



# Town of Sudbury

Planning and Community Development Department

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

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July 29, 2020

DECISION  
STORMWATER MANAGEMENT PERMIT  
Apartments at Cold Brook Crossing, Melone Smart Growth Overlay District  
16 & 36 North Road, Sudbury, MA  
SWMP #20-~~XX~~

DECISION of the Planning Board of the Town of Sudbury, Massachusetts (the "Board") on the petition of Quarry North Road LLC ("Applicant") of 2134 Sevilla Way, Naples, Florida 34109 and William M. Wagner, Jr., the Sudbury Water District, and the Town of Sudbury ("Owners") for approval of a Stormwater Management Permit to construct 101 dwelling units (26 being affordable) in apartments in 2 multi-family buildings, known as the Apartments at Cold Brook Crossing, with associated parking, access roadway, landscaping, utilities, and associated improvements, including stormwater management facilities, (the "Project") which will disturb on a portion of the property (the "Property") located at 16 & 36 North Road (Route 117), Sudbury, MA. The Project is a redevelopment and proposes alteration of approximately 5.11 acres of land, including approximately 110,000 sq. ft. of land area on slopes greater than 10% and a total impervious area of 0.8 acres and porous pavement area of 1.2 acre, on a 6.2 acre parcel located at North Road, Sudbury, MA, Town Assessor Maps C12-0003, and C12-0100, zoned Research-1, Melone Smart Growth Overlay District (MSGOD), Water Resource Protection Overlay District Zone II, Flood Plain Overlay District, and Wireless Services Overlay District Zoning Districts.

This Decision is issued in response to an application submitted to the Board on March 11, 2020 by the Applicant for a Stormwater Management Permit (the "Permit") under Article V (F), Section 5.C of the Town of Sudbury Bylaws (the "Bylaw") and the Town of Sudbury Stormwater Management Bylaw Regulations (the "Regulations").

After causing notice of the time and place of the public hearing and of the subject matter thereof to be published, posted, and mailed to the Applicant, Owners, abutters, and other parties in interest, as required by law, the public hearing was opened on April 8, 2020 and continued on April 29, 2020, May 13, 2020, May 27, 2020, June 2, 2020, June 10, 2020, June 24, 2020, and July 15, 2020, when it was closed. The Board deliberated on the proceedings on July 15, 2020 and July 29, 2020. The following members of the Board were present throughout the proceedings: Stephen Garvin, Charles Karustis, John Hincks, Justin Finnicum, and John Sugrue. The record of the proceedings and submissions upon which this Decision is based may be referred to in the office of the Town Clerk or the Planning and Community Development Department.

Documents submitted for the Board's consideration and collectively referenced as the "Plan", include:

1. Application Cover Letter from Civil Design Group, LLC dated March 11, 2020
2. Stormwater Management Permit Application Melone Smart Growth Overlay District, dated March 10, 2020
3. Site Plan Narrative, dated March 11, 2020  
Attachment B – Project Figures

- Attachment C – Land Disposition & Development Agreement
- Attachment D – Massachusetts Department of Environmental Protection Land Conveyance Approval
- Attachment E – MEPA Certificate
- Attachment F – Wastewater Management Operation & Maintenance Manual
- Attachment G – Construction Detail Plan
- Attachment H – Fiscal Impact Study
- Attachment I - Water Resource Protection Overlay District Analysis
- Attachment J - Architectural Plans dated March 11, 2020
- Attachment K - Traffic Impact Study, MDM Consultants, Inc., dated February 2020
- Attachment L - Landscape Plans, dated March 10, 2020
- Attachment L- Signage, dated March 2020
- Attachment M - Site Plan, dated March 2020
- Attachment N - Leach Field Plans, dated March 2020
- Attachment O - Water Resource Recovery Facility Plans, dated March 2020
- 4. Stormwater Report, dated March 11, 2020
- 5. Application Filing Fee Calculation, dated March 16, 2020
- 6. Conservation Coordinator Comments, dated March 27, 2020
- 7. Circulation Exhibits, dated April 3, 2020
- 8. Master Plan, dated April 3, 2020
- 9. Staff Report, dated April 3, 2020
- 10. Horsley Witten 1st Peer Review Stormwater Management, dated April 17, 2020
- 11. Alternative Emergency Access, dated April 22, 2020
- 12. North Road Sidewalk Exhibit, dated April 22, 2020
- 13. Horsley Witten 1st Peer Review Wastewater Treatment Facility, dated April 23, 2020
- 14. Zoning Board of Appeals Recommendation Memo to the Planning Board, dated April 23, 2020
- 15. Peer Review Response Memo, Stormwater Horsley Witten 1<sup>st</sup> Peer Review, dated d...
- 16. Peer Review Response Memo, WWTF from Provencher Engineering, dated April 27, 2020
- 17. Peer Review Response Memo, WWTF from Civil Design Group, LLC, dated April 27, 2020
- 18. Peer Review Response Memo, WWTF from Onsite Engineering, dated April 28, 2020
- 19. Letter from Ralph Tyler, Sudbury Resident, dated April 29, 2020
- 20. Response Memo to Zoning Board of Appeals Recommendations, from Cold Brook Crossing Team, dated May 6, 2020
- 21. McMahon Associates Traffic Peer Review, May 5, 2020
- 22. Operation and Maintenance Plan and Long-term Pollution Prevention Plan for the Apartments at Cold Brook Crossing, Smart Growth Overlay District, and Cold Brook Crossing, North Road Residential Overlay District Project, North Road, Sudbury, MA, prepared for Quarry North Road, LLC by Civil Design Group, LLC, dated March 11, 2020 and revised May 15, 2020.
- 23. Civil Design Group Stormwater Management Peer Review Response, May 19, 2020
- 24. Horsley Witten 2nd Stormwater Management Peer Review, May 20, 2020
- 25. Horsley Witten 2nd Wastewater Treatment Facility Peer Review, May 26, 2020
- 26. MDM Transportation Traffic Peer Review Response, June 2, 2020
- 27. Cold Brook Crossing Team 2nd Wastewater Treatment Facility Peer Review Response, June 2, 2020
- 28. MDM Transportation Consultants Expanded Analysis Traffic Impact and Access Study, June 3, 2020
- 29. Stormwater Management Report Porous Pavement, June 1, 2020
- 30. Alternative Basin 1 Grades, June 8, 2020
- 31. Alternative Basin 1 HydroCad, June 8, 2020

32. Horsley Witten Wastewater Treatment 3rd Peer Review, June 10, 2020
33. Edward T. T. Chiang, P.E., Sudbury Water District Peer Review, June 10, 2020
34. Landscape & Lighting Plans, entitled “Proposed Landscape Plans for Quarry North Road LLC” prepared by Bohler for, dated March 11, 2020 and last revised June 10, 2020
35. McMahon Associates Traffic Peer Review 2, June 17, 2020
36. Sudbury Water District Comments, June 23, 2020
37. Wastewater Treatment Technical Comments from Massachusetts Department of Environmental Protection, June 23, 2020
38. Stormwater Peer Review Response to Sudbury Water District Comments, June 23, 2020
39. MDM Transportation Consultants – Off Site Transportation Mitigation Summary, July 1, 2020
40. Civil Design Group – Berm Sections Plan, July 6, 2020
41. Site plans entitled, “Cold Brook Crossing, North Road, Sudbury, Massachusetts” prepared by Civil Design Group for Quarry North Road LLC, last revised July 8, 2020
  - a. Sheet 1, COVER SHEET, dated March 11, 2020, last revised July 8, 2020
  - b. Sheet 2, LEGEND & NOTES, dated March 11, 2020, last revised July 8, 2020
  - c. Sheet 3, EXISTING CONDITIONS PLAN, dated March 11, 2020, last revised July 15, 2020
  - d. Sheet 4, SITE CONTEXT PLAN, dated March 11, 2020, last revised July 8, 2020
  - e. Sheet 5, SITE PREPARATION & EROSION CONTROL PLAN, dated March 11, 2020, last revised July 8, 2020
  - f. Sheet 6, OVERALL LAYOUT PLAN, dated March 11, 2020, last revised July 8, 2020
  - g. Sheet 7, LAYOUT PLAN A, dated March 11, 2020, last revised July 8, 2020
  - h. Sheet 8, LAYOUT PLAN B, dated March 11, 2020, last revised July 8, 2020
  - i. Sheet 9, LAYOUT PLAN C, dated March 11, 2020, last revised July 8, 2020
  - j. Sheet 10, GRADING & DRAINAGE PLAN A, dated March 11, 2020, last revised July 8, 2020
  - k. Sheet 11, GRADING & DRAINAGE PLAN B, dated March 11, 2020, last revised July 8, 2020
  - l. Sheet 12, GRADING & DRAINAGE PLAN C, dated March 11, 2020, last revised July 8, 2020
  - m. Sheet 13, UTILITY PLAN A, dated March 11, 2020, last revised July 8, 2020
  - n. Sheet 14, UTILITY PLAN B, dated March 11, 2020, last revised July 8, 2020
  - o. Sheet 15, UTILITY PLAN C, dated March 11, 2020, last revised July 8, 2020
  - p. Sheet 16-24, PLAN & PROFILE SHEETS CONSTRUCTION, dated March 11, 2020, last revised July 8, 2020
  - q. Sheet 25, PHASING CONSTRUCTION DETAILS, dated March 11, 2020, last revised July 8, 2020
  - r. Sheet 26-32, LANDSCAPE, LIGHTING, & SIGNAGE PLANS/DETAILS, dated March 11, 2020, last revised July 8, 2020
42. Edward T. T. Chiang P.E., Sudbury Water District Peer Review Comments, July 8, 2020
43. Plan for Trail Connections, July 8, 2020
44. Plan for Trees on Berm on North Road, July 8, 2020
45. Memo from William C. Henchy, LLC, July 13, 2020
46. Cold Brook Crossing – Sidewalk & Trail Exhibit, July 22, 2020

## I. BASIS FOR DECISION

The Board bases its Decision on the following:

- A. The Applicant, Quarry North LLC, filed with the Town Clerk a Master Development Plan (hereinafter the “Master Plan”) to construct 274 dwelling units (81 being age restricted and 26 being affordable) in townhouses and multi-family buildings on approximately 26 acres of land

with associated parking, amenities, and infrastructure at 16 and 36 North Road (Assessor's Maps C12-0003, C12-0004, and C12-0100). The Master Plan was approved by a vote of more than 2/3 of the quorum present at a Special Town Meeting held on December 11, 2018.

- B. Granting the Permit is in harmony with the general purpose and intent of the Bylaw in that the proposed drainage system design and controls will protect and maintain the public health, safety, environment and general welfare by controlling the adverse effects of increased post-development stormwater runoff and nonpoint source pollution associated with the proposed development; and shall protect the health, safety, environment and general welfare by controlling runoff and preventing soil erosion and sediment resulting from construction/alteration and development.
- C. The Project complies with the applicable regulations and performance standards of the most recent version of the Massachusetts Department of Environmental Protection (DEP) Stormwater Management Policy and Standards.
- D. The development and related activities shall maintain the after-development runoff characteristics as equal to or less than the pre-development runoff characteristics from the site in order to avoid flooding, stream bank erosion, siltation, nonpoint source pollution, property damage and to maintain the integrity of stream channels and aquatic habitats.
- E. The Project is designed to minimize or avoid damages due to increases in volume, velocity, frequency, duration and peak flow rate of stormwater runoff. The project conforms to the general criteria of the Bylaw and Regulations to the maximum extent feasible.
- F. The Plan establishes provisions for the long term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety.
- G. In addition to structural components, the Project design uses nonstructural stormwater management, stormwater better site design practices, and/or "low impact development practices", such as the use of bio-retention basins, to the maximum extent practicable.
- H. The Project represents a component of a multi-phase, master-planned redevelopment of a 26-acre existing gravel pit site. The Project will occur primarily on the **Project Site**, an approximately 6.2-acre portion of the **Property**. Additional demolition, utility, grading, and roadway and utility work to facilitate the Project, as shown on the Plan, will occur on portions of the Property outside of the Project Site. Additional potential redevelopment upon the Project Site and Property as contemplated by the master plan for the Property that does not relate to the Project or the Plan may require separate approval and is not subject to this Permit.
- I. The proposed design will include best management practices and pre-treatment of runoff for water quality improvement. Erosion and sedimentation control are proposed on the Plan. Long term maintenance, operation and reporting will be required.
- J. The Applicant has submitted a Stormwater Management and Erosion Control Plan and project description and Operation and Maintenance Plan, which are satisfactory.

THEREFORE, the Board hereby GRANTS the requested Stormwater Management Permit, as requested in the application and shown on the Plan, located in Sudbury, Middlesex County, Massachusetts, with the

benefit of the following Plan modifications, conditions and limitations. The approval herein granted is based on the Plan as described above.

## II. CONDITIONS AND REQUIREMENTS

The following conditions of this approval shall be strictly adhered to. Failure to adhere to these conditions or to comply with all applicable laws and Permit conditions shall give the Town the rights and remedies set forth in Section 12 of the Regulations.

- A. Conformity: All construction at the Project Site shall be in substantial conformity with the Plan, which is on file with the Board, and representations made by the Applicant during the public hearing.
- B. Access During Construction: The Applicant shall ensure safe and convenient vehicular access to the Project Site during the entire duration of the construction period. The Board and its representatives shall be permitted access to the Project Site to observe and inspect the site and construction progress until such time as the Project has been completed. When possible prior to Project Site access, reasonable advance notice will be made to ensure compliance with safety protocols.
- C. Conditions prior to any vegetation removal, soil disturbance or construction activities:
  - 1) The Applicant shall submit **\$10,000.00** for the purpose of the Town hiring a construction monitor to perform the inspections set forth in Section II.G below. If prior to completion of the Project, the Board finds that this initial deposit is not sufficient to cover actual costs incurred by the Town for these purposes, the Applicant shall be required to submit forthwith such additional amount as is deemed required by the Board to cover such costs. If the actual cost incurred by the Town for such purposes is less than the amount on deposit as specified above, the Board shall authorize that such excess amount be refunded to the Applicant concurrently upon issuance of a Certificate of Completion.
  - 2) The Project will disturb more than 1 acre of land and is therefore required to obtain coverage under the Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) Construction General Permit. A draft Stormwater Pollution Prevention Plan (SWPPP) has been included in the application. The draft SWPPP includes recommended construction period pollution prevention and erosion and sedimentation controls. The final SWPPP shall be submitted to the Board prior to commencement of any work in connection with the Project. All work on the Project Site shall be conducted in accordance with the requirements of those permits and plans.
  - 3) Erosion control methods shall be installed as shown on the Plan and shall be updated as the work progresses on the Project Site.
  - 4) A performance bond in the amount of **\$XX** shall be submitted and held by the Board until the Premises are fully stabilized with vegetation and the stormwater structures have been cleaned and deemed functional by the Director of Public Works. The initial bond amount may be adjusted at the discretion of the Town Engineer based on a detailed estimate provided by the Applicant.
- D. Prior to issuance of a Building Permit, the Applicant shall submit the following information to the Board, or its representative, for review and approval:

- 1) Receipt of this Permit as recorded in the Middlesex South District Registry of Deeds.
  - 2) A covenant requiring maintenance of the stormwater management system in accordance with Best Management Practices and the Operation and Maintenance Plan shall be recorded on the Project Site. This covenant shall allow for the placement of municipal liens on the Project Site if the Applicant fails to maintain the system and the Town needs to do so. The Applicant shall submit the covenant for review and approval of the Board or its representative prior to recording at the Middlesex South District Registry of Deeds.
- E. The Applicant shall inspect silt sacks weekly and remove sediment collected in silt sacks as needed, but at least once per month during construction.
  - F. An Illicit Discharge Compliance Statement, signed by property owner, shall be submitted to the Planning Board prior to issuance of a Certificate of Completion for the Project.
  - G. A Stormwater Construction Site Inspection Report shall be generated by the Applicant or its representative for this Project, at a minimum, every two weeks during construction, and after every major storm event. A reporting plan indicating the routine for submission of Inspection Reports shall be developed by the Applicant and approved by the Planning Board.
  - H. In the Snow Storage Plan included in Section 2.0 of O&M revised May 2020. If additional snow storage is required, it will be provided by using excess parking spaces, using on-site snow storage areas in other areas of the Property or Project Site area, or by trucking snow off site. Snow stockpiles shall be managed in accordance with MassDEP Regulations and not located near wetland resource or on stormwater infiltration areas including on the porous pavement sidewalks and parking lots.
  - I. Access to the drainage structures for inspection and maintenance shall be kept clear of obstruction.
  - J. **Monthly** written construction update reports and **periodic** on site meetings shall be provided throughout construction with notification of anticipated phasing transitions indicated. Site stabilization measures should be reviewed for adequacy in each phase and adjustments to the sediment and erosion control plan may be considered to optimize site stabilization.
  - K. The Applicant and its successors and assigns shall be responsible for maintaining the stormwater management system for the development in accordance with the Operation and Maintenance (O&M) Plan submitted and applicable DEP regulations. An annual Operation and Maintenance shall be conducted by a certified engineer who will prepare an annual status report for delivery to the Board demonstrating compliance with the O&M Plan. Revisions to the O&M Plan may be proposed to and accepted by the Planning Board.
    - a. The Town or its representative shall be invited to participate in the annual site inspection to ensure optimal operations and maintenance of the system and porous pavement installed on site.
  - L. A performance bond for perpetual operation and maintenance of the stormwater systems and porous pavement on site in the amount of \$**XX** shall be submitted and held by the Board to ensure funds are available to remediate any negligence in stormwater system operations or system failure.
  - M. The following source control and pollution prevention measures shall be employed on the site to prevent contamination of stormwater runoff:

- 1) Sweep pavement areas regularly, preferably with a vacuum or regenerative air sweeper
- 2) Employ measures to control litter on the site
- 3) Lawn and deicing chemicals shall be stored under cover.
- 4) Fertilizers and pesticides shall be applied sparingly to prevent washoff.
- 5) Use of slow release nitrogen and low phosphorus fertilizers is encouraged.
- 6) No fertilization or pesticide application shall occur in or near any wetland resource area.
- 7) Hazardous wastes shall be stored, used and disposed of properly.
- 8) **No vehicle washing shall be allowed on site.**
- 9) Maintain vehicles and clean up fluid spills/drips with absorbent materials immediately.
- 10) Educate personnel on implementation of spill abatement and containment procedures
- 11) Use alternative deicers such as calcium chloride and magnesium chloride in lieu of sodium based deicers.
- 12) Designate areas for snow storage in upland locations where meltwater can drain onto pervious surfaces away from water resources, infiltration BMPs, bio-retention areas, and wells
- 13) No coal tar-based pavement sealants are to be used on any site subject to the Stormwater Management Permit.

N. Inspections: In accordance with Section 9.B of the Regulations, the Board, or its designee, may inspect the Project Site at the following stages, at a minimum. The Applicant shall inform the Board of these stages in construction at least two (2) days prior to commencement or completion, whichever is applicable, for scheduling of an inspection:

- 1) Pre-Construction Site Inspection – prior to commencement of construction.
- 2) Erosion and Sediment Control Inspection – to ensure erosion control practices during and after construction are in accordance with the approved Plan.
- 3) Construction Inspection – multiple inspections will be made of the stormwater management system facilities, including but not limited to infiltration systems, base of porous pavement areas, BMPs, and connections to existing pipes, prior to backfilling of underground drainage or stormwater conveyance structures. The Applicant and Planning Board designee will agree to a plan at the Pre-Construction Site Inspection.
- 4) **Porous Pavement Inspections to include:**
  - a. **Subgrade prior to reservoir stone.**
  - b. **During installation of reservoir stone.**
  - c. **Prior to choker course.**
  - d. **While porous pavement being installed.**
- 5) **Porous Pavement Inspection** – following installation, the installer shall demonstrate the design rates of infiltration are occurring, **by application of clean water at the rate of at least 5 gpm over the surface, using a hose or other distribution devise.** Town Engineer and peer reviewer shall observe the test. The installer shall provide a report to the Town.
- 6) Final Inspection – after the system has been constructed, once the as built plan is prepared, and before the certificate of occupancy for the buildings has been issued.

O. As-built Plan: The Applicant shall submit an as-built plan, containing all elements listed in Section 11.A.2 of the Regulations, to the Board upon completion of this Project and prior to the issuance of the Certificate of Occupancy. The plan shall be signed by the professional engineer of record, who shall certify that the work has been completed in accordance with the approved Plan and the Stormwater Management Permit.

- 1) Since the project is **phased**, the submission of current status, as-built plans shall be presented at each occurrence of the owner seeking initial occupancy of each building(s) involved in that phase.

- P. No use or occupancy (except in connection with the construction activity authorized by this Permit) shall be conducted on the Project Site until a Certificate of Completion is issued by the Board in accordance with Section 11.0 of the Regulations. In the alternative, the Applicant may request a **Partial Certificate of Completion** for any completed phase of the Project on the Project Site. To the extent that the requirements of this Permit have been met with respect to such completed phase of the Project on the Project Site, the Board may permit the use and occupancy of the completed phase in accordance with Section 11.0 of the Regulations.
- Q. Violation of Conditions: Violation of any of the conditions of this Stormwater Management Permit may be grounds for revocation of this Permit, or of any building or occupancy permit granted hereunder, or both. In the case of violation of the continuing obligations of this Permit, the Town shall notify the owner of such violation and give the owner reasonable time, not to exceed thirty (30) days, to cure the violation. If at the end of said thirty (30) day period, the Applicant has not cured the violation, or, in the case of violations requiring more than thirty (30) days to cure, has not commenced the cure and prosecuted the cure expeditiously, the Board may, after notice to the Applicant or owner of the Project Site, conduct a hearing in order to determine whether the failure to abide by the conditions contained herein should result in revocation of the Permit. As an alternative, the Town may enforce compliance with the conditions of this Permit by an action for injunctive relief before any court of competent jurisdiction. The Applicant/Owner agrees to reimburse the Town for its reasonable costs in connection with the enforcement of the conditions of this Permit.
- R. The Applicant by accepting this Permit warrants that the Applicant has included all relevant documentation, reports, and information available to Applicant, in the application submitted and that this information is true and valid to the best of the Applicant's knowledge.
- S. The Applicant shall be responsible for maintaining the stormwater management facilities as shown on the Plan in conformance with the Operation and Maintenance Plan submitted as approved by this Permit.
- T. The following conditions and consistency with University of New Hampshire Stormwater Center Design Specifications for Porous Asphalt Pavement and Infiltration Beds shall apply to the Porous Pavement Installation:
- 1) All work adjacent to the porous pavement, such as guardrail, cleanup, and turf establishment, should be completed prior to placing the wearing course when this work could cause damage to the pavement.
  - 2) Protect pavement work area from run-on during construction and post-construction periods.
  - 3) Porous asphalt shall not be placed between November 15 and March 15. More specifically when the ambient air temperature at the pavement site in the shade away from artificial heat is below 16 °C (60 °F) or when the actual ground temperature is below 10 °C (50 °F).
  - 4) Porous pavement shall not be placed in the rain.
  - 5) Porous pavement beds shall not be used for equipment or materials storage during construction, and under no circumstances shall vehicles be allowed to deposit soil on paved porous surfaces.
- B. No sand shall be used for snow and ice operations on site. Best management practices shall be implemented to ensure minimal use of deicing treatments and chemicals needed to achieve effectiveness, in order to protect water resources.



### III. LIMITATIONS

The authority granted to the Applicant by this Permit is limited as follows:

- A. **Applicability of Permit:** This Permit applies only to the proposed construction of two buildings, comprising of 101 dwelling units, known as the Apartments at Cold Brook Crossing, with associated parking, access roadway, landscaping, utilities and associated improvements, including stormwater management facilities, on the Project Site, as shown on the Plan. This Permit does not apply to other portions of the Property. Construction of the Project shall be conducted in accordance with the terms of this Permit and shall be limited to improvements shown on the Plan referenced above as amended by the conditions of this Decision. Any change of use for the Project shall require notice to the Board and may require a new or amended Stormwater Management Permit from the Board.
- B. **Limitations of Further Development:** There shall be no further development, material increase in intensity of use, change in use as per the Sudbury Zoning Bylaw, modification of the approved development plan of the Project without either a new Permit or the written consent of this Board. This does not absolve the Applicant from securing any permits required by other governmental boards, agencies or bodies having jurisdiction related to water quality or quantity.
- C. **Other Permits or Approvals:** This decision applies only to the requested Stormwater Management Permit. Other permits or approvals required by the Bylaw, other governmental boards, agencies or bodies having jurisdiction shall not be assumed or implied by this decision.
- D. **Bylaw Compliance:** The foregoing restrictions are stated for the purpose of emphasizing their importance but are not intended to be all inclusive or to negate the remainder of the Bylaw.
- E. **Lapse of Permit:** Should the land-disturbing activity approved under this Permit not begin within 12 months following Permit issuance, the Board may evaluate the existing stormwater management plan to determine whether the plan still satisfies local program requirements and to verify that all design factors are still valid. If the Board finds the previously filed plan to be inadequate, a modified plan shall be submitted and approved prior to the commencement of land-disturbing activities. If the Project associated with an approved Stormwater Management Permit granted under the Bylaw has not been substantially completed within three (3) years of Permit issuance, a new Permit or a Permit extension will be required by the Board.
- F. **Appeals:** Any person aggrieved by this decision may appeal pursuant to the General Laws, Chapter 249, Section 4.

The provisions of this Permit shall be binding upon every owner or owners of the lots and the executors, administrators, heirs, successors and assigns of such owners, and the obligations and restrictions herein set forth shall run with the land, as shown as the Property on the Subdivision Plan, in full force and effect for the benefit of and enforceable by the Town of Sudbury.

This Permit shall not take effect until a copy of this Decision has been recorded with the Middlesex South District Registry of Deeds and until a certified copy of the recorded document is submitted to the Board.

Witness our hands this 29<sup>th</sup> day of July, 2020.

SUDBURY PLANNING BOARD

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Stephen Garvin, Chair

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Charles Karustis, Vice Chair

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John Hincks, Clerk

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Justin Finnicum

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John Sugrue

cc: Town Clerk  
Town Engineer  
Conservation Commission  
Building Inspector  
Board of Health  
Applicant  
Sudbury Water District