

Rookery Lane
48Y Fitchburg Turnpike
Map 15E Parcel 3419
Concord, Massachusetts



ROOKERY LANE
COLD BROOK CROSSING

Planned Residential Development

Landowner and Applicant: Quarry North Road LLC

Narrative Report

June 9, 2022

Narrative Report

Rookery Lane

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Introduction

Quarry North Road LLC purchased the Melone gravel mine from the Town of Sudbury. Sixteen- and one-half acres of the former gravel mine lies within the Town of Concord of that, approximately eight acres has been mined and stripped of all vegetation. Quarry North Road proposes to turn the barren land into four single family homes and one two family duplex home and restore and revegetate the disturbed land. The remaining land would be placed into open space. The following is an aerial image of the former gravel mine.



The restoration of this property will require the following site and infrastructure work.

- Extending Concord Municipal Light and Power lines from the Town line to the property
- Earthwork regrading
- Stormwater management system
- Six private septic fields
- Building Rookery Lane
- Revegetating the barren land

We are committed to enhancing this land to provide a mix of single family and attached housing in a redeveloped bucolic setting. The two-family building (M-Plan) will consist of two four-bedroom homes, each with basement and a two-car attached garage. The floorplan has 1,140 square feet on the first floor 1,390 square feet on the second floor, and provides a floorplan option to add 190 square feet.

We will offer four detached single family floor plans, each with a basement. All detached plan's footprint will fit with of each building envelop. The plans are summarized in the table below.

Floor Plan	First Floor	Second Floor	Opt. Rooms	Bedrooms	Garage
M-Plan duplex	1,140	1,390	190	Four	2 car
C-Plan	2,010	1,860	600	Four	3 car
H-Plan	2,030	2,000	300	Four	3 car
K-Plan	2,180	1,850	240	Four	3 car
W-Plan	2,100	1,880	670	Four	3 car

Project Team

Property Owner	Quarry North Road LLC Chris Claussen, Managing Member Chris Kennedy Joseph Hakim
Applicant	Quarry North Road LLC
Civil Engineer	Civil Design Group, Matthew Leidner, PE
Wastewater	Provencher Engineering, Don Provencher, PE
Ecologist	LEC Environmental Consultants, Richard Kirby
Traffic Engineer	MDM Transportation, Robert Michaud, PE
Architect	JMA Architects, Jeanne Allen, AIA
Attorney	William Henchy, Esquire

Location

Rookery Lane will be located at 48Y Fitchburg Turnpike. The site consists of 16.5 acres of the former Melone gravel mine that was owned previously by the Town of Sudbury. Approximately 8 acres has been clear cut of most trees and mined.

Summary of Proposal

Rookery Lane will be a restoration of a former gravel mine. Most of the trees have been clear cut within the portion of the site that is proposed to be developed. Revegetation of the property will help to repopulate lost trees and support the ecology. The portion of the land that was not mined will be placed into open space with association restrictions. The homes will be designed for environmentally conscious individuals and families. We have proposed four single family homes and one two family duplex. The property and homes will be governed by a condominium association with an exclusive use area designated for each home. Each of the single-family homes will have a three-car garage and each of the duplex homes will have a two-car garage. Each home will be wired for an electric car charging station. There is a mix of house floorplans and elevations available.

Smart Growth designs have been incorporated into the home designs, which include solar ready, electric vehicle charging, energy star appliances, and energy efficient building designs. Energy saving features include:

- Solar ready roofs
- Low or no VOC paint, sealants, and adhesives
- High efficiency HVAC systems
- Building insulation
- Energy star rated appliances

The project will use low impact development to maintain the integrity of the natural surroundings and manage storm water on-site.

Stormwater Management

The stormwater management system incorporates Low Impact Development (LID) design methods, which includes focusing the proposed development within previously-disturbed areas of the site, minimizing impervious surfaces, substantial infiltration systems, water quality units, and bioretention. The stormwater management system will control runoff to maintain the existing hydrologic conditions and provide water quality treatment. Attached is a detailed stormwater management report prepared by Civil Design Group.

The stormwater management system is designed to meet or exceed the Massachusetts Stormwater Management Regulations and the Town of Concord Zoning Bylaws.

Environmental Resource Area

Wetlands on site have been delineated by LEC Environmental Consultants. No construction activity is proposed within jurisdictional resource areas. Offsite an Order of Conditions will be needed from the Concord Natural Resources Commission and the Sudbury Conservation Commission to extend Concord Municipal Light and Power into the property.

No work is proposed within the flood plain or resource areas, and work within the wetland buffers has been kept to a minimum.

The site plans and condominium documents will establish a minimum of 25 feet around all wetlands within which no alteration may take place.

Site Access and Parking

The site has frontage on Fitchburg Turnpike, and staff and Town Counsel have confirmed that the site qualifies for consideration under the section 10.2.6 of the Zoning By-law.

Access to Rookery Lane will be from Fitchburg Turnpike (North Road/Route 117) to Cold Brook Drive. Cold Brook Drive is just west of the Concord / Sudbury town line and extends north connecting to Rookery Lane. All drives are designed to support the Concord and Sudbury fire department vehicles.

Each single-family home will have an attached three car garage and parking on their driveway to accommodate two additional vehicles. Each two-family home will have a two car attached garage and parking on their driveway to accommodate two additional vehicles.

Rookery Lane provides two access points creating a loop for access.

No streetlights are proposed.

Traffic Generation

A net gain of 58 vehicle trips per day based on conventional six single family housing types is forecasted. See the traffic memorandum from MDM Transportation

Landscaping

New trees, bushes and turf will be installed as most of the proposed development site was clear cut. Additional planting areas will provide gardens, stormwater storage (bioretention) pollinator habitat and screening for the residents. Existing trees are proposed to be preserved whenever feasible. The following image shows the proposed dwellings superimposed over an aerial image. Trees may be removed at home #1 and home #2, at the bioretention area and areas that will need to be graded so stormwater flows into the bioretention area. The bioretention and graded areas will be replanted with a variety of native trees and shrubs.

Permits / Review Required

Concord Planning Board Review

Pursuant to Section 10.4.2 of the Zoning bylaw, the Concord Planning Board must review the proposed Planned Residential Development and make recommendations to the Board of Appeals as set forth in Section 10.4.1 through 10.4.6

Natural Resource Commission Review

Pursuant to Section 10.4.3 of the Zoning bylaw, the Natural Resources Commission must review the proposed Planned Residential Development and report its recommendations to the Board of Appeals as set forth in Sections 10.4.3.1 through 10.4.3.3

Special Permit – Concord Zoning Board of Appeals Planned Residential Development

The Zoning Board of Appeals has the authority to review the site plan for approval of a Special Permit for the Planned Residential Development as specified in Section 10.4.4 of the Zoning bylaw.

National Pollution Discharge Elimination System (NPDES)

This is a general permit issued by the Federal Environmental Protection Agency (EPA). It is required for construction sites which alter more than one acre of land. A Notice of Intent will be filed with the EPA to obtain coverage under this permit. A stormwater pollution prevention plan (SWPPP) will be prepared as part of this process. When implemented a copy of the plan will be available on site.

ORAD / RDA Concord Natural Resources Commission

An application for either or both an Order of Resource Area Determination or a Request for Determination of Applicability for work to be done within the 100' buffer zone and to establish the delineations of wetlands present on the site.

Notice of Intent (WPA Form 4) Concord Natural Resources Commission

An application for a Notice of Intent will be filed with the Concord Natural Resources Commission to bring Concord Municipal Light and Power into the property. The subject area is adjacent to Fitchburg Turnpike at the Concord Town line along Fitchburg Turnpike.

Notice of Intent (WPA Form 4) Sudbury Conservation Commission

An application for a Notice of Intent will be filed with the Sudbury Conservation Commission to bring Concord Municipal Light and Power into the property. The subject area is adjacent to Fitchburg Turnpike at the Concord Town line along Fitchburg Turnpike.

Trench Permits

A trench permit application will be filed with the Concord and Sudbury Public Works to install the Concord Municipal Light and Power conduit along the layout of Fitchburg Turnpike / North Road.

Septic System Permits

Six septic system permit applications will be filed with the Concord Board of Health.

Witnessed soil evaluations have been completed for the six septic fields. Reports are on file with the Concord Board of Health.

Existing and Proposed Conditions

Existing

The property is located at 48Y Fitchburg Turnpike and includes approximately 16.5 acres of land within the Town of Concord. The property was previously owned by the Town of Sudbury which operated a gravel mine for many years. The site soils have excellent drainage profiles. Groundwater is 20+ feet below existing grade. Vegetation was removed from the mining operations for approximately 50% of the property. Wetlands exist on the northern portion of the property. No construction will affect these wetlands and a “no touch” buffer will be created and preserved in perpetuity within these wetlands and within 25 feet of the wetlands boundary, as determined by the Concord Natural Resources Commission.

Zoning and Dimensional Requirements

Section 10 of the Concord Zoning Bylaws allows Planned Residential Developments (PRD), which enable alternative residential projects to be authorized by a Special Permit from the Zoning Board of Appeals.

The following PRD standards are outlined below.

Minimum tract size

Not less than four times the minimum allowable tract area of the zoning district. The minimum tract size for Residence AA is 80,000 square feet. The total area of the PRD tract (i.e. the portion of the site that is in Concord) is 696,867 square feet, which exceeds the minimum required sized by 376,867 square feet (8.44 acres over the minimum size).

Maximum density

Maximum density cannot exceed two times the maximum permissible base density of Residence AA zoning. Base density is 6.1 units – see below calculation. The proposed PRD density is 6 units.

PRD DENSITY SUMMARY

ZONING SECTION 10.2.2.1: "THE NUMBER OF DWELLING UNITS OBTAINED BY DIVIDING THE SUM OF (1) THE AREA OF THE TRACT EXCLUSIVE OF LAND SITUATED WITHIN THE FLOOD PLAIN CONSERVANCY DISTRICTS OR FEDERAL, STATE OR LOCAL REGULATED WETLANDS, AND (2) TWENTY-FIVE PERCENT (25%) OF THE AREA OF LAND SITUATED WITHIN THE FLOOD PLAIN CONSERVANCY DISTRICTS OR FEDERAL, STATE OR LOCAL REGULATED WETLANDS BY THE MINIMUM LOT SIZE PERMITTED IN THE ZONING DISTRICT(S) WITHIN WHICH THE TRACT IS LOCATED."

TOTAL AREA OF THE PRD TRACT	696,867± SQUARE FEET
AREA EXCLUSIVE OF LAND SITUATED WITHIN THE FLOOD PLAIN CONSERVANCY DISTRICTS OR FEDERAL, STATE OR LOCAL REGULATED WETLANDS	419,510± SQUARE FEET
AREA SITUATED WITHIN WITHIN THE FLOOD PLAIN CONSERVANCY DISTRICTS OR FEDERAL, STATE OR LOCAL REGULATED WETLANDS	277,357± SQUARE FEET
MINIMUM LOT SIZE PERMITTED IN THE ZONING DISTRICT(S) WITHIN WHICH THE TRACT IS LOCATED (RESIDENCE AA)	80,000 SQUARE FEET
BASIC DENSITY	6 DWELLINGS $[419,510 + (0.25 \times 277,357)] / 80,000 = 6.1$

Diversity of Dwelling Units

Rookery Lane has a variety of housing types and floorplans which include a two-family duplex and four single family units. Ownership form will be a condominium with an exclusive use area for each home. Home prices will vary based on size and location. No affordable dwelling units are planned.

Permitted Uses

Two family dwellings and Single family detached are permitted uses. No more than 80% of the units within a PRD shall be of the same type. Four of the six units or 66% are single family detached.

Lot Area, Frontage and Yard Requirements

There shall be no minimum lot area, frontage or yard requirements within a PRD. However, no building may be erected within thirty feet of a public way or boundary line in a PRD within Residence AA. (See section 10.2.5) All of the proposed homes fall outside of the thirty foot boundary.

Access to the Tract

Access shall be provided from an existing public way (Fitchburg Turnpike), through the frontage on Fitchburg Turnpike. See Section 10.2.6 of the Zoning bylaw.

Height

Maximum permitted height is 35 feet. Due to the site having been previously mined it has an artificially low elevation, therefore the proposed homes will be less than 35'. However, due to the large amount of grade changes caused by the previous use of the site as a gravel pit, we are requesting relief pursuant to Section 6.2.11 from the 35 feet maximum height specified in Section 10.2.7.

Building Height measurement is taken from the existing grade (prior to any of the proposed grading) to the ridgeline of the proposed building. In our case, the existing grade is artificially low because we are working in a former gravel pit, where the natural grade has been drastically altered. As an example, in rough numbers, the existing grade at Home #4 is elevation 139 and the proposed grade is elevation 152. If the ridgeline is say 35' higher than the proposed grade, or elevation 187', then the height as measured under the definition would be $187 - 139 = 48'$ which exceeds the 35' maximum height. We are not proposing tall homes, but rather the artificially low existing grade would drive the calculation to be $>35'$. If it were not for the prior excavation on the site, all buildings would conform to the 35' maximum height.

Section 6.2.11 permits the Board to "grant relief from the above definition for the height of a building in the Residence AA, Residence A, Residence C and Residence B Districts provided the Board finds that a literal application of this requirement would be unreasonable because there are no reasonable alternative available and that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw."

Due to the prior use of the site, which dramatically altered the natural existing grades (the "mean ground level" in the parlance of Section 6.2.11), application of those grades would be unreasonable in this particular instance. The goal of the application is in part to restore and beautify the site, which has been turned into a "moonscape" by the previous gravel mining practices. The applicant seeks relief under Section 6.2.11 as quoted above and looks forward to discussing this issue with staff and both the Planning Board and the Board of Appeals.

Area of Residential Development

The area of development shall not exceed 50% of the total area of the PRD tract. The lot area is 696,867 square feet of which 297,456 square feet will be the residential development or only 43% of the PRD tract.

Common Open Space

The area of the common open space shall equal at least 35% of the total area of the PRD tract and 50% of the common open space must consist of upland. We are proposing 399,411 sf of common open space or 57% of the PRD tract which will include 122,088 square feet of upland, which is 50% of the minimum amount of required open space.

Per the recommendation of the Planning Department, we have included land which abuts the Bordering vegetated wetlands in the open space of homesites A, B and C.

The Open Space will be owned by the condominium association to satisfy the provision that it will remain accessible to all the occupants of the PRD. Further restrictions will be incorporated into the association documents, and we expect that the Board will require such restrictions in any approval, if the Board votes to approve this application.

Limitation of Subdivision

If the proposed PRD is approved, the applicant may seek to divide the land in Concord (i.e. the area subject to the PRD) from the remaining land in Sudbury, reserving appropriate easements in order to secure access to the land in Concord from Fitchburg Turnpike for all purposes. We expect to discuss this issue with staff and the Board. There shall be no subdivision of the PRD itself, and the applicant expects that the Board will require this condition remain with appropriate conditions and plan notations. See Section 10.2.10.

Sustainable Design

Low impact development design has been incorporated into the stormwater management system. More details on the stormwater management system are below and within the stormwater management report as an attachment.

Energy efficiency and clean energy usage has been incorporated into the design. We will be bringing Concord Municipal Light and Power electricity to the property to service the homes. Energy Star appliances will be used in all homes, each home will be wired for electrical vehicle charging and each home will be solar ready.

Energy efficient building design. Each home will be designed to meet or exceed the energy codes. Energy calculations have been included as an attachment.

Building Layout. Buildings have been sited to minimize the driveway length and impervious surface area. Common open space is contiguous and a large portion abuts land owned by the Town of Concord.

Ways to minimize greenhouse gas emissions. The property has been previously clear cut of vegetation and mined. The site will be fully revegetated to maximize carbon sequestration on site. Energy star appliances will be used and each home will be wired for electric vehicle charging and solar ready.

Zoning Summary Table
 Section 5.4.2 (g)

PRD ZONING SUMMARY		
UNDERLYING ZONING DISTRICT: OVERLAY DISTRICT(S):	RESIDENCE AA FLOOD PLAIN CONSERVANCY DISTRICT (PORTION OF SITE) GROUNDWATER CONSERVANCY DISTRICT WETLANDS CONSERVANCY DISTRICT (PORTION OF SITE) WIRELESS COMMUNICATION DISTRICT (PORTION OF SITE)	
	REQUIRED	PROVIDED
MAX. BASIC DENSITY	6 DWELLINGS (SEE PRD DENSITY SUMMARY TABLE)	6 DWELLINGS
MIN. PRD TRACT AREA	320,000 SQUARE FEET (7.3± ACRES)	696,867± SQUARE FEET (16.0± ACRES)
MAX. AREA OF RESIDENTIAL DEVELOPMENT	50% OF PRD TRACT	297,456± SQUARE FEET (43% OF PRD TRACT) (EXCLUSIVE+COMMON RES. USE AREAS)
MIN. COMMON OPEN SPACE	35% OF PRD TRACT	399,411± SQUARE FEET (57% OF PRD TRACT) (COMMON OPEN SPACE USE AREA)
MIN. UPLAND COMMON OPEN SPACE	50% OF MIN. COMMON OPEN SPACE	122,088± SQUARE FEET (50% OF MIN. COMMON OPEN SPACE)
MIN. FRONTAGE	NO MINIMUM	NOT APPLICABLE
MIN. FRONT/SIDE/REAR YARD SETBACKS	NO MINIMUM	NOT APPLICABLE
PRD BOUNDARY SETBACK	30 FEET	60± FEET
MAX. BUILDING HEIGHT	35 FEET	RELIEF REQUESTED DUE TO THE DISTURBED NATURE OF THE EXISTING TOPOGRAPHY RESULTING FROM PREVIOUS MINING OPERATIONS
MINIMUM GROSS FLOOR AREA	400 SQUARE FEET	VARIES BY UNIT (ALL >400 SQUARE FEET)
MIN. NUMBER OF PARKING SPACES	2 SPACES PER DWELLING	DETACHED SINGLE FAMILY: 5 SPACES/UNIT (3 GARAGE + 2 SURFACE) DUPLEXES: 4 SPACES/UNIT (2 GARAGE + 2 SURFACE)

Existing Natural Environment and Environmental Compliance

Surface and Groundwater

The project has been designed so as not to impact the surface or groundwater quality. The design minimizes impervious surfaces and focuses the development within areas of the site that have been previously disturbed by mining operations. The proposed stormwater management system includes substantial infiltration systems, water quality units, and bioretention. The bottom of the stormwater system and septic systems meet the offsets to groundwater and setbacks to surface waters. The design will result in the removal of over 80% of total suspended solids (TSS) from stormwater runoff.

The septic systems have been sited to meet Title 5 and the Concord Board of Health regulations.

Habitat, Scenic and Historic Sites

The homes will be located on area of a former gravel mine which was previously clear cut of most trees. The open space portion of the property includes uplands and wetland. The wetlands include a blue heron rookery which will be preserved in its natural state via covenant or restriction as required by Section 10.2.9.3.

Topography and Soils

The topography in its current “mined” state will need grading to address drainage and circulation in conjunction with the building of Rookery Lane and the PRD dwellings. Once graded the topography will generally slope from west to east. The maximum grade of Rookery Lane is 5% as shown on the civil plan set.

Soil types were derived from soil evaluations performed by Provencher Engineering on February 22, 2022. The soils on the site are comprised of Hinckley Loamy Sand. Soil conditions and estimated seasonal high groundwater table were based on on-site soil evaluations performed by Provencher Engineering on February 22, 2022. Soil reports are included in the attachment section.

The soils tests have infiltration capacity to accept the stormwater infiltration and septic systems. A stormwater operation and maintenance plan has been prepared and is attached as part of the stormwater report in the attachment section.

Stormwater Management

The project includes a post-construction stormwater management system designed to collect, convey, treat, infiltrate, and control stormwater discharges associated with the development in accordance with applicable state and Town of Concord requirements. The stormwater management system incorporates Low Impact Development (LID) design methods, which includes focusing the proposed development within previously-disturbed areas of the site, minimizing impervious surfaces, substantial infiltration systems, water quality units, and bioretention. The stormwater management system will control runoff to maintain the existing hydrologic conditions and provide water quality treatment. A comprehensive Stormwater Management Report and Operation & Maintenance Plan by Civil Design Group has been included with this submission.

Wetlands and Resources Areas

The northern portion of the PRD site contains wetlands. All site work will be outside of the 200' riverfront area. There are no resource areas within the PRD area that are regulated wetland resource

areas under the Massachusetts Wetlands Protection Act or the Concord Wetlands Bylaw, however there is some work proposed within the buffer zone.

There is one off-site wetland crossing at adjacent to Fitchburg Turnpike which will require a Notice of Intent from both the Concord Natural Resources Commission and the Sudbury Conservation Commission to allow Concord Municipal Light and Power conduit to be installed.

Traffic and Municipal Impact

The following sections will provide a summary of the impact of the six homes on traffic, public services, municipal budget, natural and historic resources. The sections respond to the criteria noted in the Concord Subdivision Rules and Regulations, Section 5.4.2 (f), and (h) through ((k).

Transportation/Traffic

The following table is a summary from MDM Transportation’s traffic analysis which is included in the attachment section of this narrative.

Peak Hours/Direction	Rookery Lane (6 single family)
Weekday morning peak hour:	
Entering	1
Exiting	3
Total	4
Weekday evening peak hour:	
Entering	4
Exiting	2
Total	6
Weekday daily (24 hours)	58

Concord Parcel (By Others): ITE LUC 210 – Single-Family Detached Housing applied to 6 units.

Town Services

This PRD will have a small impact on Town services. The typical demographic for similar developments has been active singles and couples between the ages of 40 and 65. We are making an assumption that three of the homes will have one school age child and that each home will have two cars. There will be no impact on town sewer (septic system) or water (Sudbury Water District – see attachment). The following projection is a community impact table which represents the possible municipal impacts. The projection forecasts a net fiscal benefit of \$80,242.

	Assessed value	Property Tax	Excise Tax						
Home 1	1,000,000	14,760	3,500						
Home 2	1,000,000	14,760	3,500						
Home 3	2,000,000	29,520	3,500						
Home 4	2,000,000	29,520	3,500						
Home 5	2,000,000	29,520	3,500						
Home 6	2,000,000	29,520	3,500						
Subtotal:		147,600	21,000						
Total Tax Revenue				168,600					
2021 budget									
Gen Gov.	Planning	Finance	Human Services	Public Safety	Public Works	Human Services	Unclassified	Schools	
482	201	257	383	1,159	595	383	88	-	
482	201	257	383	1,159	595	383	88	-	
482	201	257	383	1,159	595	383	88	-	
723	301	385	575	1,738	893	575	131	20,584	
723	301	385	575	1,738	893	575	131	20,584	
723	301	385	575	1,738	893	575	131	20,584	
3,613	1,507	1,925	2,874	8,691	4,464	2,874	657	61,752	
Municipal services total:									88,358
Assumes 18,500 population									
Assumes 1 school age child for three homes									
Assumes 2 residents for homes 1-3									
Assumes 3 residents for homes 4-6									

Economy

The six new homes will generate real estate and excise taxes for the Town. Residents will patronize the merchants close to their home at four corners and Verrill Farms generating new business.

Sight Distance

As documented in the Cold Brook Crossing TIAS, access serving the subject project along Route 117 in Sudbury will meet all applicable safety requirements for sight lines and will provide adequate capacity to accommodate projected buildout of the combined residential developments with no consequential impact to area roadways.

Historic and Architectural Resources

The site is an abandoned gravel mine with no structures.

Open Space and Natural Resources

The Envision Concord Bridge to 2030 Master Plan in its Open Space and Recreation Plan calls attention to community goals for open space protection. The PRD site plan will include more than nine acres of common open space that will provide protection of biodiversity, wildlife habitat and connectivity for wildlife movement, streams and connects directly with the White Pond preserve and abuts Town of Concord land utilized for the White Pond Municipal wells.

Permit Construction Schedule

Following is an outline of the construction schedule for the proposed PRD.

- PRD Special Permit application June 2022
- PRD Special Permit approval August 2022
- Natural Resources ORAD/RDA June 2022
- Natural Resources Order of Conditions June 2022
- Sudbury Conservation Order of Conditions June 2022
- Other permits obtained summer 2022
- Building permits obtained fall 2022
- Certificates of occupancy fall 2023

Attachments