



TOWN OF CONCORD
Division of Natural Resources
141 Keyes Road, Concord, MA 01742
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To: Elizabeth Hughes, Town Planner
From: Delia Kaye, Natural Resources Director
Re: Planned Residential Development – 1440/1450 Main Street
Date: August 19, 2019

On behalf of the Natural Resources Commission, I have reviewed the supplemental materials submitted for the Special Permit Application for the above-referenced project. Comments not addressed from September 7, and October 24, 2018 are included, along with new or revised comments. The Applicant should provide a written response to each of the numbered questions/concerns outlined below.

In accordance with Section 10.2.9.1 of the ZBL, common open space shall have the shape, dimension, character, and location suitable to ensure a shared use by at least all residents of the PRD. The Applicant has proposed that the common open space will be open to the public, which is supported by the NRC. A significant portion of the proposed open space does not appear to allow for a shared use by all PRD residents and the public.

1. Along the western project boundary, slopes within the proposed common open space are up to a 60% slope, precluding the ability to establish trails. The Applicant should describe how this area provides a shared use by PRD residents and members of the public.
2. The northern portion of the common open space consists largely of an isolated wetland. Up to 5,000 square feet of the isolated wetland will be filled for the proposed development and approval from the Army Corps of Engineers will be required. The basin serves as the overflow for the underground stormwater management system. The Applicant should describe how the wetland provides a shared use by PRD residents and members of the public.

In accordance with Section 10.2.9.3 of the Bylaw, a perpetual restriction of the type described in MGL chapter 184 §131 shall be placed on common open space.

3. The Applicant should clarify what type of restriction will be placed on the land.

Common open space placed under a Conservation Restriction (CR) held by the Natural Resources Commission is intended to be preserved in its natural, scenic, and open condition.

1. If the Applicant intends to convey a CR to the Natural Resources Commission, the development should be reconfigured to provide undisturbed open space a sufficient distance from anticipated yards of all dwellings to ensure that CR-restricted lands are not subject to encroachment and PRD residents have private space available for yards. The Applicant should provide a written description of how the proposed exclusive use areas provide adequate space for normal backyard activities by residents, and will not foster encroachment into adjacent common space.
2. No structures are permitted within the CR parcel, including the area drains currently proposed in the common open space. Plans should include monumentation of CR boundaries. The homeowner association documents should include language that the CR land must remain undisturbed and that dumping of leaf, yard, and other debris is prohibited.
3. A provision for snow removal in the Stormwater Management Report notes that snow storage will be within front and side yard setbacks as space allows. A snow removal plan identifying snow storage locations should be provided and included within the homeowner association documents. Snow storage over stormwater management structures, or within an area deeded to the Natural Resources Commission as a Conservation Restriction, is prohibited.
4. The Operations and Maintenance Plan should identify the responsible party for maintenance of the stormwater management system to ensure that it functions as designed.

The plans indicate two sections of proposed trail, one connecting to Town conservation land (151X Main Street) west of the proposed development and the second connecting to privately owned land (Junction Square Condominium Association) to the east. The Board should consider requesting trail improvements to the Town parcel to connect to the trail on the development parcel.

5. The Applicant should confirm that the adjacent trail on the Junction Square parcel is open to the public. The homeowner association documents should identify parties responsible for trail maintenance on the subject parcel.

Items Reviewed:

- Center and Main Street Letter from Williams and Sparages dated July 16, 2019
- Stormwater Report dated July 11, 2019
- PRD Plans (Sheets 1 through 12), last revised 6/14/2019
- Landscape Plan, last revised 6/12/19