

TOWN CLERK
SUDBURY, MASS

2016 JUN 14 PM 3: 47 June 13, 2016

Board of Selectmen
Town of Sudbury
278 Old Sudbury Road
Sudbury, MA 01776

Re: Conformance Recommendation — Meadow Walk Sudbury

Dear Members of the Board:

As you are aware, over the past year the Planning Board has been actively involved in the review of and planning for the mixed-use redevelopment of an approximately 25-acre portion of the former Raytheon site at 526 and 528 Boston Post Road (the "Site") as proposed by BPR Sudbury Development LLC (the "Developer"). Even before the sale of the Site to the Developer, the Planning Board had begun deliberating on ways to enhance the anticipated redevelopment of the Site, guided in part by numerous planning studies completed over the last 12 years (including *Route 20 Corridor: Urban Design Studies and Zoning Evaluations*, 2015) which specifically included the Site. This prior work and more recent planning discussions with the Developer has led the Planning Board to propose a new zoning overlay district, known as the Mixed-Use Overlay District (the "MUOD"). Since the grocery store being developed on the Site is already allowed by current zoning, and the multi-family rental housing is being developed through the state's Chapter 40B process, the MUOD enables the Town to gain additional benefits which would otherwise not be possible within the restraints of current zoning. Adoption of the MUOD retains the current underlying business zoning but will allow for a broader mix of uses on the Site. These would include previously prohibited uses such as restaurants, personal service establishments, age-restricted condominiums, and an assisted living/memory care facility.

In connection with these efforts, the Planning Board has reviewed a Master Development Plan for a multi-phase development of the Site, a plan which must be approved by Town Meeting. The development will generally consist of 3 major components: not more than sixty (60) units of age-restricted, active-adult housing; up to fifty-four (54) bed assisted living/memory care facility; approximately 80,000 square feet of retail, restaurant, and convenience uses (including the 45,000 square foot grocery store that has already been permitted as an allowable use), as well as accessory parking and related site improvements (the "MUOD Project"). The multi-family apartment complex planned for the northwest portion of the Site, which is proceeding through the Chapter 40B process, is not part of the MUOD Project or the Master Development Plan that will be considered by Town Meeting, nor is it under the Planning Board's purview or jurisdiction. The MUOD Project represents a unique opportunity to meet several Town needs and goals. It will restore a significant and reliable source of municipal tax revenue to the Town. We believe that it will serve as a model for future redevelopment projects focused on existing commercial properties along the Route 20 corridor that would similarly be required to receive approval by Town Meeting. It will generate revenues and new jobs while providing desirable amenities to the community.

In accordance with Section 4742 of the MUOD, a Master Development Plan must receive a Conformance Recommendation from the Planning Board prior to adoption of the plan by Town Meeting. This letter serves as the Planning Board's Conformance Recommendation for the MUOD Project, which we are submitting for your consideration at the Special Town Meeting to be held on June 13, 2016.

Procedural Background

On May 25, 2016 and June 1, 2016, the Planning Board held duly noticed public hearings during which the Planning Board heard testimony from the general public, the Developer, and other interested parties. The records of the proceedings and submissions upon which this Conformance Recommendation is based are on file with the Town Clerk and the Planning Board.

The Planning Board's Conformance Recommendation is based on its review of the following submittals, inclusive of those materials, submitted in satisfaction of the MUOD filing requirements:

1. Application and Narrative for Meadow Walk Sudbury Master Development Plan from Steve Senna, c/o National Development, dated February 8, 2016
2. Mixed-Use Overlay District Zoning Text and Mixed-Use Overlay District Map
3. Existing Conditions Plan of Land prepared by VHB dated October 28, 2015, last revised February 16, 2016
4. Meadow Walk Sudbury Master Development Site Plan prepared by VHB, final "stamped & certified", dated, April 20, 2016
5. Architectural Precedents and Elevations for Proposed Retail prepared by PCA, dated April 22, 2016
6. Conceptual Designs for Bridges at Sudbury, prepared by JSA, dated 5/17/2016
7. Conceptual Plan Set for Proposed Active Adult Residential: Meadow Walk Sudbury prepared by Civil Design Group LLC, dated 4/15/2015, last revised 5/12/2016
8. Preliminary Stormwater Management Master Plan prepared by VHB, dated April 2016
9. Traffic Impact and Access Study prepared by VHB, dated February 16, 2016
10. Utilities Infrastructure Memo prepared by VHB, dated February 8, 2016
11. Draft Construction Management Plan prepared by Cranshaw Construction, dated February 8, 2016
12. Rendered Master Plan Site Plan dated April 22, 2016
13. Meadow Walk Public Realm Site Section Key Plans prepared by VHB dated April 22, 2016, including Site Sections A-E
14. Master Pedestrian Circulation Plan and Master Vehicular Circulation Plan, dated April 22, 2016
15. Landscape Plans, dated April 20, 2016 containing sheets, Overall Conceptual Planting Plan (L-1); Conceptual Planting Plan (L-2); Conceptual Planting Plan (L-3); Conceptual Planting Plan (L-4)
16. Environmental Notification Form, prepared by VHB in association with Tata & Howard, Sanborn, Head & Associates and Goulston & Storrs, dated February 16, 2016

17. MEPA Certificate from the Executive Office of Energy and Environmental Affairs dated March 25, 2016
18. Water Impact Report prepared by VHB dated March 30, 2016
19. Phase 1 Environmental Site Assessment with Subsurface Investigative Report prepared by Sanborn, Head & Associated, dated August 20, 2015
20. Memo from Sanborn Head, dated February 4, 2016
21. Sanborn, Head & Associates PowerPoint Presentation to the Planning Board, dated February 10, 2016
22. Fiscal Impact Analysis prepared by RKG Associates dated March 12, 2016
23. Memo from Karen Staffier, VHB, to Rebecca McEnroe, Sudbury Water District Superintendent, dated June 6, 2016

Items 1-23 constitute the "Master Development Plan"

24. Traffic Peer Review Memos, Jeffrey Dirk, Vanasse & Associates – 1/21/2016; 2/26/2016; 3/4/2016; 3/14/2016; 5/3/2016; 5/19/2016
25. Stormwater Peer Review Memos, Janet Bernardo, Horsley & Witten – 3/22/2016; 3/28/2016; 4/12/2016 (2)
26. Fiscal Impact Peer Review Memos from ConsultEcon dated May 3, 2016 and May 12, 2016
27. Memo from Jody Kablack, Director of Planning & Community Development, dated March 14, 2016
28. Memo from Erica Lotz, Stantec Consulting Services, to Rebecca McEnroe, Superintendent of Sudbury Water District, RE: Water Impact Report, dated April 25, 2016
29. Memo from Rebecca McEnroe, Sudbury Water District, dated May 9, 2016
30. Design Review Board comments on Plant Selection, email from Deborah Kruskal dated May 18, 2016
31. Memo from Bill Murphy, Heath Director, dated May 18, 2016
32. A Development Agreement executed between the Developer and the Board of Selectmen on June 7, 2016
33. Report from GeoInsight dated June 8, 2016
34. Memos from Stantec dated June 3, 2016 and June 7, 2016
35. Memo from Sanborn Head re: Fate and Transport of CVOCs, dated June 6, 2016
36. Report from Tata & Howard, Summary of Groundwater Quality Enhancements by Raytheon Redevelopment – related to Wastewater Treatment Modifications, dated May 24, 2016

Recommendations

Having determined that the MUOD Project furthers the purposes and intent of the MUOD and of the Zoning Bylaw more generally, the Planning Board makes the following findings in accordance with Section 4742 of the MUOD:

- (i) The final plans and materials submitted for the MUOD Project materially conform to the Master Development Plan standards and requirements set forth in Section 4700 of the MUOD, and
- (ii) The final plans and materials submitted for the MUOD Project promote the purposes of the Zoning Bylaw, as noted in Section 4710 of the MUOD.

In light of these findings, and in anticipation of the numerous public benefits the proposed redevelopment of the Site will bring to the Town of Sudbury, including those included in the Development Agreement that has been executed by the Developer and the Board of Selectmen, the Planning Board recommends that the proposed MUOD and Master Development Plan be submitted for approval at the Special Town Meeting to be held on June 13, 2016, subject to the following recommended conditions, limitations, and safeguards, which upon adoption by Town Meeting shall be binding on the Developer, and its successors and assigns, pursuant to Section 4742 of the MUOD:

General

1. Construction and operation of the MUOD Project shall comply with all applicable state and federal laws and Town bylaws and local regulations, including without limitation, the State Building Code, the Wetlands Protection Act, the Sudbury Wetlands Administration Bylaw, the Sudbury Stormwater Management Bylaw, and M.G.L. Chapter 21E, except and to the extent that the same are modified or for which a variance or other relief has been granted in connection with the MUOD Project.
2. Following Town Meeting approval, modifications to the approved Master Development Plan shall require review and approval in accordance with Section 4750 of the MUOD, as applicable.
3. A portion of the MUOD Project is subject to Special Permits granted by the Zoning Board of Appeals on January 26, 2016 and May 19, 2016, a Site Plan Decision issued by the Planning Board on March 30, 2016, and a Stormwater Management Permit for the grocery store component issued by the Planning Board on April 27, 2016. All conditions contained in these decisions are incorporated into this Conformance Recommendation as to the affected portion of the MUOD Project.

Utilities and Stormwater Drainage

4. Prior to applying for a building permit for any component of the MUOD Project, the Developer shall file for and obtain Stormwater Management Permit(s) for that component of the MUOD Project in accordance with Article V(F) of the Town's General Bylaws that shall provide for a comprehensive approach to improved stormwater management (the "Stormwater Management Plan") in connection with the redevelopment of the Site. The Stormwater Management Plan shall comply with applicable Massachusetts stormwater guidelines to the maximum extent practicable.
5. The Stormwater Management Permit(s) for each component shall conform to the Stormwater Master Plan design standards and calculations therein, dated April 2016, as

well as the most current Sudbury Stormwater Bylaws. Each development phase shall include the following information in its Stormwater Management Permit application:

- a. Documentation demonstrating appropriate stormwater treatment, velocities, and potential erosion at all wetland outfalls impacted by the future development.
 - b. Documentation to verify consistency with the Preliminary Stormwater Management Master Plan. Documentation shall include comparison of the planned development phase with Table 3: Proposed Conditions Hydrologic Data, Figure #3: Existing Drainage Conditions, and Figure #4: Proposed Drainage Conditions.
 - c. Documentation that 80% TSS removal will be achieved at each outfall impacted by the future development.
6. The Developer shall be required to operate, maintain, monitor and repair the stormwater system as portions the MUOD Project are completed in accordance with a detailed operations and maintenance program ("O&M Program") to be developed for the Project and approved in connection with the Stormwater Management Permits(s) issued by the Planning Board. The on-site detention basins within the MUOD Project shall be inspected and maintained pursuant to the O&M Program, with copies of annual reports provided to the Planning Board. A Stormwater Construction Site Inspection Report shall be generated by the Developer or its representative for the MUOD Project, at a minimum, after every major storm event. All reports shall be available for review by the Conservation Commission and the Planning Board at their request.
7. An Environmental Monitor, hired by and reporting to the Town through the Sudbury Conservation Commission, but paid for by the Developer, shall perform inspections of the Site pertaining to Stormwater Management and wetland protection throughout the construction phases of the Project. The scope of work shall be prepared by the Conservation Commission and approved by the Developer. At a minimum, the following items shall be included in the scope of work:
 - a. A Pre-Construction Inspection shall be performed prior to the commencement of any construction in the MUOD Project.
 - b. Erosion and Sediment Control Inspections shall be performed periodically to ensure erosion control practices during and after construction are in accordance with the approved Stormwater Management Plan.
 - c. Construction Inspections shall be performed prior to backfilling of any underground drainage or stormwater conveyance structures.
 - d. A Final Inspection of the stormwater management system shall be performed before the certificate of occupancy for any building has been issued. The Final Inspection shall ensure that the system is functioning as designed and approved.
 - e. Reports shall be prepared and submitted to the Conservation Commission, the Planning Board and the Sudbury Water District after each inspection, with copies provided to the Developer.

8. The MUOD Project shall obtain approval of any required modification to the existing Groundwater Discharge Permit from the Massachusetts Department of Environmental Protection. The Developer shall provide the Planning Board and the Sudbury Water District with copies of all formal submittals submitted to MassDEP on the Groundwater Discharge Permit.
9. The Site lies within an aquifer contribution zone (Zone II). Snow storage and removal for the MUOD Project shall be performed in accordance with the Order of Conditions and Stormwater Management Permit(s) issued for the MUOD Project. Snowmelt runoff is to be directed towards catch basins on the Site. Snow storage areas shall be designed to direct the flow to the stormwater management facilities. Within the building permit application construction drawings for each MUOD Project component, the snow storage area(s) shall be identified on appropriate plans with copies to be filed with the Planning Board.
10. All new on-site utilities shall be installed underground for the MUOD Project.
11. No wells for drinking water supply shall be installed in connection with the MUOD Project.
12. No storage or use of chemicals within the MUOD Project shall be permitted except in conformity with guidelines and requirements of the Board of Health and the Fire Chief.
13. The Developer shall contract for solid waste removal for the MUOD Project at the Developer's expense. In the event that the Town is required to provide solid waste removal for the MUOD Project for any reason, including but not limited to any applicable law or regulation or failure of the Developer (or tenants of the MUOD Project) to properly deal with such waste, the Developer agrees to pay the Town for any expenses arising directly from and reasonably attributable to the MUOD Project. In such event, the Town and the Developer shall work together to establish a plan to coordinate such services.
14. In addition to the compliance of the MUOD Project with applicable Stormwater Management Permit and Conservation Commission requirements, in order to further enhance groundwater protection and implement additional water conservation measures in connection with the MUOD Project, the Developer shall comply with the following supplemental measures:
 - A. Landscaping and Irrigation:
 1. Native and drought tolerant plantings reflected in its landscape plans shall be maintained to reduce water usage in connection with the MUOD Project.
 2. The Developer shall obtain a permit from the Board of Health for the installation and use of applicable irrigation systems. To reduce water usage, any irrigation system installed in connection with the MUOD Project shall include a rain sensor and moisture meter.

3. Irrigation for MUOD Project elements shall not be sourced from the public water system supply unless otherwise authorized by the Planning Board with permission by the Sudbury Water District. In the event an irrigation connection to the public water supply system is sought by the Developer, an evaluation of the fiscal feasibility of water reuse from building elements and any necessary adjustments to the landscape plans shall be filed with the Planning Board and the Sudbury Water District for approval.

B. Wastewater Treatment Plant and Monitoring:

1. As required by MassDEP in connection with the planned modification of the existing Groundwater Discharge Permit (GDP) to operate the wastewater treatment plant (WWTP) on the Site, the Developer shall monitor a network of groundwater monitoring wells which are used to collect regular groundwater quality data (including total nitrate nitrogen) along with TCE and other VOCs. The locations of these groundwater monitoring wells at the Site will be selected based on their respective positions up-gradient and down-gradient of the WWTP and in conjunction with the MUOD Project to provide access for long-term monitoring activities and protection during construction activities. Groundwater monitoring well locations will be approved by MassDEP and all formal application submissions to MassDEP by the Developer in connection with the WWTP and GDP shall also be provided to the Planning Board, Board of Health and Sudbury Water District for their records.

Upon commencement of continued daily operation of the WWTP, the Developer shall commence at least monthly, quarterly and annual monitoring of the groundwater monitoring well network associated with the WWTP in accordance with applicable MassDEP procedures and requirements. The Developer shall provide copies of all quarterly and annual reports to the Planning Board, Board of Health and Water District.

The Developer shall comply with an effluent water quality limit of 5 mg/L of nitrate nitrogen. A Memorandum of Understanding (MOU) will be developed between the Developer and the Sudbury Water District regarding the reporting requirements, action plans and enforcement of these limits.

2. The Developer shall reasonably cooperate with the Sudbury Water District to establish protocol to allow for additional monitoring on the site.
3. The MOU will include continued Peer Review by the Sudbury Water District of documentation for the Groundwater Discharge Permit Application.
4. The Developer shall allow Sudbury Water District staff, upon reasonable advance notice, the opportunity to conduct periodic inspections of the WWTP in order to provide the Sudbury Water District the opportunity to raise any concerns related to the operations or the maintenance of the WWTP with the Developer and/or MassDEP that the Sudbury Water District believes may be inconsistent with industry best practices, applicable law, regulation and/or the terms of the GDP.

15. The Developer shall submit video confirmation of the installation of sewer mains and lines for the MUOD Project, and upon final installation, an as-built plan for these utilities, to the Board of Health.

Pedestrian Accommodations and Traffic Improvements

16. Prior to the issuance of the final occupancy permit for the retail component of the MUOD Project, the Developer shall implement the following traffic improvements as detailed in the Environmental Notification Form filed with MEPA for the MUOD Project and the Avalon Sudbury multi-family apartment component, subject to any modifications required by MassDOT:
 - a. Construct a new traffic signal on Boston Post Road by aligning the primary Site driveway with the westerly driveway for Sudbury Plaza and Highland Avenue (a private way). This will also include the construction of designated left turn lanes on Boston Post Road and a new actuated pedestrian crosswalk and bicycle accommodations at the intersection. In addition to the Project, these improvements are also intended to benefit the retail plaza and residential properties on the south side of Boston Post Road.
 - b. Implement improved pedestrian accommodations by widening the existing sidewalk on the north side of Boston Post Road along the Site frontage and extending the limits of the existing sidewalk on the south side of Boston Post Road from the entrance at 501 Boston Post Road (CVS) west to Highland Avenue;
 - c. Implement a time-based coordinated signal system between the new signalized Site driveway, Nobscot Road and Union Avenue intersections on Boston Post Road to better manage vehicular queues and improve progression of through-traffic at multiple intersections;
 - d. Construct a new emergency preemption signal at the fire station located along the Site frontage and integrate the signal into the new traffic signal at the primary Site driveway. The Developer shall remove all existing infrastructure related to the old signal at Fire Station No. 2;
 - e. Implement paved shoulders (subject to right of way availability) on either side of Boston Post Road within the limits of the roadway improvements that may accommodate future bike lanes; and
 - f. Any other improvements required by MEPA/MassDOT and not listed specifically in this Section.
17. Prior to the substantial completion of the MUOD Project, the Developer shall implement a Traffic Demand Management ("TDM") program. The TDM program shall include the following elements:
 - a. In the event the MetroWest Regional Transit Authority expands its bus route along Route 20 to include the Site, the Developer shall construct a semi-enclosed shelter at

an appropriate location on the Site for the drop-off/pick-up of passengers utilizing such local bus service; and

- b. Ongoing cooperation with appropriate Town officials in developing traffic contingency plans for peak traffic periods or special events associated with the Project.
18. Prior to issuance of a final Certificate of Occupancy for the first component of the MUOD Project to be completed, the Developer shall construct a walkway along the frontage of the MUOD Project as required by the terms of the March 30, 2016 Site Plan Decision approved by the Planning Board. Accessible curb cuts shall be installed at all driveway entrances, pursuant to the regulations of the Architectural Access Board.
19. The Developer has agreed to grant the Town a pedestrian access easement along the frontage of the Site along Route 20. Prior to the issuance of a final Certificate of Occupancy for the first component of the MUOD Project to be completed, the Developer shall submit an executed easement encompassing the proposed walkway granting the Town of Sudbury the ability to enter the Site to maintain, reconstruct, improve, sweep and plow said walkway, and for the general public to use said walkway as walkways are customarily used in the Town of Sudbury. Upon acceptance of this easement by the Town, the Developer shall record the easement with the Middlesex South Registry District of Deeds.
20. Prior to issuance of a building permit for the first component of the MUOD Project, the Developer's traffic consultant shall confirm in writing that the full scope of the proposed traffic improvements is as previously noted and are progressing through the MassDOT design process. The Developer shall provide the Planning Board with copies of all formal applications submittals submitted to MassDOT in support of the Site access and off-site improvements. Should MassDOT determine that the installation of a traffic control signal is not warranted at this time, the Developer shall present an alternative access plan to the Planning Board for consideration at a regularly scheduled Planning Board meeting, which shall require a modification pursuant to Section 4570 of the MUOD Bylaw prior to issuance of any Certificate of Occupancy.
21. The Developer shall have a traffic monitoring study performed within six (6) months of the date of issuance of a Certificate of Occupancy for greater than 50% of the gross square footage (or approximately 150,000 sq. ft.) of building area within the MUOD Project. The traffic monitoring study shall comply with the scope established by the Planning Board for the grocery store within the MUOD Project in Condition 19 of the March 16, 2016 Site Plan Decision. As authorized by Condition 19(b) of the Site Plan Decision, in order to avoid duplication, the Developer may elect to consolidate the traffic monitoring study for the MUOD Project with the monitoring study required for the grocery store, in which case the Director of Planning and Community Development will extend the deadlines imposed by Condition 19 to allow for such consolidation.
22. All signs and landscape features that will be installed along the Route 20 Site frontage as part of the Project shall be designed and implemented so as to not to impede lines of

sight. Specifically, proposed features along the frontage located between 2.5 feet and 5 feet above the roadway surface shall be subject to this requirement. The Proponent shall include the following measures as part of its regular site maintenance:

- a. Selectively trim vegetation along the Site frontage where feasible to maintain sight lines to/from the Site driveways; and
 - b. Promptly remove any snow windrows within the Site that are in excess of 2.5 feet and within the sight triangles of the driveways.
23. In the event the Town expands the Mass Central Rail Trail to include those portions of the rail corridor at the northerly end of the Site, the Developer or any future owners of applicable MUOD Project components shall reasonably cooperate with the Town to facilitate suitable on-site pedestrian and bike connections to such rail trail extension. The Developer shall also undertake reasonable efforts to accommodate on-site parking for such public recreational purposes to the extent practicable.

Parking and Circulation

24. All signs and pavement markings installed within the Site shall conform to applicable sections of the Manual on Uniform Traffic Control Devices.
25. The Developer shall repair, in a timely manner and to the satisfaction of the Director of Public Works, any damage to public roads adjacent to the MUOD Project that results from the construction and/or maintenance of the MUOD Project.
26. The Developer shall develop and maintain the MUOD Project as reflected on the Master Development Plan to allow for a potential future vehicular connection in the event of the redevelopment of the adjoining Chiswick Park property. Any such future vehicular connection that may be proposed by the adjoining landowner shall require approval by the Developer to ensure the adequate protection of the uses within the MUOD Project redevelopment.

Fire and Service Equipment Access

27. Except as may otherwise be authorized by the Sudbury Fire Department, all fire lanes and parking areas associated with the MUOD Project shall be kept clear at all times, and all snow shall be removed from areas necessary to ensure access by fire trucks and other public safety vehicles.

Lighting and Noise Protections

28. The MUOD Project's aerial lighting design shall be dark-sky compliant and shall satisfy the lighting standards set forth in Section 3427(f) of the Zoning By-Law. Exterior lights, including lighting on the exterior of buildings and lighting in parking areas, shall be arranged to avoid glare and minimize light spilling over to neighboring properties. Except for low-level pedestrian lighting with a height of less than eight feet, all outdoor lighting shall be designed and located so that (i) the luminaire has an angle of cutoff less than

seventy-six degrees; (ii) a line drawn from the height of the luminaire, along the angle of cutoff, intersects the ground at a point within the Site; and (iii) the bare light bulb, lamp or light source is completely shielded from direct view at any point five feet above the ground on neighboring properties or streets.

29. Except for security lighting and wayfinding signs, all lighting, including internally illuminated signs, shall be turned off when the buildings are not in use.
30. Prior to issuance of a building permit for any of the retail buildings in the MUOD Project, the overall photometric plan for the retail area shall undergo peer review by a consultant appointed by the Town, with all costs paid by the Developer.
31. The MUOD Project shall comply with the noise generation standards set forth in Section 3423 of the Zoning By-Law.
32. There shall be no construction activities producing off-site noise before 7:00 AM or after 6:00 PM Monday-Friday, or before 8:00 AM or after 5:00 PM on Saturdays and federal holidays. No construction activities shall occur on Sundays, except as permitted with advance notice and consent of the Building Inspector.
33. The Developer shall impose on each of its contractors a requirement that all construction trucks and heavy equipment serving the MUOD Project be directed to avoid local roads in trips to and from the MUOD Project. This limitation shall not apply to any trip originating or ending at a place of business within the Town of Sudbury where travel over local roads is necessary.

General Massing and Architecture

34. Outdoor seating areas shall be appropriately separated from streets and sidewalks by means of low fencing, bollards, plantings, or other similar measures.
35. Preliminary architectural elevations have been submitted for the retail component. Because these schematics are preliminary and are subject to refinement to meet tenant requirements, prior to application for a building permit for any retail building within the MUOD Project, the Developer shall submit refinements to these architectural elevations for administrative review by the Planning Board and the Design Review Board without requiring a public hearing, provided the retail component of the MUOD Project (i) retains overall core consistency with the architecture represented in these preliminary elevations, (ii) does not exceed any of the thresholds for Project Modification in Section 4750 of the MUOD Bylaw, and (iii) meets the following standards:
 - a. Exterior walls for the MUOD Project shall use a combination of natural, architectural masonry and/or cementitious materials (including brick, glass, stone, stucco, exterior insulation and finishing system); however, standard scored or flat face block is disfavored.
 - b. Buildings shall be designed with common elements that contribute to an overall sense of cohesion within the MUOD Project. Structures shall relate harmoniously

to the surrounding streetscape and to the scale and architecture of other retail buildings.

- c. To avoid long unbroken expanses of wall, the architecture shall incorporate, as appropriate, design features providing horizontal and vertical relief including projections, building jogs, elements of transparency or windows, architectural detailing, and/or changes in surface materials, all of which attempt to instill a feeling of smaller, separate buildings. The design of public entrance ways shall incorporate architectural features and elements to emphasize the primary entrance locations and interrupt long stretches of building façade.
 - d. Sufficient clearance shall be maintained for safe and efficient public access along sidewalks, access drives, and roadways.
 - e. Exposed storage areas, exposed machinery or electric installations, common service areas, loading areas, utility structures, trash/recycling areas and other elements of the MUOD Project infrastructure shall include reasonable visual mitigation measures, such as screen plantings, buffer strips, impermeable fencing, and other screening methods necessary to assure an attractive visual environment.
36. Architectural elevations of the assisted living/memory care facility are approved as shown on the plans entitled “Conceptual Design for Bridges at Sudbury, 526 and 528 Boston Post Road, Sudbury MA 01776” prepared by JSA Architects, Interiors, Planners, dated 5/17/16, consisting of Sheet A1.0, Cover Sheet; Sheet A1.1, Overall Elevations; Sheet A1.2, Enlarged Elevations; Sheet A1.3, Enlarged Elevations – Exterior Materials; and Sheet A1.4, Exterior Finish Materials – Perspective.
37. Architectural elevations of the age-restricted condominiums are approved as shown on the plans entitled “Conceptual Plan Set for Proposed Active Adult Residential: Meadow Walk Sudbury, 526 and 528 Boston Post Road, Sudbury, MA 01776” prepared by Civil Design Group, LLC, dated 4/15/2016 (last revised 5/12/16), consisting of Sheet 1, Cover Sheet; Sheet 2, Layout Plan; Sheet 3, Layout Plan with Elevation Views; Sheet 4, Townhome Elevations; Sheet 5, Townhome Rendering; Sheet 6, Garden Building Elevation.

General Project Conditions

38. All infrastructure, roadways, lighting, and utilities within the MUOD Project shall be constructed, operated, and privately maintained by the Developer at its sole expense. The Town shall have no responsibility for such improvements unless otherwise specifically agreed upon. The Developer shall reasonably cooperate with the Town to provide necessary municipal easements over such improvements.
39. To the extent any signage is proposed for the MUOD Project, such signage shall comply with Section 4790A of the MUOD, and the Developer shall submit any comprehensive signage program to the Planning Board for review in accordance with Section 4793A of the MUOD.

40. All signage within the MUOD Project shall be maintained in good order by the Developer.
41. The Developer shall construct, maintain, and program public use areas as generally shown on the Master Development Plan. Such areas are important elements of the MUOD Project, and provide substantial public benefit to Sudbury residents and visitors. The Developer shall solicit and consider the desires of Sudbury residents in use and programming of the public use areas. The Developer shall ensure that the general public has adequate rights to allow for non-exclusive passive recreational use of those portions of the Site designed and intended for use as open space available for passive recreation on the Master Plan, subject to Developer's rules and regulations to protect the use and enjoyment of the Site by the Developer and those claiming by, through and under the Developer, including residents of the Project. Without limitation of the discretion of the Developer, any rule and regulation limiting the times of, the manner in which or the persons who may use the open space shall be treated as reasonable for all purposes.
42. Prior to the issuance of each Certificate of Occupancy for a building within the MUOD Project, the Developer shall have submitted to the Building Inspector and the Director of Planning and Community Development, for administrative review and approval, a schedule of hours of operation and operational protocol (including designated delivery area(s), snow removal/storage plan (if revised from the building permit set), landscape maintenance, and parking lot sweeping schedule) for the applicable components(s) of the MUOD Project ("O&M Program").
43. The Developer shall be responsible for maintaining, in a manner consistent with other first-class commercial developments, all open space and landscaped areas within the MUOD Project designated on the Master Plan. All maintenance activities shall be performed in conformance with the O&M Program.
44. As part of its common area maintenance, the Developer, subject to the consent of the Town or MassDOT, as applicable, shall provide regular, on-foot cleanup of the area along the Project's Boston Post Road/Route 20 frontage.
45. Throughout the performance of the construction of the Project, the Developer shall keep the MUOD Project free from undue accumulation of waste materials or rubbish, and shall implement an appropriate dust control program.
46. Prior to the final Certificate of Occupancy for the MUOD Project, the Developer shall install and maintain a vegetated buffer in accordance with the Landscape Plan submitted for the MUOD Project, except as may be modified by the Planning Board.

47. Results of the Town's peer review of Developer's Phase 1 Environmental Site Assessment shall be submitted to the Board of Health. All ongoing monitoring shall be conducted in full accordance with applicable regulations and oversight provided by a Licensed Site Professional. Copies of monitoring reports provided to MassDEP (and/or reports on any remediation that may be necessary) shall be reported to the Board of Health so that the public can be adequately informed as to the status.
48. Developer shall sample groundwater under Building No. 5 for CVOCs after demolition if any release is suspected by Developer's contractor, following engineering best practices.
49. Developer shall test irrigation well water for VOC-impacted groundwater, and shall treat such irrigation water using standard technologies if required by the Board of Health.
50. Developer shall submit the final Construction Management Plan to the Planning Board prior to demolition of any component of the MUOD Project.
51. The Developer has an obligation to pay for outside consultants contracted by the Town to review items, including but not limited to, site plans and stormwater management plans submitted for conformance review on the age-restricted housing, assisted/memory care and village retail components of the Master Plan, which is memorialized in the Development Agreement executed by the Board of Selectmen and the Developer for the MUOD Project. These funds shall be held by the Town pursuant to G.L. c. 44, s. 53G for this purpose, and any funds remaining after completion of the plan reviews and inspections shall be returned to the Developer.
52. The use of any construction trailers at the Site shall be subject to the following conditions:
 - a. Trailers shall be set back from Boston Post Road at least 200 feet.
 - b. Trailers shall not obstruct visibility of traffic flow on or adjacent to the Site.
 - c. Trailers shall be removed at the completion of construction.
53. Prior to issuance of a Certificate of Occupancy for the assisted living facility, the operator shall submit information to the Board of Health regarding operating as a Closed Point of Dispensing (POD) site under emergency management provisions. Closed POD's adequately provide vaccinations to their populations in crisis situations.
54. Within 45 days of the sale of the Site, or any portion of the Site, the contact information of the new owner and/or maintenance operator shall be provided in writing to the Sudbury Planning Board.
55. Prior to the granting of a final Certificate of Occupancy for any component of the MUOD Project, the Developer shall submit an "as built" plan for that component. Any material deviation from the approved Plan, including changes in the location or design of structures or systems, will require modification of the Project by the Planning Board in accordance with Section 4570 of the MUOD, as applicable.

56. The Developer has provided a preliminary schedule of anticipated construction milestones, a copy of which is on file with the Office of Planning and Community Development. To the extent the Developer becomes aware of conditions or circumstances that would materially vary construction in accordance with this preliminary schedule, the Developer shall notify the Director of Planning and Community Development of such circumstances or conditions.
57. Performance Bond - The Town acknowledges that certain improvements and conditions as may have been recommended herein, may not be fully completed or satisfied at the time of the issuance of the final occupancy permit for any particular component of the MUOD Project (due to weather conditions, local, state or federal approvals or other matters beyond the Developer's control). In addition, certain conditions may be ongoing requirements which are unable to be satisfied prior to the issuance of a final occupancy permit. In those instances, when conditions requiring construction of an improvement are not so satisfied prior to the issuance of the final occupancy permit, due to matters beyond Developer's control as determined by the Building Inspector, the Town shall determine the amount and nature of a bond or other adequate security to ensure completion of those conditions, and the Building Inspector, upon notification that such bond or security is satisfactory to the Town, shall issue the occupancy permit.

These recommended conditions shall be of no force or effect unless approved in connection with the Master Development Plan by Town Meeting. In accordance with Section 4742 of the MUOD, approval of the Master Development Plan at Town Meeting shall serve to ratify this Conformance Recommendation and the recommended conditions, limitations, and safeguards contained herein, which shall thereupon be deemed incorporated into the Master Development Plan as conditions binding on the Developer. This Conformance Recommendation shall lapse if a substantial use or construction has not begun, except for good cause, within five (5) years following the date the Master Development Plan is approved at Town Meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Abair". The signature is stylized with a large, looped "P" and "A".

Peter Abair, Chairman

On behalf of the Town of Sudbury Planning Board