

From: [Bill Henchy](#)
To: [Elizabeth Hughes](#); [Delia Kaye](#)
Cc: [Christopher Claussen](#); [Christopher Kennedy](#); [Joseph Hakim](#); [Matthew Leidner P.E.](#)
Subject: Fwd: EEA 16133--Quarry North Road / Sudbury-Concord
Date: Wednesday, August 10, 2022 3:40:35 PM

Dear Elizabeth and Delia—

Chris Claussen and I met today with Page Czepiga, Asst. Director of MEPA as a follow up to our ENF, previously filed for Quarry North Road LLC.

As you might recall, in the ENF my clients promised MEPA that, when a plan was devised for the Concord portion of the Melone property, we would notify MEPA and consult further to determine whether further MEPA review would be required. We have done that, and as you can see from the email below, MEPA has determined that no further MEPA review is required for the PRD project proposal.

I wanted to pass this along for your files, as I understood that this issue would be of interest to the Boards reviewing the project in Concord.

Thank you,

Bill

William C. Henchy
165 Cranberry Highway
Orleans, MA 02653
508-255-1636 (w)
508-246-6776(cell)
508-255-1325—fax
whenchy@henchylaw.com

www.henchylaw.com

Begin forwarded message:

From: "Czepiga, Page (ENV)" <page.czepiga@state.ma.us>
Subject: RE: EEA 16133--Quarry North Road / Sudbury-Concord
Date: August 10, 2022 at 3:24:43 PM EDT
To: Bill Henchy <whenchy@henchylaw.com>

Bill,

Following up on our conversation, the original project required MEPA reivev because it required an Agency Action and met or exceeded the MEPA reivev thresholds at 301 CMR 11.03(1)(b)(2); 11.03(5)(b)(4)(c)(i); 11.03(6)(b)(14) and 11.03(6)(b)(15). The project required a Groundwater Discharge Permit (GWDP) from the Massachusetts Department of Environmental Protection (MassDEP).

I understand that the GWDP has been issued and that the proposed change (six additional residential units located in Concord) does not require any New or amended Agency Actions. As there are no Agency Actions which would confer MEPA jurisdiction over the project, further MEPA review is not required at this time.

Thanks,
Page

Page Czepiga | Assistant Director
Massachusetts Environmental Policy Act Office
857-408-7049

You can now schedule pre-filing meetings using MEPA's booking page; [available here](#).

Please be informed that the MEPA Office has finalized amendments to 301 CMR 11.00 for promulgation on

December 24, 2021. Two protocols relative to environmental justice have been issued with effective dates of January 1, 2022. An amended Environmental Notification Form (ENF) is in effect as of January 1, 2022. Please consult the [MEPA website](#) for more details.

From: Czepiga, Page (EEA)
Sent: Sunday, July 24, 2022 10:04 AM
To: 'Bill Henchy' <whenchy@henchylaw.com>
Subject: RE: EEA 16133--Quarry North Road / Sudbury-Concord

Bill,
I apologize for the delayed response. I will be out of the office on Monday but you can view our availability for a meeting and schedule it directly via [this link](#).
Thanks,
Page

Page Czepiga | Assistant Director
Massachusetts Environmental Policy Act Office
857-408-7049

Please be informed that the MEPA Office has finalized amendments to 301 CMR 11.00 for promulgation on December 24, 2021. Two protocols relative to environmental justice have been issued with effective dates of January 1, 2022. An amended Environmental Notification Form (ENF) is in effect as of January 1, 2022. Please consult the [MEPA website](#) for more details.

From: Bill Henchy <whenchy@henchylaw.com>
Sent: Friday, July 22, 2022 5:31 PM
To: Czepiga, Page (EEA) <page.czepiga@mass.gov>
Subject: Re: EEA 16133--Quarry North Road / Sudbury-Concord

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Page—

I thought I would follow up on my email below. Could we perhaps speak on Monday?

Bill

William C. Henchy
165 Cranberry Highway
Orleans, MA 02653
508-255-1636 (w)
508-246-6776(cell)
508-255-1325—fax
whenchy@henchylaw.com

www.henchylaw.com

On Jul 14, 2022, at 5:31 PM, Bill Henchy <whenchy@henchylaw.com> wrote:

Good afternoon Page—

I had left you a voicemail to follow up on the above-referenced filing.

As you may recall, my client Quarry North Road LLC had filed an ENF for a proposed affordable housing development in Sudbury in the Fall of 2019. The site, which was then owned by the Town of Sudbury, is located in both Concord and Sudbury. Because at that time my clients had not sorted out what would occur on the Concord portion of the site, we stated in the ENF that "If the proponent seeks to develop the Concord portion of the site in the future, they will consult with MEPA staff in order to determine if MEPA compliance is required and, if so, identify the appropriate MEPA document to be filed at that time".

After many discussions with Concord staff, my clients have submitted an application for a 6-unit PRD (Planned Residential Development" with the Concord Planning Board and Board of Appeals. The application will, if approved, result in no more than 6 residential units in Concord and will preserve some 57% of the site in Concord as open space. There are no wetlands impacts (though a portion of the development is in the Buffer Zone).

No new MEPA Review thresholds are triggered, and none of the changes result in any increases of impacts to the environment beyond 10% above what the ENF discussed, and most are considerably less.

The proposal and its impacts are discussed in more detail in the attached letter and exhibits—I had emailed it earlier, but the Commonwealth's email servers are apparently still not accepting large attachments, so I put it in a Dropbox link for you here, along with the Secretary's Certificate:

<https://www.dropbox.com/sh/on2gmtasa9dks2g/AADmDuBmphoqVOZNIVYX1n1Ya?dl=0>

I would like to schedule a call with your office at your earliest convenience to discuss. I did not see Erin Flaherty on the MEPA staff contact list-- she was the analyst on this project. If there is somebody else in the office that I should forward this correspondence to, please let me know.

Thank you for your courtesies. I hope this note finds you well, and I am looking forward to hearing from you at your earliest convenience.

Very truly yours,

Bill Henchy

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