



# Town of Sudbury

## Planning Board

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TOWN CLERK  
SUDBURY, MASS

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September 11, 2019

### DECISION STORMWATER MANAGEMENT PERMIT 554 Boston Post Road, K06-0602, Sudbury, MA SWMP PERMIT #19-08

DECISION of the Planning Board of the Town of Sudbury, Massachusetts (the "Board") on the petition of 554 BPR, LLC (the "Applicant") and Anne Stone ("Owner"), for approval of a Stormwater Management Permit to demolish existing buildings and construct a new self-storage building with associated parking, drainage, landscaping, and other improvements, which will disturb approximately 132,500 square feet of land, including approximately 7,800 square feet of land area on slopes exceeding 10%, with a proposed net increase in impervious area of approximately 47,800 square feet, on an approximately 3.1 acre parcel, located at 554 Boston Post Road, Sudbury, Massachusetts, Town Assessor Map K06 Parcel 0602, (the "Premises"), zoned Single Residence A-1.

This decision is in response to an application submitted to the Board on June 10, 2019 by the Applicant for a Stormwater Management Permit (the "Permit") under Article V (F), Section 5.C of the Sudbury Bylaws (the "Bylaw") and the Stormwater Management Bylaw Regulations (the "Regulations").

After causing notice of the time and place of the public hearing and of the subject matter thereof to be published, posted, and mailed to the Applicant, abutters and other parties in interest as required by law, the hearing was called to order on Wednesday, July 17, 2019 and continued to August 21, 2019 and September 11, 2019. The Hearing closed at the end of the September 11, 2019 proceedings. Board members Stephen Garvin, Charles Karustis, John Hincks, and Justin Finnicum were present throughout the proceedings. The record of the proceedings and submissions upon which this Permit is based may be referred to in the office of Planning and Community Development.

Submitted for the Board's consideration were;

1. Stormwater Management Permit Application dated and received on June 10, 2019.
2. Stormwater Management Report dated May 21, 2019 and received on June 10, 2019, last revised August 13, 2019.
3. Site Plan containing 5 sheets dated August 8, 2018, prepared by Sullivan, Connors, and Associates, received on June 10, 2019 and last revised as indicated below.
  - a) Existing Conditions Plan, Proposed Site Plan, 554 Boston Post Road in Sudbury, MA (Sheet 1 of 5), last revised on August 8, 2019.
  - b) Proposed Site Plan of 554 Boston Post Road in Sudbury, MA (Sheet 2 of 5), last revised on August 20, 2019.
  - c) Erosion Control Plan of 554 Boston Post Road in Sudbury, MA (Sheet 3 of 5), last revised on August 8, 2019.
  - d) Construction Details of 554 Boston Post Road in Sudbury, MA (Sheet 4 of 5), last revised on August 8, 2019.

- E. The development plan establishes provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety.
- F. The Applicant has submitted a Stormwater Management and Erosion Control Plan and project description and Operation and Maintenance Plan (the "O&M Plan"), which are satisfactory, with additional conditions.

THEREFORE, the Board hereby GRANTS the requested Stormwater Management Permit, as requested in the application and shown on the Plan, located in Sudbury, Middlesex County, Massachusetts, with the benefit of the following Plan modifications, conditions and limitations. The approval herein granted is based on the Plan as described above.

## II. CONDITIONS AND REQUIREMENTS

The following conditions of this approval shall be strictly adhered to. Failure to adhere to these conditions or to comply with all applicable laws and Permit conditions shall give the Town the rights and remedies set forth in Section 12 of the Regulations.

- A. **Conformity:** All construction at the Premises shall be in substantial conformity with the Plan, which is on file with the Board.
- B. **Access during Construction:** The Applicant shall ensure safe and convenient vehicular access to the Premises during the entire duration of the construction period. The Board and its representatives shall be permitted access to the Premises to observe and inspect the site and construction progress until such time as the project has been completed.
- C. **Conditions prior to any soil disturbance or construction activities:**
  - 1) Receipt of this permit as recorded in the Middlesex South District Registry of Deeds.
  - 2) Erosion control methods shall be installed, as shown on the plan, and as needed to control erosion.
  - 3) The limit of work shall be clearly delineated on the site so that no work extends beyond the limit of work. Planning and Community Development staff shall review the delineation and erosion control in the field at the pre-construction site inspection.
  - 4) An erosion and sediment control plan with construction phasing considerations shall be prepared by the design engineer on behalf of the Applicant and submitted to the Planning Office and Town Engineer for review and approval in advance of soil disturbance and construction activities.
  - 5) The Applicant shall submit \$2,000.00 for the purpose of the Town hiring a construction monitor to perform the inspections set forth in Condition H below. If prior to completion of the project, the Board finds that this initial deposit is not sufficient to cover actual costs incurred by the Town for these purposes, the Applicant shall be required to submit forthwith such additional amount as is deemed

- 2) Erosion and Sediment Control Inspection – to ensure erosion control practices during and after construction are in accordance with the approved Plan.
  - 3) Construction Inspection – an inspection will be made of the completed stormwater management system, prior to backfilling of any underground drainage or stormwater conveyance structures.
  - 4) Final Inspection – after the system has been constructed and before the certificate of occupancy for the building has been issued.
- I. Soil at the infiltration basin and drywell locations must be removed and replaced with Title 5 fill to provide the proposed rate of exfiltration. Updated plans with such a note should be provided to the Planning Office.
- J. The Applicant and its successors and assigns shall be responsible for maintaining the stormwater management system for the development in accordance with the Operation and Maintenance Plan submitted and DEP regulations. Additional requirements include:
- 1) An engineer shall conduct annual inspection and direct operations and maintenance compliance.
  - 2) An annual report of activities performed to comply with the Operation and Maintenance Plan and the engineer's inspection report shall be submitted to the Planning Board or their designee.
- K. The following source control and pollution prevention measures shall be employed on the Premises to prevent contamination of stormwater runoff:
- 1) Lawn and deicing chemicals shall be stored under cover.
  - 2) Fertilizers and pesticides shall be applied sparingly to prevent wash off.
  - 3) Use of slow release nitrogen and low phosphorus fertilizers is encouraged.
  - 4) No fertilization or pesticide application shall occur in or near any wetland resource area.
  - 5) Applicant is encouraged to pick up pet waste on the Premises and dispose of in the toilet or trash.
  - 6) Household hazardous wastes shall be stored, used and disposed of properly.
  - 7) Limit exterior washing of vehicles to locations that drain to pervious surfaces and away from storm drains.
  - 8) Maintain vehicles and clean up fluid spills/drips from pavement areas.
  - 9) Pump and maintain septic systems.
  - 10) Use alternative deicers such as calcium chloride and magnesium chloride in lieu of sodium based deicers.
  - 11) No coal tar-based pavement sealants are to be used on any site subject to the GSMP.
- L. Washing of any vehicles must occur inside the service area and any wastewater runoff from vehicle washing must be captured by the floor drain which is connected to the wastewater system. The Applicant has ensured the Board they understand this requirement and will comply.

- C. Other Permits or Approvals: This decision applies only to the requested Stormwater Management Permit. Other permits or approvals required by the Bylaw, other governmental boards, agencies or bodies having jurisdiction shall not be assumed or implied by this decision.
- D. Bylaw Compliance: The foregoing restrictions are stated for the purpose of emphasizing their importance but are not intended to be all inclusive or to negate the remainder of the Bylaw.
- E. Lapse of Permit: Should the land-disturbing activity approved under this Permit not begin within 12 months following Permit issuance, the Board may evaluate the existing stormwater management plan to determine whether the plan still satisfies local program requirements and to verify that all design factors are still valid. If the Board finds the previously filed plan to be inadequate, a modified plan shall be submitted and approved prior to the commencement of land-disturbing activities. If the project associated with an approved Stormwater Management Permit granted under the Bylaw has not been substantially completed within three years of Permit issuance, a new Permit or a Permit extension will be required by the Board.
- F. Appeals: Any person aggrieved by this decision may appeal pursuant to the General Laws, Chapter 249, Section 4.

The provisions of this Permit shall be binding upon every owner or owners of the lots and the executors, administrators, heirs, successors and assigns of such owners, and the obligations and restrictions herein set forth shall run with the land, as shown on the Plan, in full force and effect for the benefit of and enforceable by the Town of Sudbury.


This Permit shall not take effect until a copy of this Decision has been recorded with the Middlesex South District Registry of Deeds and until a certified copy of the recorded document is submitted to the Board.

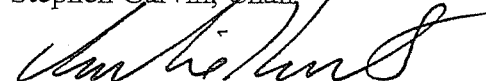
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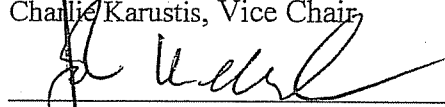
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Date: September 11, 2019

SUDBURY PLANNING BOARD

  
Stephen Garvin, Chair

  
Charlie Karustis, Vice Chair

  
John Hincks, Clerk

  
Justin Finnicum

Nancy Kilcoyne

cc: Town Clerk  
Town Engineer  
Conservation Commission  
Building Inspector  
Applicant  
Sudbury Water District

A TRUE COPY, ATTEST:

TOWN CLERK

