WITH THE LOCAL BOARD OF HEALTH REGULATIONS AND THE MASSACHUSETTS STATE ENVIRONMENTAL CODE, TITLE 5.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR HORIZONTAL AND VERTICAL CONTROL OF ALL SYSTEM COMPONENTS.
- CONSTRUCTION SHALL CONFORM TO LINES, GRADES AND DETAILS SHOWN HEREIN.
- ALL EXISTING UTILITIES SHOWN ARE APPROXIMATE AND ARE BASED UPON A PARTIAL FIELD SURVEY AND COMPILATION OF PLANS OF RECORD. MERIDIAN ASSOCIATES, INC. DOES NOT WARRANT NOR GUARANTEE THE LOCATION OF ALL UTILITIES DEPICTED OR NOT DEPICTED. THE CONTRACTOR, PRIOR TO COMMENCEMENT OF CONSTRUCTION, SHALL VERIFY THE LOCATION OF ALL UTILITIES AND CONTACT DIG-SAFE AT 1-888-344-7233.
- THE CONTRACTOR SHALL MAKE NOTIFICATIONS IN ACCORDANCE WITH TITLE 5 AND THE BOARD OF HEALTH REGULATIONS FOR INSPECTIONS OF THE SYSTEM. THE DESIGN ENGINEER AND THE BOARD OF HEALTH SHALL BE GIVEN AT LEAST 48 HOURS NOTICE BY THE CONTRACTOR FOR AT LEAST THE FOLLOWING:  
(A) OBSERVATION OF THE BOTTOM OF THE LEACH AREA AT THE TIME IT IS SCARIFIED,  
(B) OBSERVATION OF THE LEACH TRENCHES PRIOR TO BACKFILLING AND,  
(C) OBSERVATION OF INSTALLATION OF ALL CONCRETE STRUCTURES PRIOR TO BACKFILLING,  
(D) AS-BUILT SURVEY OF ALL COMPONENTS PRIOR TO BACKFILLING.
- AN AS-BUILT PLAN OF THE SYSTEM SHALL BE SUBMITTED TO THE BOARD OF HEALTH. STRUCTURES AND PIPING SHALL NOT BE BACKFILLED UNTIL THE AS-BUILT SURVEY IS COMPLETED.
- THE INSTALLER OF THE SYSTEM MUST BE LICENSED IN ACCORDANCE WITH TITLE 5, THE BOARD OF HEALTH AND PRESBY ENVIRONMENTAL, INC.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS DO NOT CONFLICT WITH ANY KNOWN EXISTING OR OTHER PROPOSED IMPROVEMENTS. IF ANY CONFLICTS ARE DISCOVERED, THE CONTRACTOR SHALL NOTIFY THE OWNER AND THE ENGINEER PRIOR TO INSTALLATION OF ANY PORTION OF THE SITE WORK WHICH WOULD BE AFFECTED.
- NO CHANGES ARE TO BE MADE IN THE FIELD WITHOUT THE APPROVAL OF THE BOARD OF HEALTH AND THE DESIGN ENGINEER.
- FROM THE DATE OF THE INSTALLATION OF THE SOIL ABSORPTION SYSTEM UNTIL RECEIPT OF A CERTIFICATE OF COMPLIANCE FROM THE APPROVING AUTHORITY, IN ACCORDANCE WITH 310 CMR 15.021, THE PERIMETER OF THE SOIL ABSORPTION SYSTEM SHALL BE STAKED AND FLAGGED TO PREVENT THE USAGE OF SUCH AREA FOR ALL ACTIVITIES WHICH MIGHT DAMAGE THE SYSTEM.
- FINISHED GRADE OVER THE LEACHING AREA SHALL BE AT A MINIMUM SLOPE OF TWO (2) PERCENT.
- ALL DISTURBED AREAS ARE TO BE LOAMED, SEEDED AND MAINTAINED TO PREVENT EROSION.
- ALL INTERIOR, AND ONLY INTERIOR PIPING, FROM THE BUILDINGS SHALL BE CONNECTED TO THE PROPOSED DISPOSAL SYSTEM.
- CONSTRUCTION OF PERMANENT STRUCTURES OVER DISPOSAL FACILITY IS PROHIBITED.
- NO POTABLE WATER SUPPLY WELLS OR WETLAND RESOURCE AREAS EXIST WITHIN 100 FEET OF THE DISPOSAL SYSTEM.
- THE PROPOSED SYSTEM IS NOT LOCATED WITHIN A NITROGEN SENSITIVE AREA NOR WITHIN A 100-YEAR FLOOD PLAIN.
- ALL SYSTEM COMPONENTS SHALL BE MARKED WITH MAGNETIC TAPE OR A COMPARABLE MEANS IN ORDER TO LOCATE THEM ONCE BURIED.
- ALL PIPING SUBJECT TO AUTOMOBILE OR HEAVY EQUIPMENT TRAFFIC SHALL BE SCHEDULE 40 PVC, OR AN EQUIVALENT STANDARD APPROVED BY THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION.
- THE ISSUANCE OF A PERMIT TO CONSTRUCT OR A CERTIFICATE OF COMPLIANCE SHALL NOT BE CONSTRUED AS A GUARANTEE THAT THE DISPOSAL SYSTEM WILL FUNCTION SATISFACTORILY.
- WATER AND UTILITY SERVICES SHALL COMPLY WITH ALL MUNICIPAL AND UTILITY COMPANY REQUIREMENTS.
- IMPERMEABLE BARRIER SHALL BE INSTALLED IN ACCORDANCE WITH DEP GUIDELINE #BRP/DWM/WPEP/G02-1.

## BENCHMARK CHART:

T.B.M.#	DESCRIPTION	ELEVATION
△	NAIL FOUND 1.0' A.G. IN UTILITY POLE 9/59	203.89
△	FRONT CAP BOLT HYDRANT, 2.0' A.G.	206.95

## APPLICANT

NEIGHBORHOOD OF AFFORDABLE HOUSING, INC.  
143 BORDER STREET  
EAST BOSTON, MASSACHUSETTS

## RECORD OWNER

SUBURBY HOUSING TRUST  
FLYNN BUILDING  
278 OLD SUBURBY ROAD  
SUBURBY, MASSACHUSETTS

FILE No. 8333\_SDS\_PRESBY\_02

Subsurface Disposal System Plan  
Affordable Housing Project

278 Maynard Road  
Sudbury, Massachusetts



500 CUMMINGS CENTER, SUITE 500  
WESTBOROUGH, MASSACHUSETTS 01580  
TELEPHONE: (508) 817-7600

DATE:  
January 20, 2011

SCALE:  
1"= 10'

PROJECT No.  
8333

SHEET No.  
9 OF 10

**PHASE I ENVIRONMENTAL  
SITE ASSESSMENT**

**RESIDENTIAL PROPERTY  
278 MAYNARD ROAD  
SUDBURY, MA 01776**

**PREPARED FOR**

**SUDBURY HOUSING TRUST  
278 OLD SUDBURY ROAD  
SUDBURY, MA 01776**

**PREPARED BY**

**CRB GEOLOGICAL & ENVIRONMENTAL SERVICES, INC.  
747 MAIN STREET, SUITE 121  
CONCORD, MA 01742  
(978) 371-1170**

**JULY 24, 2008**

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## 1.0 EXECUTIVE SUMMARY

CRB Geological & Environmental Services, Inc. (CRB) has completed a Phase I Environmental Site Assessment (ESA) for the property, located at 278 Maynard Road in Sudbury, Massachusetts 01776 (the "Site" or "Subject Property"). The assessment was completed in accordance with the specifications and limitations of ASTM International (ASTM) Standard E1527-05: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. Any applicable limitations and exceptions to the standard and of this report are described in Section 2.4 of this report. Any deviations from this standard are described in Section 12.0 of this report.

This Phase I ESA was completed for the Sudbury Housing Trust (the "Client"). The purpose of this Phase I ESA was to fulfill one (1) of the requirements to qualify for the innocent landowner, contiguous property owner, or bonafide prospective purchaser limitations on CERCLA liability ("landowner liability protections," or "LLPs"). This report was performed in general accordance with ASTM E1527-05, which constitutes "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice" as defined at 42 U.S.C. §9601(35)(B). This Phase I ESA was performed in order to identify, to the extent feasible, on- and off-site recognized environmental conditions (RECs), as defined by ASTM E1527-05, in connection with the site. The environmental professional responsible for the performance of the Phase I ESA has provided an opinion as to the environmental condition of the site at the time of the report's completion.

According to the Town of Sudbury Property Tax Assessor Card, the Site is approximately 0.968 acres, (42,165.75 square feet). The Site is comprised of one (1) land parcel. The site is currently vacant. The Site was improved with a two-story residential structure, initially constructed in 1735, and a two-story garage, constructed in 1951. Both structures are vacant and in disrepair. Portions of the residential farmhouse have collapsed. Linoleum flooring was present in two or the rooms within the farmhouse. Samples of the linoleum flooring and asphalt siding on a garage were collected and analyzed for the presence of asbestos. Asbestos was below detectable limits. The residential farmhouse includes a dirt floor basement.

Several debris piles are located over the property. The debris piles contain various automotive parts and discarded cans and containers related to automotive repair. A sample of soil was collected adjacent to one of the debris piles located in front of the garage and analyzed for the presence of petroleum hydrocarbons. Only o-xylene was detected in the soil sample collected near the debris pile in front of the garage. Sample results were below Reportable Concentration (RC) limits for all constituents.

The Site is connected to town water supply with private septic. A hand-dug well, approximately 27 feet deep, is located to the rear of the farmhouse. A sample of the water from the hand-dug well was collected and analyzed for the presence of petroleum hydrocarbons. No petroleum hydrocarbons were present in the sample. Sample results were below detectable limits for all constituents.



The residential building was heated with oil. A 275-gallon steel aboveground oil tank was present in the basement of the residential structure. A sample of soil adjacent to the oil tank was collected and analyzed for the presence of petroleum hydrocarbons. Sample results were below detectable limits for all constituents.

An on-line database records search of the State of Massachusetts Department of Fire Services Underground Storage Tanks (UST) database does not list this Site as a location where an UST was present.

Current uses of adjoining properties include: residential properties are located to the north, south, east and west.

The Site was not listed on the databases searched. There was no record of this Site in the MADEP on-line site database. The MADEP site database lists any property where a reported release of oil or hazardous materials above the applicable Reportable Concentration (RC) has occurred. Since the MADEP on-line Site database search does not list this property as a site, there is no listing of an environmental lien or an Activities and Use Limitation (AUL) for this Site.

CRB has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527 of the property addressed as 278 Maynard Road, the property. Any exceptions to, or deletions from, this practice are described in Section 12.0 of this report. This assessment has revealed no evidence of recognized environmental conditions in connection with the property.

This assessment has revealed evidence of recognized environmental conditions (REC)s in connection with the property including:

- Debris piles, many containing automobile parts, are located at various locations on the property. There was no observable staining or odors on the ground surface near the various debris piles. A soil sample collected adjacent to a debris pile in front of the garage. Only o-xylene was detected in the soil sample collected near the debris pile in front of the garage. Sample results were below Reportable Concentration (RC) limits for all constituents.
- Oil, grease, lubricants and paints are presently stored within the garage in old and corroding cans. There is no visual indication that the material has been released to the surface.
- Small bottles and cans with labels indicating the presence of various pesticides are stored in the stairway to the basement of the farmhouse. There is no visual evidence that these materials have been released. Also present in the basement of the farmhouse are several old tires.
- A steel, aboveground storage tank (AST) containing fuel oil is present in the basement of the farmhouse. Rust was observed on the exterior of the AST. There is no visual evidence that

oil had been released to the adjacent area in the basement. A soil sample collected adjacent to the oil tank was below detectable limits for the presence of petroleum hydrocarbons. Coal was observed in the basement area.

- Linoleum flooring is present in two rooms of the farmhouse. Samples of the linoleum flooring was collected and analyzed for the presence of asbestos. Sampling results indicated that no asbestos was present.

- An on-site hand-dug water well is located at the rear of the farmhouse. It is possible that the well was used as a source of water at sometime in the past. A sample of water from the well was collected and analyzed for the presence of petroleum hydrocarbons. Sampling results was below detectable limits for the presence of petroleum hydrocarbons. 275-gallon Aboveground Storage Tank (AST) used to store oil for the oil-fired furnace,

TOWN CLERK  
SUDBURY, MASS

10 NOV -9 AM 9:11

NOAH/Sudbury Housing Trust  
278 Maynard Road  
November 8, 2010

NOTICE OF DECISION  
COMPREHENSIVE PERMIT  
NEIGHBORHOOD OF AFFORDABLE HOUSING, INC.  
278 MAYNARD ROAD  
SUDBURY, MA  
ZONING BOARD OF APPEALS CASE NUMBER 10-08  
NOVEMBER 8, 2010

**I. Background**

The Sudbury Zoning Board of Appeals (the "Board") received an application for a Comprehensive Permit under Massachusetts General Laws Chapter 40B, Sections 20-23 and the regulations promulgated thereunder, as amended from time to time, from Neighborhood of Affordable Housing, Inc. (the "Applicant") on December 21, 2009 to construct six (6) dwelling units, on approximately .97 acres of land located at 278 Maynard Road. Said Property is within the A-1 Residential Zoning District, and is identified as Parcel 0400 on Town Assessor's Map E07 (the "Property"). The Property is owned by the Sudbury Housing Trust. Said application was subsequently revised to construct three (3) dwelling units on the Property.

The application was filed by the Applicant and notice as required by law was given to all entitled to receive such notice.

The Applicant submitted evidence establishing that it is a qualified Applicant eligible to apply for a Comprehensive Permit pursuant to 760 CMR 31.01 in that:

- a) It is a non-profit corporation eligible to obtain a Comprehensive Permit pursuant to M.G.L. c.40B;
- b) It has site control over the Property; and
- c) It has received a Project Eligibility (Site Approval) Letter from MassHousing dated January 11, 2010.

The Board convened the public hearing on this application on February 1, 2010. The public hearing was continued to February 23, 2010, April 27, 2010, July 12, 2010, September 27, 2010, November 1, 2010 and November 8, 2010, and was closed on November 8, 2010. Sitting as members of the Board and present throughout the hearing, or members who have missed no more than one meeting and have certified, pursuant to M.G.L. c. 39, section 23D, that they have examined all the evidence received by the Board at the missed session, including an audio

recording of the meeting, were Jeffrey P. Klofft, Acting Chairman; Stephen A. Garanin, Jonathan G. Gossels, Nancy G. Rubenstein and Elizabeth A. Taylor, and Benjamin D. Stevenson, Alternate.

The Board has considered the recommendations of the boards and committees of the Town of Sudbury regarding the Sudbury Bylaws, and finds that reasonable conditions relative to these regulations have been incorporated herein.

In reviewing the application of Neighborhood of Affordable Housing, Inc., as well as evidence presented in written or oral form by citizens and Town Boards and departments during the course of the public hearing, the Board has determined that the Town of Sudbury does not meet the statutory criteria for availability of low and moderate income housing, as those units currently in existence constitute less than 10% of the year round housing units in the Town and are on sites which comprise less than the minimum land area necessary as defined in 760 CMR 31.04. The Board has further determined that the allowance of this application will not result in the commencement of construction of low or moderate income housing units on a site comprising more than the minimum land area necessary and as defined in 760 CMR 31.04. The Board also finds that the Project as proposed in the application, as described during the public hearing and as modified by the attached conditions, is consistent with local needs within the meaning of Massachusetts General Laws, Chapter 40B, Sections 20-23 and that it is consistent with the character of the zoning district. Finally, the Board notes that the Applicant has presented evidence of site control in its application, and evidence of Project Eligibility from MassHousing in a letter dated January 11, 2010.

Therefore, the Board finds that there is compelling evidence to support the granting of a Comprehensive Permit (the "Permit") to enable the construction of the Project described in the application and during the public hearing, subject to all of the following terms and conditions, all of which are binding upon the Applicant as conditions of this Permit.

## **II. Application Details**

This approval is based on the following plans, reports and information submitted to the Board prior to and during the public hearing, and with the benefits of modifications required under this Permit.

1. Application for a Comprehensive Permit dated December 21, 2009 submitted by NOAH, Inc., Phil Giffey, Executive Director;
2. Site Development Plans dated October 21, 2010, prepared by Meridian Associates, containing 9 sheets:

- ◆ Sheet 1 – Cover Sheet
  - ◆ Sheet 2 – Existing Conditions Plan
  - ◆ Sheet 3 – Erosion and Sedimentation Control Plan
  - ◆ Sheet 4 – Layout and Materials Plan
  - ◆ Sheet 5 – Grading, Drainage and Utilities Plan
  - ◆ Sheet 6 – Landscape and Lighting Plan
  - ◆ Sheets 7, 8, 9 – Site Details
3. Stormwater Management Report dated October 22, 2010 (revised) prepared by Meridian Associates;
  4. Architectural Plans prepared by The Narrow Gate, dated October 6, 2010 containing 4 sheets:, consisting of:
    - ◆ Sheet A-1.1, First Floor Plans;
    - ◆ Sheet A-1.2, Second Floor Plans;
    - ◆ Sheet A-2.0, Exterior Elevations;
    - ◆ Sheet A-2.1, Axonometric Views

Items 1 through 4 above constitute the "Permit Plan", and as the same may be revised, modified and/or supplemented in accordance with the provisions of this Permit and are stamped as required by a Registered Professional Engineer, Landscape Architect and Architect, (including, without limitation, with the approval of the Board where herein required), all such revisions, modifications and supplements having a result substantially similar to the Permit Plan constitute the "Endorsement Plan". The development described or depicted in this Permit and the Permit Plan is referred to herein as the "Project".

5. Site Approval from MassHousing dated January 11, 2010
6. Letter to the Board from the Sudbury Planning Board dated 1/22/2010
7. Letter to the Board dated 1/25/2010 fifteen Neighbors
8. Memo to the Board from Jody Kablack, Director of Planning and Community Development dated 1/27/2010
9. Memo to the Board from the Design Review Board dated 1/28/2010
10. Email to the Board from Deborah Hardy dated 1/30/2010
11. Memo to the Board from Jody Kablack dated 2/19/2010 with corner lot recommendation and map
12. Memo to the Board from Jody Kablack dated 2/19/2010 with guest parking comparison
13. Memo to the Board from Bob Leupold, Health Director dated 2/22/2010
14. Letter to Beth Rust from Cornelia Cogswell, MassHousing, dated 2/18/2010
15. Memo to the Board from Beth Rust dated 2/22/2010 regarding economic comparison analysis
16. Letter to the Board from NOAH dated 2/22/2010 with attachments
17. Email to Jody Kablack from Debbie Dineen dated 2/11/2010

18. Memo to the Board from the Sudbury Housing Trust dated 2/22/2010
19. Letter of support to the Board from Greg and Lana Comeau dated 2/22/2010
20. Letter for support to the Board from Faith in Action Committee, First Parish of Sudbury dated 2/1/2010
21. Letter of support to the Board from neighbors dated 2/23/2010
22. Letter of support to the Board from Greg Gammons, 1 Snowberry Lane dated 2/22/2010
23. Letter of support to the Board from Thomas P. Conroy, State Representative dated 2/23/2010
24. Letter of support to the Board from Congregation Beth El dated 2/25/2010
25. Letter of support to the Board from Sudbury United Methodist Church dated 2/25/2010.
26. Undated letter of support received March 1, 2010 from Sudbury resident Kim Morgan
27. Letter of support to the Board received March 1, 2010 from the League of Women Voters of Sudbury
28. Letter of support to the Board from The Presbyterian Church in Sudbury dated 2/26/2010
29. Additional letter of support to the Board from Sudbury Methodist Church dated 3/31/2010
30. Memo to the Board from the Design Review Board dated 4/21/2010
31. Letter to the Board from the Citizens for Responsible Affordable Housing (CRAH) dated 4/21/2010
32. Memo to the Board from NOAH dated 4/21/2010 regarding Development Redesign Presentation with attachments
33. Additional signatures from neighbors received 4/23/2010, attach to 4/21/2010 letter from CRAH
34. Additional signatures from neighbors received 4/26/2010, attach to 4/21/2010 letter from CRAH
35. Additional signatures from neighbors received 4/27/2010, attach to 4/21/2010 letter from CRAH
36. Memo to Jody Kablack from Debbie Dineen dated 4/27/2010 re: determination of no wetland jurisdiction areas
37. Letter to the board from Ralph S. Tyler dated 4/27/2010
38. Extension letter dated 7/12/2010
39. Memo to the Board from NOAH, Inc., dated 9/23/2010 re: Revised Development Plan for Three Units with attachments
40. Memo to the Board from the Design Review Board dated 9/27/2010
41. Email to the Board from Steve Tripoli dated 10/5/2010 with attached letter to the Sudbury Town Crier
42. Email to the Board from Doris Grandinetti dated 10/13/2010
43. Email to the Board from Steve Tripoli dated 10/15/2010
44. Letter to the Board from the Planning Board dated 10/18/2010

45. Memo to the Board from NOAH dated 10/25/2010 re: 2<sup>nd</sup> Revised Development Plan for Three Units with attachments
46. Memo to the Board from Bill Place, DPW Director, dated 10/28/10
47. Memo to the Board from Jody Kablack dated 10/29/2010
48. Memo to the Board from the Design Review Board dated 10/29/10
49. Memo to the Board from Bob Leupold, Health Director dated 10/29/10

### **III. Exceptions**

The Board hereby grants exceptions to the following local bylaws, regulations and rules and regulations promulgated thereunder in approving this Project:

1. Zoning Bylaw, Article IX of the Sudbury Bylaws, Sections 1210 and 1310 to allow development of the Project which is not in conformity with the Zoning Bylaw.
2. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 2230 to allow for the construction of a three-family dwelling, which is not an allowed use.
3. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 3300 and 3310, to allow a common driveway to serve 4 residential units.
4. Zoning Bylaw, Article IX of the Sudbury Bylaws, Sections 3130 and 3145, to allow the driveway serving the project to be 18 feet wide.
5. Zoning Bylaw, Article IX, of the Sudbury Bylaws, Sections 4241 and 4251(e) allowing construction of the plans as depicted on the Site Plans within Zone 3 of the Water Resource Protection District.
6. Sudbury Board of Health Regulations, sections III, IV, V, VI and X, to the extent necessary, to allow the construction of a Presby soil absorption system in compliance with Title V requirements.

### **IV. General Conditions**

This Permit is granted subject to the following conditions:

1. The Applicant shall submit site control of the Property prior to issuance of a building permit. The Property shall be owned by a single entity, or shall be subject in its entirety to the provisions of MGL c. 183A (the "Condominium Statute").
2. This Permit is granted to the Applicant and may not be transferred or assigned to any party without the Board's approval. Any change in control of a voting majority of the members of the Applicant shall constitute a transfer or assignment.

3. This Permit shall become void if the Applicant does not commence with the Project as approved herein within two (2) years of the filing of this Permit with the Town Clerk. Commencement of the Project shall mean that the Applicant obtains a building permit for the construction of the Project and commences substantive construction work under the building permit. The Board may grant extensions for good cause, including appeals of this Permit, in accordance with 760 CMR 56.04(12).
4. All construction of the Project, including landscaping, shall be completed within two (2) years from the date of issuance of the building permit, unless otherwise noted herein, and a request is filed with, and approved by, the Board extending such time for good cause.
5. Any changes to the Project must be reviewed and approved by the Board in accordance with 760 CMR 56.05(11).
6. Any material changes to the architectural plans shall require review by the Design Review Board and the Board.
7. This Permit approves the construction of the Project, consisting of one 3-unit structure, with associated infrastructure, utilities and landscaping, all as shown on the Permit Plan, as modified by this Permit. Unit sizes and mix of units, including the number of bedrooms, shall be substantially consistent with the Permit Plan.
8. No construction activities, except the installation of hay bales or other barriers around the perimeter of the areas, for the Project shall commence on the Property until the Permit Plan has been revised according to Condition XI of this Permit, the Endorsement Plan is endorsed by the Board, and the limits of disturbance around the Property are properly marked. The Director of Planning and Community Development shall be called to inspect the site prior to disturbance.
9. Building permits for the Project shall not be issued until the Endorsement Plan has been submitted for review and approval of the Board for consistency with the Permit Plan and this Decision, and final building plans have been submitted and approved by the Building Inspector.
10. The Applicant shall be permitted to remove no more than 1,000 cubic yards of earth from the Property incidental to the construction of the building, the construction of the wastewater disposal system, and the construction of the roadway and drainage system, without further review and approval by the Board. Appropriate measures shall be taken during construction



- to prevent the tracking of material onto any public way. Any material tracked onto a public way shall be swept up and removed by the Applicant on a daily basis.
11. Exterior construction activities shall be confined to the hours between 8:00 am and 5:00 pm, Monday through Friday and between the hours of 8:00 am and 4:00 pm on Saturday. There shall be no construction on state or federal holidays. Additionally, construction vehicles and/or equipment shall not be started or operated prior to or after the times stated herein. For this condition, construction activities shall be defined as: start-up of equipment or machinery, delivery of building materials and supplies; removal of trees; grubbing; clearing; grading; filling; excavating; import or export of earth materials; installation of utilities both on and off the site; removal of stumps and debris; and the erection of structures.
  12. The Applicant shall be permitted to locate one (1) temporary enclosure or construction trailer on the Property for the duration of the construction. The enclosure shall be located in an area slated for disturbance, shall not require the need to remove any additional vegetation and shall not obstruct sight distance entering or exiting the Property. No further approval shall be necessary.
  13. Addresses for the dwellings shall be 282, 280 and 278 Maynard Road (units 1, 2 and 3, respectively), as determined by the Director of Public Works.
  14. Automatic fire protection sprinkler systems shall be installed in all units and shall be designed in accordance with the applicable provisions of NFPA. The installation of the fire protection systems shall comply with the provisions of 780 CMR 906.0. The systems shall be installed so as to be jointly maintained by the condominium association, and not by individual homeowners.
  15. Sight distance at the driveway shall meet the minimum engineering standards for safety at the posted speed limit of the adjacent roadway. Prior to the issuance of any occupancy permit, the DPW Director shall inspect the conditions at the entrance to the Project and certify that the actual conditions comply with the design specifications for sight distance. If actual conditions do not comply with these specifications, the DPW Director shall notify the Board and the Board may require additional reasonable improvements by the Applicant as necessary to satisfy the design specifications consistent with the Permit Plan.
  16. Eight (8) parking spaces shall be provided, as shown on the Plan. The parking is allocated as two (2) parking spaces for each unit, and two (2) spaces for visitor parking.
  17. The Applicant shall repair in a timely manner any damage to public roads adjacent to the

Project that results from the construction and/or maintenance of the Project.

18. A temporary construction sign no greater than 20 sq. ft. in size may be erected on the Property at the time of issuance of a building permit.
19. The Applicant shall not cause congestion on the abutting public ways due to construction parking. To the extent possible, construction vehicles shall be parked on the Property and not on the abutting public ways.
20. Compliance with the limited dividend requirements under M.G.L. c. 40B shall be determined by the subsidizing agency in accordance with the rules of the applicable housing subsidy program. The Board shall have the right to review such determination for accuracy using the same standards as the subsidizing agency. The Board shall be permitted to independently enforce the Applicant's limited dividend obligations in the event the final determination shows noncompliance and the Monitoring Agent fails to pursue compliance in a timely manner. In such event and in order to facilitate the Board's rights, the Applicant shall permit the Board, or its duly authorized representatives, to examine the Applicant's records during normal business hours and shall, upon the Board's request, explain the methods of keeping the records.
21. The Applicant shall comply with all local regulations and bylaws, except for those which are waived in accordance with the Exceptions granted in Section III above.
22. Copies of all plans or documents submitted to other Town departments or Boards as required by this Permit, including the Building Inspector and Director of Public Works/Town Engineer, shall be submitted to the Board.
23. If any provision of this Permit or portion of such provision or the application thereof to any person or circumstances is for any reason held invalid or unenforceable, the remainder of this Permit (or the remainder of such provision) and the application thereof to other persons or circumstances shall not be affected thereby.
24. The terms, provisions and conditions of this Permit shall burden and benefit the successors and assigns of the Town and the Applicant with the same effect as if mentioned in each instance where the Town or the Applicant is named or referred to.
25. Any and all references to the "Applicant" herein shall include any authorized successors or assigns of the Applicant, including, but not limited to, any Condominium Association created relative to the Project.

## **V. Construction Details**

1. Final design and approval of the wastewater disposal system shall be obtained from the Sudbury Board of Health prior to the issuance of building permits.
2. Final design and approval of the stormwater management system shall be obtained from the Director of Public Works prior to commencement of construction.
3. All utilities serving this Project shall be installed underground. Existing utilities shall be removed.
4. Installation of water mains shall be under the direction of the Sudbury Water District and the Sudbury Fire Chief. No drinking water wells shall be permitted on the Property.
5. Building plans shall conform to the Massachusetts Building Code.
6. The Applicant shall conform to all pertinent requirements of the Americans with Disabilities Act and the Architectural Access Board Regulations (521 CMR 1.0 et. seq).

## **VI. Lighting**

1. Exterior lighting within the Project shall be residential in scale and nature, and shall be designed and installed to prevent glare and light spilling over to neighboring properties or any public way.
2. The Condominium Documents (hereinafter defined) shall contain a provision prohibiting light spilling over to neighboring properties.

## **VII. Landscaping/Screening**

1. A Final Landscape Plan shall be submitted for review and approval of the Board prior to issuance of any occupancy permit, with revisions based on the recommendations of the Design Review Board memo dated October 29, 2010.
2. Final landscaping on the Property shall be installed in substantial conformance with the Landscaping Plan.
3. The Applicant shall maintain the landscaping within the common areas and shall ensure that the Condominium Documents (hereinafter defined) provide for such maintenance in perpetuity.

4. Trees proposed for preservation shall be flagged and appropriately protected, and the Director of Planning and Community Development shall be called to inspect the Property to determine compliance with this condition, prior to commencement of any construction activity on the Property.
5. The Board shall inspect the site prior to the time of substantial completion of the Project to determine if additional screening vegetation is necessary along abutting Property lines. If, in the opinion of the Board, additional screening is required to fill any obvious gaps in screening of abutting residential properties, the Applicant shall forthwith rectify such complaint with the planting of additional vegetation.
6. The Applicant shall be responsible for replacing dead, dying and/or diseased plantings within one year of planting.

#### **VIII. Legal Requirements**

1. The Applicant has proposed, and the Board hereby requires, that the following common facilities and services of the Project, to the extent located on the Property, shall be and shall remain forever private, and that the Town shall not have, now or ever, any legal responsibility for operation or maintenance of same.
  - a. All internal driveways, walkways and parking areas;
  - b. Stormwater management system, including roof drains;
  - c. Snow plowing;
  - d. Landscaping and landscape maintenance;
  - e. Exterior lighting;
  - f. Utilities;
  - g. Wastewater disposal system;
  - h. Water system for both domestic use and fire protection, including automatic fire sprinkler systems.
2. As used herein, "Condominium Documents" shall mean such documents (a) as the Condominium Statute requires establishing a lawful condominium in the Commonwealth of Massachusetts, and (b) as have been reviewed by the Town's legal counsel. Prior to the issuance of any certificate of occupancy, the Applicant shall provide documentation verifying that the Condominium Documents are in conformance with this Permit and M.G.L. c. 183A to the Town.

3. The common facilities shall be maintained in perpetuity by the association of unit owners established pursuant to the Condominium Documents (the "Condominium Association"). The roadway within the Project shall not be dedicated to or accepted by the Town.
4. The Applicant shall cause the Condominium Documents to provide that the Condominium Association shall maintain and repair all common areas and facilities, including but not limited to the wastewater disposal system, stormwater management system, landscaping, driveways, roof drains and other improvements within the Property and each owner shall be a member thereof. The Condominium Documents shall reference the affordability requirements upon which the Permit is conditioned. The Condominium Association shall adopt rules and regulations and a copy shall be provided to the Board.
5. The Applicant shall be responsible for the installation, operation, and maintenance of all aspects of the common facilities and services until the transfer of the last dwelling unit, to the extent that such installation, operation and maintenance is a condition required in this Permit. Upon the recording of the Master Deed, the operation and maintenance obligations shall be joint and several with the Condominium Association until the transfer of the last dwelling unit. Thereafter, such operation and maintenance shall be the responsibility of the Condominium Association. In the event that a management company is engaged, the Applicant or the Condominium Association shall, at the Board's request, provide the Board with a copy of the contract.
6. Condominium Documents shall be subject to the review of the Board to confirm compliance with the terms and conditions of this Permit. The Applicant shall submit copies of the Condominium Documents for review to Town Counsel and the Director of Planning and Community Development at least thirty (30) days prior to the issuance of the first occupancy permit. Comments from this review shall be submitted to the Board.
7. The Association and purchasers of all units shall be forever bound by all conditions and restrictions contained herein.
8. The Condominium Documents shall provide that:
  - a. There shall be no amendments to provisions regarding or relating to the Affordable Units or conditions set forth in this Permit which are inconsistent with the provisions of this Permit, the Deed Rider or the Regulatory Agreement without Board approval.
  - b. The Master Deed shall reference the Deed Rider and the Regulatory Agreement.
  - c. All votes shall be one unit one vote.
  - d. Condominium fees shall be based on the square footage of each unit, unless otherwise provided by law.

- e. The Master Deed shall provide that in the event of condemnation or casualty, proceeds above the resale price of the Affordable Unit(s) as set forth in the Deed Rider shall be given to the Town to be used for affordable housing in the event that the unit is not rebuilt or is rebuilt and there are excess monies available.
9. The Applicant shall assure that the proper covenants are included in the Condominium Association's documents as well as the deeds to each of the units to address the following:
- a. There shall be no additions beyond the building envelopes shown on the Endorsement Plan.
  - b. There shall be no conversion of interior space into additional bedrooms. The total number of bedrooms in the Project shall be limited to no more than six (6).
  - c. There shall be a prohibition on the enclosing of decks/patios.
  - d. There shall be no more than one detached accessory structure, no greater than 120 sq. ft., allowed on the Property.
  - e. Restrictions on home-based businesses shall be no greater than that provided under the Sudbury Zoning Bylaw.
  - f. There shall be a provision prohibiting light spilling over to neighboring properties.
  - g. Operation and maintenance of the wastewater disposal system and stormwater management system shall be the responsibility of the Condominium Association, and if required to be maintained or repaired by the Town of Sudbury, the Association will be responsible for all reasonable expenses associated therewith, as detailed in Condition X.4 of the Comprehensive Permit.
  - h. Unit owners shall submit to the Condominium Association copies of all applications for building permits.
  - i. All lawn and deicing chemicals shall be stored under cover.
  - j. Fertilizers and pesticides shall be applied sparingly on the Property to prevent washoff.
  - k. The use of slow release nitrogen and low phosphorus fertilizers is encouraged.
  - l. No fertilization or pesticide application shall be permitted in or near any wetland resource area.
  - m. Pet waste shall be promptly removed and disposed of in the toilet or trash.
  - n. Residents shall store, use and dispose of household hazardous wastes properly.
  - o. Exterior washing of vehicles shall occur on locations that drain to pervious surfaces and away from storm drains.
  - p. Maintenance of vehicles and clean up of fluid spills/drips shall occur away from pavement areas.
  - q. The septic system shall be pumped and maintained as recommended.
  - r. Calcium chloride and magnesium chloride deicers shall be used in lieu of sodium based deicers.
  - s. No coal tar-based pavement sealants are to be used on the Property.

10. A representative from the Sudbury Housing Trust shall be a non-voting member of the Condominium Association for a five (5) year period from its initial organization.
11. A common driveway easement shall be executed between the Property owner and the abutter at 288 Maynard Road for the construction, utilization and maintenance of the common driveway serving the Project prior to issuance of an occupancy permit for any unit. The easement shall be reviewed by Town Counsel prior to execution by the parties.
12. A performance bond shall be required by the Board to ensure compliance with all conditions required by this Permit related to infrastructure, landscaping and similar improvements that are not fully completed prior to issuance of the first occupancy permit for the Project. A cost estimate for the bond shall be determined by the Director of Public Works at the then current bonding rates established by the Town. The performance bond shall be submitted to the Board prior to the issuance of occupancy permits for any unit in the Project. The type and form of such performance bond shall be submitted for review by Town Counsel prior to being accepted by the Board.
13. Evidence of MassHousing Final Approval shall be submitted to the Board prior to the issuance of occupancy permits.
14. This Permit shall be recorded at the Middlesex South Registry of Deeds senior to all other liens or encumbrances other than pre-existing easements of records and existing mortgages, which shall be discharged or subordinated to this Permit, prior to issuance of a building permit. Recording information shall be submitted to the Board prior to the issuance of building permits.
15. If at any time during construction, the Director of Planning and Community Development, Building Inspector, Director of Public Works or the Board determines that a violation of the approved Plan or this Permit has occurred, the Town, through the Building Inspector or the Board, shall notify the Applicant by certified mail and the Applicant shall be given 30 days (or lesser time period if in the sole opinion of the Town that said violation creates an emergency condition) to rectify any violation or construction activities shall be ordered to cease until the violation is corrected.

#### **IX. Affordability Requirements**

1. One (1) unit in this Project shall be available in perpetuity for purchase and occupancy by households whose income is no more than 80% of the Median Family Income for the

Boston-Cambridge-Quincy, MA-NH HMFA, adjusted for household size and as determined by the United States Department of Housing and Urban Development, and two (2) units in this Project shall be available in perpetuity for purchase and occupancy by households whose income is no more than 100% of the Median Family Income for the Boston-Cambridge-Quincy, MA-NH HMFA, adjusted for household size and as determined by the United States Department of Housing and Urban Development. Applicants must satisfy all other applicable eligibility requirements established under guidelines issued by the Massachusetts Department of Housing and Community Development (DHCD). Before any unit is sold, the Applicant shall submit to the Board the proposed form of Deed Rider to be attached to and recorded with the Deed for each and every unit in the Project at the time of each sale and resale, which Deed Rider shall restrict each such unit in accordance with this requirement in perpetuity in accordance with the requirements of M.G.L. Chapter 184, sections 31-33. Each Deed Rider for the Affordable Units in the Project shall set forth the period of affordability to be in perpetuity.

2. A MassHousing Regulatory Agreement (the "Regulatory Agreement") shall be executed prior to the issuance of any certificate of occupancy. This Regulatory Agreement shall set forth the terms and agreements relative to the sale and resale of the units in the Project. The Regulatory Agreement shall be submitted for review by Town Counsel and the Director of Planning and Community Development prior to its execution. A copy of the document shall be forwarded to the Board for its information.
3. Each unit shall be sold for no more than the sales price established in the Regulatory Agreement and the Deed Rider. The Deed Rider shall include provisions which are designed to preserve the Chapter 40B Affordability Requirement in the instance of a foreclosure by a lender. The affordability requirement of this Permit shall be senior to any mortgage liens on the Affordable Units.
4. The standard MassHousing Monitoring Service Agreements for Comprehensive Permits Projects in Which Funding is Provided Through a Non-Governmental Entity shall be executed prior to the issuance of any occupancy permits in this Project. The Monitoring Agreements designate the entities that monitor the Affordable Units, and set forth the responsibilities for monitoring the sale and resale of the Affordable Units, including income eligibility of prospective buyers, requirements for submittal of annual compliance reports to the Town of Sudbury, and requirement for an accounting of the Project costs and revenues after completion to determine if profits are within the limited liability requirement. The Monitoring Agreements shall be submitted for review by Town Counsel and the Director of Planning and Community Development prior to their execution by the relevant parties and prior to issuance of occupancy permits. A copy of the documents shall be forwarded to the



Board for its information.

5. To the maximum extent permitted by law, and applicable regulation, local preference for the purchase of two (2) of the units shall be given to residents of the Town of Sudbury satisfying all applicable eligibility requirements. For the purpose of this condition, and subject to any legal requirements, "residents of the Town of Sudbury" shall include but not be limited to the following: current Sudbury residents; Town of Sudbury/Sudbury Public School employees; Sudbury Water District employees; Lincoln Sudbury Regional High School District employees; Sudbury Housing Authority employees; and families of children currently enrolled in the Sudbury Public Schools or the Lincoln Sudbury Regional High School.
6. A lottery shall be held to solicit interest for the purchase of the units. The lottery must conform to the lottery procedures of DHCD then in effect, and a Lottery and Marketing Plan shall be subject to the review and approval of the Planning and Community Development Department and MassHousing.
7. The maximum household size to be used in determining Median Family Income for the purpose of calculating the Maximum Initial Price shall be three persons for two bedroom units, unless MassHousing requires that a smaller household size be used.

**X. Maintenance/Inspections**

1. Enforcement of the conditions of this decision shall be by the Building Inspector or the Board.
2. A construction schedule shall be submitted to the Board, Director of Planning and Community Development, Town Engineer and Building Inspector prior to the commencement of construction in order to facilitate inspections. Such schedule shall be revised quarterly to reflect work completed and changes in construction timing.
3. The Applicant shall notify the relevant town departments of the installation of utilities and infrastructure for inspections prior to backfilling.
4. The Applicant, and upon the establishment of the condominium, the Condominium Association created for the Project, shall be responsible for maintaining the stormwater management structures and drainage system in the Project in accordance with the Operation and Maintenance Plan submitted.
5. Snow removal, maintenance of driveways and walks, stormwater management and drainage

structures, wastewater treatment and disposal, lighting, utilities and fire protection shall be maintained by the Applicant, and upon the establishment of the condominium, the Condominium Association created for the Project. The Town of Sudbury does not accept responsibility for any infrastructure improvements or maintenance in this Project.

6. Fees for all permits and inspections by Town departments shall be paid by the Applicant directly to the issuing or inspection entity, unless otherwise waived or reduced upon request in writing by the Applicant
7. In the event of any failure to comply with the requirement to maintain the stormwater management and/or wastewater disposal systems in the Project in accordance with engineering or manufacturing guidelines for operation and maintenance or in any manner which fails to safeguard public health and safety, the Town of Sudbury, acting through its Department of Public Works, may, but is not required to, notify the Applicant or the Condominium Association, as appropriate, of the need to remedy said violation and specifying the work which needs to be done and providing for a 30 day time period in which to complete the work. In the event said work is not completed in a satisfactory manner within 30 days, the Town may enter upon the Property and remedy said defect as set forth in this notice. The Condominium Association shall be responsible to the Town for the cost of affecting the required repairs. If not paid within 30 days of billing by the town, said costs shall constitute a lien upon the premises and shall incur interest at the rate of 18% per annum, plus the costs of collection including reasonable attorney's fees. Notice of this lien shall be recorded by the Town in the Middlesex County South District Registry of Deeds, which notice shall indicate the identity of the Property owner, the amount of the unpaid assessments, the property burdened and a reference to the Book and Page in the Middlesex County South District Registry of Deeds where the Declaration is recorded. These restrictions are intended to maintain the environmental stability of the Project and shall run with the land upon which they are imposed and shall, pursuant to the provisions of General Laws Chapter 184, Section 32, not expire hereunder. The Master Deed shall include a provision for the placement of municipal liens on the Property to secure payment should the Town of Sudbury be required to maintain or repair any portion of the stormwater management or wastewater disposal system.
8. The following revisions to the Operation and Maintenance Report shall be submitted prior to commencement of construction:
  - a. The Stormwater Management Report must include calculations for the 1" storm.
  - b. Any drainage pipe dead ending at the property line shall be concrete.
  - c. The O&M Plan shall include a provision for the Town of Sudbury to enter the property at reasonable times and in a reasonable manner for the purpose of inspection; a provision

- requiring the owner of the property to maintain a log of all operation and maintenance activities, including without limitation, inspections, repairs, replacement and disposal.
- d. A Stormwater Pollution Prevention Plan shall be required.

#### **XI. Plan Endorsement**

The Board shall not endorse the Endorsement Plan until the following conditions have been complied with to the satisfaction of the Board:

1. Final Plans, stamped by a Registered Profession Engineer, Landscape Architect and Architect, are submitted, reviewed and approved by the Board for consistency with this Decision, and confirmation from the Engineer of Record that the Endorsement Plan and specifications have been prepared in accordance with standard engineering practices, comply substantially with the Permit Plan and fully incorporate all requirements of this Decision.
2. The incoming water line must be separated from other utility lines by a minimum of 10 foot.
3. The width of the driveway shall be revised to reflect 9 feet to the centerline.
4. A notation shall be added that all utilities will be installed underground.
5. Signature blocks for the ZBA, Town Clerk, Building Inspector, DPW Director and Planning Director must be added to each plan sheet for endorsement. This pertains to both the site plans and the architectural plans.
6. A typical driveway section must be added to the Detail Sheet indicating the width of the driveway, pavement depth, shoulders, etc.
7. Lighting detail for the post mounted lights must be added to the Plan.
8. The detail of the bio-retention basin must indicate the depth of coarse gravel used for the base layer.
9. Foundation drains and detail must be shown on the final plan, if proposed.
10. Unit sizes must be included on the final plans, including gross square footage of the building.
11. Construction access shall be moved to 278 Maynard Road.

## **XII. Building Permits**

Building Permits shall not be issued until the following conditions have been complied with to the satisfaction of the Board, as well as any other conditions listed above which require action prior to the issuance of Building Permits:

1. The Final Plan has been endorsed by the Board, Town Clerk and all Town Officials.
2. Receipt of evidence of recording of this Comprehensive Permit with the Middlesex South Registry of Deeds as required by Condition VIII.13.
3. Sudbury Board of Health approval of the wastewater disposal system has been obtained as required by Condition V.1.
4. Evidence of Site Control has been submitted as required by Condition IV.1.

## **XIII. Construction Commencement**

Construction shall not commence until the following conditions have been complied with:

1. The limits of disturbance around the site shall be properly staked and marked, and all trees proposed for preservation shall be flagged, and the Director of Planning and Community Development called for an inspection as required by Conditions IV.8 and VII.4.
2. A current construction schedule as required by Condition X.2 is submitted.
3. Changes to the Operation and Maintenance Plan have been submitted as required by Condition X.8.

## **XIII. Occupancy**

Occupancy of the units in this Project shall not occur until the following conditions of this approval have been complied with:

1. The Condominium Association documents as required in Section VIII Conditions 1-10 have been submitted to the Board and approved by Town Counsel with respect to incorporating relevant conditions in this Decision.
2. A title opinion as required in Condition VIII.2 has been received.
3. The common driveway easement as required in Condition VIII.11 has been executed by all parties.

4. Installation of the stormwater management system has been substantially completed or incomplete portions bonded to the satisfaction of the Director of Public Works.
5. A performance bond, as detailed in Condition VIII.12 has been submitted to and accepted by the Board, if required.
6. MassHousing Final Approval has been received.
7. The Regulatory Agreement, including an approved form of Deed Rider, and Monitoring Agreement has been executed as required by Condition IX.2, IX.3 and IX.4.
8. The Lottery Plan, the proposed sales prices for the Affordable Units and the Fair Housing Marketing Plan has been submitted and approved by the Board as required by Condition IX.6.
9. Sight distance has been certified by the Director of Public Works as required by Condition IV.15.
10. As-built plans demonstrating the driveways, buildings, and infrastructure have been constructed and installed in general conformance with the approved Plan are submitted to and approved by the Town Engineer.
11. Receipt of all recorded documents, including but not limited to the Permit, Regulatory Agreement and common driveway easement.
12. Approval of the final Landscape Plan has been received as described in Condition VII.1.

**XIV. Release of the Performance Bond**

No request to release the Performance Bond shall be granted, or if no performance bond has been required, the last occupancy permit in the Project shall be withheld, until the following conditions have been met:

1. As-built plans demonstrating the roadways, buildings, walkways and infrastructure have been constructed and installed in general conformance with the approved Plan are submitted to and approved by the Town Engineer.
2. A preliminary cost accounting determining the profits earned on the Project has been

NOAH/Sudbury Housing Trust  
278 Maynard Road  
November 8, 2010

completed and submitted for review of the Board, but such accounting shall not be a basis for denial of release of the performance bond or issuance of the last occupancy permit.

3. Certification of adequate landscaping as described in Condition VII.5.
4. Any damage to public roads caused by this Project shall be repaired as required in Condition IV.17.

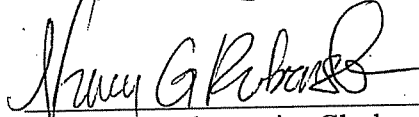
On Motion:

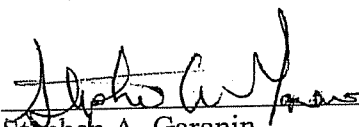
To approve the application of Neighborhood of Affordable Housing, Inc. for a Comprehensive Permit under the provisions of General Laws chapter 40B, sections 20-23, inclusive, to permit the construction of three (3) condominium units to be sold for occupancy by low or moderate income residents at established sales prices pursuant to the Department of Housing and Community Development's Guidelines and/or other applicable requirements, on land owned by the Sudbury Housing Trust, consisting of .97 acres of land at 278 Maynard Road in Sudbury, Town Assessor's Map E07, Parcel 0400, subject to all of the conditions stated in the foregoing Permit decision:

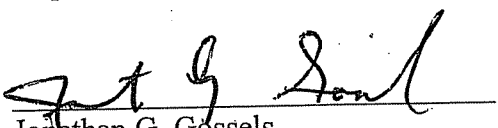
Voted:

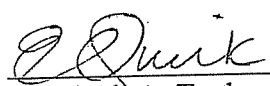
Date: November 8, 2010

  
Jeffrey P. Kloff, Acting Chairman

  
Nancy G. Rubenstein, Clerk

  
Stephen A. Garanin

  
Jonathan G. Gossels

  
Elizabeth A. Taylor T. Quirk

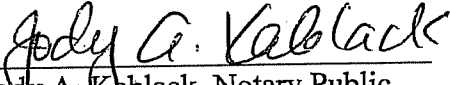
NOAH/Sudbury Housing Trust  
278 Maynard Road  
November 8, 2010

**COMMONWEALTH OF MASSACHUSETTS**

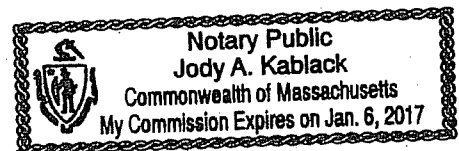
MIDDLESEX, SS

November 8, 2010

On this 8<sup>th</sup> day of November, 2010, before me, the undersigned notary public, personally appeared the above-named individuals, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose, as members of the Sudbury Zoning Board of Appeals, a municipal board.

  
Jody A. Kablack, Notary Public  
My commission expires January 6, 2017


cc: Town Clerk  
Board of Health  
DPW Director  
Water District  
Conservation Commission  
Board of Selectmen  
Building Inspector  
Town Counsel  
Fire Chief  
Director of Planning and Community Development  
NOAH, Inc.  
Sudbury Housing Trust  
Meridian Associates







Project		NEW CONSTRUCTION AT 278 MAYNARD ROAD SUDBURY, MA	
Title		SITE PLAN SCHEME C	
Designed		Checked	
Project No. 13021.00		Scale 1"=20'-0"	
Date 3.22.13		Drawing No. <b>L100C</b>	



**DAVIS  
SQUARE  
ARCHITECTS**  
240A Elm St., Somerville, MA 02144  
617.628.5700  
www.davissquarearchitects.com

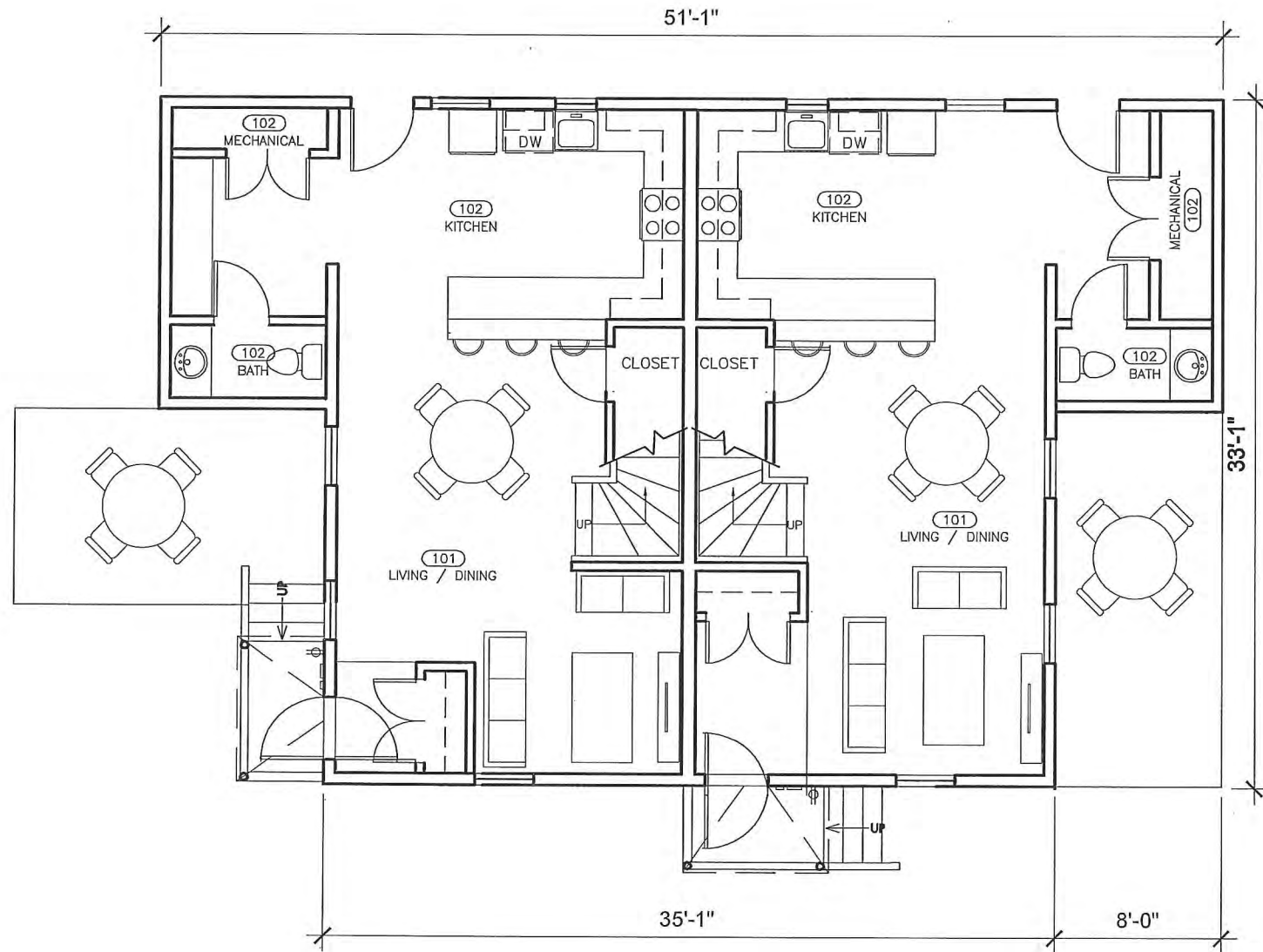
Project

NEW CONSTRUCTION AT  
278 MAYNARD ROAD  
SUDBURY, MA

Title

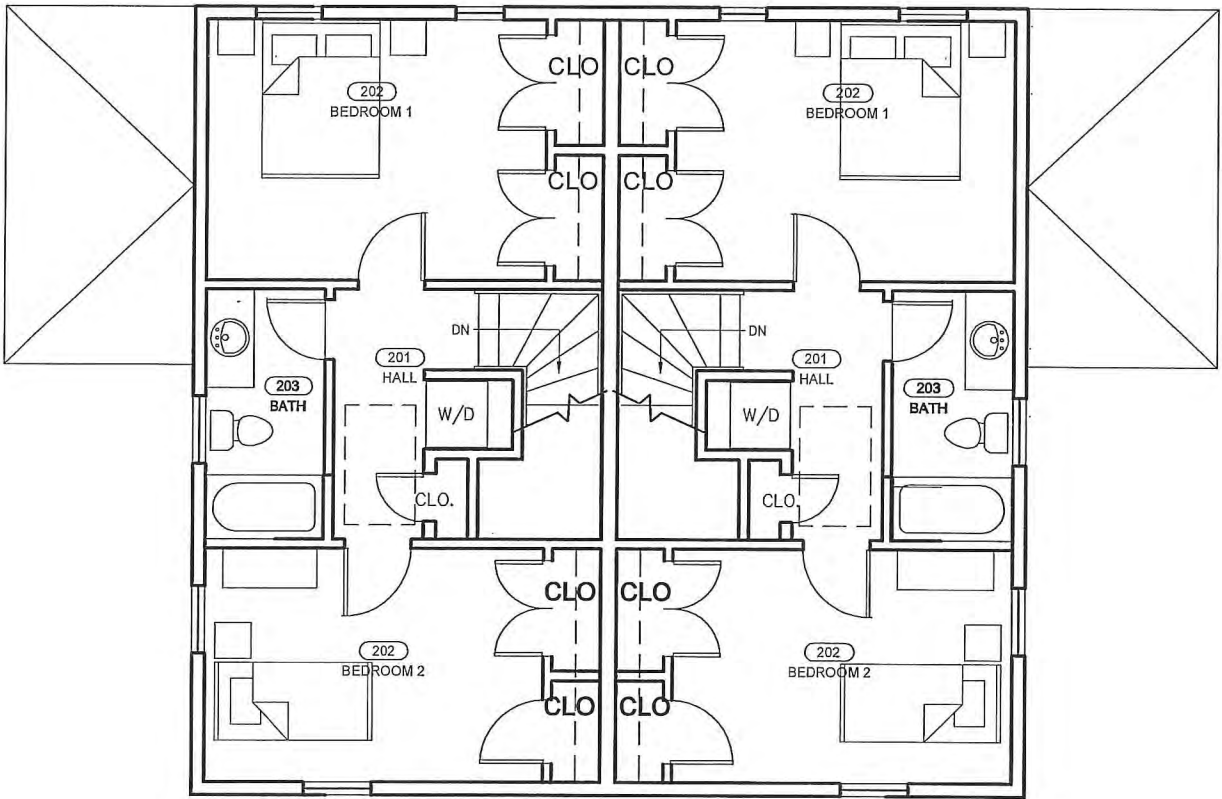
SITE PLAN  
SCHEME C



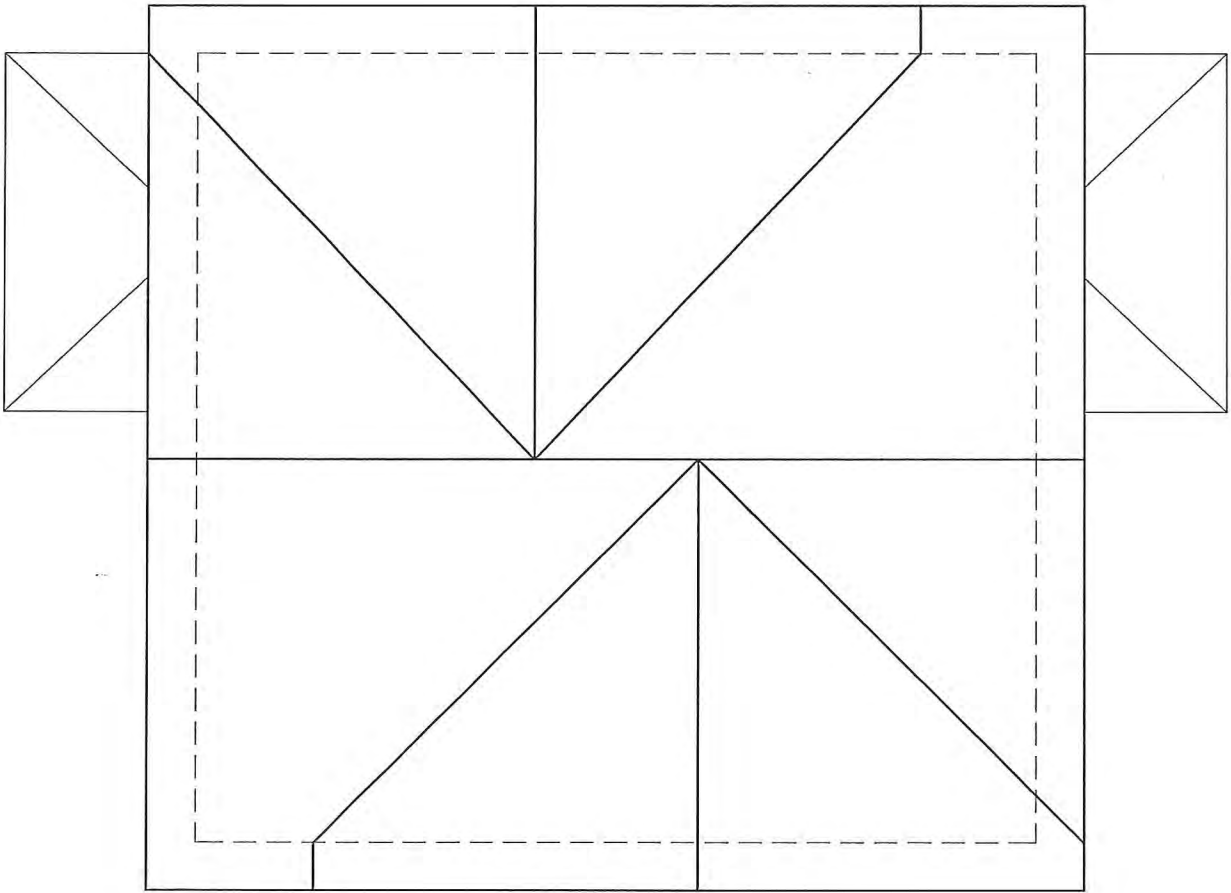


FIRST FLOOR PLAN

Project		NEW CONSTRUCTION AT 278 MAYNARD ROAD SUDBURY, MA	
Title		MAIN HOUSE FIRST FLOOR PLAN 2 UNITS	
		D A V I S S Q U A R E A R C H I T E C T S 240A Elm St, Somerville, MA 02144 617.628.5700 www.davissquarearchitects.com	
Designed	Checked	Project No.	Date
		13021.00	3.22.13
Drawing No.		Scale	
A101		1/8"=1'-0"	



SECOND FLOOR PLAN



ROOF PLAN

Designed

Checked

Project No.  
13021.00

Scale  
1/8"=1'-0"

Date  
3.22.13

Drawing No.

A102

Project

NEW CONSTRUCTION AT  
278 MAYNARD ROAD  
SUDBURY, MA

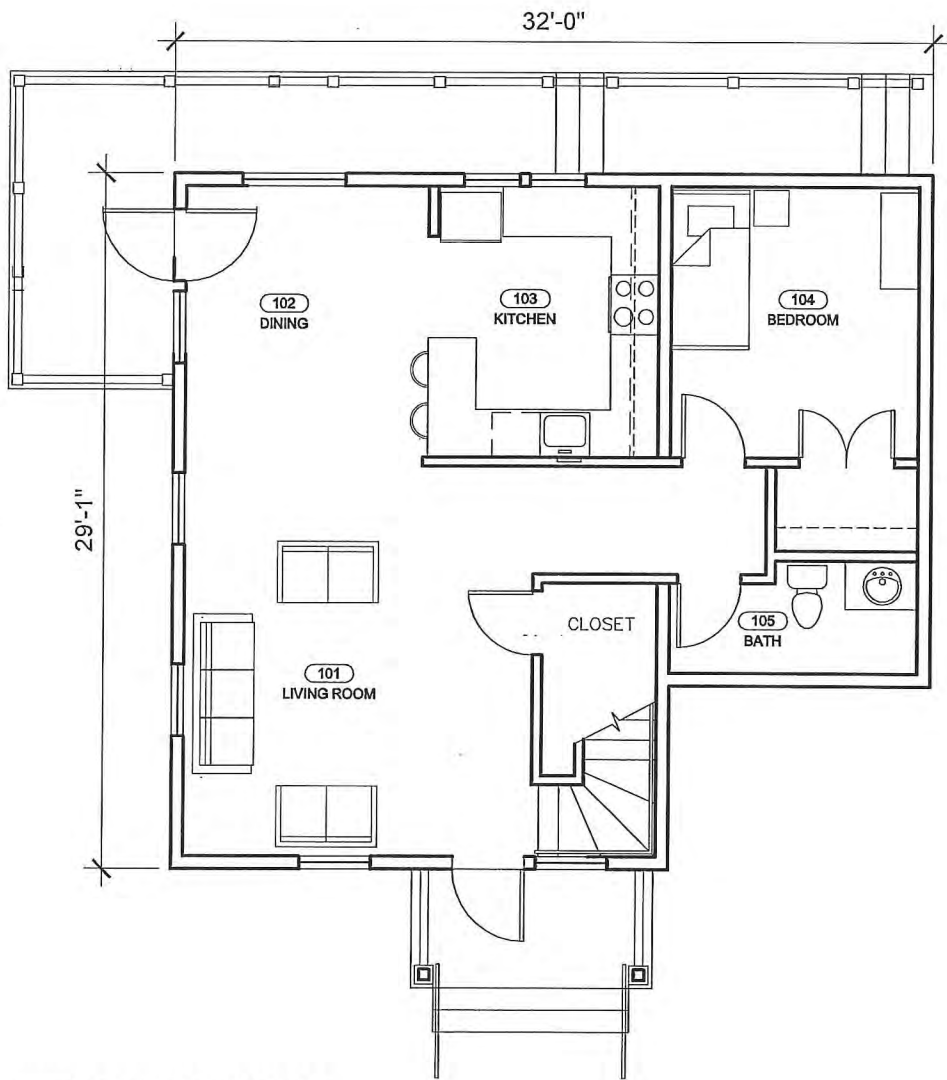
Title

MAIN HOUSE 2ND FLOOR & ROOF  
2 UNITS

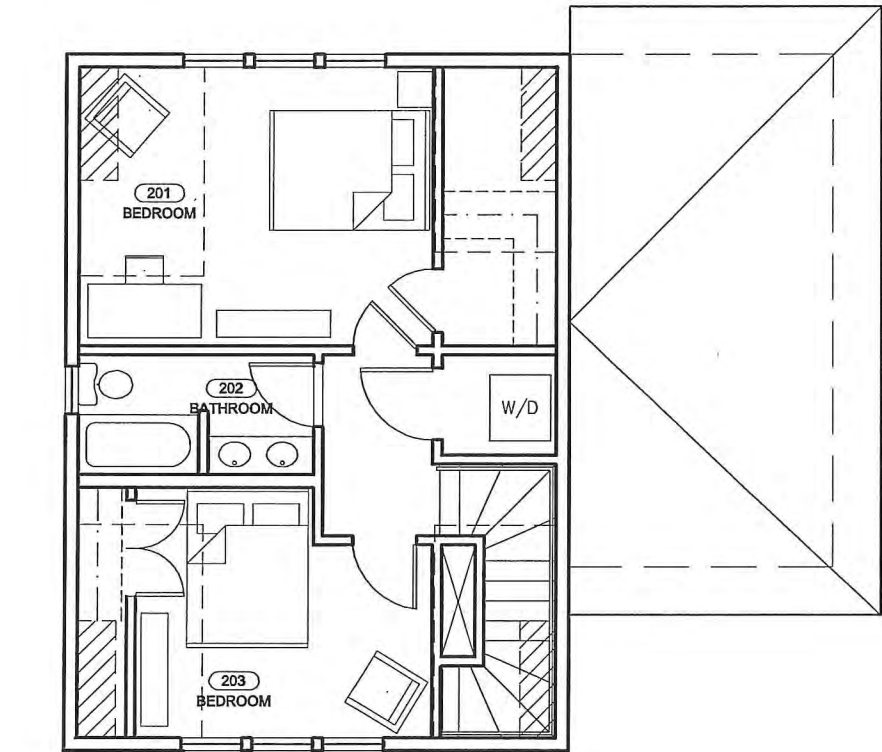


**DAVIS** 240A Elm St, Somerville, MA 02144  
**SQUARE** 617.628.5700  
**ARCHITECTS** www.davissquarearchitects.com

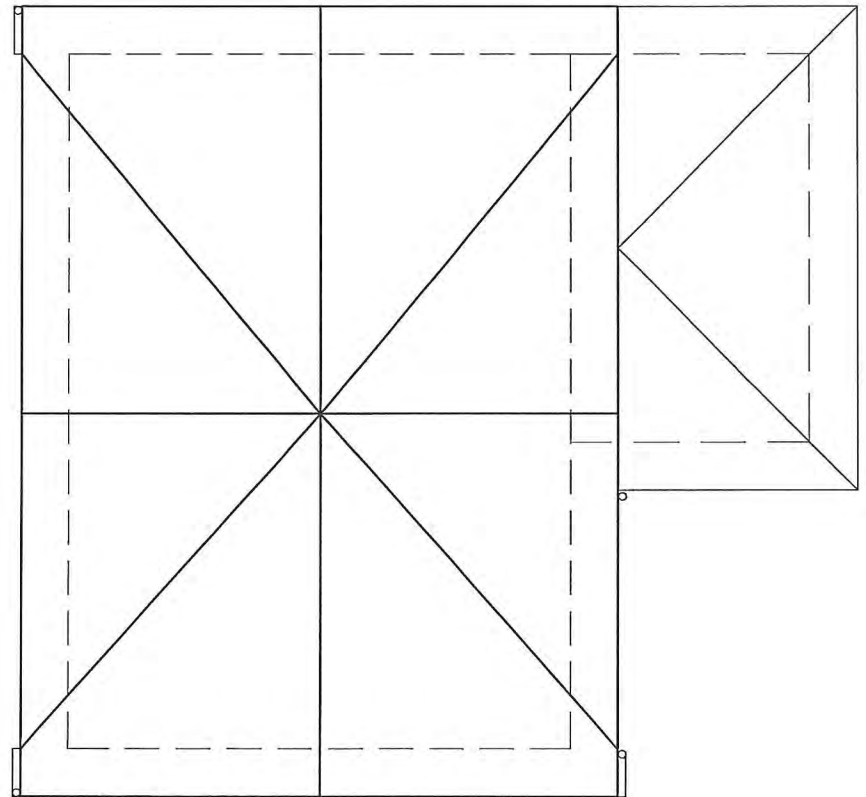




FIRST FLOOR PLAN



SECOND FLOOR PLAN



ROOF PLAN

Designed  
Checked  
Project No.  
13021.00  
Scale  
1/8"=1'-0"  
Date  
3.22.13

Drawing No.

A110

Project  
NEW CONSTRUCTION AT  
278 MAYNARD ROAD  
SUDBURY, MA

Title  
CARRIAGE HOUSE PLANS  
ONE UNIT



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ARCHITECTS**  
240A Elm St., Somerville, MA 02144  
617.628.5700  
www.davissquarearchitects.com



DRIVEWAY



MAYNARD ROAD

Designed

Checked

Project No.  
13021.00

Scale  
1/8"=1'-0"

Date  
3.22.13

Drawing No.

A201



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ARCHITECTS**  
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617.628.5700  
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Project  
NEW CONSTRUCTION AT  
278 MAYNARD ROAD  
SUDBURY, MA

Title  
MAIN HOUSE ELEVATIONS  
2 UNITS





DRIVEWAY ELEVATION



PARKING ELEVATION

Designed		Checked		Project No. 13021.00		Scale 1/8"=1'-0"		Date 3.22.13	
Drawing No. <b>A210</b>									
		<b>DAVIS SQUARE ARCHITECTS</b> 240A Elm St, Somerville, MA 02144 617.628.5700 www.davissquarearchitects.com							
		Project NEW CONSTRUCTION AT 278 MAYNARD ROAD SUDBURY, MA		Title CARRIAGE HOUSE ELEVATIONS ONE UNIT					

DIVISION 1 - GENERAL REQUIREMENTS

01000 GENERAL REQUIREMENTS

The Contractor shall provide all labor, materials, and incidentals necessary to provide the Sudbury Housing Trust with a 100% complete project.

The project is anticipated to be design-build, based on conceptual plans developed by the Sudbury Housing Trust.

The Contractor shall provide civil engineering plans of the development, including site plan, landscape plan, drainage plan, and as-built plans. The Contractor shall provide conceptual architectural elevations for approval prior to construction, and full construction documents and plans prior to building permit.

The Contractor shall secure and pay for all permits, fees, and licenses necessary to do the work except as noted as otherwise. The project is authorized for a 15% reduction in plumbing, building, gas and electrical permit fees. The Sudbury Housing Trust will request reductions in the water connection fees.

The Contractor shall comply with all applicable codes and regulations of authorities having jurisdiction and submit copies of inspection reports and notices of similar communications to the Trust.

All work shall be in strict accordance with all applicable codes and regulations, including the EIGHTH EDITION of the Massachusetts State Building Code (780 CMR), including the current International Energy Conservation Code (IECC). The Massachusetts Stretch Energy Code has been adopted by the Town of Sudbury.

The Contractor shall coordinate work of all trades and coordinate the work all consultants involved

The Contractor is responsible for securing the site and for the costs of any on site vandalism or theft at all times during the construction contract.

The Contractor is responsible for verifying all dimensions in the field before ordering any materials or fabricating items.

The Contractor is responsible for obtaining approval from the Sudbury Housing Trust for any changes to approved contract documents, all colors and finishes, and any substitutions of equal products and/or deviations from drawings.

Any section of this document that is without specificity shall meet the minimum standards of the Building Code and the Stretch Code.

Quality Assurance: Provide products of acceptable manufacturers, which have been in satisfactory use in similar projects for a minimum of three years. Use experienced and qualified installers. Deliver, handle and store materials in accordance with manufacturer's instructions.

The Sudbury Housing Trust shall engage the services of an Owner's Representative to monitor the project construction.

01100 SUMMARY

The Project generally consists of the new construction of three (3) dwelling units in two, 2-story wood-framed structures, slab-on-grade construction.

The project will provide new landscaping and new parking areas.

Town water, gas, and electrical services are available at the street frontage. The development must provide its own on-site septic and stormwater management systems.

01210 ALLOWANCES

See individual Sections below for lump-sum and unit cost Allowances.

01352 SUSTAINABILITY (GREEN) REQUIREMENTS.

This Project will be designed and built to meet or exceed the Massachusetts State Energy Code, including the Stretch Energy Code, using ENERGY STAR products.

All paints, sealants, caulking, adhesives, etc. shall be no- or low-VOC.

Provide products that contain no urea-formaldehyde.

01524 CONSTRUCTION WASTE MANAGEMENT

The Contractor will make best efforts to recycle construction waste and packaging materials.

01820 DEMONSTRATION AND TRAINING

Provide a videotaped training session for new homeowners on property maintenance, warranties or other similar documentation for all major systems. Provide all product and service manuals and warranties to homeowners.

DIVISION 2 - SITE CONSTRUCTION

- 02530      SANITARY SEWERAGE  
Provide new on-site wastewater disposal system. Provide design to be approved by the Board of Health.
- 02630      STORM DRAINAGE  
Provide stormwater management and groundwater recharge system.
- 02741      ASPHALT PAVING  
Provide bituminous asphalt paving for driveway and parking, or other surface approved by the Trust.

DIVISION 3 – CONCRETE

- 03300      CAST-IN-PLACE CONCRETE  
Provide new foundation system, including footings and slabs-on-grade. Provide plan for slab design over Film-Face insulation to meet or exceed Stretch Code.

DIVISION 4 – MASONRY

DIVISION 5 – METALS

DIVISION 6 - WOOD AND PLASTICS

- 06100      ROUGH CARPENTRY  
General: Provide wood from local suppliers to greatest extent practicable. All lumber shall be kiln dried, kept dry, moisture content of 19% or less, warp free. Ventilate and do not conceal any wood construction for 10 days minimum after exposure to water.  
Structural Framing: The structures are intended to be wood frame construction in conformance with the Building Code.  
Framing Lumber: No. 2 grade, seasoned hemlock, spruce, or fir for studs, nailers, blocking and bridging or per certified structural specifications.  
Wood shall be P.T. wherever blocking is in contact with masonry, concrete, or otherwise exposed to the elements. P.T. shall be water-borne salt preservatives per AWPB Standards, .040 #/CF ACQ.  
Provide solid wood blocking where required, including the following: wall-mounted items, including all toilet accessories, cabinets, railings, at all tubs for the future installation of grab bars, closet shelving, etc.
- 06160      SHEATHING  
½" exterior grade plywood at exterior walls.  
5/8" exterior grade plywood at roofs.  
¾" T&G AdvanTech subflooring or equal.  
Consider 'ZIP' wall system or similar.
- 06200      FINISH CARPENTRY  
Provide painted 1x clear poplar or MR MDF window sills with bullnose and apron.  
At interior doors and cased openings, provide 1x4 poplar or MDF trim.  
Provide shelving and other millwork as indicated. Shelving at closets, including closet rods and shelves, shall be adjustable.  
Provide 4" FJ primed and painted #2 pine or approved alternative at baseboard trim; Windsor, Strefford style or similar.

DIVISION 7 - THERMAL AND MOISTURE PROTECTION

- 07100      WATERPROOFING  
Install Grace Vycor, Dupont FlexWrap, or equal at exterior windows and doors to meet minimum requirements of the Stretch Code and Building Code.



07210 BUILDING INSULATION

Code requirements: All construction shall be in accordance with the EIGHTH EDITION of the Massachusetts State Building Code (780 CMR), which is based on the 2009 International Energy Conservation Code (2009 IECC). These codes are further amended by the Massachusetts Stretch Energy Code, which has been adopted by the Town of Sudbury. Per the Stretch Code, there are no prescriptive requirements for building insulation; instead, the building must achieve a HERS rating of 70 or less. Contractor to provide specification to meet requirements. Spray foam insulation is suggested.

Install 3" acoustic batt insulation, Thermafiber SAFB or equal, at interior demising walls for duplex units only.

07275 WEATHER BARRIERS

Install water-draining weather barrier behind siding: Dupont Tyvek DrainWrap or equal. (Deduct if using ZIP system) Tape all joints.

07311 ASPHALT SHINGLES

Install 60" wide self-adhering sheet waterproofing (Grace Ice & Water Shield or equal) at eaves rakes, ridges, and rising walls. Install synthetic underlayment: Dupont RoofLiner, GAF Shingle-Mate, or equal. Install 30-year architectural shingles by GAF, CertainTeed or equal. Install ridge vent if needed.

07460 SIDING

Provide new fiber-cement lap siding with 4" exposure by James Hardie, CertainTeed or equal. Finish system shall have 15-year warranty. Installation shall be in accordance with manufacturer's instructions. Provide new fiber-cement exterior trim and vented soffit by same manufacturer as siding. Trim shall be shop-primed and painted (1 coat). Field paint second coat. Finish system shall have 15-year warranty.

**Alternate:** Provide new vinyl siding double 4" clapboard by CertainTeed, Georgia Pacific or equal. Installation shall be in accordance with manufacturer's instructions. Provide trim to have the appearance of traditional residential wood siding.

07620 SHEET METAL FLASHING AND TRIM

Provide metal flashing and trim as necessary. Provide details in plan and sections. Provide seamless aluminum gutters into drywell at all roof edges.

07841 THROUGH-PENETRATION FIRESTOP SYSTEMS

Provide where required.

07920 JOINT SEALANTS

Use low- or no-VOC sealants throughout.

DIVISION 8 - DOORS AND WINDOWS

08110 DOORS AND FRAMES

Provide insulated exterior fiberglass doors at building entries. Therma-Tru Traditions Series or equal.

08210 WOOD DOORS

Typical interior doors shall be painted, four-panel, solid-core wood doors, Masonite or equal, 1-3/8" – 1 5/8" thick, paint grade in pre-hung wood frames.

08550 WINDOWS

Provide new aluminum-clad or vinyl windows with insulated, argon-filled glass with low-E coating. Provide fixed and double-hung windows. Fiberglass screens. Windows shall have a U-Value of 0.30 or less and be ENERGY STAR Qualified. Contractor will select from manufacturer's standard sizes and colors. Provide windows by Harvey Vicon series, or approved equal. Verify colors with Housing Trust prior to installation.

- 08710 DOOR HARDWARE  
Typical door hardware shall be lever latchsets, Schlage S Series or equal, brushed nickel finish. Provide hardware schedule.  
Bedrooms and Bathrooms: Privacy function.  
Closets: Passage function. Sliding doors shall have operating hardware that is easy to grasp – cup pulls will not be allowed.

DIVISION 9 – FINISHES – Contractor to propose finish schedule for Trust approval.

- 09111 NON-LOAD BEARING STEEL FRAMING  
Typical non-load-bearing interior partitions may be light-gage metal framing or 2x4 wood construction.
- 09250 GYPSUM BOARD  
Typical: 1/2", except at demising wall where 5/8" Gypsum Type X shall be used for fire separation in compliance with the Building Code.  
Rated conditions: 1/2"  
At bathrooms and kitchens: Mold- and moisture-resistant, paperless. G-P DensArmour Plus or equal.  
Provide Level 4 finish at habitable spaces and ceilings; Level 1 finish at mechanical spaces.  
1/2" Durock or Wonderboard behind ceramic tile.  
Show assembly on dividing wall.
- 09310 CERAMIC TILE  
Americal Olean, Daltile, or equal.  
Bathroom Floors: Ceramic floor tile. Install over cementitious tile backer board or approved sub-floor material.
- 09651 RESILIENT FLOOR TILE  
Provide commercial grade VCT flooring by Armstrong or equal where indicated.
- 09653 RESILIENT WALL BASE AND ACCESSORIES  
Base shall be contrasting color from flooring.
- 09680 CARPET  
Provide 32 oz. level-loop carpet, with commercial grade pad.
- 09911 EXTERIOR PAINTING  
Use low- or no-VOC paints. Satin finish for body, Finish: semi-gloss at trim. Minimum 1 coat primed. Treat all knot imperfections to prevent telegraphing. Paint colors to be approved in advance by the Housing Trust.
- 09912 INTERIOR PAINTING  
Low- or no-VOC paints. Finish: flat at ceilings, eggshell at walls, semi-gloss at trim. Moldicide additives at bathrooms and kitchens.

DIVISION 10 - SPECIALTIES

- 10200 LOUVERS AND VENTS  
Pre-finished painted aluminum louvers where required.
- 10431 SIGNAGE  
Provide address sign at each unit entry. Provide mailboxes for each unit at street.
- 10801 TOILET AND BATH ACCESSORIES  
General: Toilet accessories shall be stainless steel, U.N.O.  
Provide the following at each bathroom: medicine cabinet with mirror, soap dish, toothbrush and tumbler holder, robe hook, toilet paper holder, and 2 towel bars. 1 piece Fiberglass tub.

DIVISION 11 - EQUIPMENT

11451 RESIDENTIAL APPLIANCES

All appliances shall be ENERGY STAR certified, GE or equal. Refrigerator, Stove, Gas oven and dishwasher.  
Provide Washer/Dryer hook up.

DIVISION 12 - FURNISHINGS

12356 RESIDENTIAL CASEWORK

Vanities and kitchen cabinets shall be Armstrong HUD Severe Use or equal. Adjustable shelving at wall cabinets.  
Provide stainless steel 4" loop-style wire pulls.

Kitchen counters: Post-formed plastic laminate with integral backsplash and marine edge. Continuous plastic laminate wall splash from top of backsplash to wall cabinets. Formica, Wilsonart, or equal. Stainless steel wall splash behind cooktop.

Vanity tops: solid surfacing vanity top with integral bowl, Swanstone or equal.

12491 HORIZONTAL LOUVER BLINDS

Provide spring loaded roll shades on all windows.

DIVISION 13 - SPECIAL CONSTRUCTION

13852 FIRE ALARM SYSTEM

Provide all required smoke and CO2 detection devices per building code requirements.

13120 STORAGE SHED

Provide 100 SF exterior storage per unit, either attached or detached from main structure.

DIVISION 14 - CONVEYING SYSTEMS

DIVISION 15 - MECHANICAL

15400 PLUMBING

Provide a new plumbing system throughout. Water supply piping shall be pex tube; sanitary system shall be PVC.

Provide indirect hot water heater.

Tub controls shall be single-lever-handled, Symmons Temptrol or equal. Tubs shall have slip-resistant floors.

Bathroom and kitchen sink faucets shall be lever style.

15600 HVAC

Install new high-efficiency (90% or better), gas-fired, boiler and heating system subject to Trust approval.

**Alternate:** Provide central air conditioning system for each unit, or other system approved by the Trust.

At each bathroom, provide a bath fan. Duct fans and dryers to the exterior.

DIVISION 16 - ELECTRICAL

16000 ELECTRICAL

Provide new 100AMP minimum service with circuit breaker to comply with current electrical code.

All light fixtures shall be ENERGY STAR Certified. Install ceiling light in every room, and ceiling lights/fans in bedrooms, kitchen and living room.

Exterior light fixtures shall be directed toward the ground plane and have cut-off baffles to minimize light pollution. Exterior light fixtures shall be controlled by photocells and motion detectors where appropriate.

Provide CO detection system throughout, hardwired and interconnected with smoke alarm systems, per the Building Code.

Provide 20A dedicated circuit at each sleeping room and living room to serve air conditioners. (**Deduct if central air is proposed**).

Sudbury Housing Trust, 278 Maynard Road Outline Specification

Provide 2 phone lines and 2 internet/data points per unit.

Switches shall be rocker-type, mounted at 48" A.F.F. Receptacles, phone and telecom/cable jacks shall be mounted at 18" A.F.F. Receptacles at beds shall be quads.

Load centers shall be located to comply with applicable codes and with clear access.

Provide programmable thermostats.

**END OF OUTLINE SPECIFICATION**

## PRELIMINARY CONSTRUCTION BUDGET

Date Completed: \_\_\_\_\_

DEVELOPMENT ITEM	TOTAL COST	PER UNIT COST
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SITE ACQUISITION	\$ _____	\$ _____
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### HARD COSTS

Site Preparation	_____	_____
Landscaping	_____	_____
Residential Construction	_____	_____
Hard Cost Contingency	_____	_____

TOTAL HARD COSTS	\$ _____	\$ _____
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### SOFT COSTS

Permits/Surveys	_____	_____
Architectural	_____	_____
Engineering	_____	_____
Legal	_____	_____
Insurance	_____	_____
Security	_____	_____
Construction Manager	_____	_____
Property Taxes	_____	_____
Construction Loan Interest	_____	_____
Application/Financing Fees	_____	_____
Appraisal	_____	_____
Utilities	_____	_____
Accounting	_____	_____
Marketing & Commissions	_____	_____
Consultant	_____	_____
Soft Cost Contingency	_____	_____

TOTAL SOFT COSTS	\$ _____	\$ _____
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TOTAL DEVELOPMENT COSTS	\$ _____	\$ _____
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### SALES REVENUE

Affordable	# _____	x \$ _____	= \$ _____
Market Rate	# _____	x \$ _____	= \$ _____

TOTAL REVENUE	\$ _____
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PROFIT	\$ _____
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PERCENTAGE OF PROFIT OVER TOTAL DEVELOPMENT COSTS \_\_\_\_\_ %