

TOWN CLERK  
SUDBURY, MASS

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Covenant Commonwealth Corporation  
The Coolidge at Sudbury Phase 2  
March 10, 2017

NOTICE OF DECISION  
COMPREHENSIVE PERMIT  
Covenant Commonwealth Corporation  
The Coolidge at Sudbury – Phase 2  
187 Boston Post Road  
SUDBURY, MA  
ZONING BOARD OF APPEALS CASE NUMBER 16-21  
March 10, 2017

**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 Covenant Commonwealth Corporation (the “Applicant”) and B’nai B’rith Housing New England, Inc. (the sponsor) on June 29, 2016, to construct fifty-six (56) units of affordable rental housing restricted to households with at least one person who is age fifty-five (55) or older located at 187 Boston Post Road, identified as a portion of Parcel 0012 on Town Assessor’s Map K10 (collectively, the “Property”). The Property is owned by CCC Boston Post Road Limited Partnership and is also the subject of a subdivision.

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 56.04 in that:

- a. it is a limited dividend organization eligible to obtain a Comprehensive Permit pursuant to M.G.L. c.40B;
- b. it controls the Property; and
- c. it has received a Site Approval letter through the Low Income Housing Tax Credit (LIHTC) Program from the Massachusetts Department of Housing and Community Development (DHCD) dated June 27, 2016.

The Board convened the public hearing on this application on September 12, 2016. The public hearing was continued to October 24, 2016, December 5, 2016, January 9, 2017, February 6, 2017 and was closed on February 27, 2017. Sitting as members of the Board and present throughout the hearing were Jonathan F.X. O’Brien, Chair; John D. Riordan, Clerk; Nancy G.

Rubenstein, Jeffery P. Klofft, and Jonathan G. Gossels, and pursuant to M.G.L. c. 39 § 23D are therefore qualified to vote on this Application.

Over the course of the public hearings, the Board heard testimony and received written comments from its consultants, numerous Town boards and officials, the Applicant and its representatives and abutters and members of the public. The Board held a subcommittee work session with a Design Review Board subcommittee on November 18, 2016. The Board retained the Horsley Witten Group as an outside consulting firm for peer review, and received and evaluated their reports.

In reviewing the application of Covenant Commonwealth Corporation, as well as evidence presented in written or oral form by the Applicant, citizens and Town Boards and departments during the course of the public hearing, the Board has determined that the Project as proposed in the application 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 Site Approval from DHCD in a letter dated June 27, 2016.

Therefore, the Board, pursuant to and based upon the evidence presented to it and discussed during the public hearings, finds that there is compelling evidence to support the granting of a Comprehensive Permit (the "Permit") to enable the construction of the Project, subject to all of the following terms and conditions, all of which are binding upon the Applicant as conditions of this Permit.

The Board's decision is based upon the Plans, reports, and information submitted to it prior to and during the public hearing. The list of Plans, reports and information submitted to the Board during the hearing is attached hereto as Exhibit A.

## **II. Application Details.**

This approval is based on the 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. All such plans, reports and information are listed in the attached Exhibit A.

The plans listed on Exhibit A are hereinafter collectively referred to as the "Comprehensive Permit Plans". The development described or depicted in this Permit and the Comprehensive Permit Plans is referred to herein as the "Project".

### **III. Threshold Determinations; Jurisdictional and Eligibility Requirements.**

The June 27, 2016 Project Eligibility Letter issued by the Massachusetts Department of Housing and Community Development established the eligibility findings required under 760 CMR 56.04(1)(a)-(c) and (4). These findings are required to be considered conclusive by the Board of the Applicant's eligibility under 760 CMR 56.04(6), unless there is an alleged failure of the Applicant to continue to fulfill the eligibility requirements. The Board has found no such failure by the Applicant to fulfill these eligibility requirements.

### **IV. Findings of Fact.**

After the public hearing closed, the Board met during open session at a duly posted meeting and made the following findings of fact. As a general matter, and as set forth in more detail below, the Board finds that development of the overall site in the manner described herein is consistent with-and does a good job of balancing and addressing- important and sometimes competing local needs for, among other things, more affordable housing, property site and building design, protection of local open spaces and historical context, promotion of overall health and safety concerns, protection of the environment, and minimized traffic congestion and increased traffic safety. The Board also finds that development of the Project as set forth herein is consistent with well-established and long held local development planning goals, both for the project site in particular and the town as a whole.

#### **A. Site and Building Design and Open Space**

The Project Site is part of a currently a six acre parcel of land which contains an existing building with 64 units of over 55 housing, known as Coolidge at Sudbury Phase I. The Site also contains parking, walkways, a sewage disposal system, and other appurtenances to the Coolidge at Sudbury Phase I units. The Applicant proposes to divide the lot into two lots, each of three acres. Lot 1 will include the Coolidge at Sudbury Phase I building and associated parking and appurtenances. The proposed Coolidge at Sudbury Phase II, which is the subject of this comprehensive permit, will be located on Lot 2, which consists of undeveloped land comprising of three acres along Route 20 (Boston Post Road). The Project also abuts property owned by Eversource to the South as well as an abandoned railway right of way, the intersection at Landham Road to the west, and commercial property to the East. To the north is another affordable housing complex, across from Route 20. Route 20 is a major arterial street through the town and the uses along Route 20 include many commercial, industrial, retail, and business uses.

Phase I and Phase II will share some features, such as parking, ingress, and walkways, to create an integrated site.

The Project consists of 56 one-bedroom units of rental housing.

The proposed architecture is reflective of the residential architecture in Sudbury, playing on the theme of the one building having several additions over time, with different roof massings and architectural styles. The building will have a front entry porch, dormers, providing architectural interest and the design, scale and finishes of the building create a residential feel.

The proposed parking will consist of 56 spaces in total; 46 in the underground garage and 10 surface spaces, providing adequate parking in convenient locations for the residents.

The overall development plan calls for age restricted, 100% affordable housing.

### **B. Health, Safety and Environment**

Redevelopment of the Property, which is previously disturbed, will be respectful of environmental concerns, including the reduction in the amount of impervious area, upgrade of the major stormwater, wastewater and water distribution systems, and preservation of wetland buffer zones. The Stormwater Management Plan meets the current MassDEP stormwater management regulations, and the Sudbury Stormwater Management Regulations, to the extent practicable. The Applicant has indicated that to address the Town's concerns regarding the quality of wastewater being discharged at the site, it intends to construct and use an Advanced Presby System for cleaner wastewater.

The Applicant has complied with the requests of the Fire Department with respect to fire protection, providing pathway access to the south and west sides of the building, a turn-around area at the entrance of the building and a grass-paved driveway as a means of egress from the property for emergency vehicles only.

### **C. Municipal and Regional Planning**

The Project Site has been identified by the Town as Priority Development Area #288-47 on the 2012 495/Metrowest Development Compact Plan. Additionally, the Project Site is identified in the 2001 Master Plan and 2011 Housing Production Plan as appropriate for mixed-use multi-family development.

The approval of 56 rental units assists Sudbury in providing for DHCD Subsidized Housing Inventory in excess of the 10% affordable housing goal established by the Commonwealth.

The housing type proposed will provide independent living for residents over the age of 55 and less than 80% of the Area Median Income. Priority to current Sudbury residents or those who work within the community will be provided to the extent permitted by law and regulations.

Additional conditions of approval for the remainder of the Project are contained within this document.

#### **V. Exceptions**

The Applicant shall comply with all relevant laws, rules and regulations in Sudbury unless specifically waived hereunder. In accordance with the requirements of M.G.L. c. 40B, 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, Section 2210, 2230 and Appendix A to allow for the construction and operation of a multi-family dwelling, which is not an allowed use.
2. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 2310 to allow property management staff offices as an accessory use, which is not an allowed use.
3. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 2600 and Appendix B to allow the structure within the easterly side yard setback otherwise required, as shown on the Comprehensive Permit Plans.
4. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 2610, 2620 and Appendix B to allow the height of the structure as shown on the Comprehensive Permit Plans, which exceed the requirements in the A-Residential Zoning District.
5. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 3110, 3111 and 3120 to allow 1.0 parking spaces per dwelling unit (fifty six (56) parking spaces in total), which is less than the minimum requirement for the specific use and to allow the proposed driveway to serve all dwellings on the Property.
6. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 3410 to allow the construction to commence without requiring additional technical evidence related to the Performance Standards described in Section 3300.
7. Zoning Bylaw, Article IX of the Sudbury Bylaws, Sections 3430, 3431 and 3432, to allow grading as shown on the Comprehensive Permit Plans in which final slopes of 15% or greater are proposed on more than 30,000 sq. ft. on a single lot.

8. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 3200 to allow increase in number of and size of signage, as described in this Decision.
9. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 3300 to allow one driveway to serve two multifamily residential buildings.
10. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 3440 to allow excavation and grading as shown on the Comprehensive Permit Plans in which grading within fifty (50) feet of the road is lower than the grade of the road.
11. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 3500 to allow the screening and landscaping consistent with the Comprehensive Permit Plans.
12. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 6300 to approve the Project without Site Plan Review by the Planning Board.
13. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 6315 to approve the grading and clearing of the Project without Site Plan Review by the Planning Board.
14. Zoning Bylaw, Article IX of the Sudbury Bylaws, Section 6500 to approve the Project without Design Review Board decision or opinion.
15. General Bylaws of the Town of Sudbury (hereinafter "General Bylaw"), Article V (A) to allow earth removal as required by grading shown on the Comprehensive Permit Plans, in which approximately 3,000 cubic yards of earth may be removed from the site.
16. General Bylaw, Article XXII to allow the Project without compliance with the Town Bylaws and the Wetlands Administration Bylaw Regulations, understanding that the Applicant remains subject to the Massachusetts Wetlands Protection Act including the filing of a Notice of Intent thereunder with the Town's Conservation Commission.
17. General Bylaw, Article XXVI, to allow access to the Project without a separate Access Permit.
18. General Bylaw, Article XXVII to approve an irrigation system without further approval from the Board of Health.
19. General Bylaw, Article XXVIII to approve any necessary demolition of structures, if any.
20. Sudbury Board of Health Rules and Regulations Governing the Subsurface Disposal of Sewage, to allow the use of a Presby "Advanced Enviro" septic system, and allow the use of Title V design requirements and design flow calculations in lieu of Sudbury Board of Health requirements.
21. Sudbury Board of Health Rules and Regulations Governing the Subsurface Disposal of Sewage, Section V, to allow only the primary area to be prepared (as opposed to the expansion area) as permitted by Title 5 in lieu of Sudbury Board of Health requirements and as shown on sheet C6 of the Comprehensive Permit Plans.
22. Sudbury Board of Health Rules and Regulations Governing the Subsurface Disposal of Sewage, Section VI, to allow lower level units to be pumped to leaching field.

23. Town of Sudbury Stormwater Management Bylaw, section 6.J.a to waive the requirement for volume control and to approve the stormwater management system as shown on the Comprehensive Permit Plans without the issuance of a Stormwater Permit from the Planning Board.
24. General Bylaw and Town of Sudbury Driveway Location Approval Rules and Regulations Appendix A, Sections 1 and 2, to allow the location (without written permit from Town Engineer), and width of the proposed driveway to be twenty-four (24) feet wide, in excess of the maximum required in the regulation; and to allow a thirty (30) foot radius at the driveway, in excess of the maximum required in the regulation.
25. Town of Sudbury Rules and Regulations Governing the Subdivision of Land, to approve the subdivision of land as shown on the Comprehensive Permit Plans. Sheet C4 of the Comprehensive Permit Plan, labeled "Preliminary Subdivision", shall be revised by the Applicant to conform with the requirements of a definitive subdivision plan, or Approval Not Required Plan to the extent applicable, capable of being recorded at the Registry of Deeds and shall be submitted to the Town for review and endorsement.
26. Town of Sudbury Planning Board Site Plan Review Rules and Regulations, to approve the Comprehensive Permit Plans without regard to compliance with these Rules and Regulations.
27. Town of Sudbury Zoning Board of Appeals Supplemental Rules for Comprehensive Permits and Guidelines for Comprehensive Permit (40B) Developments Section 3.6 to waive the filing fee in excess of \$2,000.00 as set forth in Section IV (40) because the Applicant is a non-profit organization whose primary mission is to promote affordable housing.

## **VI. General Conditions**

This Permit is granted subject to the following conditions:

1. This Permit is granted to the Applicant and may not be transferred or assigned to any party without the Board's approval. Notwithstanding the above, the Applicant shall be entitled to transfer and/or assign this Permit to an entity that is an Affiliate of the Applicant, without obtaining the approval of the Board, provided, however, that the Applicant provides written notice of such transfer and/or assignment to the Board at least ten (10) days prior to such transfer and that the Applicant provides with such notice evidence reasonably acceptable to the Board that said Affiliate is a limited dividend organization that is eligible to obtain a Comprehensive Permit pursuant to M.G.L. c. 40B. For the purposes of this Permit, the capitalized term "Affiliate" shall mean an entity that is controlled by or under common control with the Applicant, which can include, without limitation, (i) a limited partnership of which the Applicant is a general partner, (ii) an entity solely owned and controlled by the

Applicant or (iii) an entity under common control with the Applicant, is the general partner of such partnership.

2. This Permit shall become void if the Applicant does not commence the Project as approved herein within the later of three (3) years of the filing of this Permit with the Town Clerk or within three (3) years of the expiration of all appeals. 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.
3. All construction of the Project, including landscaping, shall be completed within three (3) years from the date of issuance of the building permit, unless as otherwise noted herein a request is filed with, and approved by, the Board extending such time for good cause.
4. Any material changes to the Project after issuance of the Permit must be reviewed and approved by the Board in accordance with 760 CMR 56.05 (11).
5. This Permit approves the construction of the Project, consisting of one structure containing fifty six (56) units of age-restricted housing available to households with at least one person who is age fifty-five (55) or older (all one-bedroom units), with associated infrastructure, utilities and landscaping, all as shown on the Comprehensive Permit Plans, as modified by this Permit. Unit sizes and mix of units, including the number of bedrooms, shall be consistent with the Comprehensive Permit Plans.
6. All units shall be reserved in perpetuity for rental occupancy by low or moderate income households earning no more than eighty percent (80%) of the Median Family Income for the Boston-Cambridge-Quincy, MA-NH HMFA (HUD Metro Fair Market Rent Area), as determined by the U.S. Department of Housing and Urban Development (HUD), as adjusted for household size, and as certified annually (the "Affordable Units"). Each Affordable Unit shall be rented for no more than the maximum rental price established in the Regulatory Agreement. In the event that the Subsidizing Agency or any lender forecloses on the Project, no less than twenty-five percent (25%) of the units shall remain affordable to households earning no more than 80% of AMI (Area Median Income), for so long as the Project remains noncompliant with zoning. The Applicant shall obtain a provision in the first mortgage of the Property which requires the mortgagee, prior to engaging in any court proceedings to foreclose on the Property, to provide the Town with written notice of the Applicant's failure to cure default under such mortgage within the time period allotted for



such cure. Such notice shall set forth the amount to be paid to the mortgagee in full satisfaction of the mortgage, not to exceed the remaining principle under the mortgage, then-current interest due, and fees and expenses, and upon receipt of such notice, the Town, or its assignee, shall have the right to acquire such mortgagee's interest in the Property within ninety (90) days at such price by return written notice to the mortgagee indicating the Town's election to exercise its right of first refusal.

7. No construction activities, except for the installation of hay bales or other barriers around the perimeter of the areas to be disturbed, shall commence on the Property until the limits of disturbance around the Property are properly marked. The Applicant shall request that the Director of Planning and Community Development inspect the Property prior to disturbance. The Applicant shall further convene a preconstruction meeting with Town staff, the Applicant and the general contractor prior to disturbance, for the purpose of presenting the construction phases of the Project.
8. Building permits for the Project shall not be issued until the Final Detailed Design Plans have been submitted for review, approval and endorsement by the Board for consistency with the Decision pursuant to Sections XII and XIII of this Permit, final stormwater plans have been submitted to the DPW Director for review to confirm the consistency of such plans with the Comprehensive Permit Plans and this Decision, and final building plans have been submitted to the Building Inspector for review to confirm the consistency of such plans with the Massachusetts Building Code.
9. The Board has approved the architectural plans submitted as of February 27, 2017. Any substantial changes to the architectural plans contained in the Comprehensive Permit Plans shall require review by the Zoning Board of Appeals and/or Design Review Board.
10. Exterior construction activities shall be confined to the hours between 7:00 am and 7:00 pm, Monday through Friday and between the hours of 8:00 am and 4:00 pm on Saturday. There shall be no construction on Sundays 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 on the Property; removal of stumps and debris; and the erection of structures. Notwithstanding the above, the above restriction on the hours of construction activities shall not apply to any work undertaken off the Property that is normally or customarily conducted during hours

other than the hours permitted for such work set forth above. During construction, the Applicant shall ensure that there is adequate parking to accommodate the needs of the residents of the adjacent sixty-four unit building, including securing off-site parking for construction workers and supervisors if necessary.

11. The Applicant shall be permitted to locate three temporary enclosures or construction trailers on the Property for the duration of the construction. The enclosures 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.
12. The Applicant agrees that it shall cooperate with the Massachusetts Highway Department's ("MassHighway") taking of a certain area of the Property along the Property frontage on Route 20 and Landham Road, reasonably required by MassHighway to facilitate MassHighway's design and construction of a traffic signal at the Landham Road intersection, as generally depicted in the plan entitle "Conceptual 4-Lane Section, Route 20 at Landham Road" prepared by VHB dated August 27, 2010.
13. Fifty-six parking spaces shall be provided for the development, forty-six of which shall be structured garage spaces, and ten shall be exterior spaces. While there may be additional parking spaces shown on the Comprehensive Permit Plans, the Applicant shall grant an easement to the owner of the adjacent land, known as Coolidge at Sudbury Phase I, so that it shall have the right to use no fewer than sixty four parking spaces in the aggregate between its land and the Project land. On-street parking along Boston Post Road shall be prohibited.
14. The Applicant shall comply with the Snow Removal Plan Overview submitted to the Board on February 27, 2017.
15. 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.
16. 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.
17. A temporary construction sign no greater than 35 square feet in size may be erected on the Property at the time of issuance of a building permit. If a sign is erected, it shall include the

Sudbury Housing Trust and West Metro HOME Consortium as funding sources for the Project, to the extent that such Sudbury Housing Trust and West Metro HOME Consortium are actually funding sources for the Project.

18. A temporary marketing banner no greater than 48 square feet in size may be erected on the Property at the time of issuance of a building permit and shall be removed upon the first to occur of the following: (i) 100% of the dwelling units are leased; or (ii) twelve (12) months following the issuance of the Certificate of Occupancy. This banner may be attached to the construction fence or free standing depending on the phase of construction. If such marketing banner is erected, it shall include the Sudbury Housing Trust and West Metro HOME Consortium as funding sources for the Project, to the extent that such Sudbury Housing Trust and West Metro HOME Consortium are actually funding sources for the Project.
19. A permanent freestanding sign no greater than twelve (12) square feet may be erected adjacent to the entrance driveway, subject to review of adequate sight distance by the DPW Director.
20. The Applicant shall not cause congestion on the abutting public ways due to construction parking. If necessary, parking during construction shall be secured at off-site locations and workers shuttled to the Property.
21. All fire lanes and parking areas shall be kept clear at all times, and all snow shall be removed from these areas to ensure access by fire trucks and other public safety vehicles. Fire lanes shall be posted as such, and all signage shall be maintained in good order.
22. Use of fertilizers and pesticides on the Property shall be applied sparingly to prevent wash off. Use of slow release nitrogen and low phosphorus fertilizers is encouraged.
23. The septic system shall be pumped and maintained as recommended by the design engineer and product installer. Power for the septic system's subsurface pump shall be connected to the site's standby generator as an auxiliary power source.
24. Alternative deicers such as calcium chloride and magnesium chloride shall be used in lieu of sodium based deicers on all pavement and permeable pavement areas.
25. No coal tar-based pavement sealants are to be used on the Property.

26. The Applicant shall use best efforts to educate its residents so as to minimize so-called nuisance emergency and 911 calls to the Fire Department, Police Department, Board of Health and other Town Departments, rather than being resolved by management responsible for the buildings, which such efforts shall include informational sessions, individual meetings with those residents deemed to require additional guidance and a twenty-four (24) hour live answering service that can access on-call staff for urgent matters. The Applicant shall work closely with the Sudbury Fire Department and the Sudbury Police Department and shall appoint a specifically designated agent to act as a liaison to the Sudbury Fire Department and Sudbury Police Department. To the extent made available from the Sudbury Police Department and Sudbury Fire Department, the Applicant shall submit reports of emergency and 911 calls from residents annually to the Board.
27. There shall be no additions beyond the building envelope shown on the Comprehensive Permit Plans.
28. The Project shall comply with the Massachusetts Wetlands Protection Act. Erosion and sedimentation control as shown on the Comprehensive Permit Plans shall be installed prior to any disturbance on the Property, and the “no disturb area” shall be clearly marked with orange snow fencing prior to any disturbance on the Property.
29. 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.
30. The Applicant shall comply with all local regulations and bylaws, except for those which are waived in accordance with the Exceptions granted in Section V above.
31. 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. Sheet C4 of the Comprehensive Permit Plan, labeled “Preliminary Subdivision”, shall be revised by the Applicant to conform with the requirements of a definitive subdivision plan or Approval Not Required Plan, if applicable, capable of being recorded at the Registry of Deeds and shall be submitted to the Town for review and endorsement.
32. Where the Comprehensive Permit Plans or documents submitted to support the application contain information in conflict with the wording of this Permit, the wording of the Permit shall prevail

33. 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.
34. 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 to which reference is made.
35. Any and all references to the "Applicant" herein shall include any authorized successors or assigns of the Applicant.

## **VII. Construction Details**

1. Prior to the issuance of a building permit, the Applicant shall prepare a set of Final Detailed Design Site Plans for review by the Building Inspector, including confirmation from the Engineer of Record that the final working drawings and specifications have been prepared in accordance with standard engineering practices and fully incorporate all requirements of the Conditions of Approval as set forth herein.
2. Stormwater management shall conform to DEP standards and the Town of Sudbury Stormwater Management Bylaw, except to the extent waived by this Permit. The final stormwater plan shall be reviewed and approved for consistency with the Comprehensive Permit by the DPW Director prior to issuance of a building permit. The Project will disturb more than 1 acre of land and is therefore required to obtain coverage under the Environmental Protection Agency National Pollutant Discharge Elimination System Construction General Permit. A draft Stormwater Pollution Prevention Plan ("SWPPP") has been included in the application. The draft SWPPP includes recommended construction period pollution prevention and erosion and sedimentation controls. The final SWPPP shall be submitted to the Board prior to commencement of any work in connection with the Project. All work on the Project site shall be conducted in accordance with the requirements of those permits and plans.
3. Erosion control methods shall be installed as shown on the Plan to stop construction runoff and sedimentation from entering the abutting public ways and adjacent wetlands. Erosion control measures shall be updated as the site work progresses.
4. The Applicant shall remove sediment collected in the silt sacks on a regular basis as needed

during construction.

5. The Applicant shall submit an Illicit Discharge Compliance Statement to the Board prior to issuance of the Certificate of Occupancy for this Project.
6. Final design and approval of the wastewater disposal system shall be obtained from the Sudbury Board of Health prior to the issuance of a building permit. The Applicant shall install a Presby Advanced Enviro-Septic system which shall be installed in accordance with manufacturer guidelines, Title 5, and the most recent current DEP general use certification. The pump shall be connected to the site's standby generator as an auxiliary power source.
7. All utilities within the Property for the Project shall be installed underground.
8. Automatic fire protection sprinkler systems and fire alarm systems shall be installed in the building and shall be designed in accordance with the applicable provisions of the National Fire Protection Act. The central service area of each system shall be located within the common areas of the building. Such systems shall be monitored by a Gamewell Master fire alarm box, or similar, and connected to the municipal fire alarm system. A Knox-Vault model #4401, or similar, will be installed for fire department access to all secured areas of the building.
9. 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.
10. Grass Pave2 or similar system shall be used for the fire lane ingress/egress at Boston Post Road as shown on the Comprehensive Permit Plans. The fire lane to the rear of the building shall be no less than twenty (20) feet wide as shown on the Comprehensive Permit Plans detail, which includes the use of Grass Pave2 or similar system on a portion of the fire lane. The fire lane shall be kept clear of snow and ice at all times.
11. Building plans shall conform to the Massachusetts Building Code.
12. 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) except as such may be waived in accordance with applicable laws and regulations.
13. Any retaining wall greater than four (4) feet high shall require design by a structural engineer and submittal of a stamped plan for approval by the Building Inspector.

14. Rim and invert elevations shall be noted on the Grading Plan along with pipe sizes, slope and pipe type.
15. Airborne dust and particulate matter abatement procedures shall be required during construction such that airborne contamination is restricted to the Property to the extent reasonably feasible. If significant dust is generated onto abutting properties, including the Coolidge Phase I property, the Applicant shall rectify by paying for the cost to spray wash any affected building. This condition shall be enforced by the Building Inspector, and any claim made by an affected property owner shall require documentation of such offense.

#### **VIII. Landscaping/Screening/Lighting**

1. It is the intent of the Board to screen parking from view of the abutting public way and to maintain and replace trees and shrubs along the frontage of the Property in perpetuity. Landscaping shall be installed at the Property substantially in accordance with the Plan. The Board or its representative shall be called to inspect the Property to determine compliance with this condition at substantial completion of the Project, and prior to release of the bond referenced in Condition VIII, 6 *infra*.
2. The Applicant shall maintain the landscaping on the Property and be responsible for such maintenance in perpetuity. To the extent practicable, the Applicant agrees to annually shear no fewer than 5 White Pines so as to attempt to retain lower limb growth.
3. 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 and shall be compliant with the Fixture Seal of Approval program of the International Dark-Sky Association. There shall be no building flood lighting. Pole mounted lamps shall not be greater than sixteen feet in height. The Board or its representative shall be called to inspect the Property to determine compliance with this condition at substantial completion of the Project, and prior to release of the bond.
4. Trees proposed for preservation throughout the Property 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 installation of the irrigation well shall be in conformance with Article XXVII of the Sudbury Bylaws, except as set forth in the waiver list (within 100' of septic system and wetland area). The Applicant has agreed that, with the exception of the first year following the issuance of the Certificate of Occupancy, the Applicant shall follow the water restrictions and water bans imposed by the Sudbury Water District for residents connected to the public water supply. The one-year exception to the water ban shall be limited strictly to the extent necessary to ensure the survival of newly planted trees and shrubs (not grass) during any such drought or water restriction period.
6. All landscaping required by this Permit shall be secured for a period of one (1) year after issuance of the final occupancy permit for the Project by a performance bond in an amount allocated to landscaping of Ten Thousand and 00/100 Dollars (\$10,000.00). The Applicant shall be responsible for replacing dead, dying and/or diseased plantings within this time period.
7. 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 or along Boston Post Road. If, in the opinion of the Board, additional screening is required, the Applicant shall forthwith rectify such complaint with the planting of additional vegetation prior to release of the performance bond for the Project. Significant improvements and/or changes are not contemplated hereunder, and shall be limited to no more than \$2,500.00 in additional plantings.
8. The Board reserves the right to inspect the Property between nine and ten years following the issuance of the Certificate of Occupancy, and the Applicant (including any assignee or successor thereof) shall notify the Board of such inspection right on the ninth anniversary hereof, to determine if additional screening vegetation is necessary along abutting Property lines or along Boston Post Road. If, in the opinion of the Board, additional screening is required, the Applicant shall forthwith rectify such complaint with the planting of additional vegetation. Improvements and/or changes pursuant to the section shall be limited to no more than \$2,500.00 in additional plantings.

#### **IX. Legal Requirements**

1. The Applicant has proposed, and the Board hereby requires, that the following 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 and hydrants, if any.
2. The Applicant has offered and agrees to donate \$10,000.00 to the Sudbury Council on Aging to be used consistent with its mission, which donation shall be made prior to the issuance of the Certificate of Occupancy.
  3. The Applicant shall be forever bound by all conditions and restrictions contained herein.
  4. Prior to the issuance of a Certificate of Occupancy, a performance bond shall be submitted to ensure proper installation and functioning of the stormwater management system, fire lane, landscaping, lighting, sight distance certification, walkway construction, installation of erosion and sedimentation controls, repair of adjacent roadways (if necessary), demolition of all structures on the Property and submittal of final as-built plans, as required by this Permit, that are not fully completed prior to issuance of the 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 a Certificate of Occupancy for 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.
  5. Evidence of DHCD Final Approval shall be submitted to the Board prior to the issuance of a building permit.
  6. This Permit shall be recorded at the Middlesex South District Registry of Deeds senior to all other liens or encumbrances other than pre-existing easements of records and existing mortgages which shall be discharged prior to issuance of a building permit. Recording information shall be submitted to the Board prior to the issuance of a building permit.

7. All monies due to the Town for this project, including any consultant review fees for ZBA consultants, taxes, fees, charges, and all others, shall be paid to the Town prior to the issuance of any building permit for the Project.

**X. Affordability Requirements**

1. A Regulatory Agreement and/or an Affordable Housing Restriction shall be executed prior to the issuance of the building permit. The Regulatory Agreement shall set forth that all units approved in this development shall remain affordable in perpetuity, the terms and agreements relative to the occupancy and lease of the Affordable Units in the Project, the determination and standards for rent and utility allowance, the length of the affordability restriction, Affirmative Fair Marketing, limited dividend requirements and cost certification, and annual compliance monitoring responsibilities. If permitted by the subsidizing agency, the Town of Sudbury shall be a party to the Regulatory Agreement. 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.
2. The Applicant shall submit to the Department of Planning and Community Development an Annual Certification Report from the Monitoring Agent on the compliance requirements as set forth in the Regulatory Agreement, including annual rent recalculations, tenant income recertification, and waiting list compliance.
3. All units in this Project shall be available in perpetuity for occupancy by households whose income is no more than eighty percent (80%) of the Median Family Income for the Boston-Cambridge-Quincy, MA-NH HMFA, as determined by the United States Department of Housing and Urban Development, adjusted for household size and annually certified in compliance with program requirements. Applicants must satisfy all other applicable eligibility requirements established by DHCD and set forth in the Regulatory Agreement.
4. 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 or the Regulatory Agreement without Board approval.
5. If any Town or Sudbury Housing Trust funds are used for this Project, the Regulatory Agreement shall require that in the event of condemnation or casualty, proceeds received above the replacement cost of the structure shall be returned to the Town, up to the amount of

Town funds provided, to be used for affordable housing in the event that the building is not rebuilt or is rebuilt and there are excess monies available. The exact amount of proceeds to be returned to the Town shall be determined by an intercreditor or other agreement entered into by the Town or the Sudbury Housing Trust and such other lenders or public agencies or authorities providing funding to the Project.

6. To the maximum extent permitted by law, and applicable regulation, local preference for the occupancy of seventy (70) percent of the Affordable Units shall be given to residents of the Town of Sudbury satisfying all applicable eligibility requirements. For the purposes of this condition, and subject to any legal requirements, “residents of the Town of Sudbury” shall, to the extent not otherwise prohibited or limited by the provisions of relevant governing regulations or requirements, 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 members of the household of children currently enrolled in the Sudbury Public Schools or the Lincoln Sudbury Regional High School.
7. A lottery shall be held to solicit interest for the occupancy of the affordable units. The lottery must conform to the lottery procedures of DHCD then in effect, and shall include a description of the eligibility requirements, the lottery and resident selection procedures and a clear description of the preference system being used for initial and on-going tenant selection. This Affirmative Fair Housing Marketing Plan, (“Marketing Plan”), shall be subject to the review and approval of the Planning and Community Development Department prior to issuance of an occupancy permit, which Marketing Plan shall include, but not be limited to, the following minimum information, but only to extent that DHCD approves the inclusion of such information in the Marketing Plan:
  - a. the information session and the lottery shall take place in Sudbury;
  - b. the Lottery Agent shall appropriately advertise to all Local Preference categories and those on the Community Housing Office’s ‘interest’ list;
  - c. only qualified eligible applicants will enter the lottery, with the requirement for preliminary income verification prior to the lottery;
  - d. during the application period, the Lottery Agent will periodically provide information on the total number of applications received, and how many of those are eligible, are from local preference and are from minorities. Reasons for ineligibility shall be included;
  - e. prior to the lottery the Lottery Agent will provide information on the final applicant pool, including: category of local preference status, minority declaration, number of persons in

- household, ages of dependents, number of adults, %AMI, town or city of current residence;
- f. unless DHCD's procedures differ, the lottery shall be advertised twice in a newspaper of local circulation in the Town of Sudbury for at least 3 weeks prior to the deadline to submit applications for the lottery, and all governmental and school employees noted above shall receive notice of the lottery and the availability of Affordable Units;
  - g. the Marketing Plan shall comply with all Fair Housing laws;
  - h. the Marketing Plan shall contain, to the extent legally allowable, a strategy for marketing units under the "local preference" described in Condition X.6 above;
  - i. the Marketing Plan shall adequately describe the 'waiting list' process, including what preferences and priorities are used to lease vacant units; and
  - j. the Marketing Plan shall be submitted for review and approval of the Planning and Community Development Dept. at least 14 days prior to the commencement of the affirmative marketing period.
8. The maximum household size to be used in determining Median Family Income for the purpose of calculating the maximum rent paid by the tenants shall be three persons for two bedroom units, or 1.5 individuals for each separate bedroom, unless DHCD requires that a larger household size be used. In accordance with DHCD Affirmative Fair Housing Marketing guidelines, preference shall be given to households requiring the total number of bedrooms in the unit.

#### **XI. 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 issuance of a building permit 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 installation of utilities and infrastructure for inspections prior to backfilling.
4. Snow removal, maintenance of driveways and walks, storm drainage, wastewater treatment and disposal, lighting, utilities and fire protection shall be the responsibility of the Applicant.

The Town of Sudbury does not accept responsibility for any infrastructure improvements or maintenance in this Project.

5. Fees for the following permits and inspections by Town departments shall be paid in full, unless otherwise waived or reduced by the relevant Board or department upon request in writing by the Applicant:
  - Building Permits
  - Sewage Disposal Plan Permit
  - Electrical Permits
  - Plumbing Permits
  
6. 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 Best Management Practices, the Operation and Maintenance Plan and engineering and 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 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 of notification, the Town may enter upon the Property and remedy said defect as set forth in this notice. The Applicant 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.

## **XII. Plan Endorsement**

A Mylar Plan set shall be submitted for endorsement by the Board after the appeal period has expired. The Board shall not endorse the Comprehensive Permit Plans until the following conditions have been complied with to the satisfaction of the Board:

1. All Comprehensive Permit Plans sheets shall be stamped by a Registered Professional Engineer, Architect or Landscape Architect, as applicable.

2. A detail of each proposed type of retaining wall shall be added to the final Comprehensive Permit Plans.
3. The Applicant has submitted to the Board a plan entitled “[Preliminary Subdivision ]” which is sheet C4 of the Comprehensive Permit Plans, seeking endorsement of the same so as to allow for division of the Property into “Lot 1” and “Lot 2”. Pursuant to G.L. c. 41 and the Board’s role thereunder as per G.L. c. 40B, § 21, upon presentation of a plan based on the draft form presented on Sheet C4 that has been revised to conform with the requirements of a definitive subdivision plan or Approval Not Required Plan, as applicable, capable of being recorded at the Registry of Deeds, the Board hereby agrees to endorse the referenced plan simultaneously herewith, which plan shall thereafter be recorded by the Applicant with the Middlesex South District Registry of Deeds.

### **XIII. Building Permits**

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

1. The Comprehensive Permit Plans have been endorsed by the Board and other signatories.
2. The limits of disturbance around the Property shall be properly staked and marked, all trees proposed for preservation shall be flagged, erosion and sedimentation control has been installed, and the Director of Planning and Community Development called for an inspection, as required by Conditions VI.7, VII.3 and VIII.4.
3. Receipt of evidence of recording of this Comprehensive Permit with the Middlesex South District Registry of Deeds.
4. The DPW Director has reviewed and confirmed the consistency of the stormwater management plan with the Comprehensive Permit Plans, as required in Condition VII.2.
5. Final Detailed Design Plans have been submitted, reviewed and approved by the Board for consistency with this Decision, and confirmation from the Engineer of Record that the plans and specifications have been prepared in accordance with standard engineering practices, comply substantially with the Comprehensive Permit Plans and fully incorporate all

requirements of this Decision.

6. Sudbury Board of Health approval of the wastewater disposal system has been obtained.
7. A current construction schedule as required by Condition XI.2 has been submitted.
8. Evidence of DHCD Final Approval has been submitted to the Board as required by Condition IX.5.
9. The Regulatory Agreement or Affordable Housing Restriction has been executed as required by Condition X.1.

#### **XIV. Occupancy**

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

1. Easement granted to owner of adjacent land containing sixty-four (64) residential units as set forth in Condition VII.13 has been recorded.
2. Donation of \$10,000 to the Council on Aging as set forth in Condition IX.2 has been made.
3. A performance bond, as detailed in Condition VII.4 has been submitted to and accepted by the Board, if required.
4. Lottery Plan, the proposed rental prices for the Affordable Units and the Fair Housing Marketing Plan has been submitted and approved by the Board as required by Condition X.7.
5. Receipt of all recorded documents, including but not limited to the Permit, Regulatory Agreement, and any easements recorded to date.

#### **XV. Release of the Performance Bond**

No request to reduce funds from the Performance Bond referenced in Section IX.4 below Twenty Thousand and 00/100 Dollars (\$20,000.00) shall be granted until the following conditions have been met:

1. As-built plans demonstrating the roadways, buildings, stormwater management structures, walkways and infrastructure have been constructed and installed in general conformance with the approved Comprehensive Permit Plans and have been submitted to and approved by the Town Engineer.
2. Certification of lighting as described in Condition VIII.3 has been provided.
3. Certification of adequate landscaping as described in Condition VIII.1 has been provided.
4. Any damage to public roads caused by this Project has been repaired as required in Condition VI.16.

This Decision may be executed in multiple counterparts, including by PDF, Fax or other electronically transmitted signature, each of which shall be an original, with the same effect as if the signatures thereto were upon the same instrument.

*[signature page follows]*



TOWN CLERK  
SUDBURY, MASS.

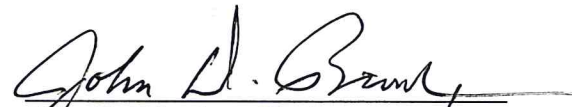
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Covenant Commonwealth Corporation  
The Coolidge at Sudbury Phase 2  
March 10, 2017

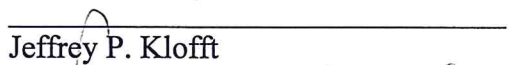
VOTED:

To approve the application of Covenant Commonwealth Corporation for a Comprehensive Permit under the provisions of General Laws chapter 40B, sections 20-23, inclusive, to permit the construction of fifty-six (56) units of affordable housing in one building for rental occupancy by low or moderate income households which have at least one member who is age fifty-five (55) or older at established rents and in perpetuity pursuant to the Department of Housing and Community Development's Guidelines and/or other applicable requirements, on land owned by CCC Post Road Limited Partnership, consisting of approximately 3 acres of land located at 189 Boston Post, being a portion of Town Assessor's Map K10, Parcels 0012 subject to all of the conditions stated in the foregoing Permit decision:

  
Jonathan F.X. O'Brien, Chairman

  
John D. Riordan, Clerk

  
Jonathan G. Gossels

  
Jeffrey P. Klofft

  
Nancy G. Rubenstein

TOWN CLERK  
SUDBURY, MASS

2017 MAR 10 AM 9:02

The Coolidge at Sudbury  
March 10, 2017

VOTED:

To approve the application of Covenant Commonwealth Corporation for a Comprehensive Permit under the provisions of General Laws chapter 40B, sections 20-23, inclusive, to permit the construction of fifty six (56) units of affordable housing in one building for rental occupancy by low or moderate income households which have at least one member who is age fifty-five (55) or older at established rents and in perpetuity pursuant to the Department of Housing and Community Development's Guidelines and/or other applicable requirements, subject to all of the conditions stated in the foregoing Permit decision:

Date: March 10, 2017

  
\_\_\_\_\_  
Jonathan F.X. O'Brien, Chairman

\_\_\_\_\_  
John Riordan, Clerk

\_\_\_\_\_  
Jonathan G. Gossels

  
\_\_\_\_\_  
Jeffrey P. Kloff

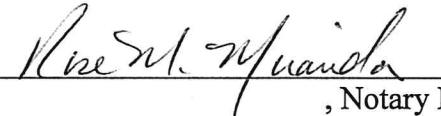
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Nancy G. Rubenstein

Covenant Commonwealth Corporation  
The Coolidge at Sudbury Phase 2  
March 10, 2017

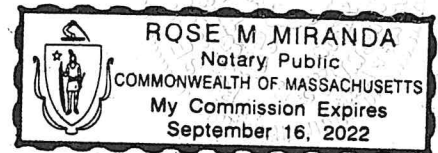
**COMMONWEALTH OF MASSACHUSETTS**

MIDDLESEX, SS

On this 10<sup>th</sup> day of March, 2017, 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.

  
\_\_\_\_\_, Notary Public  
My commission expires:

- cc: Town Clerk  
Board of Health  
DPW Director  
Water District  
Conservation Commission  
Board of Selectmen  
Council on Aging  
Building Inspector  
Town Counsel  
Fire Chief  
Director of Planning and Community Development  
Community Housing Specialist  
Joshua Fox, Attorney  
B'nai B'rith Housing New England, Inc.  
Hancock Associates



**EXHIBIT A**

1. Comprehensive Permit Application under M.G.L. Chapter 40B, Sections 20-23 (received June 29, 2016) for The Coolidge at Sudbury Phase 2, 187 Boston Post Road, submitted by the Applicant, including:
  - Preliminary Site Development Plans
  - Tabulations of Proposed Buildings
  - Preliminary Architectural Drawings
  - Preliminary Subdivision Plan
  - Preliminary Utilities Plan
  - Report of Existing Conditions
  - Proof of Limited Dividend Organization Status
  - Project Eligibility Letter from DHCD
  - Evidence of Site Control
  - List of Requested Waivers
  - Certified List of Abutters
  - Comprehensive Modification Plan, Existing Conditions Plan, Preliminary Subdivision Plan, Preliminary Site Plan,
2. Letter from B’Nai B’rith requesting modification of comprehensive permit, dated June 29, 2016.
3. Sudbury Water District letter to B’Nai B’rith, dated May 16, 2016.
4. Board of Selectmen letter to DHCD, dated June 8, 2016.
5. Department of Housing & Community Development, Site Approval Letter, dated June 27, 2016.
6. Email from Holly Grace agreeing to an extension of the first hearing until September 12, dated June 30, 2016.
7. Board of Health, Bill Murphy, Health Director letter, dated August 19, 2016.
8. Fire Department letter, dated August 23, 2016.
9. Building Inspector, Mark Herweck letter, dated August 29, 2016.
10. Conservation Commission letter, dated August 31, 2016.
11. Conservation Commission revised letter, dated September 1, 2016.
12. Applicant’s Response to Fire Department’s Memo, dated September 9, 2016.
13. Applicant’s Response to Building Inspector’s Memo, dated September 9, 2016.
14. Applicant’s Response to Board of Health Director’s Memo, dated September 9, 2016.
15. Letter from Sudbury Friends of B’Nai B’rith Housing, dated September 12, 2016
16. Letter from Springwell, dated June 6, 2016, received September 12, 2016.
17. Letter from BayPath Elder Services, dated May 2, 2016, received September 12, 2016.

18. Letter from Wingate, dated April 26, 2016, received September 12, 2016.
19. Letter from David & Andrea Shamoian, 2 Windy Hill Lane, Wayland, MA, received September 12, 2016.
20. Low Income Housing Tax Credit Market Study - The Coolidge at Sudbury Phase II, date of Report May 11, 2016, date received September 12, 2016.
21. Transportation Impact Assessment, dated July 2016, received September 12, 2016.
22. Sudbury Water District letter, dated September 14, 2016.
23. Email from Faith Shapiro, 189 Boston Post Rd, September 15, 2016.
24. Email from Janie Dretler, Goodman's Hill Rd, September 20, 2016.
25. Water System Impact Report, October 7, 2016.
26. Memorandum from Meagen Donoghue, Planning and Community Development, October 12, 2016.
27. Email from Fire Chief about firetrucks specifications, October, 14 2016.
28. Hancock Associates, Raised grade sketch cross section of ladder against building, October 17, 2016.
29. Council on Aging letter, October 17, 2016.
30. Response to Council on Aging Comment Memo from the Coolidge, October 20, 2016.
31. Response to Director of Planning & Community Development Memo from the Applicant, October 20, 2016.
32. Revised Site Plan, October 13, 2016.
33. Raised Grade Sketch, October 21, 2016.
34. Fire Truck circulation plan, September 9, 2016.
35. Proposed Site Plan, Proposed Floor Plans, Proposed Elevations and Proposed Perspective View, October 24, 2016.
36. MASS DOT handout distributed on May 17, 2016, Intersection Improvements @ Rte. 20 & Landham Rd., received October 24, 2016.
37. Sudbury Water District, Comments regarding Water Impact Report, October 24, 2016.
38. Letter from resident Vincent Nappa, November 10, 2016.
39. Operations Overview for The Coolidge, November 28, 2016.
40. Revised Site Plan, by Hancock Associates, November 28, 2016.
41. Stormwater Report by Hancock Associates, November 28, 2016.
42. Revised Architecture Drawings, Floor Plans and Elevations, November 28, 2016.
43. Response letter from Council on Aging, November 30, 2016.
44. Meagen Donoghue, PCD Memo, December 1, 2016
45. Fire Access Exhibit, December 5, 2016.
- 45.5. Email from William L. Miles, Fire Chief to Director of Planning & Community Development dated December 5, 2016.

46. Horsley Witten Group, Peer Review Consultant Services Proposal, December 5, 2016.
47. Horsley Witten Group, Stormwater Peer Review, January 3, 2017.
48. Hancock Associates response to Stormwater Peer Review from the Coolidge, January 5, 2017.
49. Waiver Requested from the Coolidge Phase 2, January 6, 2017.
50. Council on Aging Transportation Services Coolidge Expansion and Impact presentation, January 9, 2017.
51. Comments from Conservation Commission, January 9, 2017
52. Revised Site Plan, January 17, 2017.
53. Stormwater Report, January 20, 2017.
54. Hancock Associates Response to Horsley Witten Group Peer Review, January 20, 2017.
55. Letter from Sudbury Water District, January 24, 2017.
56. Clarification from Nixon Peabody on behalf of the Applicant regarding subdivision of property, January 24, 2017.
57. Meagen Donoghue, PCD Memo, January 25, 2017.
58. Planning Board Memo, January 25, 2017.
59. Response from the Applicant to letter regarding water impact report, January 25, 2017.
60. Response to Planning Board Comment Memo, January 25, 2017
61. Response from the Coolidge to Conservation Commission Comment Memo, January 26, 2017.
62. Horsley Witten Group 2<sup>nd</sup> Stormwater Peer Review, January 26, 2017.
63. Debbie Dineen, Conservation Coordinator, Additional Comments, February 1, 2017.
64. Hancock Associates response to Horsley Witten Group 2<sup>nd</sup> Peer Review, February 6, 2017.
65. Hancock Associates, Preliminary Grading and Utility Plan, Revised February 2, 2017.
66. Updated Architectural Plans, February 2, 2016.
67. Graph of 911 Calls, from Coolidge Phase 1, February 6, 2017.
68. Letter from Bill Murphy, Board of Health Director, February 21, 2017.
69. Revised Landscape Plan, February 24, 2017.
70. Snow Removal Plan Overview, February 27, 2017
71. Detail information about septic system, Presby Environmental, Advanced Enviro-Septic TM (AES, Wastewater Treatment System, February 27, 2017.