

Attachment E
MEPA Certificate



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Charles D. Baker
GOVERNOR

Karyn E. Polito
LIEUTENANT GOVERNOR

Kathleen A. Theoharides
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1081
<http://www.mass.gov/eea>

January 10, 2020

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Quarry North Road Residential Development
PROJECT MUNICIPALITY : Sudbury and Concord
PROJECT WATERSHED : SuAsCo
EEA NUMBER : 16133
PROJECT PROPONENT : Quarry North Road LLC c/o Chris Claussen
DATE NOTICED IN MONITOR : December 11, 2019

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project does not require an Environmental Impact Report (EIR).

Project Description

As described in the Environmental Notification Form (ENF), the project consists of the construction of a 624,830 square foot(sf), 274-unit residential development with a small retail component, leasing office, meeting rooms, recreational facilities and other amenities to serve residents. The development will consist of 101 apartment rental units in three buildings of which 26 will be affordable units; 121 townhouses of which 33 will be age-restricted (55 and over); and 50 age-restricted condominiums. The project includes the construction of a wastewater treatment plant (WWTP) and associated leaching field, driveways, stormwater management system, utilities, and site grading/landscaping.

The project is being proposed in an effort to achieve the Town of Sudbury's goal of increasing the number of work-force and affordable housing units. The project will be implemented in three phases

over a five-year period. Phase 1 will include site grading, construction of the WWTP, leaching field, stormwater management system, underground infrastructure, access drives, and construction of 90 residential units. Phase 2 will include the construction of the three apartment buildings. The third phase will include the construction of the remaining 83 residential units.

Project Site

The 40.5-acre site, referred to as the Melone Property, consists of approximately 25 acres of land in Sudbury and 15.5 acres of land in Concord. No development is currently proposed on the portion of the property located in the Town of Concord. The majority of the project site (35.8- acres) was owned by the Town of Sudbury and was operated as a sand and gravel quarry. The site also includes a 1-acre residential property and 3.7 acres of land that will be conveyed to the Proponent from the Sudbury Water District as a condition of the Proponent's Land Disposition and Development Agreement with the Town of Sudbury. The project site is bounded by North Road (Route 117) to the south, residential uses to the west, and undeveloped uplands and wetlands to the east and north.

Environmental Impacts and Mitigation

The project is expected to result in the new alteration of 4 acres of land and the creation of 9.4 acres of impervious surface and result in impacts to 3,300 sf of Riverfront Area. The project will generate 1,792 new average daily trips (adt) and create 528 new parking spaces. It will increase water demand by 54,800 gallons per day (gpd) and increase waste water generation by 49,755 gpd.

Measures to avoid, minimize and mitigate environmental impacts include the installation of a stormwater management system, use of sediment and erosion control measures during the construction period and implementation of transportation demand management plan to reduce traffic impacts associated with the project.

Jurisdiction and Permitting

This project is subject to MEPA review and preparation of an ENF pursuant to 301 CMR 11.03(1)(b)(2) and 11.03(5)(b)(4)(c)(i) because it requires a State Agency Action and will create more than five acres of impervious surface and result in the new discharge to groundwater of 10,000 or more gpd of sewage within a Zone II wellhead protection area. The project also exceeds the traffic thresholds at 11.03(6)(b)(14) and 11.03(6)(b)(15) because it will result in 1,000 or more new adt on roadways providing access to a single location and construction of 150 or more new parking spaces at a single location and construction of 300 or more new parking spaces at a single location. The project requires a Groundwater Discharge Permit from the Massachusetts Department of Environmental Protection (MassDEP). If the local Comprehensive Permit is appealed, it would require a Comprehensive Permit from the Housing Appeals Committee (HAC) pursuant to Chapter 40B.

The project may require an Order of Conditions from the Sudbury Conservation Commission, or in the case of an appeal, a Superseding Order of Conditions from MassDEP. The project requires a National Pollution Discharge Elimination System (NPDES) Construction General Permit (CGP) from the Environmental Protection Agency (EPA).

The project is not receiving Financial Assistance from the Commonwealth. Therefore, MEPA jurisdiction is limited to those aspects of the project that are within the subject matter of any required or potentially required Agency Actions and that may cause Damage to the Environment, as defined in the MEPA regulations.

Review of the ENF

The ENF provided a description of existing and proposed conditions, preliminary project plans, and identified measures to avoid, minimize and mitigate environmental impacts. Comments from the Town were supportive of the project's goal of increasing work-force and affordable housing within the community. The Town of Concord remains concerned over the project's traffic impacts.

Alternatives Analysis

The alternatives analysis described an Off-site Alternative, an On-site Alternative and the Preferred Alternative. The Off-site Alternative consisted of the Village at Sudbury Station (EEA# 15921) which was previously submitted to MEPA for review in October 2018 but was ultimately withdrawn. The Village at Sudbury Station consisted of a 40B residential development on an approximately 40-acre parcel of land located adjacent to Sudbury's Town Center. The proposal consisted of 250 residential units within thirteen buildings. The project site consisted primarily of farmland protected under an Agricultural Preservation Restriction (APR). This alternative would have resulted in the new alteration of 13.5 acres of land and creation of 7.12 acres of new impervious surface. This alternative would not impact wetlands or involve development within a Zone II. While the project would have advanced the Town's goal of increasing the number of affordable housing units, there was strong local opposition to the project due to the site's proximity to the historic Town Center and cemetery, the ecological value of the site, and safety concerns related to traffic congestion in the Town Center. A Comprehensive Permit was awarded for the Village at Sudbury Station for 30 units only. The Proponent appealed the decision to the Massachusetts Housing Appeal Committee (HAC). The appeal has been stayed pending permitting of the Preferred Alternative. The land on which the Village at Sudbury Station was proposed will be transferred to the Town as part of the Quarry North development agreement.

The On-site Alternative was originally proposed as a response to the Request for Proposal (RFP) from the Town for the development of the Melone Property. This alternative proposed 333 residential units including 83 affordable units and 33 age-restricted units. This alternative would result in approximately 5,000 sf of impacts to Riverfront Area. Through several town working groups, the size of the project was scaled down to form the Preferred Alternative which consists of 274 units including 26 affordable units and 80 age-restricted units.

Land Alteration

Approximately 19.6 acres of the site consists of previously disturbed areas associated with the sand and gravel operation including the portion of the property located in Concord. The project will result in the new alteration of four acres of land and create 9.4 acres of new impervious surface (9.7 acres total). The ENF notes that the project has reduced impervious surfaces from 11.3 acres to 9.7 acres through the incorporation of pervious paving material for the townhouse driveways. If changes to

the project result in an increase in environmental impacts (e.g., land alteration, impervious area, wetlands impacts) compared to the project identified in the ENF, the Proponent must file a Notice of Project Change (NPC), particularly if such impacts include an increase in new impervious surface sufficient to trigger the mandatory EIR threshold of 10 acres. Comments from the Town of Concord recommend that the Proponent restore previously disturbed land for gravel and sand mining operations to provide residents usable open space.

The ENF indicates that the 3.7-acre property to be conveyed by the Sudbury Water District is within the existing quarry pit and has been substantially altered. The property has been historically used as a source of revenue for the Sudbury Water District (as a quarry operation) and not for water supply protection purposes. While no comments were received suggesting that Article 97 would apply to this parcel of land, any final land disposition by the Town of Sudbury and the Sudbury Water District should comply with all applicable legal requirements.

Wetlands and Wastewater

The project will result in the temporary alteration of 2,600 sf and the permanent alteration of 760 sf of Riverfront area associated with the construction of the WWTP and the realignment of the existing site access road. The Sudbury Conservation Commission will review the project for its consistency with the Wetlands Protection Act (WPA) and implementing regulations (310 CMR 9.00). The ENF indicates that the project will incorporate stormwater best management practices (BMPs) including rain gardens, infiltration basins, dry wells and subsurface detention infiltration structures.

The Project involves the construction of a WWTP and associated leaching field. Based on the volume of the proposed wastewater discharge for this project, the project will require a Groundwater Discharge Permit from MassDEP. The leaching field for the discharge is proposed to be constructed on the Sudbury portion of the project area and has been approved for a design flow of 49,755 gallons per day (gpd) for 274 building units and a total for 490 bedrooms. The proposed location of the discharge is located in a Zone II recharge area of a municipal drinking water supply well (Sudbury Well #5), therefore, relevant provisions of 314 CMR 5.00 will apply to the project.

Traffic and Transportation

As noted earlier, the project will generate 1,792 new adt and construct 528 new parking spaces. As part of the project's Land Disposition and Development Agreement which will convey the project site to the developer in exchange for the Village at Sudbury Station site, the Proponent will pay the Town \$1 million to evaluate and implement traffic mitigation measures including traffic signalization at traffic study area intersections. The ENF identified the following study area intersections within the Town where transportation improvements may be implemented:

- North Road at Mossman and Powder Mill Road
- North Road at Cummings Office Park
- Route 117 at Plainfield Road

The development agreement also requires the Proponent to prepare and implement a transportation management plan (TMP). The TMP will include a shuttle service operating between the

residential development and mass transit stations including the West Concord and Lincoln Commuter Rail Stations and to local businesses, amenities, facilities within Sudbury; onsite car sharing services; and onsite bike sharing facilities. The TMP will be subject to approval by the Sudbury Planning Board and remain in place in perpetuity, unless otherwise modified with the Planning Board's approval.

Comments from the Town of Concord recommend improving and/or adding pedestrian accommodations along Route 117 to provide safe access to the Bruce Freeman Rail Trail and Nine Acre Corner in Concord which are less than a mile from the project site. Comments from the Town also note that intersections in Concord (Route 117 at Sudbury Road) and Lincoln (Route 117 at Route 126) should be considered when implementing traffic signal synchronization.

Greenhouse Gas Emissions (GHG)

While this project does not exceed the thresholds for application of MEPA's GHG Policy and Protocol, it does represent a new residential development that will add to GHG emissions from the building sector. I strongly encourage the Proponent to voluntarily undertake measures to minimize the GHG emissions of the project by incorporating energy conservation measures into the project design. Energy efficiency measures may also reduce the heating and cooling costs for the future residents of the homes. Measures that may be suitable for the project include:

- Roof and wall insulation with high R-values and energy efficient windows;
- Increased furnace efficiency or use of high-efficiency condensing boilers;
- Efficient water heater (heat pump, combination with condensing boiler, and on-demand);
- Use of energy efficient appliances (i.e., Energy Star);
- Installation of low-flow plumbing fixtures;
- Use of LED lighting;
- Air-source or ground-source heat pumps for heating and cooling;
- Rooftop solar photovoltaic (PV) systems;
- Compliance with all relevant provisions of the Massachusetts Building Code, I note that Sudbury was designated as a Green Community in 2010 and has therefore adopted the Stretch Energy Code.

I also encourage the Proponent to consult with local utilities about rebates or consider other incentives for implementing energy efficiency measures. For more information, I recommend that the Proponent consult the Executive Office of Energy and Environmental Affairs website: <http://www.mass.gov/eea/energy-utilities-clean-tech/energy-efficiency/ee-for-your-home>.

Construction Period

All construction should be managed in accordance with applicable MassDEP Solid Waste and Air Pollution Control regulations pursuant to M.G.L. c.40, §54 and 310 CMR 7.00. The Proponent should review the MassDEP comment letter for guidance on construction period waste management and demolition BMPs. I encourage the Proponent to require contractors to install emission control devices on all off-road construction vehicles in an effort to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road

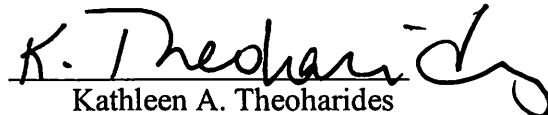
vehicles are required to use ultra-low sulfur diesel fuel (ULSD). All construction activities should be undertaken in compliance with the conditions of all State and local permits.

Conclusion

The ENF has adequately described and analyzed the project and its alternatives, and assessed its potential environmental impacts and mitigation measures. Based on review of the ENF and comments received on it, and in consultation with MassDEP, I have determined that an EIR is not required.

January 10, 2010

Date


Kathleen A. Theoharides

Comments received:

11/22/2019	Representative Carmine Gentile
12/13/2019	Senator Michael Barrett
12/11/2019	Town of Concord Office of the Town Manager
12/17/2019	Sudbury Water District
12/24/2019	Town of Sudbury Planning Board
12/31/2019	Massachusetts Department of Environmental Protection (MassDEP) Northeast Regional Office (NERO)

KAT/EFF/eff



The Commonwealth of Massachusetts

House of Representatives

State House, Boston 02133-1054

CARMINE L. GENTILE
STATE REPRESENTATIVE

13TH MIDDLESEX DISTRICT

SUDBURY • MARLBOROUGH

WAYLAND • FRAMINGHAM

Committees:

Children, Families and
Persons with Disabilities

Environment, Natural Resources
and Agriculture

State Administration
and Regulatory Oversight

Elder Affairs

November 22, 2019

STATE HOUSE, ROOM 167

TEL. (617) 722-2810

Carmine.Gentile@MAhouse.gov

Kathleen A. Theoharides
Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
Mr. Alex Strysky
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Quarry North Road LLC

RECEIVED

NOV 27 2019

MEPA

Dear Secretary Theoharides:

I am writing to offer my support for the proposed Quarry North Road development in Sudbury, MA, which will serve as an exemplar of how a project proponent and a municipality can work together to achieve this Administration's goal to produce affordable housing in the Commonwealth.

This proposal is the result of a comprehensive effort between the proponent and the Town to develop an affordable housing proposal that will meet the needs of the Town for many years to come. It will result in the permanent preservation of some 39 acres of land adjacent to Sudbury's Historic Town Center, will allow the Town of Sudbury to meet its affordable housing obligations under c. 40B for many years to come, and will result in significant traffic mitigation along the Route 117 corridor that would otherwise not be implemented.

The proposal under consideration will allow the Town to avoid the construction of a development adjacent to the Town Center that was opposed by the Town, and instead will allow the construction of a development that received overwhelming Town Meeting approval, and includes a c. 40R Smart Growth Zoning District that has been approved by DHCD and Town Meeting. The choice between these two alternatives is a clear choice that favors the present proposal.

The proposed development also involves the transfer of some 3.7 acres of what has been used as a gravel pit and a cell-tower site from the Sudbury Water District to the proponent. I understand that EEA staff have raised Article 97 issues in connection with this transfer. The land in question has been used for decades as a gravel-mining pit, and is neither in its natural state, nor being used for Article 97 purposes. It is my understanding that the parcel was taken by the Sudbury Water District for general water supply purposes and never devoted to Article 97 purposes. I also understand that counsel for the Sudbury Water District, the Town of Sudbury, and the proponent all concur that the transfer is not subject to Article 97.

The proposal contemplates that the Sudbury Water District will receive fair appraised value for the land, will receive an additional \$300,000.00 in funds for the development of its water system from the proponent, and will receive some 8.2 acres of highly desirable land from the Town of Sudbury in exchange for this 3.7 acres of gravel pit land. The voters of the Water District and the Sudbury Town Meeting have approved these measures. I am persuaded that the proposed transfer is beneficial to the Sudbury Water District and that, based on the review of multiple attorneys, that Article 97 approval by the General Court is not required in this instance.

I urge you to find that this MEPA filing adequately describes the proposed development and its alternatives, which as a practical matter are a return to a prior proposal that the Town finds objectionable, and which will not confer the many benefits that will flow from the proposal under consideration.

Thank you for your consideration of my views on this matter.

Sincerely,



Carmine L. Gentile

cc: Mary Anne Bilodeau, Interim Town Manager

Vincent J. Roy, Exec. Director, Sudbury Water District

Christopher G. Kennedy, Quarry North LLC



The Commonwealth of Massachusetts
MASSACHUSETTS SENATE

SENATOR MIKE BARRETT

Third Middlesex District

STATE HOUSE, ROOM 109D
BOSTON, MA 02133-1054
TEL. (617) 722-1572
FAX. (617) 626-0898

Chairman
TELECOMMUNICATIONS, UTILITIES
AND ENERGY

Vice Chairman
GLOBAL WARMING AND
CLIMATE CHANGE

MIKE.BARRETT@MASENATE.GOV
WWW.MASENATE.GOV

December 9, 2019

Kathleen A. Theoharides
Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
Mr. Alex Strysky
100 Cambridge Street, Suite 900
Boston, MA 02114

RECEIVED
DEC 13 2019
MEPA

RE: Quarry North Road LLC

Dear Secretary Theoharides:

I'm writing to express my support for the proposed Quarry North Road development in Sudbury, MA. Located in my district, the development exemplifies how a project proponent and a municipality can work together to achieve this Administration's goal of producing affordable housing in the Commonwealth.

The proposal results from a comprehensive effort between the proponent and the town to develop a model affordable housing development. It preserves some 39 acres of land adjacent to Sudbury's historic town center, enables the town to meet its affordable housing obligations under c. 40B, and mitigates automotive traffic along the Route 117 corridor.

I should add that the proposal allows Sudbury to avoid construction of a development adjacent to the center that the town opposed strongly. Instead, it will bring about construction of a development that received overwhelming town meeting approval, one that includes a c.40R Smart Growth Zoning District approved by both DHCD and local residents.



The proposed development requires the transfer of some 3.7 acres of what had been used as a gravel pit, as well as a cell-tower site. EEA staff may have some Article 97 questions in connection with the property. It's my understanding that the land in question has been used for decades for gravel mining. It is not in its natural state and is not being used for Article 97 purposes. It's also my understanding that the parcel was taken some time back by the Sudbury Water District for general water supply purposes. Fortunately, counsel for the Sudbury Water District, the Town of Sudbury, and the developer all concur that the transfer is not subject to Article 97.

The proposal contemplates that the Water District will receive fair appraised value for the land plus an additional \$300,000 from the proponent, and will receive 8.2 acres of highly desirable land from the Town of Sudbury in exchange for this 3.7 acres of gravel pit. I understand that Water District voters and Sudbury Town Meeting have both approved this arrangement. I'm persuaded that the proposed transfer benefits the Water District and that Article 97 approval by the General Court is not required.

I urge you to let the development proceed. Thank you for your consideration.

Sincerely,



Michael J. Barrett

State Senator

3rd Middlesex District



TOWN OF CONCORD
Office of the Town Manager
Town House
P.O. Box 535
Concord, Massachusetts 01742

TEL: 978-318-3000
FAX: 978-318-3002

Stephen Crane, Town Manager

December 11, 2019

Secretary Kathleen Theoharides
Executive Office of Energy and Environmental Affairs
ATTN: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

**Re: Sudbury – Quarry North Residential Development
Environmental Notification Form**

Dear Secretary Theoharides,

Thank you for the opportunity to comment on the Environmental Notification Form for the Quarry North Residential Development Project in Sudbury MA. This letter is submitted in consideration of the potential impacts that this project may have on the Town of Concord, its citizens and its environment.

Given the scale of this Project and its location at the Sudbury-Concord town line (with a portion of the property/project site, approximately 15.5 acres, located in Concord) it is appropriate that it be given a thorough review at both the state and local level. We encourage MEPA to consider the multiple community aspects of this project in its consideration of the need for additional review under MEPA and associated state-wide planning initiatives and policies, to ensure development of a livable community for these future residents and the existing community as a whole. Should MEPA determine that the preparation of an Environmental Impact Report is appropriate for this project, we would ask that the following issues be addressed:

Public Safety/Emergency Response

- Concord Fire Department staff expressed some concern regarding public safety mitigation (fire and medical emergency response), noting that the closest fire station in Sudbury is manned by only two persons and that the next closest responders are in West Concord or Lincoln. Two recommendations are to provide sprinklers in all buildings and to provide funding to support additional staffing for the Fire Department.

Traffic/ Transportation

- Concord Police Department staff noted that the traffic signals at the intersection of Sudbury Road and Fitchburg Turnpike/ Rt. 117 should be upgraded to allow signal synchronization to improve traffic flow as well as have an 'Opticon' device installed to promote emergency response.
- There are two potential destinations for Quarry North residents that are less than a mile away, which will likely increase pedestrian and bicycling traffic along Route 117/Fitchburg Turnpike. The first is the commercial area to the east at Nine Acre Corner

Page 2 of 3

in Concord (intersection of Sudbury Road and Fitchburg Turnpike where residents could purchase food and basic necessities) and the other is the future Bruce Freeman Rail Trail to the west in Sudbury (where residents could ride a bike northward to West Concord train station or southward to Route 20 commercial services). Given the speed of traffic at certain times of the day on Route 117, consideration should be given to provide an adequate sidewalk for pedestrians and bicycle lanes for bicyclists along Route 117. This effort will require significant regrading in Sudbury and floodplain mitigation in Concord but would greatly improve safety of those using alternative modes of travel along Route 117.

- The Supplemental Information document notes that the Town of Sudbury will be provided \$1,000,000 for transportation mitigation and that the funds may be used to evaluate and implement transportation improvements at locations identified in a traffic study completed by the town consultant, then lists three specific locations. Two of the major intersections that impact both a.m. and p.m. peak traffic flows are located in the communities west of this site in Concord (Route 117 intersection with Sudbury Road) and Lincoln (Route 117 intersection with Route 126). These intersections should be noted in the mitigation information and provision should be made to upgrade the traffic signals at both locations if they hope to implement traffic signal synchronization at multiple locations on Route 117 that will positively impact traffic flow. Otherwise, this project will have significant environmental and transportation impacts on the adjacent communities of Concord and Lincoln.

Environmental/ Wastewater

- Concord Public Works Engineering staff noted that there was insufficient information available regarding the stormwater management/drainage design to review potential impacts to surface water and groundwater that may negatively affect Concord. Low Impact Development methods should be incorporated into the final design.
- With regard for the overall development plan, Concord's Water & Sewer Division and Health Division staff note that the developer has worked with Town of Concord staff to design the on-site disposal system so that the proposed location for the leach field is outside of Concord's Zone II for the White Pond well-site. It is also noted that the system will be permitted by the State's Department of Environmental Protection.

Passive Recreation/ Open Space

- The Supplemental Information provides information regarding an alternatives analysis. Figure 8 in that document shows 272 units, in four large buildings and a multitude of townhouses which greatly increases the amount of impervious surface and eliminates any common open space for use and enjoyment of the residential community being created when compared to Figure 11. The lack of any significant open space provided for the residents of the Quarry North development has the potential to increase demands on nearby protected water supply land, conservation land, agricultural land and other privately-owned and town-owned open space in Concord.

While the Town of Sudbury, after operating a gravel removal operation on the land in Concord, has limited the amount of development on that land (15.5 acres) as part of the

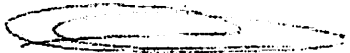
Page 3 of 3

transfer of the land from the Town to the developer, and the developer has stated that no "development" will occur on land located in Concord due to access issues. The Town of Sudbury and the developer should, at a minimum, work together to improve the land impacted by the Town of Sudbury's gravel removal operations to make it suitable open space and recreational space for the future residents of Quarry North. Suitable recreational and open space features could include walking trails, open areas for play or informal playing fields, community garden space, dog park, etc. Providing such amenities may reduce vehicle trips to visit other sites with these amenities as well as provide health benefits for the residents of Quarry North.

The Town of Concord is not opposed to this development and fully supports the creation of affordable housing in the region; however, this must be balanced with legitimate concerns for public safety and impacts to surrounding properties and communities.

We thank you for the opportunity to comment on the Environmental Notification Form for the Sudbury - Quarry North Residential Development, and for your consideration of the above comments.

Sincerely,



Stephen Crane
Town Manager

Cc: Michael Paiewonsky, AICP/ Stantec Consulting Services
226 Causeway Street, Boston, MA 02114
Chris Claussen, Quarry North Road LLC
379 Concord Road, Sudbury, MA 01776



SUDBURY WATER DISTRICT

199 Raymond Road • P.O. Box 111 • Sudbury • Massachusetts 01776
ph 978-443-6602 • fax 978-443-9587 • sudburywater.com

December 17, 2019

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
Ms. Erin Flaherty, EEA No. 16133
100 Cambridge Street, Suite 900
Boston, MA 02114

RECEIVED

DEC 19 2019

MEPA

RE: Quarry North Project – Sudbury, MA

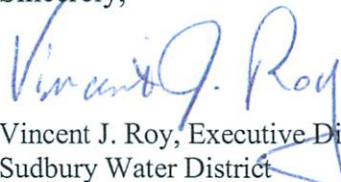
Dear Ms. Flaherty:

The Sudbury Water District (District) has received and reviewed a copy of the Quarry North Road Residential Development Environmental Notification Form. This letter is to convey our full support of this project for the following reasons.

- The Sudbury Water District receives 8.86 acres which is adjacent to the active District well #6.
- The Sudbury Water District will receive unencumbered mitigation money to help with system infrastructure improvements.
- The Sudbury Water District infrastructure has the capacity, as is, to serve the Quarry North Road residential development.
- Water District revenue will increase from the new housing which will provide additional funding for system improvements.
- The site has been previously impacted as it was mined as a gravel pit for an extended period and is barren.
- The Town of Sudbury overwhelmingly supports the development of the former gravel pit.
- The Town of Sudbury gains forty acres adjacent to town owned conservation land.
- The Town of Sudbury receives mitigation money to improve traffic on Route 117.

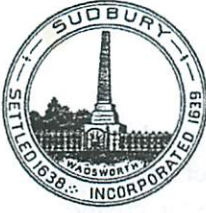
Please feel free to call me if you have any questions at (978) 443-6602.

Sincerely,


Vincent J. Roy, Executive Director
Sudbury Water District

cc: Board of Water Commissioners
Board of Selectmen
Planning Board
Conservation Commission

Senator Michael Barrett
Senator James Eldridge
Representative Carmine Gentile



Town of Sudbury

Planning Board

PlanningBoard@sudbury.ma.us

Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776
978-639-3387
Fax: 978-639-3314

www.sudbury.ma.us/planning

December 24, 2019

RECEIVED

JAN 02 2019

MEPA

Kathleen A. Theoharides
Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office -- EEA# 16133

Ms. Erin Flaherty
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Quarry North Road Residential Development, Sudbury and Concord, MA -- EEA# 16133 --
Environmental Notification Form Comments

Dear Secretary Theoharides,

I am writing to you on behalf of the Town of Sudbury Planning Board to provide comments regarding the Environmental Notification Form (ENF) for the Quarry North Road Residential Development in Sudbury and Concord. After review and discussion of the items within the ENF, the Planning Board would like to offer its support for this proposed project. In particular, the Planning Board feels this project is a good example of how a developer and municipality can work together to produce affordable housing in Massachusetts while protecting other vital interests of the Town and state.

The proposal will result in the preservation of approximately 39 acres of land adjacent to Sudbury's historic Town Center, assist the Town of Sudbury to meet its affordable housing obligations under MGL Chapter 40B for at least the next decade, and will provide traffic mitigation along the Route 117/North Road corridor. At a minimum, the development will include the following traffic mitigation measures, all of which will serve residents and guests of the development, and other Sudbury residents:

- a. Frequent, complimentary, ADA-accessible shuttle service operating between the development and mass transit stations, including without limitation, the West Concord and Lincoln Commuter Rail Stations, and will include transportation within Sudbury to local businesses, amenities, facilities, and attractions;
- b. On-site facilities for car sharing services;
- c. On-site facilities for bike sharing services;
- d. Signal optimization along Route 117/North Road;
- e. Construction of turning lane in each direction of traffic flow at the entrance to the development, and;
- f. Payment to the Town of Sudbury to conduct traffic studies regarding the impact of the development on vehicular traffic.

The proposed development and land disposition agreement which are in place call for a land swap between the developer and the Town which avoids the construction of a project adjacent to the community's Town Center (which the Town opposed), and will instead advance the creation of a development which received overwhelming support at Town Meeting and includes a MGL Chapter 40R Smart Growth Zoning District (as the Town was already over its 10% safe harbor threshold).

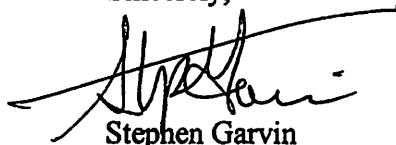
Further, the proposed development involves the transfer of approximately 3.7 acres of what has been used as a gravel pit and cellular tower site from the Sudbury Water District to the developer. The land in question has been used for decades as a gravel-mining pit, and is neither in its natural state nor being used for Article 97 purposes. As affirmed in the letter from MassDEP dated August 30, 2019 and included as Attachment D as part of the ENF, the parcel was taken by the Sudbury Water District for public water supply purposes and never devoted to Article 97 purposes. Counsel for the Sudbury Water District, the Town of Sudbury, and the developer all concur the transfer is not subject to Article 97.

The proposal contemplates the Sudbury Water District will receive fair appraised value for the land, will receive an additional \$300,000 in funds for the development of its water system from the developer, and will receive approximately 8.2 acres of highly desirable land from the Town of Sudbury in exchange for the 3.7 acre piece of land. The voters of the Water District and Sudbury Town Meeting have approved these measures. The proposed land transfer is beneficial to the Sudbury Water District and, based on review by multiple attorneys and MassDEP's letter referenced above, Article 97 approval by the General Court is not required in this instance.

I urge you to help support this project as it moves through the MEPA review process and onward through its various other forms of permitting. At the local level, the Planning Board will be reviewing the proposed development to ensure it complies with the newly enacted local regulations for this overlay district as established by the collaborative design process for the project.

Thank you for your time and consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Garvin", with a long horizontal line extending from the end of the signature.

Stephen Garvin
Chair, Sudbury Planning Board

cc: Sudbury Board of Selectmen



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Kathleen A. Theoharides
Secretary

Martin Suuberg
Commissioner

December 31, 2019

Kathleen A. Theoharides, Secretary
Executive Office of
Energy & Environmental Affairs
100 Cambridge Street
Boston MA, 02114

RE: Sudbury
Quarry North Road Residential Development
North Road (Route 117)
EEA # 16133

Attn: MEPA Unit

Dear Secretary Theoharides:

The Massachusetts Department of Environmental Protection Northeast Regional Office (MassDEP-NERO) has reviewed the Environmental Notification Form (ENF) submitted by Stantec on behalf of Quarry North Road, LLC for the proposed development of 274 residential housing units on a 26-acre site located in Sudbury. MassDEP provides the following comments.

Wastewater

Based on the volume of the proposed wastewater discharge for this project, the project proponent will be required to secure a MassDEP Groundwater Discharge Permit. The proponent has met with MassDEP in this regard and initiated the permitting process. On October 1, 2019, MassDEP approved the Hydrogeological Evaluation Report submitted on behalf of the proponent by GeoHydroCycle, Inc. This action authorizes the project proponent to formally file for a MassDEP Groundwater Discharge Permit. The Soil Absorption System (SAS) for the discharge is proposed to be constructed on the Sudbury portion of the project area and has been approved for a design flow of 49,755 gallons per day (gpd) for 274 building units and a total for 490 bedrooms. The proposed location of the discharge is a Zone II recharge area of an active municipal drinking water supply well (Sudbury Well #5), and accordingly relevant provisions of 314 CMR 5.00 will apply to a MassDEP Groundwater Discharge Permit for the proposed project. The proponent should continue to work with MassDEP to ensure all regulatory requirements are met for modification of the existing groundwater discharge permit.

Recycling and Solid Waste Management

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

The project includes demolition and significant construction, which will generate construction and demolition (C&D) waste. The management of C&D waste is subject to the regulatory requirements of 310 CMR 16.00 – the Massachusetts Site Assignment Regulations, and 310 CMR 19.000 – the Massachusetts Solid Waste Regulations. These regulations include, but are not limited to, the following sections applicable to the management and reuse of construction and demolition waste:

- 310 CMR 16.03(2)(b)5: Asphalt Pavement, Brick and Concrete Recycling (ABC) Operations – Includes notification requirements for on-site crushing of ABC rubble.
- 310 CMR 19.017: Waste Bans – Includes prohibitions on the disposal of certain materials including, but not limited to, such construction wastes as clean gypsum wallboard, wood, metal and ABC rubble.
- 310 CMR 19.060: Beneficial Use of Solid Waste – Includes provisions for the beneficial reuse of solid waste including processed rubble as construction materials (aggregate, structural fill, etc.).

MassDEP's current Massachusetts 2010-2020 Solid Waste Master Plan –Pathway to Zero Waste, issued in April 2013 identifies a key goal to reduce solid waste disposal by 30% by 2020, from 6,550,000 tons of disposal in 2008 to 4,550,000 tons of disposal by 2020. MassDEP encourages the Proponent to review the plan to identify project management and operations practices that will assist the Commonwealth in meeting its material management goals. More information on the Solid Waste Master Plan and yearly update reports can be found at: <https://www.mass.gov/guides/solid-waste-master-plan>.

Providing sufficient space for the segregation and temporary storage of waste and recyclable materials generated by the proposed project will aid recycling/reuse of materials. The proponent may wish to request that contractors at the site develop a construction and demolition materials management plan.

C&D Recycling

Many construction and demolition materials are currently banned from disposal or transfer for disposal in Massachusetts (<https://www.mass.gov/guides/massdep-waste-disposal-bans>). Therefore, MassDEP encourages the Proponent to make a significant commitment to construction and demolition (C&D) waste recycling activities as a sustainable measure for the project and to assist in complying with waste ban requirements. MassDEP considers an asphalt, brick, and concrete (ABC) rubble processing or recycling facility (pursuant to the provisions of Section (2)(b) under 310 CMR 16.03), the Site Assignment regulations for solid waste management facilities), to be exempt from the site assignment requirements, if the ABC rubble at such facilities is separated from other solid waste materials at the point of generation. In accordance with 310 CMR 7 16.03(2)(b), ABC can be crushed on-site with a 30-day notification to MassDEP. However, the asphalt is limited to weathered bituminous concrete, (no roofing asphalt), and the brick and concrete must be uncoated or not impregnated with materials such as roofing epoxy. If the brick and concrete are not clean, the material is defined as C&D waste and requires either a Beneficial Use Determination (BUD) or a Site Assignment and permit before it can be crushed. Pursuant to the requirements of 310 CMR 7.02 of the Air Pollution Control regulations, if the ABC crushing activities are projected to result in the emission of one ton or more of particulate matter or other pollutant to the ambient air per year,

and/or if the crushing equipment employs a diesel oil fired engine with an energy input capacity of three million or more British thermal units per hour for either mechanical or electrical power which will remain on-site for twelve or more months, then a plan application must be submitted to MassDEP for written approval prior to installation and operation of the crushing equipment.

Waste Ban Requirements – 310 CMR 19.017

Section 310 CMR 19.017 Waste Bans of the Massachusetts Solid Waste regulations prohibit the disposal of certain construction-related wastes in Massachusetts, including, but not limited to, metal, wood, asphalt pavement, brick, concrete, and clean gypsum wallboard. Further guidance can be found at: <https://www.mass.gov/guides/massdep-waste-disposal-bans>. MassDEP regulations also ban disposal of food and other organic wastes from businesses and institutions that dispose of more than one ton of these materials per week. The ban is one of MassDEP's initiatives for diverting at least 35% of all food waste from disposal statewide by 2020. Diverted food waste may be composted, converted to energy (through anaerobic digestion), recycled, or reused. Additional information on the Commercial Food Material Disposal Ban can be found at: <https://www.mass.gov/guides/commercial-food-material-disposal-ban>.

Recycling Infrastructure

MassDEP supports voluntary initiatives to institutionalize source reduction and recycling into operations. Adapting the design, infrastructure, and contractual requirements necessary to incorporate reduction, recycling and recycled products into existing large-scale developments has presented significant challenges to recycling proponents. Integrating those components into developments during the planning and design stage enables the project's management and occupants to establish and maintain effective waste diversion programs.

The MassDEP appreciates the opportunity to comment on this proposed project. Please contact Kevin.Brande@mass.gov at (978) 694-3236 for further information on the wastewater related issues. If you have any general questions regarding these comments, please contact me at John.D.Viola@state.ma.us or at (978) 694-3304.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

John D. Viola
Deputy Regional Director

cc: Bruna Simon, Massachusetts Historical Commission
Eric Worrall, Kevin Brander, MassDEP-NERO