

## Golden, Patricia

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**From:** Rodrigues, Melissa  
**Sent:** Thursday, August 9, 2018 9:59 AM  
**To:** Golden, Patricia; Frank, Leila  
**Subject:** FW: Melone RFP Responses

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**From:** Gerry, Cynthia  
**Sent:** Thursday, August 9, 2018 8:55 AM  
**To:** Rodrigues, Melissa <RodriguesM@sudbury.ma.us>  
**Subject:** Melone RFP Responses

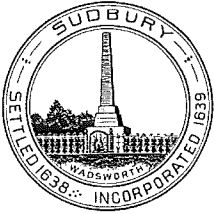
*Good Morning Melissa-*

*The Assessors have not taken a position on the on the Melone RFP responses.*

*Also, please note: To avoid the appearance of any impropriety, Assessor Joshua Fox has recused himself from anything before the Board of Assessors associated with the Melone land. Assessor Fox currently serves on the Board of Sudbury Water District Commissioners.*

*Thank you,  
Cynthia*

Cynthia Gerry  
Director of Assessing  
Town of Sudbury  
978-639-3395  
[gerry@c@sudbury.ma.us](mailto:gerry@c@sudbury.ma.us)



# Town of Sudbury

## Board of Health

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DPW Office Building  
275 Old Lancaster Road  
Sudbury, MA 01776  
978 440-5479

8/8/2018

To: Board of Selectmen

From: Bill Murphy, Health Director *BM*

Re: Melone Proposals

The three proposals have been reviewed by two Board of Health members. The Board will not be meeting until September to deliberate or discuss. Both members directed similar comments and/or concerns to me as follows:

### *Quarry North*

This proposal is favored for the environmental benefits of relocating a major development project to a more suitable location, specifically;

1. Preserving large undisturbed natural landscapes;
2. Preserving wildlife habitats;
3. Potentially connecting tracts of land for additional trail and recreational use;
4. Preventing significant traffic issues.

Additionally, I have discussed the proposals with Vin Roy, Sudbury Water District and Deb Dineen, Conservation Commission. Quarry North would be required to obtain a Groundwater Discharge permit from DEP and meet strict wastewater treatment standards for large design flows. The Board of Health would support the Water District's efforts to further reduce nitrogen in Zone II, similar to MeadowWalk. The Board of Health would also support the Conservation Commission's efforts to protect all environmentally sensitive resource areas.

### *EDF Renewables*

The Board of Health supports increasing renewable energy sources and feels this proposal offers the least public health and environmental impact of the three. For these reasons, EDF should be considered as a second option.

### *Cavicchio's*

The Board of Health encourages local agriculture and would support efforts to increase production areas for Cavicchio's but feel this location may not be the most suitable. Long-term and routine herbicide, pesticide, and fertilizer applications are concerning in Zone II of the public well.

From: Jamie Gossels [mailto:jamie@systemexperts.com]  
Sent: Thursday, August 2, 2018 7:27 AM  
To: Selectmen's Office <selectmensoffice@sudbury.ma.us>  
Subject: Melone feedback from CIAC

To the Board of Selectmen-

Unfortunately, the CIAC has to recuse itself from offering an opinion on the Melone RFP as it currently doesn't have a quorum of members who don't have a conflict of interest with respect to this matter. But thank you for providing our committee with the opportunity to weigh in on this important matter.

-Jamie Gossels  
Chair  
Capital Improvement Advisory Committee

August 9, 2018

To: Sudbury Board of Selectmen

Re: Melone Property bids

As Selectmen consider the merits of the three bids received for the town-owned Melone property, I offer the following as an individual Conservation Commission member (a majority of Conservation Commission members were not yet ready to form a consensus opinion at the August 6, 2018 meeting; no vote was taken).

1. In the simplest terms, from a conservation perspective, the opportunity to exchange the Melone property for the Sudbury Station property offers the potential for significant environmental benefits to the Town. The Sudbury Station property (AKA McCarthy property) was identified as a priority parcel on the 2009-2013 Open Space and Recreation Plan as a target for preservation, while the Melone property was identified as a prime location for housing development, per the 2011 Feasibility Study by GPR. The Sudbury Station property is described in the Open Space Plan as:

*Forested, landlocked parcel adjacent to undeveloped Town lands (Parkinson, Howe, New Town Cemetery) and the proposed Bruce Freeman Rail Trail. Adjacent to actively managed crop land under Agricultural Preservation Restriction, and wooded area containing Mineway Brook with limited trails. Presents an opportunity for further development of an active/passive recreational complex and expansion of Town cemetery.*

The abutting town, agricultural, recreational, and cemetery properties could be expanded; and the value of these existing properties increased by consolidating them into a "complex", rather than fragmenting them.

At the same time as the above description was written about the Sudbury Station property, the Melone property was an active gravel pit. Today, it is abandoned and offers little to no ecological value.

2. Earlier maps of the Sudbury Station area from the state's National Heritage Endangered Species Program (though not the latest maps) included rare species habitat on the Sudbury Station property (per page 113/139 in the Sudbury Station application), indicating the high ecological value of the land.
3. Wetland and undeveloped forested areas provide numerous non-monetary "natural services" that are rarely awarded a dollar value, so the full value of the Sudbury Station property to the Town may not be fully captured. Conversely, the loss of these services, if the property were to be developed, may not be fully accounted for. Per the state Wetland Protection Act, these natural services include:
  - Drinking water supply protection
  - Groundwater supply preservation
  - Flood control
  - Storm damage prevention
  - Pollution prevention
  - Wildlife habitat protection

As the selectmen consider the three bids for the Melone property, I hope you will consider the long-term environmental and use value that could be gained by exchanging the Melone property for the Sudbury Station property as a factor.

Regards,

Charlie Russo, Conservation Commission member  
Juniper Road

## Golden, Patricia

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**From:** Rodrigues, Melissa  
**Sent:** Thursday, August 9, 2018 2:55 PM  
**To:** Golden, Patricia; Frank, Leila  
**Subject:** FW: Malone Property Proposals/Bids

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**From:** dave henkels <datlee6@msn.com>  
**Sent:** Thursday, August 9, 2018 2:54 PM  
**To:** Board of Selectmen <BoardofSelectmen@sudbury.ma.us>  
**Subject:** Malone Property Proposals/Bids

Hello,

I have reviewed the three proposals provided to the town for initial review.

Though all have elements that will benefit the community at large, I believe the proposal provided by Quarry North LLC

commands the greatest combination of long term financial and intrinsic, conservation values to Sudbury. Many variables are addressed, including financial, groundwater integrity and infrastructure. The record shows that multiple considerations, have been for years, discussed regarding the Malone property. I will limit my comments to the environmental and ecological scope of these properties, and in particular, the proposed land swap.

Malone Property

1. At one time this was an active gravel/sand pit. It has been inactive and in effect abandoned for many years.
2. From an environmental and ecological point of view, it sustains minimal value. However, to the north (less than an 1/16th of mile), in Concord, a decades long rookery has been established. It has been home to Great Blue Herons and many other species of wildlife.
3. The property itself has been a haven for Cliff Swallows for years. A conservative estimate is dozens of nests built into the mounds of sand and dirt.

These are few very brief comments of Malone.

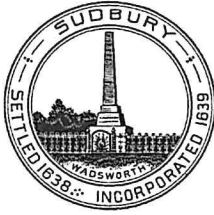
The Quarry North LLC proposal/inclusive of Sudbury Station

1. 14 Million with a land swap for what is known as "Sudbury Station".
2. The project will be collaborative, or as advertised, an LIP project.
3. At one time, the station had several NHESP designations that have since been removed.
4. This (station) space is part of a significant wildlife and ecologically vibrant corridor that travels Northwest to Wake Robin Conservation land and may include Broad Acres (future). And Southeast beyond town center. It is defined, in part, by the National Wetland Inventory as fresh water/forested wetland.
5. Perhaps part of this property can have a conservation restriction, while providing recreation benefits. Restrictions effectively stop any future development considerations.

I am a member of the Conservation Commission. We had a hearing on Monday evening and the Malone bids were not voted on.

I would suggest, as indeed you likely have, examine the WPA regulations, particularly 10.01 (2), the purpose of the act. The Sudbury Bylaw provides additional values, functions, and interests that are clearly defined.

Regards,  
Dave Henkels  
17 Twin Pond Lane  
Conservation Commission/Member



# Town of Sudbury

## Historic Districts Commission

Flynn Building  
278 Old Sudbury Rd  
Sudbury, MA 01776  
978-639-3399  
Fax: 978-443-0756

<http://www.sudbury.ma.us>

July 23, 2018

Sudbury Board of Selectmen  
Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776

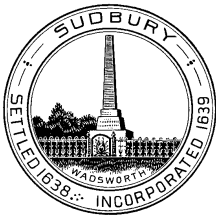
Re: Melone Property – Quarry Proposal

Dear Members,

At our meeting on July 19<sup>th</sup>, the Historic Districts Commission voted unanimously to endorse the proposal of Quarry North for the purchase and development of the Melone property on North Road. Acceptance of this or a similar proposal would result in the end of the lawsuit over the Sudbury Station development, which is proposed by the same developer, and give the land to the Town of Sudbury as partial compensation for acquisition. The HDC believes this is in the best interest of the town center Historic District and the Town of Sudbury.

Sincerely,

Fred Taylor  
Historic Districts Commission, Chair



# Town of Sudbury

*Land Acquisition Review Committee*

Flynn Building  
278 Old Sudbury Rd  
Sudbury, MA 01776  
978-639-3387  
Fax: 978-443-0756

<http://www.sudbury.ma.us>

August 14, 2018

Board of Selectmen  
Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776

RE: Melone Property Proposal Comments

Dear Selectmen,

The Land Acquisition Review Committee (the "LARC" or the "Committee") met this morning to discuss the proposals under consideration by the Board of Selectmen (the "Board") in response to the Request for Proposals issued by the Board for the development of the town-owned Melone Property on North Road.

The Land Acquisition Review Committee is generally involved in evaluating the Town's proposals and opportunities for acquisition of land, not the disposition of land. The discussion therefore focused on the potential land swap proposed by Quarry North, LLC. Based on the assumption that a 350 or more unit-housing complex will be constructed at one of the two locations, the Committee focused its discussion on evaluating the two location options: the town center/Sudbury Station proposal or the Melone property /Quarry North, LLC proposal.

The Committee voted unanimously to support the housing development be located at the Melone property after evaluating the two locations under the guidelines intended for LARC's consideration. The mission statement indicates the following needs of the Town be considered in evaluating property:

- to preserve the character of Sudbury so defined by the Master Plan
- to provide alternative housing so defined by the Housing Plan
- to preserve and protect open space for conservation and recreation purposes, utilizing the Open Space and Recreation Plan
- to provide for community activities
- to preserve for future town/school use
- to enhance municipal revenue, including commercial potential of properties
- to protect natural resources, including water resources

The Committee felt that the Melone property location was more advantageous for the Town than the town center location on each of the above criteria. Protection of the resources in the Town's historic center and the open space continuity are the paramount concerns of the Committee.



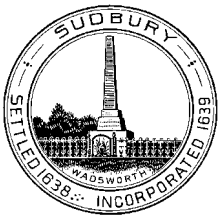
The Committee recognized there is still much uncertainty in the details of the Quarry North, LLP project, but hopes the LIP process will allow the town's interests to be strongly considered. During the design of the project, the Town will need to carefully plan to ensure protection of water and natural resources and negotiate mitigation to compensate for impacts to town services.

The Committee stressed that low impact use of the town center location is ideal. There is significant continuity between the property and existing conservation lands, including potentially connecting to the Broadacres Farm property should the Town acquire it, via the Wake Robin Wood property. Expansion of the cemetery, recreational, or other uses consistent with the protection of the historic character and conservation of open space would be more feasible than development of the area.

Thank you for the opportunity to comment.

Sincerely,

LARC Members



# Town of Sudbury

*Sudbury Housing Trust*

Flynn Building  
278 Old Sudbury Rd  
Sudbury, MA 01776  
978-639-3387

<http://www.sudbury.ma.us>  
[Housing@sudbury.ma.us](mailto:Housing@sudbury.ma.us)

August 6, 2018

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

Dear Honorable Selectmen,

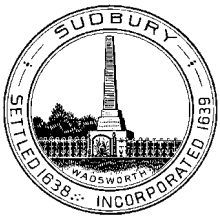
The Sudbury Housing Trust respectfully submits their comments regarding the proposals submitted for the disposition of real property, the Melone property. The SHT offers qualified support for the Quarry North proposal, though The Trust wonders whether exchanging Melone for Sudbury Station is the best and highest value for this significant town asset.

As one of the Town's significant assets, the Melone property has been studied and reviewed for many years. The Board of Selectmen first established an ad-hoc committee in 2002, which led to an appropriation of CPA funds for a feasibility study in 2006 which completed in 2011, followed by a land use valuation. In the fall of 2017, a charrette was conducted to engage the community in their thoughts and later a report was written summarizing the process and findings of the Charrette. This past spring, a very open-ended Request for Proposals was issued by the Board of Selectmen and three individual and differing proposals were received.

In every discussion on the property, the question of commercial use and other non-CPA uses (school, police) was brought up, delaying consensus of any final strategy decision. Additionally, assumptions about non-Town owned abutting property have contributed to delays, as well as environmental concerns and testing.

Throughout all these reports and discussion, the Melone property has consistently been considered as a place well suited for mixed-income and affordable family housing. The need for affordable housing continues in Sudbury. While the state SHI records Sudbury at 11.21%, the true percentage of affordable housing in Sudbury is 7.46%, when removing the market rate units at Avalon that are allowed to count on the state's inventory.

The need to support affordable family housing is more than just considering those built with 40B guidelines, which meet the needs of moderate income residents. Lower income households could have some needs met by the Melone property development. It has long been discussed as an option for lower income households. For example, there are many waiting for housing on the Housing Authority list, where the waiting list is many years, who cannot afford the rents in the recent 40B developments. The development of Melone is a way to address those unmet needs.



# Town of Sudbury

*Sudbury Housing Trust*

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[Housing@sudbury.ma.us](mailto:Housing@sudbury.ma.us)

The Sudbury Housing Trust recognizes that the Board is obligated to accept a proposal or otherwise reject all. With that in mind, the Trust offers qualified support for the Quarry North proposal. Clearly this proposal has the ability to address and deliver some affordable housing, while solving a difficult issue for the Town.

Should the Town accept the Quarry proposal, and go forward in negotiations, the Trust requests that the Trust be kept informed, and that the development agreement include additional mitigation funds earmarked for increased affordability for a substantial number of family rental units.

Mitigation funds could be used by the SHA to develop additional family homes elsewhere in town, continuing the successful scattered site rental approach taken by the SHA or to set aside a portion of the Melone units to meet these needs, whatever is deemed by the SHA to be the most effective strategy. The SHT fully supports increased rental housing to be managed by the SHA.

In addition, at the Melone location, the SHT wants to work with the developer to provide some lower rents which would put more modest income tenants in the 40B units. We estimate that subsidizing five (5) 80% AMI 2BR units to 50% AMI rents would cost about ~\$75,000 for two years, using current parameters.

Additionally, the Town might consider earmarking additional funds for use by the social worker to help address the demand for services due to the increase in the number of low income households in Sudbury, between Avalon and Quarry North.

These 3 additions would greatly improve the Quarry North proposal.

Thank you for the opportunity to provide comments to the Board of Selectmen on the RFP received.

Sincerely,

Lydia Pastuszek



# Town of Sudbury

## Planning Board

planningboard@sudbury.ma.us

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278 Old Sudbury Rd  
Sudbury, MA 01776  
978-639-3387  
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<https://sudbury.ma.us/planning>

August 9, 2018

Board of Selectmen  
Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776

Dear Honorable Board Members,

The Sudbury Planning Board respectfully submits their comments regarding the proposals submitted for the disposition the Melone Property.

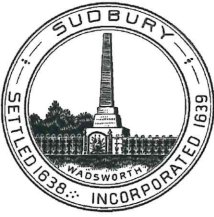
In order to make a thoughtful and well-informed recommendation to the Board of Selectmen, key criteria from a planning perspective were considered, starting with the existing 2001 Master Plan to the Open Space Plan, to “lessons learned” during the Overlay process for the Meadow Walk to future long-term master planning (see page 3). Spirited discussion of these criteria led the Planning Board to a unanimous decision that the Quarry North proposal serves as the highest and best use of the opportunity.

Sudbury has a long history of well-established planning and land-use values. When applied to the consideration of the three well-crafted proposals for the disposition of the Melone property, well-established planning criteria was applied to town-wide consideration of quality of life, impacts to open space and recreation lands, and preservation of the Town’s historic character. The Quarry North Road, LLC (Quarry North) proposal for Melone best meets such planning interests and goals.

Additionally, Quarry North preserves our core historic landscape and vistas, which are paramount to the town’s identity and forges a continuum with our founders. This is an invaluable opportunity to protect almost 150 contiguous acres through a comprehensive planning process against irreversible change, and allows the Town to create a specific plan for its future that is consistent with Sudbury’s goals and principles.

Quarry North creates a level of affordable housing units that may exceed our “Safe Harbor” threshold for decades. This not only satisfies a current need, but allows the Town to thoughtfully explore future needs for our residents through the master planning process. We also hope that recreational opportunities on both parcels – through connections to trails or use of the land in Concord are seized if this proposal is selected.

Potential negative components of the Quarry North plan were also considered and weighted. Traffic generation, impact on schools and water supply (although positive opportunities with the Water District for Northern Sudbury were brought to light at our



# Town of Sudbury

## Planning Board

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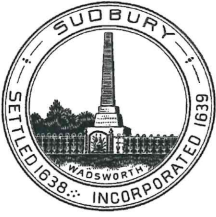
hearing last night).may be mitigated with evolving site plan review. These aspects will be studied and discussed through the Local Initiative Process (LIP) Planning process that will allow the Town and the Developer to work together as a team to meet the community's needs though mitigation funds and other opportunities should the Board of Selectmen identify the Quarry North proposal as the preferred proposal.

Though the Planning Board feels the Quarry North proposal meets the highest and best use of the land when considering the inclusion of the land swap that will allow the Town to preserve the property in the Town Center and decide what is the best use for that land, we also recognize the efforts and appropriateness of the other submittals.

As this decision affects long-term master planning, we would like to thank you for the opportunity to provide comments to the Board of Selectmen. If the Planning Board can be utilized in any other way to assist in the consideration of the proposals, please do not hesitate to reach out.

Respectfully,

Stephen R. Garvin  
Chair



# Town of Sudbury

## Planning Board

planningboard@sudbury.ma.us

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Town and Planning Interests, Goals, and Principles used for the selection and recommendation of the best use proposal:

- Financial impact to the Town, including tax base, town infrastructure, municipal resources, and schools
- Contribution to economic development within the community
- Increases amount of affordable housing (40B)
- Enhances Sudbury's traditional, historical character
- Promotes sustainable and resilient land use
- Preserves open space, protects and restores habitats, enhances open space connectivity
- Impact on water supply (municipal or well), stormwater/groundwater recharge
- Expands recreational resources
- Impact on traffic
- Preserves or increases agricultural land use





## MEMORANDUM

TO: Board of Selectmen  
FROM: Steven Swanger, Chair  
Sudbury Housing Authority  
DATE: August 7, 2018  
RE: Melone RFP Responses

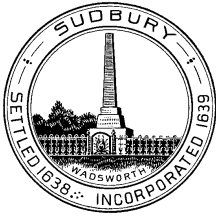
Having reviewed all three development proposals for the Melone property, the Board of the Sudbury Housing Authority favors the Quarry North proposal and strongly urges the Board of Selectmen to pursue negotiations with the Quarry North development team to tailor the proposed project more closely to Sudbury's needs.

The Sudbury Housing Authority Board of Commissioners favors this proposal for several reasons:

- This is the only one of the three proposals to address development of additional affordable housing;
- There is a pressing need for additional affordable housing in Sudbury, as evidenced by the 549 applications the SHA received when it last opened its waiting list for applications, of which 449 were submitted on time & another 100 continued to pour in after the deadline;
- The 10% mandate of Chapter 40B is a floor, not a ceiling; it is not a measure of need, but rather the threshold the Town must reach *and maintain* to avoid penalties for inaction;
- Virtually every report on the Melone property commissioned by the Board of Selectmen over the years has recommended the development of housing on the site;
- The proposal neutralizes the tensions in town and ceases the court actions regarding the highly controversial Sudbury Station project; and
- We believe that the Quarry North team is open to negotiation of the details of their proposal and that the thrust of their plans for the Melone property, in combination with the land swap at the Town Center, offers a unique opportunity to address simultaneously a range of number of local issues and needs.

The Housing Authority, with many years of award winning, highly successful housing development and management experience, stands ready to work with the Town and the developer to ensure a development which both meets the developer's needs and results in the best possible results for the town of Sudbury.





# Town of Sudbury

## Board of Appeals

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<https://sudbury.ma.us/planning>

August 8, 2018

Board of Selectmen  
Flynn Building  
278 Old Sudbury Road  
Sudbury, MA 01776

Gentlemen & women,

This evening, the Sudbury Zoning Board of Appeals (the “ZBA”) met in open session to discuss the ZBA members’ reaction to the applications submitted in response to the Requests for Proposals issued by the Sudbury Board of Selectmen (the “Board”) regarding the development of the approximately 46 acre parcel of land on North Road commonly known as the “Melone Property”. At the conclusion of its discussion, the ZBA unanimously voted to strongly recommend that the Board pursue the proposal presented by Quarry North, LLC, in light of the ZBA’s mandate to best develop the town’s resources under the Sudbury zoning bylaws and State law governing the Town.

Notwithstanding such endorsement, the ZBA urges the Board to refrain from committing the Town to unit numbers and other strict rules regarding the site, which would preclude good faith negotiation with the developer as to the most appropriate use and improvement of the property. The ZBA is committed to the best development of Town resources, and feels that in prior similar developments it has demonstrated reserve, prudence, and friendly discussion with developers, all the while serving the Town’s obligations in consideration of Massachusetts statutory requirements. The ZBA respectfully requests the same latitude with respect to any proposal regarding the Melone Property.

Sincerely,

John Riordan Esq.  
Chair