



TOWN OF MAYNARD
Office of the Select Board
MUNICIPAL BUILDING
195 Main Street
Maynard, MA 01754
Tel: 978-897-1301
www.townofmaynard-ma.gov

Jeffrey Swanberg

David Gavin

Mike Stevens

Lindsay McConchie

Chris DiSilva

October 21, 2024

Katharine Lacy, Senior Planner
Massachusetts Housing Partnership
160 Federal Street
Boston, MA 02110

RE: AvalonBay Project at 182 Parker Street / Town Comments

Dear Ms. Lacy:

The Town of Maynard thanks you for providing this opportunity to formulate a response to AvalonBay Communities' application for a project eligibility letter (PEL). Please consider the present letter as a summary of the totality of comments from the public, the boards and committees of Maynard, and municipal governments in Maynard, as well as Sudbury. We have attached individual letters and comments from those listed above, which are equally if not more critical to your review, indexing them under "Appendix: List of Complementary Documentation" at the end of this letter.

Maynard prides itself on its progressive stance vis-à-vis affordable housing. The citizens of Maynard believe in affordable housing as a fundamental right, which is why we enshrined the phrase "Expand Housing Opportunities (Principle #5)" in our ten Community Development Principles. These principles adorn the wall of our Select Board meeting chambers, serving as guideposts for our decision making, and are a constant reminder of the duty owed to those who have not yet accessed this right we deem essential in our community. But lofty ideals are only meaningful when coupled with actions that realize them, which is why we have been meticulous in taking concrete steps—from ratifying local legislation like our Inclusionary Zoning and Accessible Dwelling Unit by-laws to making the disposition of municipal real estate contingent upon construction of affordable units—that have increased our affordable housing stock and will continue to do so in the future. (See Document A: Comments from the Town of Maynard Planning Director for a full and eloquent treatment of the steps Maynard has taken.) Despite our efforts, we have not yet attained the statutory minimum of 10% affordable housing stock, a fact we fully acknowledge and for which we assume complete responsibility. Yet, consequent to our actions, Maynard's Subsidized Housing Inventory (SHI) stands at 9.18%; it will be 9.73% before this year's end and is on track to breach the 10% threshold by 2025.

After close consultation with our citizenry and careful deliberation, we believe that the proposed development is neither in the best interest of its potential residents, nor in the best interest of the rest of the town. The Town of Maynard's objection to the proposed development is circumscribed and site-specific: 182 Parker Street is not the right location for multifamily

housing. (Detailed comments to this effect are in Document B: Comments from the Town of Maynard Planning Board.) A comprehensive permit application emanating from the approval of a PEL for AvalonBay's proposed "Kanso Maynard" development would:

- 1) Imperil public safety in manifest ways;
- 2) Threaten the natural environment, with adverse effects to people and wildlife;
- 3) Be inconsistent with Maynard's local needs, as expressed and sanctioned through the democratic process.

Imperilment of public safety

Construction at the scale AvalonBay proposes in its PEL application poses multiple significant threats to the public safety of Maynard's residents. These threats include, but are not limited to, stress to water supply and potential water scarcity; increased likelihood of traffic-related incidents; and overstretching of public safety departments.

Water

The Town of Maynard is currently unable to grant AvalonBay's request to connect to the municipal water supply. (A comprehensive analysis of Maynard's limited water supply was conducted by a third-party engineering firm, see Document C: Maynard Water Capacity Memo – AvalonBay Residential Development, 182 Parker Street, Maynard, MA, dated June 13, 2024 (Stantec)). Since initial contact with the developer, the Town has consistently maintained and justified with evidence its inability to service a large-scale development with municipal water, specifically a 200-unit, 340-bedroom development. Maynard cannot accommodate any new, significant increases in water demand without simultaneously accessing new supply sources, a process that would be finalized no earlier than mid-2029 (or possibly longer if the U.S. Environmental Protection Agency requires additional upgrades for PFAS treatment).¹

Even under the current operational scenario, the Town struggles to meet maximum day demands, as evidenced by our near perpetual outdoor water use restrictions. Despite recent infrastructure upgrades—and in contravention of regulatory requirements—the municipal water supply is incapable of satisfying average demand when its largest water source, at Rockland Avenue, is offline.² Beyond sheer operational infeasibility, adding a "Kanso Maynard" would court a public health catastrophe in the event that any one of the constituent parts of Maynard's water infrastructure were to fail.

Drilling a private well, which is extremely likely given Maynard's definitive inability to supply this project with municipal water, can lead to extremely detrimental impacts on the parcel's wetlands. Site topography (combined with state regulation) limits the area on which the

¹ We take this occasion to note that the situation is due, in no small part, to PFAS contamination of one of Maynard's water supply sources, White Pond, by the Massachusetts Firefighting Academy in Stow, which has rendered the water unfit for human consumption.

² The Rockland Ave. water treatment plant and wells are routinely turned off for maintenance, putting reliable water supply on a precarious footing.

developer can place any well. Due to the site's proximity to the Town's own wells, any construction that increases infiltration into the aquifer feeding the Town's water supply could potentially degrade water quality and quantity townwide.

Traffic

Furthermore, the Town holds major reservations relating to traffic safety. The site's relative isolation—it is on the outskirts of town, far from public transit, downtown, and schools and library, and disconnected from other dense mixed-use and retail areas—renders it unsuitable to high-density, multifamily development, a fact best illustrated by the lack of sidewalk connection.³ The Town has real apprehension over large-scale development at the furthest reaches of town on a highly trafficked state route with a 35-mph speed limit—well above recommended speed limits for thickly settled, business district, and safety zones—that will increase the volume of both pedestrians and bicyclists when mobility infrastructure is not appropriately set-up to safely accommodate it. Extremely concerning to Maynard is the influx of school age children this will insert into this section of the corridor and the attendant increase in road crossings set to occur daily. Were this to be mitigated by reducing speeds along Route 27, congestion in the area would increase as a result, compounding traffic on this part of the artery that has just recently experienced an exponential rise pursuant to the opening of the commercial center at 129 Parker Street.

Public Safety

The proposal incubates a nascent public safety and security threat through the increased pressure it will place on Maynard's overstretched police and fire departments (See Document D: Comments from the Maynard Fire Department and Document E: Comments from the Maynard Police Department.) By analogy, since its opening in mid-2020, the Digital Way commercial complex at 129 Parker Street has been largely responsible for the dramatic increase in calls for service. In the three full years since its construction, Maynard PD has seen an average of 10,000 additional calls compared to the three years prior, while Maynard Fire Department's medical and fire response services have seen a thirteen percent increase on average. This stress has crossed town borders, increasing call volume to mutual aid departments such as Sudbury Fire Department, which is responsible for sending a fire apparatus every time there is a fire alarm at the Digital Way complex (due to the size of the residential buildings there), and which routinely responds to medical incidents in Maynard when Maynard FD is engaged elsewhere. In the past two years, Sudbury Fire has had to respond to 1 out of every 20 calls for fire services in Maynard. In sum, emergency response to "Kanso Maynard's" 200 units/340 bedrooms would not confine itself to Maynard's public safety departments but would affect emergency services in Sudbury and possibly beyond.

³ AvalonBay's PEL application erroneously claims that there is "Sidewalk Access to Site" (Section 2, 1.c). The nearest sidewalk is 950 feet and 1,450 feet north of the two site driveways, and only on the opposite side of Route 27.

Environmental harms

Although the application asserts that the development will protect sensitive land, critical habitats, and wetlands, all evidence points to the contrary. The proposed development is likely to irreparably damage, if not outright destroy, natural habitat and wetlands. The Town anticipates losses in ecosystem services, resiliency to climate change, and biodiversity owing to the environmental degradation the proposed development will occasion. (See Document F: Comments from the Town of Maynard Conservation Commission and Document G: Comments from the Town of Maynard Sustainability Committee.)

The ecosystem services provided at 182 Parker Street are critical to safeguarding the Town wells located north and west of the property, as its wetlands protect the aquifers that, in turn, protect the water at the Old Marlboro Road well (which is already in a precarious state). As the developer's environmental consultant recognizes and states, the property at 182 Parker Street has consisted of densely vegetated wetlands for 70 years, now totaling over 17 acres. The Massachusetts Wetlands Protection Act states that resource areas should not be damaged by alterations to the buffer zone, nor should wetlands be altered long-term by any activity. Yet, the proposed construction will inevitably disturb and reduce this area, including land within the state-regulated 100-foot wetlands buffer zone (not to mention land protected by Town by-law within the 50-foot buffer zone, which the developer seeks to dispense with through waivers).

Relatedly, the wetlands at this site provide a reliable mechanism for stormwater storage and hence climate resiliency, specifically their capacity to mitigate potential flooding. With increasingly unpredictable impacts of climate change on our weather patterns, adapting to the vagaries of severe weather events—of the type experienced across New England and in Maynard itself over the past few years—is critical.

We digress here to note our additional concern from an Environmental Justice standpoint with situating any housing, but *particularly* affordable housing, on this parcel, which has demonstrated itself to be flood prone. Anecdotally, this area has experienced more flooding recently, affecting both Maynard and Sudbury. Stronger climate change-induced storm patterns, coupled with a high water table on the lot (according to the developer's environmental analysis the table is only four feet below grade) leaves little margin of error for catastrophic flooding.

Finally, the project may seriously damage important wildlife habitat. The whole site is a large part of the only remaining corridor linking the sizable wetlands to the north with the Assabet River National Wildlife Refuge. Developing at the order of magnitude proposed will isolate vulnerable populations of fauna, including amphibian species already in decline. The site is also home to beaver families that are integral to creating more wetlands.

Inconsistency with the local needs of Maynard

The Town of Maynard is unified in its opposition to the development at this site. Of the 308 Maynard residents who contributed public comments through the Town's website, 97% stated that they were against the development at 182 Parker Street. (Please see all 389 comments from residents of Maynard, Sudbury and Stow, in Document H: Public Comment to "Kanso Maynard" PEL Application, collected between September 16 and October 4, 2024, via Town website and e-

mail (Excel spreadsheet, attached as separate file).) Over three-quarters of residents cited the town's well-known aging and stretched infrastructure capacity as their main concern, while over half expressed worry over environmental effects; another 4 out of 10 anticipate this potential development's ramifications to traffic.⁴ At a granular level, the primary specific concern categories revolve around the water supply (25% of respondents mentioning) and effects upon the wetlands (19%).⁵ In light of the aforementioned points regarding the perils to public safety and environment harm, but more specifically the evidence and lived experience that supports these points, Maynard's residents have good cause to feel the way they do. To speak candidly, these sentiments are not the knee-jerk reaction of a so-called "Not in My Backyard (NIMBY)" community.

Consequently, Town Hall is deeply concerned over the corrosive effects that approving this development would have on public trust, not just in municipal government, but in State government, as well. Approving Chapter 40B development on this parcel sets a worrying precedent that would ultimately undermine the Commonwealth's response to the affordable housing crisis.

The design of 40B—unaffectionately referred to as the anti-snob law in some quarters—was never intended to, nor should in the present case target a municipality like Maynard. Maynard has been the *bon élève* in its progressive, inclusive, and most importantly, citizen-supported efforts to grow and provide access to housing stock for low- and moderate-income households. Maynard wants more affordable housing. Maynard has designed an enabling environment to foster it. Maynard has followed state guidelines and carefully selected and designated a specific overlay district to facilitate it.

But most importantly, the residents of Maynard discussed and voted to approve all the above.

Similarly, Chapter 40B facilitates exemptions to local by-laws and regulations, which are citizen-sponsored and citizen-adopted through open, transparent, democratic procedures. Popularly supported laws, which predate the present PEL application by years if not decades, and whose intent is to ensure sustainable long-term planning for the precious, limited space within town borders and provide supplementary protection to sensitive ecosystems and their wildlife, will be the first collateral damage should this development proceed. What AvalonBay may gain the Town of Maynard will lose in terms of the citizens' faith in their ability to exert control over how they choose to govern themselves as individuals, as households, and as a community.

⁴ The Town's methodology for quantifying data contained in written (qualitative) responses was to employ a binary rating (0 or 1) according to the mention of an issue (1) or lack thereof (0). As a result, one individual's response could be recorded as having more than one category of concern, e.g., infrastructure and environment (both receiving a "1").

⁵ During the open process, residents of neighboring Sudbury also submitted public comments, expressing deep concern over environmental impacts, specifically ramifications from any construction on stormwater runoff and management, and, relatedly, encroachment upon the wetlands that currently serve to permit water absorption and recharge. The data also shows that Sudbury residents are unanimous in their stance of opposition to development at this site with 70 out of 70 responders against.

To reiterate, the Town of Maynard is against a large-scale multifamily development at 182 Parker Street. Town officials expressed this in clear terms to the developer and went so far as to initiate good faith efforts to explore and facilitate alternative siting. Although it has not materialized, we remain committed to working with AvalonBay, and all potential partners, to bring affordable multifamily housing to areas in Maynard that are most suitable, i.e. those for which we have planned and gained consensus. One such area is the Powder Mill Overlay District, our newly passed and state-accepted MBTA Communities 3A compliant zone. Maynard would much prefer to concentrate its energy into obtaining the resources and infrastructure necessary to create affordable housing in the zones it has worked so diligently and collaboratively to plan for than to divert its limited resources into fighting counterproductive attempts to force construction, cloaked in the flimsy guise of equity, where it ought not go.

Again, we thank you very much for this opportunity, and for considering our perspective, our local needs, and our limitations in your decision.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Swanberg", with a stylized flourish at the end.

Jeff Swanberg

On behalf of the Select Board and People of the Town of Maynard

Appendix: List of Complementary Documentation

1. Document A: Comments from the Town of Maynard Planning Director
2. Document B: Comments from the Town of Maynard Planning Board
3. Document C: Maynard Water Capacity Memo – AvalonBay Residential Development, 182 Parker Street, Maynard, MA, dated June 13, 2024 (Stantec)
4. Document D: Comments from the Maynard Fire Department
5. Document E: Comments from the Maynard Police Department
6. Document F: Comments from the Town of Maynard Conservation Commission
7. Document G: Comments from the Town of Maynard Sustainability Committee
8. Document H: Public Comment to “Kanso Maynard” PEL Application, collected between September 16 and October 4, 2024, via Town website and e-mail (Excel spreadsheet, attached as separate file)
9. Document I: 182 Parker Street, Proposed Residential Development, Overall Site Plan Review (Town Engineer)
10. Document J: 40B Project Considerations from Maynard Public Schools
11. Document K: Comments from the Town of Sudbury



TOWN OF MAYNARD
Planning Director
Office of Municipal Services

195 Main Street
Maynard, MA 01754
Tel 978-897-1302 Fax: 978-897-8489
BNemser@TownofMaynard.net www.townofmaynard-ma.gov

The Maynard Advantage
New England Living for Everyone

Katy Lacy, Senior Planner
Massachusetts Housing Partnership
160 Federal Street
Boston, MA 02110

Document A

Re: 182 Parker Street Kanso LLC proposed Ch40B Project - Comments

Dear Ms. Lacy,

Thank you for the opportunity to comment on this project.

In their responses to your office, many of my colleagues have commented on the technical aspects of this project. I will not reiterate the concerns raised in their correspondence (the overwhelming majority which I agree with). My comments are limited to concerns I have in my role as Maynard's Planning Director regarding the appropriateness of issuing a project eligibility letter (PEL) for this project.

Affordable Housing Efforts in Maynard

I have served as Planning Director/Town Planner in Maynard since 2014. Since then and in the time prior, Maynard has embraced the Commonwealth's top-down approach to ensure all local governments contribute to the creation of affordable housing in their communities. Maynard does not *only* want to comply with MGL mandates. The Town strongly believes that it is obligated to proactively prepare to meet the needs of current and future residents. Through a dedicated effort of outreach, consensus building and countless hours of collaborative participation, the Town has positioned itself to further its goal of affordable sustainable housing creation with the extensive cooperation of the public. Exhibit "A" details some of the initiatives that have been successfully implemented in the past decade.

A critical product of this effort has been the development of a series of community-driven plans and initiatives that retain a collective vision for Maynard while simultaneously ensuring locations are available to easily facilitate the private creation of affordable housing.

The result has been the establishment of a publicly supported planning framework utilizing Maynard's Master Plan, Housing Production Plan, Zoning By-laws and other mechanisms that has resulted in Maynard's achieving a current Strategic Housing Inventory (SHI) of over 9.5%.

This is 13 units short of 10% SHI. There are two critical considerations that should be made clear when considering the issuance of a PEL for this project:

- 1) There are an additional 12 units with affordable components only awaiting a certificate of

occupancy to be added to the SHI (12 Bancroft Street).

- 2) Maynard has permitted an additional 36 units with projects that have not yet broken ground (One Powder Mill Road). Once construction is completed, the Town will be over its 10% requirement by a minimum of 35 units.

Allowing a 40B development in an area identified by the community specifically as a single-family neighborhood will be highly detrimental to further continued good-faith public planning efforts. Units have been permitted and are ready to go that will bring the Town well over its 10% SHI. This is not only creating more affordable housing than the minimum required by MGL, but it is doing so by design. Negating the Town's zoning map through use of the 40B process at this point is punitive and counterproductive to Maynard's efforts that have resulted in over a decade of successful planning and consensus building steadily increasing the Town's affordable housing stock to such a level.

Collaborative Community Efforts to Identify Multi-family Zoning Districts

Prior to 2016, the bulk of new affordable housing stock was created and is concentrated in Maynard's Downtown Overlay District (DOD) as well as in several multifamily units constructed prior to the development of Maynard's Zoning By-laws. Since 2011, the DOD has utilized a combination of Inclusionary Zoning requirements, flexible zoning standards, and incentives such as density bonuses, to promote the ongoing creation of affordable units.

The Kanso proposal will undermine a successful formula that has resulted in dynamic infill development in downtown and the subsequent creation of affordable units in scale and character with Maynard.

Genesis of the Powder Mill Corridor Initiative

In 2018, a cross-municipality 250+ unit development (Powder Mill Place) was proposed by a private developer as a Local Initiative Program (LIP) at the Maynard/Acton border on Powder Mill Road. The Maynard portion was proposed to be sited in a single-family residential district. The project proposed significant multi-jurisdictional sewer and water service improvements/upgrades from both municipalities to service the site. There were delays associated with the many components involved in this infrastructure proposal, and ultimately the developer opted to limit the project to the Acton portion of the site before a sustainable sewer service plan could be proposed by Maynard.

These circumstances highlighted the Town's need to come up with a cohesive plan for the *Powder Mill Road Corridor* to reexamine the area and consider a zoning framework to allow/encourage a cross-section of uses with an emphasis on higher density multifamily development. In 2019, in coordination with the town of Acton, Maynard embarked on a 5-year joint planning effort to create overlay districts for the one-mile corridor located in both towns. The work was funded by both the Metropolitan Area Planning Council (MAPC) and EOHL (then DHCD) and resulted in a community-designed plan to develop the district. With additional assistance and funding from both MAPC and Massachusetts Housing Partnership, this effort culminated with successful rezoning of a 36-acre portion of the Powder Mill Road Corridor as a "MBTA Adjacent Community" 3A District, which was approved by the Attorney General's Office in 2024. This area currently has a minimum multi-family unit capacity of 474 units and an overall unit capacity of 615 units. This zoning is currently in place.

The Kanso development group (Avalon Bay) met twice with staff prior to filing the request for PEL. Staff was clear in conversations with the developer, the Town considered 182 Parker Street an inappropriate location for high-density development catering to families, as this was a designated single-family home district in a remote location. Staff proposed working collaboratively with the developer to:

- a) Connect the developer with property owners on Powder Mill Corridor to gauge availability of potential sites.
- b) Work with the developer to create a LIP to allow the project to proceed with an appropriate location on the corridor.

It is not clear what efforts, if any, were undertaken by the developer to locate an alternative site. However, the developer did not pursue these actions or any other with the Town and unexpectedly filed a PEL request with MHP. The Town respects the developer's business decision but does not believe it merits qualifying for a PEL authorizing a 40B project under the circumstances.

Jeopardizing the Town's Grant Assistance Efforts

Maynard is experiencing water capacity issues throughout the town. Any large project will require potable water upgrades and wastewater system improvements.

Maynard has coordinated with the Executive Office of Economic Development (EOED) leadership to discuss potential funding sources for infrastructure upgrades to accommodate new and high-density growth along the Powder Mill Road Corridor. EOED stated unequivocally that partnership with the developer was key to leveraging funding for improvements. Consequently, the Town continued its Powder Mill Road Corridor effort to help make the area more attractive for developer investment and subsequently create a foundation for potential funding assistance to accommodate the increased capacity requirements for higher-density development.

Potential Project Approval Without a Potable Water Source

Based on conversations with MHP and legal counsel, it is the Town's understanding that a denial of a comprehensive permit cannot be based on inadequate infrastructure capacity. If this is correct, this would mean the Kenso project could be approved without potable water to service the project. An approval under these circumstances would obligate the Town to place other capacity-limited infrastructure (i.e. schools, public safety, sewer etc.) in "reserve" to service Kenso in case a water source was eventually identified.

The uncertainty created by this allocation of infrastructure capacity may jeopardize the Town's adopted strategy which includes its MBTA 3A district, and:

- A) result in Maynard missing out on desirable development in appropriate locations identified by the Town as part of a long-standing strategy, that may have adequate all-around infrastructure capacity, and
- B) potentially redirect funding resources away from the strategically planned higher-density areas created by the Town's planning efforts that have been designed to qualify for cohesive infrastructure funding from a variety of funding mechanisms.

Effect on Community Engagement

Issuance of a Project Eligibility Letter (PEL) for the Kanso development is detrimental to the Town's efforts to develop the Powder Mill Corridor, the Downtown Overlay District and other high-density locations suitable for affordable units. Because it ignores the extensive community consensus cultivated for an MBTA 3A district/Powder Mill Corridor, the Master Plan, the Housing Production Plan and other land use frameworks, issuance of this PEL would negate these efforts for a Town that, as of this letter, is at 9.18% SHI with permitted projects that when completed will bring the Town well over 10% SHI. The erosion of public trust that would result from a 40B project at such a polar opposite of what the Town has blueprinted for the future, is incalculable. The value of input in the planning process will be rightly questioned by the public and the recovery of community trust in the town's leadership for land development left in doubt.

Issuance of a PEL under these circumstances will likely damage Maynard's current planning efforts for affordable housing and may result in a backlash against future projects involving multifamily uses, which would ultimately be counterproductive to the intent of Chapter 40B.

Regulatory Barriers to New Development

Chapter 40B was adopted by the legislature to address the shortage of low- and moderate-income housing in Massachusetts, and to reduce regulatory barriers that impede the development of such housing. This is a community with areas already zoned for the type of development proposed. The only regulatory barriers encountered by the applicant in this case are Maynard's Zoning Map and its Zoning By-laws. Classifying the inability to construct a project without regard to either should not be considered a "barrier" to development and is not the intent nor in the spirit of Chapter 40B. Consequently, the Town believes issuance of a PEL is unwarranted and would be a misapplication of the regulatory relief entitlements allowed by 40B development.

PEL Evaluation - Why Issuance Is Not Appropriate

Maynard has worked with MHP in the past and believes it has demonstrated a track record of good faith efforts to create affordable housing.

The "Housing Toolbox" presentation from MHP notes that when considering issuance of a PEL, 760 CMR 56.00 requires the Subsidizing Agency determine:

- (a) that the project is generally eligible under the subsidy program.
- (b) that the site of the proposed project is generally appropriate for residential development, taking into consideration information provided by the municipality or other parties regarding municipal actions previously taken to meet affordable housing needs;

Such actions could include:

- The creation of multi-family districts under Chapter 40A
- Overlay districts adopted under G.L. c.40R
- And/or the adoption of an inclusionary zoning bylaw.

Provided that such measures relate to sites/districts that are appropriate for residential use and create opportunities of a scale that reasonably relate to the municipality's need for affordable housing as measured by the Statutory Minima.

Maynard's proactive strategies to meet affordable housing needs are well documented and many are contained as Exhibit "A". Entrenched strategies such as contained in Exhibit "A" are

not the approach of a community trying to shirk its responsibilities under 40B. The Town maintains their proactive history cannot be interpreted as anything other than a municipality leading the way on creation of affordable housing while shaping it through the critical public process.

The Town recognizes that Ch. 40B provides the ability for the Commonwealth and its agents to utilize a strict approach when interpreting the regulation. The Town recognizes that the law also allows for the consideration of a wide range of subjective factors when contemplating the issuance of a PEL.

Maynard believes it has demonstrated consistent and good-faith efforts to create affordable housing in its jurisdiction. Consequently, the Town believes issuance of a PEL for this development in this location is unwarranted, will potentially cripple further efforts for new affordable housing, and is in neither the Commonwealth nor the Town's best interests.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Nemser", with a long horizontal flourish extending to the right.

Bill Nemser, AICP, LEED AP

Exhibit “A”

Maynard’s Progress in Meeting Affordable Housing Goals

Maynard originally adopted its Housing Production Plan (HPP) in January 2016. The HPP was updated in 2021. Since that time the Town has been steadily and successfully working towards implementing goals and strategies of the HPP including:

- Adopted an Inclusionary Zoning By-law (IZ) in 2018. At time of this writing, over 20 affordable units are at some stage of development review within market-rate projects as a result of IZ implementation.
- Added a “one-for-one” density bonus program to the Zoning By-laws (ZBL) as an incentive to create additional affordable units in qualifying projects.
- Amended the Zoning By-laws to reduce parking minimums to increase the number of allowable residential units within high-density communities without creating additional impervious surfaces.
- In 2024 **alone**, Maynard added 26 units to the Town’s Strategic Housing Inventory (SHI) under the LIP program. An additional 48 units have already permitted and ready for construction or occupancy.
- Created an Affordable Housing Trust (AHT), which has been awarded funds from the Community Preservation Committee for creation/preservation of affordable housing.
- Maintained an ongoing contract with the Regional Housing Services Office (RHSO) to maintain and monitor affordability restrictions.
- Secured a \$3.4 million MassWorks grant to partially fund wastewater system improvements allowing the Maynard Crossing Mixed-Use project to move forward. This allowed the creation of 22 affordable housing units on a vacant industrial parcel.
- Amended Zoning By-Laws to allow Accessory Dwelling Units in residential areas by-right, prior to passage of the 2024 Affordable Homes Act.
- Collaborated on a 5-year joint planning effort to with the Town of Acton on a cross-jurisdictional plan for the Powder Mill Road Corridor, with the express purpose of supporting higher-density development and creation of a zoning strategy to reduce sprawl development..
- Enacted new multifamily overlay zoning in compliance with the MBTA Communities Act, and in furtherance of the above-mentioned Powder Mill Road Corridor initiative. The work was funded by both the Metropolitan Area Planning Council (MAPC) and EOHLC (then DHCD) and resulted in a community-designed plan to develop the district. With additional assistance and funding from both MAPC and Massachusetts Housing Partnership, this effort culminated with successful rezoning of a 36-acre portion of the Powder Mill Road Corridor as a “MBTA Adjacent Community” 3A District, which was approved by the Attorney General’s Office in 2024. This area currently has a minimum multi-family unit capacity of 474 units and an overall unit capacity of 615 units. This zoning is currently in place.
- Secured \$750K in two Housing Choice grants to help improve the Powder Mill Road pump station to add additional capacity for new development.



TOWN OF MAYNARD
Planning Board
Office of Municipal Services
195 Main Street
Maynard, MA 01754
Tel 978-897-1302 Fax: 978-897-8489
OMS@TownofMaynard.net www.townofmaynard-ma.gov

The Maynard Advantage
New England Living for Everyone

October 16, 2024

Chairman Swanberg and Town Administrator Johnson,

Document B

In reference to the Application and Project Eligibility Letter (PEL) submitted by AvalonBay Communities, Inc. (the "Applicant") to the Massachusetts Housing Partnership (MHP) for the construction of 200 units of rental housing (the "Project") at 182 Parker Street (the "Site"), attached to this letter are a list of comments prepared by the Planning Board that should be included in our submittal of Public Comments. These comments are provided based on available information submitted by the Applicant to-date.

In summary, the Planning Board has observed that the proposed location of this project will make it difficult to comply with criteria in the MHP Application. The Planning Board has also observed numerous instances of inaccuracies, missing information, and misrepresentations in the MHP Application that should be addressed by the Applicant.

Please reach out to Bill Nemser (Planning Director) or me if you have any questions.

Best Regards,

Chris Arsenault
Chairman of the Planning Board

Comments from the Planning Board

General Comments

- A. The application claims several times that the developers are “exploring a connection from the site to the existing sidewalk” but no details are provided, and no cost for a sidewalk is included in the financial pro forma.
- B. The project includes 3-bedroom units but does not provide amenities for families. For example, there are no play areas, no connections to sidewalks or bike paths, nowhere for someone to go on a walk with their children, and no connections to town recreation facilities.
- C. The site could hardly be more isolated. The project does not provide safe accommodation for pedestrians and bicyclists along Route 27, to connect with commercial areas, other neighborhoods, community destinations, and town schools.
- D. The project highlights a combination mail kiosk and bike storage facility. Not only is it located at the far end of the site, more than 1,000’ from some units, but it is only 234 square feet in size. Safe and secure bicycle parking is not provided in each residential building.
- E. The Applicant references LEED Silver or Gold several times in the application materials. Please note that “LEED Silver or Gold recycling requirements during construction” (as noted in Section 7 Method 2[4]) are vastly different than the requirements for a constructed building to receive LEED Silver or Gold certification. Furthermore, the applicant has provided insufficient information on how they intend to meet this goal.
- F. The amount of surface parking should be reduced. Based on the unit count provided in the application and the parking requirements of the Town’s Zoning By-Laws, a total of 288 spaces would be required, yet 341 spaces are currently proposed. Any parking in-excess of the required amount should be provided under the building footprints in order to preserve more of the woodlands otherwise being eliminated by the project. For reference, here is a summary of the parking calculation per the Town’s Zoning By-Laws (Table C – Parking Space Requirements of the Projective Zoning By-Laws).
 - 10 studios @ 1 space per unit = 10 spaces
 - 70 one-bedroom units @ 1.25 spaces per unit = 88 spaces
 - 100 two-bedroom units @ 1.5 spaces per unit = 150 spaces
 - 20 three-bedroom units @ 2 spaces per unit = 40 spaces
- G. The Application states that the aerial size of the affordable units will be smaller than the market rate units. Chapter 40 B states portable units shall be “indistinguishable on the exterior” from market rate units. Smaller affordable units may not be compliant with regulations in the Commonwealth.

Specific Comments

The application has several instances of inaccuracies, missing information, and misrepresentations.

- H. Section 2, 1c Existing Conditions: the application mistakenly claims that there is “Sidewalk Access to Site”. The nearest sidewalk is over 900 feet (ft) from the nearest site driveway, and only on the opposite side of street (Parker Street – Route 27).
- I. Section 2, 1d Surrounding Land Use and Amenities: the application claims several times that the developers are “exploring a connection from the site to the existing sidewalk” but no details are provided, and no cost for a sidewalk is included in the financial pro forma.
- J. Section 2, 1d Surrounding Land Use and Amenities: The application claims that there are Recreational Facilities within 0.5 miles of the site. The only recreational facility that close to the site is a restricted-access Town of Sudbury athletic field that is limited to Sudbury residents by permit only, therefore these facilities would not be available to residents of the proposed development.
- K. Section 2, 1e Zoning and Current Use: The application states that the minimum number of parking spaces required by zoning is 2 per dwelling unit. This is incorrect. The parking requirements for multi-family within the zoning bylaw (Bylaw Section 6.1.10 Table C) requires 1 space per studio, 1.25 spaces per one-bedroom, 1.5 spaces per two bedroom, and 2 spaces per three bedroom or larger. Even these standards have proven too high.
- L. Section 6 – Municipal Actions (in Maynard): the application cites only the adoption of MBTA Communities zoning as actions the Town has taken to promote the development of affordable housing. This statement is incomplete. In addition to passing an “MBTA Communities” zoning by-law with 96% support from Maynard voters during the May 2024 town meeting, the Town has had Inclusionary Zoning (Section 7.10 of Maynard’s Zoning Bylaws) and an Affordable Housing Trust for many years. Maynard has also recently updated zoning for accessory dwelling units (ADUs) with rent limited to 70% AMI. The zoning requirements for the Downtown Overlay District was recently modified to require a portion of affordable housing units at 60% AMI.

Since 2019, the Planning Board has issued a Special Permit to every applicant that has filed an application using the Downtown Overlay District inclusionary zoning. Each of these projects typically include a minimum of 25% of the units designated affordable at 80% AMI, 60% AMI, or both.

- M. Section 7 Method 2(1): the applicant claims that it meets the criteria of Item #1, which references the “concentrate development and mix uses” principle. There is insufficient and incorrect information to support this claim.
- The proposal does not support revitalization by integrating uses, and “mixed-uses” are not proposed as part of this project. The only proposed use is residential in an isolated area of town.
 - The project does not remediate and reuse existing structures; instead, the project relies completely on new construction in undeveloped areas and intends to demolish the current building on the parcel.
 - The project does not create pedestrian friendly districts or neighborhoods that *mix commercial, civic, cultural, educational, and recreational activities with open spaces*. The project creates a stand-alone residential complex isolated from other areas of town with commercial, civic, cultural, educational, and recreational activities with open spaces.
- N. Section 7 Method 2(1): the application claims that the project is “pedestrian friendly”. There are no existing or proposed pedestrian (or bicycle) connections between the site and any neighborhood or

commercial area.

- O. Section 7 Method 2(1) water/sewer infrastructure: the Applicant has not yet identified what the water source for the Project will be. According to the memo prepared by Stantec in June 2024 regarding the Town's current water capacity, the infrastructure is not currently in place to support such a significant increased demand (estimated at 37,400 gpd).
- P. Section 7 Method 2(1) Pedestrian (and Bike) Friendly: The Town of Maynard has prioritized creation of a strong network of pedestrian and bicycle transportation options. Through the adoption of the Town's Complete Streets Policy in June of 2016, the Zoning Bylaws, Planning Board Rules and Regulations, and an ADA transition Plan, the Town has committed to improve the accessibility of town rights-of-way for people not in motorized vehicles. The application claims that the developers are exploring a connection from the site to the existing sidewalk, but no details are provided. It is not clear from the development budget submitted that this has been accounted for or will be proposed.
- The project should provide safe accommodation for pedestrians and bicycles along Route 27 to connect to existing commercial areas, neighborhoods and town schools. The application mistakenly claims there is sidewalk access to the site. The Project is less than 1.5 miles from all three Maynard public schools. To build a project with such a large bedroom count and no safe connectivity to adjacent areas is unsafe and inconsistent with Complete Streets principles the Town has adopted.
 - The nearest sidewalk in Maynard is over 900 feet from the nearest proposed site driveway, and on the other side of Route 17.
 - The nearest sidewalk in Sudbury is south of Cutting Field at the intersection of Arboretum Way and Parker Street, some 2,300 feet south of the existing site driveway.
 - The townhome portion of the project does not have any sidewalk accommodations.
 - Bike storage appears to be consolidated within the mail kiosk structure. This appears inadequate in size to support the amount of bicycle storage that may be necessary to support a development of this magnitude. Additionally, this location is more than 1,000 feet from some units.
- Q. Section 7 Method 2(2) Advance Equity and Make Efficient Decisions: The Applicant states that the Project will advance equity and make efficient decisions. This principle includes promoting an equitable sharing of the benefits and burden of development, providing technical and strategic support for inclusive community planning and decision making to ensure social, economic and environmental justice. Also ensuring that the interests of future generations are not compromised by today's decisions, and development is promoted in accordance with smart growth and environmental stewardship. It is unclear how the Applicant can claim an equitable sharing of the benefits and burdens of development in this case. Included in the waiver request of the application was a request to not pay applicable water and sewer connection fees. For a project of this magnitude and scale, that is absolutely not in the spirit of "equitable sharing". This would be a burden to the Town and its future generations of residents, and not in the spirit of smart growth and environmental stewardship.
- R. Section 7 Method 2(3) Protect Land and Ecosystems: the application claims that the project meets the criteria for "creation or preservation of open space or passive recreational facilities". The project is entirely new construction on undeveloped areas. It does not provide any open space or passive

recreational facilities – just retention of wetland areas. It eliminates at least 5 acres of grassed/wooded area directly adjacent to wetlands that cannot be used for recreational purposes.

- S. Section 7 Method 2(3) Protect Land and Ecosystems: the project does not protect and restore environmentally sensitive land, natural resources, agricultural lands, critical habitats, wetlands and water resources, and cultural and historic landscapes. Instead, the project will disturb and reduce these types of lands. As noted in the Existing Conditions (Section 1.c of MHP Application), the property includes 17.10 acres of Wetland Protected area, 15.3 acres of undeveloped open area, and 0.1 acres of Building. Inevitably this project (if constructed) will substantially reduce the current amount of undeveloped land.
- T. Section 7 Method 2(3) Protect Land and Ecosystems: although the application points out that only 14% of the site will be allocated to new buildings and hardscape, it should be pertinent to note that over half of the existing parcel is wetlands and therefore protected and essentially unbuildable area. Any claim made by the Applicant that touts the development in terms of percentages of the existing site should be scrutinized. Although expressing its development area in terms of percentages relative to the whole Site may sound more appealing, the fact of the matter is that almost 5 acres of existing wooded and grassed upland areas will be lost as a result of this Project. As stated previously - without a grading plan, the true limit of work is not obvious based on the materials provided for review.
- U. Section 7 Method 2(3) Protect Land and Ecosystems: applicant claims to meet the criteria of protection of sensitive land including critical habitats. The Site is adjacent to areas mapped by NHESP as Estimated Habitats of Rare Wildlife and Priority Habitats of Rare Species. These areas exist just across the road. The Applicant should commit to investigating the development area as suitable habitat for those protected species and wildlife given the Site's proximity to these sensitive areas, and the Town's experience in nearby development projects in recent history that have had to work around these protected species.
- V. Section 7 Method 2(3) Protect Land and Ecosystems: the Site Plan does not show any recreation facilities. Without the benefit of a grading plan to review, it is unclear how much of the area will be truly "open space". Much of the area between the residences and the wetlands themselves will be taken up with stormwater infrastructure, and the large, steep knoll in the middle of the development does not appear to lend itself to passive recreation. There are no play areas, no accommodations for bicycles, no passive recreation areas or connections to Town recreation facilities. The Applicant does not provide details or commitment to this claim. The application also claims that there are existing recreational facilities within 0.5 miles of the Site. If this is in reference to Cutting Field, that is a restricted-access athletic field owned and operated by the Town of Sudbury for residents of the Town of Sudbury, not for residents of the Town of Maynard.
- W. Section 7 Method 2(4) Use Natural Resources Wisely: the applicant has not proposed any alternative technologies for water and/or wastewater treatment. "Low flow plumbing fixtures and irrigation systems" are not *alternative technologies for water and/or wastewater treatment* as required by this Sustainability Principle. Rather, low flow plumbing fixtures are standard methods for construction. The

Applicant does not clarify, solidify, or strengthen their commitment to use alternative technologies to help solve problems related to the significant increase in water demand and usage in a development of this magnitude.

- X. Section 7 Method 2(4) Use Natural Resources Wisely: The applicant has not proposed any low impact development (LID) or other innovative techniques. The Massachusetts Department of Environmental Protection (MassDEP) defines Low Impact Development Techniques (310 CMR 10.04) as the following:

Innovative stormwater management systems that are modeled after natural hydrologic features. Low impact development techniques manage rainfall at the source using uniformly distributed decentralized micro-scale controls. Low impact development techniques use small cost-effective landscape features located at the lot level.

The applicant has not proposed any LID or other innovative techniques as required in Method 2(4) of the Application.

- Y. Section 7 Method 2(4) Use Natural Resources Wisely: the Project's Site Plan only vaguely shows limited stormwater management areas on the outer boundaries of the project site. With the limited information provided, the claim of using LID techniques cannot be validated. At a high level it appears that these basins will concentrate the treatment of stormwater runoff, resulting in larger areas devoid of natural vegetation, directly abutting (in some cases within 50 ft of) the wetland resource areas. At this point in the project a grading plan was not supplied by the applicant - it is unclear just how much disturbance this development will have adjacent to these sensitive resource areas.

LID stormwater techniques would allow for smaller, more dispersed stormwater treatment areas, providing treatment closer to where the rainfall will hit the impervious areas as opposed to piping it all to concentrated locations. With most of the stormwater areas in such close proximity, it is unclear how the project would plan to recharge the required amount of stormwater and meet other required water quality treatment requirements within the watershed.

- Z. Section 7 Method 2(4) Use Natural Resources Wisely: the Project has requested a preliminary list of zoning waivers as part of the application. The Applicant is requesting waivers from several zoning chapters aimed at enhancing sustainability and development within environmentally sensitive areas such as:

- Flood Plain District
- Water Supply Protection District
- Maynard Planning Board Landscape Regulations
- Maynard Wetland Bylaws
- Maynard Stormwater Management Bylaws
- Earth Removal

The Applicant does not provide sufficient detail on what portions of the Zoning Bylaws they are specifically requesting waivers from in these instances. It is counterintuitive for the Applicant to make the claim that the Project, at its magnitude and scale, will be protecting and enhancing the site's natural

features and resources while also asking for relief from sections of the bylaw meant to protect such things.

- AA. Section 7 Method 2(9) Plan Regionally: the Sustainable Development Principles checklist discusses how a 40B project should be consistent with a municipality supported regional plan. Although the Project's application checks this off as "applicable", it is unclear which regional plan this Project is consistent with. With the Town's adoption of a portion of the Powder Mill Overlay District, it has demonstrated compliance with the MBTA Communities Law, allowing for an area of Town for a streamlined, efficient, as of right multi-family project. This was done in concert with a regionally (and State) supported plan, the Powder Mill Road Corridor Initiative - an effort undertaken by the Towns of Acton and Maynard in partnership with MAPC. The remaining portions of the Powder Mill Overlay District are also currently in the zoning design process with the Planning Board to provide additional areas for high-density development. This work has involved extensive public outreach in coordination with the Metropolitan Area Planning Council and reflects the vision of the Town for its zoning districts.

To:	Justin DeMarco	From:	Garry McCarthy/ Victor Olson
	Department of Public Works		Stantec Consulting Services Inc.
	Maynard, MA		Burlington, MA
File:	195150821	Date:	June 13, 2024

Reference: Maynard Water Capacity Memo – AvalonBay Residential Development, 182 Parker Street, Maynard, MA

The intent of this memo is to provide information related to the Town's drinking water supply capacity, water demands, and the ability of the drinking water system to supply water to the planned development. The memo also addresses issues with providing sewer service from the site.

AVALONBAY RESIDENTIAL DEVELOPMENT WATER DEMANDS AND SEWER FLOWS

The proposed location for AvalonBay Residential Development is 182 Parker Street near "Cutting Field". It is assumed, for the purposes of the Water Capacity analysis, that this development would include 200 units comprised in stacked flat buildings and town homes, units.

Water demands for this future development were estimated assuming:

- 310 CMR 15.00: Septic Systems "Title 5" flow guidelines @ 110 Gallons Per Day (GPD)/bedroom.
- 340 bedrooms are included with the 200 units planned.

Based on these assumptions, the estimated average daily water usage at the AvalonBay Development, with 200 residential units with a total of 240 bedrooms, will be approximately 37,400 GPD. Considering a 1.65 ratio of maximum day demand to average day demand, the maximum day demand is 61,700 GPD.

Sewer flows for this future development are also estimated assuming:

- 310 CMR 15.00: Septic Systems "Title 5" flow guidelines @ 110 GPD/bedroom.
- Figure 2-1 Ratio of Extreme Flow to Average Daily Flow (*from the WEF/ASCE publication, MOP-FD-5 Gravity Sewer Design and Construction*)
- 340 bedrooms are included with the 200 units planned.

Based on these assumptions, the estimated average daily sewage discharge flow at the AvalonBay Development, with 200 residential units with a total of 240 bedrooms, will be approximately 37,400 GPD.

Gravity sewers should be designed on a peak hourly design flow basis. The ratio of Maximum 24-hour to Average daily discharge is 3.0 and the ratio of Peak on maximum day to Average daily discharge is 5.6. Title 5 includes a 200% peaking factor for design of septic systems. Dividing the flow in half and applying the peaking factor gives a Maximum 24-hour flow of 56,100 GPD and a Peak on maximum Day of 104,700 GPD flows respectively of gravity sewer design.

TOWN-WIDE WATER DEMANDS – CURRENT & FUTURE

Detailed documentation of the Town's historical, current, and estimated future annual water consumption is provided in the "White Pond Treatment and Transmission Study Report" (Section 3.0). ***In 2022, the average day demand was 0.748 Million Gallons Per Day (MGD) and the maximum day demand was 1.13 MGD.***

Reference: Maynard Water Capacity Memo – AvalonBay Residential Development, 182 Parker Street, Maynard, MA

The water demands from future buildout of developments were added to the future residential water demand estimated in the “White Pond Treatment and Transmission Study Report”, resulting in ***future water demand estimates: an average day water demand of 1.19 MGD and a maximum day demand of 1.97 MGD***. This includes a 2% contingency for unknown future developments in Town and assumes that unaccounted for water decreases to 10% by 2045.

CURRENT WATER SUPPLY CAPACITY

Detailed documentation of the Town’s water sources, and capacity of each source, is also provided in the “White Pond Treatment and Transmission Study Report” (Section 2.0). Figure 1 shows the current capacity of each of the sources based on recent historical operational data (2017-2022).

The Town of Maynard recently completed upgrades to the Well #4 Water Treatment Plant including installation of new well field to increase capacity from .327 MGD to .504 MGD. Despite this upgrade the water supply is insufficient to meet current average supply demands when the Rockland Avenue WTP and Wells are offline for required maintenance. This figure also shows the average and maximum day water demands for the current and future scenario with future development demands included.

There are four key takeaways from Figure 1:

1. The Town can meet average day demands currently, unless the largest WTP (Rockland Ave) is offline. Common water supply planning practice requires satisfying average demands with the largest source offline.
2. The Town is unable to meet current maximum day demands with current water supplies. The Town will need to rely on the water storage tanks and increased pumping capacity of one or more wells in order to meet maximum demands under the current operational scenario. Although this is a feasible short-term solution, it is not advisable to take this approach in the long term due to the stress that this sort of operations can put on the Town’s existing wells and WTPs.
3. The Town of Maynard also implements outdoor water use restrictions to manage maximum day water demands.
4. The Town of Maynard cannot currently accommodate new, significant water demand increases without new sources.

Reference: Maynard Water Capacity Memo – AvalonBay Residential Development, 182 Parker Street, Maynard, MA

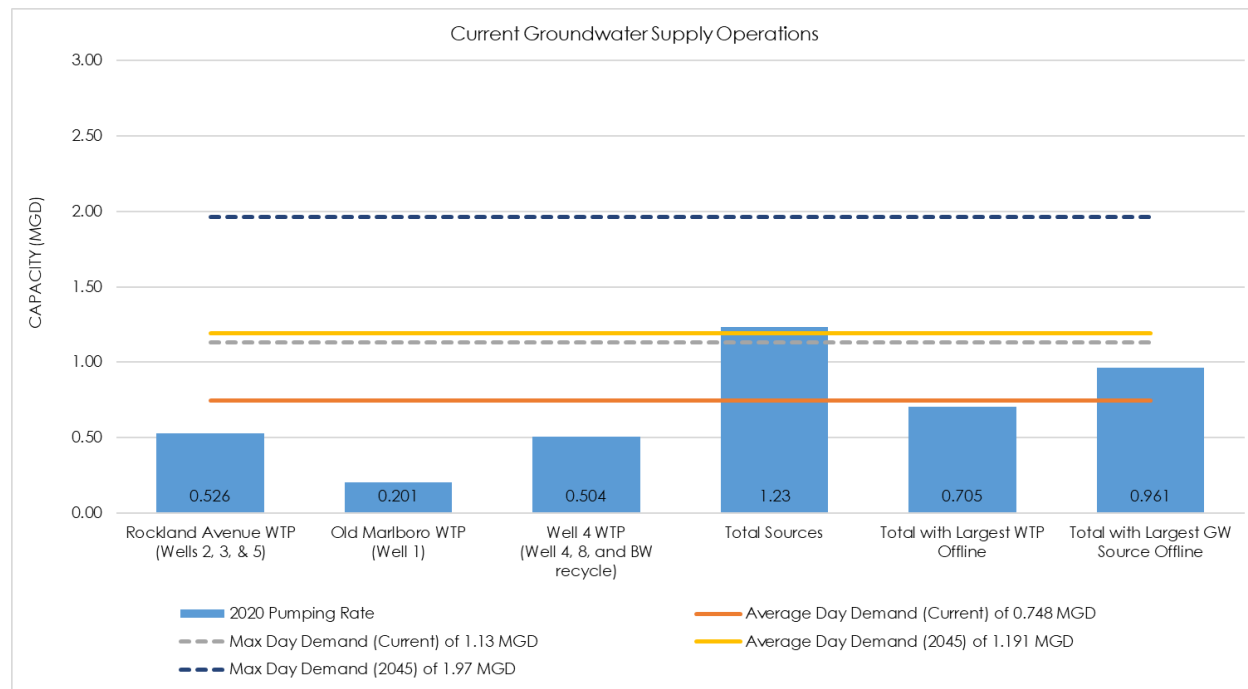


Figure 1 – Current Drinking Water Supply Capacity

OPTIONS TO MEET FUTURE WATER DEMANDS

Detailed documentation of the Town's options to increase water system capacity by exploring new sources and improving existing sources is provided in the "White Pond Treatment and Transmission Study Report" (Section 4.0). Figure 2 shows the estimated future capacity of each of the Town's existing WTPs, based on making the following improvements to the existing well fields and water treatment plants:

- **Well 4A WTP:**
 - New well sources at the Well 8 field was constructed and recently brought online in 2024.
 - The project also implemented filter backwash waste recycling, which allows for an additional 10% capacity at the WTP.

Despite this expansion the water supply is unable to meet current demands completely per regulatory requirements. As such, additional improvements to existing well fields and water treatment plants and development of new well source are required to move through the permitting and design process.

- **Rockland Avenue WTP:**
 - New well source (Well #1) at Rockland Ave well field (0.22 MGD); this option has only been conceptually considered at this time. If this project is pursued immediately, it is anticipated that permitting, design and construction could be finished by Summer 2027.
 - Implement filter backwash waste recycling, which will allow for an additional 10% capacity at the WTP.

Reference: Maynard Water Capacity Memo – AvalonBay Residential Development, 182 Parker Street, Maynard, MA

- Old Marlboro Road WTP:
 - Bring Old Marlboro Road Well #3 back online and implement major treatment improvements at Old Marlboro Road WTP to adequately treat the Well #3 water (i.e., organics pretreatment), allowing an additional 0.5 MGD of capacity.

It is anticipated that permitting, design and construction of these projects could be finished no sooner than the Summer 2029. The regulatory and permitting process drives the timeline to get this work completed.

Figure 2 shows the average and maximum day water demands for the current and future scenario with the identified future development demands included. The Town can significantly increase their ability to meet future water demands by implementing these well field source and WTP improvements. The only shortcoming is with regards to capacity if the largest individual source or largest water treatment facility were to be offline for maintenance or equipment failure; in this case, the Town would be able to meet average day demands but would not be able to meet future maximum day water demands.



Figure 2 – Future Capacity with Groundwater Source Improvements & OMR WTP Treatment Upgrades

Reference: Maynard Water Capacity Memo – AvalonBay Residential Development, 182 Parker Street, Maynard, MA

In Figure 3, the addition of a new source of water from connection to the Massachusetts Water Resources Authority (MWRA) system is included, in addition to all the well source and WTP improvements/expansions included in Figure 2. This scenario assumed that an MWRA interconnection would provide a maximum of 1.7 MGD capacity. With a connection to MWRA's supply, the Town would be able to meet all average and maximum day demands under all operating circumstances well into the future. The Town has been engaged in meetings and a planning project with MWRA to develop a plan for expansion of the MWRA system into the Metro West communities. At this time, the project is in early planning stages and is not a certainty. If the MWRA Metro West expansion project proceeds, it is believed at this time that the best-case scenario would have MWRA supply accessible to the Town of Maynard in 7 years (i.e., 2031) or more.

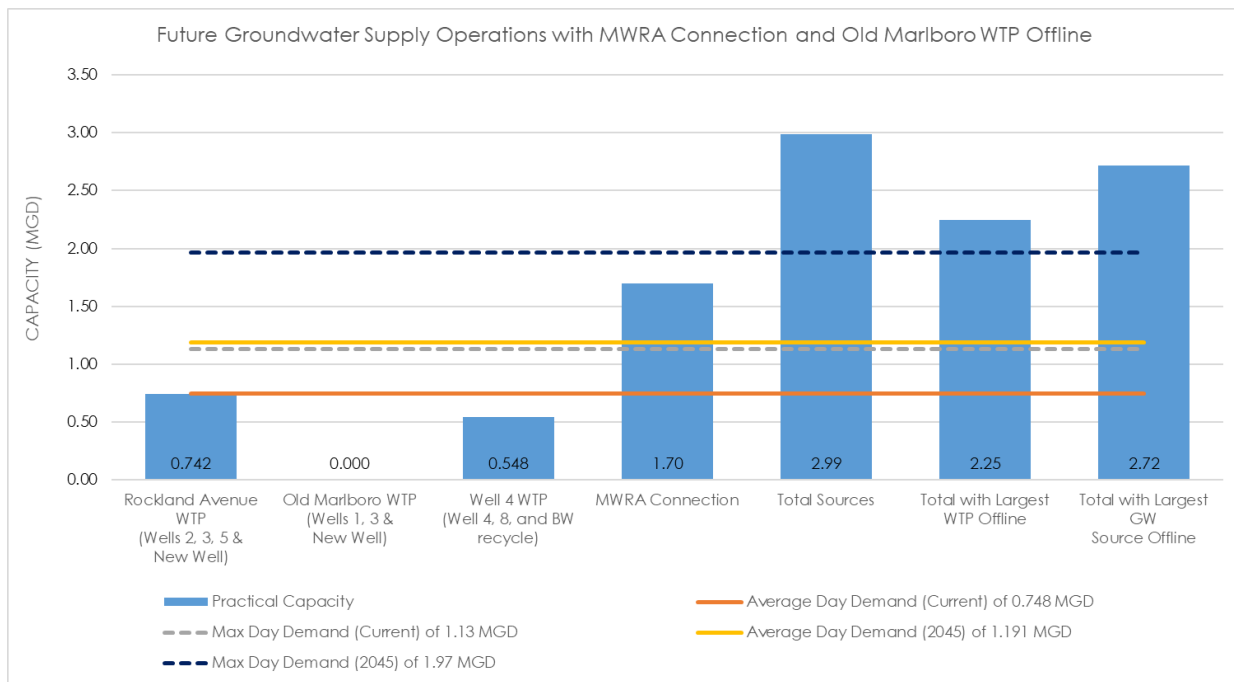


Figure 3 – Future Capacity with Groundwater Source Improvements (OMR WTP Treatment Offline) & New MWRA Source

STRATEGY TO INCREASE WATER SUPPLY

The Town has completed the first phase of a 4-phased approach to increasing the water supply capacity in the water system, as follows:

Phase 1: Increase capacity at Well 4 water treatment facility by adding a new well supply (Well 8) and adding backwash waste recycling at the WTP – **Completed**.

Phase 2: Increase capacity at Rockland Avenue water treatment facility by adding a new well supply and adding backwash waste recycling at the WTP.

Reference: Maynard Water Capacity Memo – AvalonBay Residential Development, 182 Parker Street, Maynard, MA

Phase 3: Increase capacity at Old Marlboro Road water treatment plant (WTP) by upgrading the treatment process, which will allow for Well 3 to be brought back online.

Phase 4: Connect to MWRA system, eliminate Phase 3 and abandon existing Old Marlboro Road WTP and sources.

The Town's 4-Phase Strategy to Increase Water Supply was developed prior to the EPA PFAS MCLs being published, so this strategy does not take into consideration the need for PFAS treatment upgrades at the water treatment facilities. Additional upgrades required for PFAS treatment may extend the timeline.

AVALONBAY RESIDENTIAL DEVELOPMENT WATER SUPPLY AVAILABILITY

The Town of Maynard's drinking water system is currently unable to supply water at the estimated average daily water usage of 37,400 GPD at the planned AvalonBay Development. The Town is moving forward with a phased program to expand its water supply. It will take at least 5 -years to implement through Phase 3 completion, at which time the Town could consider new significant water supply requests.

Once the supply issues have been addressed, the water distribution system would need to be extended to and into the proposed development.

AVALONBAY RESIDENTIAL DEVELOPMENT SEWER AVAILABILITY

There is no sanitary sewer in Parker Street (Route 27) adjacent to the proposed development site. There is a small E-One pump force main for a single private property near the town line that discharges into the existing 8-inch gravity sewer at sewer manhole number S36 located before the intersection of Parker Street and Wisteria Lane. This sewer is upstream of the existing Old Marlboro Road Sewer Pump Station on Old Marlboro Road.

New flows and peak flows will need to be evaluated as to their impact to this existing pump station. Given the topography and elevations of the existing sewerage system nearest to the AvalonBay Residential Development at 182 Parker Street, the development will likely require a new private pump station and force main to collect and transport the wastewater to the existing sewer system. The design of these facilities shall be such to mitigate impacts to downstream facilities and infrastructure beginning at sewer manhole number S36.

Reference: Maynard Water Capacity Memo – AvalonBay Residential Development, 182 Parker Street, Maynard, MA

CONCLUSION

- 1. The Town of Maynard cannot currently grant the request to connect to the water system since it cannot accommodate new, significant water demand increases without new water supply sources.**
- 2. Expansion of water distribution and sewer collection systems would be required to service the proposed development site.**
- 3. A private sewer pump station is required for the development to connect to the existing sewer system. An evaluation of downstream infrastructure from the discharge point to the existing Old Marlboro Road Pump station is required to assess impacts and possible downstream mitigation.**

Stantec Consulting Services Inc.

Garry F. McCarthy P.E.
Senior Principal

Phone: 978 577 1408
garry.mccarthy@stantec.com



Maynard Fire Department

30 Sudbury Street
Maynard, Massachusetts 01754
(978) 897-1015
(978) 897-3389

Chief/Emergency
Management
Director/EMS
Coordinator
Angela Lawless

Document D

October 10, 2024

Town of Maynard Selectboard
195 Main Street
Maynard, MA 01754

RE: 182 Parker Street
Avalon Bay Communities

Maynard Fire Department has reviewed the material submitted to the Town of Maynard regarding the potential Avalon Bay Community building on the lot located at 182 Parker Street in Maynard on the Sudbury line. The Maynard Fire Department has a few concerns, comments, or questions regarding the potential of this project and the possible impact on the public safety of the Town of Maynard.

- I am aware of the water issue in Maynard, the current demand from the community has the water department at full capacity. There is a concern that the construction of 200 units would further compromise the ability to draw on our water system for fire suppression successfully. Is there the capacity to build a fully sprinkled facility and provide the required access to water to mitigate any fire suppression needs at this location as well as surrounding properties?
- Due to the constricts of our current water supply in the area, the Maynard Fire Department would require Avalon Bay to develop and present to the fire chief for acceptance prior to the construction, of a complete NFPA 241 plan. A defined 241 plan would reduce the possibility of safety issues that may arise during construction. Structures are at their most valuable state during construction and demolition. This plan would have safeguards in place that would eliminate risk to workers on site as well as our ability to mitigate any incidents during the construction phase of the project.
- Due to the wetlands that are in the area and the amount of flooding on this parcel, the fire department has concerns with access to fire suppression apparatus during construction. Roads must be designed and developed with the height, weight, and maneuverability of fire suppression vehicles that may be needed during all phases of construction. This includes planning for ladder truck stabilization requirements. Management of stormwater and water table must be considered during construction as the weight of suppression apparatus makes it susceptible to sinking on roads that are not paved.

"It is the mission of the Maynard Fire Department to protect the lives and property of the citizens and visitors of Maynard from disasters both natural and man-made, with compassion, motivation, teamwork, commitment and quality fire protection and education."

- The construction of the Digital Way project is responsible for an increase in the Maynard Fire Department Medical and Fire responses to a consistent 7% increase each year since it was built. The digital way complex has also increased the call volume of our mutual aid departments. Sudbury Fire is responsible for sending fire apparatus to every fire alarm at this complex due to the significant size of the residential buildings as an automatic aid. Sudbury Fire also routinely responds to medicals when our department is committed to prior requests. In the past two years, Sudbury Fire has responded to approximately 200 calls for service. The secondary construction of an additional 200 units would not only tax our public safety but of departments that surround Maynard.
- The Maynard Fire Department currently does not have a fire prevention department, this need is currently being filled by the Chief of the department with the assistance of Captains when available. A complex of 200 more units would require a great deal of plan review, inspections, assessments, and collaboration with other town departments to ensure all codes are followed. A need for additional staff will need to be addressed.
- Consideration for response to the area of 182 Parker Street. An additional 200 units would equate to more cars on the road and traffic in the area. Currently, the community only has an Opticom at the Digital Way Complex, this unit stops all traffic to allow for police, fire, and EMS vehicles to safely travel through the stop lights to the responding area. The stoplight at the intersections of Parker and Waltham as well as Parker and Great Road do not have this resource. This is a consideration that if this project is built should be added. For the safety of Maynard and neighboring public safety vehicles that would require responding to the complex.

There are a great number of public safety concerns that would have to be addressed for the acceptance of a complex of this size to be in the lot proposed. I appreciate the opportunity for the Fire Department to present just a few of the preliminary considerations from the perspective of the fire suppression side of the equation.

Please do not hesitate to reach out to me if you wish to discuss any of these items or anything else that I have not addressed.

Sincerely,



Chief Angela Lawless
Maynard Fire Department



Maynard Police Department

Chief Michael A. Noble

197 Main Street

Maynard, MA 01754

978-897-1006



Re: Kansa 40B 182 Parker Street

Document E

The public safety aspect will be the amount of cars exiting and entering traffic without any traffic device (as of now). The area currently only has a long driveway and if there are 200 units, the extra traffic should require some traffic device to allow for safely entering the roadway on Rt 27.

Michael A. Noble

Chief of Police

Dated: 10/10/24

Fax (978) 897-8002
Email mnoble@maynardpolice.com



TOWN OF MAYNARD

Conservation Division
Office of Municipal Services
195 Main Street
Maynard, MA 01754
Tel 978-897-1302

conservation@TownofMaynard.net www.townofmaynard-ma.gov

Katharine Lacy
Massachusetts Housing Partnership
160 Federal Street
Boston, MA 02110

Document F

Re: Maynard Conservation Commission Comments on 182 Parker Street

Members of the Maynard Conservation Commission were asked to provide comments on this project. In Massachusetts, Conservation Commissions are tasked with the protection of natural resources and wetlands protection. The property at 182 Parker Street was described as “*The majority of the Subject Property consists of densely vegetated wetlands*” which, as stated in the environmental assessment, *has been covered with dense vegetation and wetlands since at least 1957.*” One of our primary concerns is the protection of a wide area of wetlands and the impact of activities located within the 50-foot and 100-foot buffer zones that could adversely affect this area. Additionally, we are concerned that a large amount of previously undisturbed land would be altered in this project. With increasing concerns about the impact of climate change on our weather patterns, wetlands provide ecosystems with stormwater storage as well as provide valuable habitat for many different types of species. Alteration of the woods would also result in carbon being released back into the atmosphere.

We know that a 40B project still falls under the jurisdiction of the Wetlands Protection Act (WPA). However, the environmental information that we were provided with does not allow us to speak more specifically about this project and what conditions would be required at this time. We do know that if this project did come before us with a Notice of Intent, it would undergo heavy scrutiny from both the Department of Environmental Protection and a Peer Review. Also, we are aware that a 40B project is exempt from local by-laws, such as the Maynard Wetlands Bylaws (MWB) and Maynard Stormwater Bylaw (MSB). However, we would still ask that consideration be made on incorporating some of the guidance found in that bylaw. Below please find some of our concerns.

Wetlands:

- The site is surrounded by a significant resource area. That wetland supports the aquifer that feeds Maynard wells and the wetlands in the Assabet River National Wildlife Refuge. Such a large development could adversely impact the wetland, aquifer and town wells.



TOWN OF MAYNARD

Conservation Division

Office of Municipal Services

195 Main Street

Maynard, MA 01754

Tel 978-897-1302

conservation@TownofMaynard.net www.townofmaynard-ma.gov

- The project area contains a stream and a pond both of which are protected by the WPA.
- The WPA states that resource areas should not be damaged by alterations to the buffer zone. It states that wetlands may not be altered long term by any activity. This project is surrounded by sensitive resource areas that could be damaged during construction and permanently altered.
- Run-off from the buildings and/or human activity could also negatively impact the buffer and end up in the wetlands.
- In a Notice of Intent, the applicant would need to provide evidence that the extensive planned construction within the 50' and 100' buffer would not cause harm or negatively impact the buffer zone function which is to protect the wetlands beyond.

Water Supply & Wells:

- If this project includes drilling a private well, there may be negative impacts on the wetlands that surround the property. Private wells must be at least 25 feet away from the high-water mark of any lake, river, stream, pond, ditch, or slough. If the land is in a floodplain, the well must be at least 100 feet from the edge of the floodplain. There is a very limited area to have such a well.
- Anything which increases infiltration into the aquifer that feeds the Town's water supply could impact water quality and quantity. The WPA, MWB and the MSB stress the importance of preserving water quality in the wells.

Wildlife:

- This proposed location is about a mile away from the Assabet River National Wildlife Refuge, home to the threatened species Blanding's turtle. A wildlife inventory should be conducted to ensure that there are none of these species or any other threatened or endangered wildlife that live on this side of the wetland. A Natural Heritage Species inventory should be conducted on this property.
- The whole site is a large part of the only remaining corridor linking the sizable wetlands North of the site with the Assabet National Wildlife Refuge. Isolated natural habitats and the wildlife that live there are much more vulnerable to disturbance
- The site has also been home to beavers that are integral to creating more wetland area. Development of this area may cause the beavers to leave this area or may result in the beavers needed to be trapped and removed from their habitat due to flooding they cause on the affecting the homes. Since Maynard is very densely populated, this is an area in town where beavers and humans can coexist.



TOWN OF MAYNARD

Conservation Division

Office of Municipal Services

195 Main Street

Maynard, MA 01754

Tel 978-897-1302

conservation@TownofMaynard.net www.townofmaynard-ma.gov

Stormwater & Climate Change:

- These wetlands protect Maynard's water supply in the wells just beyond the planned building site and also provide important stormwater storage and mitigation. These wetlands protect aquifers that protect the water at the Marlboro Road well. Allowing a project that would diminish these important functions would undermine the Town's goal to become more resilient to the threats of climate change. The important role of the wetlands in capturing stormwater is another reason why alteration of wetlands needs to be of the utmost importance. It's a serious concern as the Maynard wells are essentially at maximum capacity.
- We are deeply concerned with putting any housing but particularly affordable housing within close proximity to an area prone to flooding. The initial designs have the housing outside of the FEMA flood zone. However, we know that climate change has caused stronger storms and the realistic flood zone is changing. The environmental report also discussed the water table being about 4 feet below grade. This leaves little margin of error for catastrophic flooding. We are also concerned that if there was a need to evacuate the area due to flooding, residents may be trapped because of the road flooding we see on Parker Street in this area.

Maynard Wetlands Bylaw

We recognize that a 40B project has authority to waive local bylaws but we urge the State to take the purposes of these bylaws into consideration as they will help that Town advance its goals to be more resilient to climate change. As stated in Chapter 32 of the Town By-Laws, the purpose of the Maynard Wetland Bylaw is:

"The purpose of this bylaw is to maintain the quality of surface water, the quality and level of the groundwater table and water recharge areas for existing, or potential water supplies; to protect the public health and safety; to protect persons and property against the hazards of flood water inundation; to protect the community against the costs which may be incurred when unsuitable development occurs in wetland resource areas; and to provide for the reasonable protection and conservation of certain irreplaceable natural features, resources and amenities for the benefit and welfare of the present and future inhabitants of the Town of Maynard. Accordingly, this bylaw protects the wetlands, related water resources, and certain adjoining land areas in the Town by providing for prior review and control of activities deemed to have a significant or cumulative adverse effect upon wetlands values. Collectively, the wetlands values protected by this bylaw, include but are not limited to the following: protection of public and private water supply;



TOWN OF MAYNARD

Conservation Division
Office of Municipal Services
195 Main Street
Maynard, MA 01754
Tel 978-897-1302

conservation@TownofMaynard.net www.townofmaynard-ma.gov

protection of groundwater supply; flood control; erosion and sedimentation control; storm damage prevention; avoidance of water and soil pollution; protection of fisheries, wildlife habitat, rare species habitat including rare plant species; protection of agriculture and aquaculture; and recreation values, deemed important to the community. This bylaw is intended to utilize the Home Rule authority of this municipality to protect additional resource areas, for additional values, with additional standards and procedures to augment those of the Wetlands Protection Act, G.L. Ch. 131, §40 and Regulations thereunder, 310 CMR 10.00."

To conclude, members of the Maynard Conservation Commission are extremely concerned about the impact of this project on the wetlands that surround the property. The environmental report, while providing a snapshot of what the property was like in February, would need to be expanded to include data for different seasons so that we can further understand the potential impact that this project would have on the natural resources found at 182 Parker Street.

Thanks,

Maynard Conservation Commission

Susan Erickson, John Dwyer, Sarah Measures, Steven Smith

Susan Erickson, Chair

Maynard Conservation Agent

Julia Flanary, AICP

To: William Nemser, Director, Maynard Planning Department
From: Maynard Sustainability Committee
10/1/24

Document G

Dear Mr. Nemser:

On behalf of the Maynard Sustainability Committee, we are writing to offer the Committee's comments on Avalon Bay's proposed 40B Development at 182 Parker Street.

We applaud several aspects of the proposal, including:

- the establishment of affordable and mixed-unit housing for the Town and the region. This nicely aligns with the Town's goals.
- The commitment to design and construct the building and landscape to LEED standards.
- The creation of high-density housing, which typically has much lower environmental impact than typical, single-family homes.

That said, we also have significant concerns about the project as proposed:

- Given our understanding that our municipal water supply is already maxed out, we are very concerned about the impact that the addition of 200 housing units will have on our water supply. Does the town have the water supply capacity to support such a project?
- The proposed project is within Zone 2 of one of The Town's municipal wells and we are very concerned that this intensive development could threaten water quality.
- The project is being shoe-horned into a strip of one of the few remaining undeveloped natural areas in Town. While the proponent is touting the large amount of land that is being set-aside, it appears that this is more a byproduct of the fact that the "set aside" land is wet or otherwise unbuildable. The project's footprint encroaches into the state-regulated 100' wetland buffer, and while we recognize that a 40B development unfortunately does not have to comply with stricter local wetland by-law, we strongly encourage the Town (and State) to consider the totality of impacts this project will have on these regionally-important wetlands. Specifically, we are concerned that:
 - the project's construction and ongoing maintenance will encroach on the 100' wetland buffer zone;
 - the Town will lose the stormwater storage and mitigation services that this land currently provides, a function that is becoming increasingly important in the face of climate change. It is widely accepted that storm frequency and intensity and its associated flood stage/elevation is increasing with climate change and any design should anticipate these changes.
 - The project will destroy, if not seriously damage important wildlife habitat. This land serves as an important connector between the adjacent protected well site and the Assabet River National Wildlife Refuge, and this development will isolate and thus harm already vulnerable populations of wildlife, including declining amphibian species.

In addition to addressing these concerns, we have several questions:

- As The Town will recall, the Sustainability Committee supported the establishment of a sub-district (District A) within the Powder Mill Overlay District. The establishment of the sub-district and its allowance for high-density housing (assuming the water question and other regulations can be addressed) demonstrated the Town's desire to increase its stock of affordable housing. This location also provides better access to public transit. Our question then: why not host this development in that subdistrict?
- The applicant says that they will create or preserve open space. Assuming that the existing wetlands are already protected by the Massachusetts Wetlands Protection Act, can they explain how they are further protecting open space?
- Similarly, they assert that they will protect sensitive land, critical habitats, and wetlands. It is not evident how their proposal does this; indeed, the proposed development will likely greatly damage, if not destroy natural habitat and wetlands.
- At the spring town meeting the town opted into a more stringent stretch code. Will this project be required to meet those stricter building codes? Energy efficiency not only advances the Town's sustainability goals, but also makes these units even more affordable by lowering energy bills for residents.
- We appreciate that the Developer is making these buildings solar-ready. Thus, we would like to know: why not proceed to install solar panels during construction?
- The developer has stated that at least 5% of parking spaces will be for electric vehicles. We assume that this means that these spaces will have charging stations. Given that Massachusetts is requiring that 35% of vehicles sold in the state in 2026 are electric and that all cars sold in Massachusetts by 2035 should be electric, shouldn't the number of dedicated spaces be much higher?
- The owner states that they will provide trash and recycling services. We request that they provide details of this program to ensure residents are able to minimize solid waste and maximize recycling, and we would like to know if the owner will commit to providing these services in perpetuity.
- The applicant describes this project as pedestrian friendly; can they provide assurance that they can and will build a sidewalk that connects this development to Maynard Crossing, our schools and our downtown?

We appreciate the Town and State's careful consideration of these many concerns and question as they consider Avalon's proposal.

Thank you again for the opportunity to comment.

Priscilla Ryder
 Kate Wheeler
 Co-Chairs, Maynard Sustainability Committee



TOWN OF MAYNARD
Department of Public Works

MUNICIPAL BUILDING
195 Main Street
Maynard, MA 01754
Tel: 978-897-1317 Fax: 978-897-7290
www.townofmaynard-ma.gov

Justin DeMarco
Director of Public Works

<i>Administration</i>	<i>Cemetery & Parks</i>	<i>Facilities</i>	<i>Highway</i>	<i>Water & Sewer</i>	<i>WWTP</i>
-----------------------	-----------------------------	-------------------	----------------	--------------------------	-------------

Memorandum

To: Justin DeMarco, DPW Director **Document I**
From: Wayne P. Amico, PE, Town Engineer
Date: September 18, 2024
Subject: 182 Parker Street, Proposed Residential Development, Overall Site Plan Review

Hi Justin, as discussed, I did a brief review of the attached 40B Proposed Site Plan located at 182 Parker Street.

I noted several comments on the actual "Overall Site Plan" (Site Plan-WPA Comments 9.18.24) but also list my overall recommendations below:

As part of the Comprehensive Permit filing to the Maynard ZBA, I recommend that the Town hire a Peer Review consultant to review a minimum of the following items:

- A Traffic Study prepared by the applicant.
- The projects Stormwater Design for compliance to Mass DEP WPA, and the projects overall protection of the Towns Environmental Resources.
- Proof of coordination and Approval of the Fire Chief with the proposed roadway layout.
- Overall Site Access, site Layout and AAB/ADA accommodations.
- Connection of this facility via proposed sidewalk on Parker Street to the Parker Street/Wisteria Lane/Old Marlboro Road intersection.

Specific Comments provided on the "Overall Site Plan" attached to this email include the following:

- Turning radius needs to accommodate Town Fire Apparatus.
- Based on projected Traffic Volumes, are any dedicated left or right turn lanes warranted at either proposed driveway?
- May need Cul-De Sac or larger hammerhead turn to accommodate Town Fire Apparatus.
- Is any type of emergency access drive along the rear of the buildings required to accommodate Town Fire Apparatus.
- Development should include sidewalks throughout with ADA/AAB accommodations as well as connections to Parker Street at both site drives at a minimum.
- A sidewalk connection from this residential community to the intersection of Parker Street/Wisteria Lane should be explored and integrated into this project in order to provide safe pedestrian access to local business and the shopping center located at 129

Parker Street. It appears that this sidewalk connection would be less than 700 linear feet from the first proposed site drive. An appropriate pedestrian crossing including an RRFB should also be considered as required.

- A sidewalk connection on Parker Street between the 2 proposed site drives should be required.

Please feel free to call with any questions.

Thank you.



MAYNARD PUBLIC SCHOOLS

3R Tiger Drive • Maynard, Massachusetts 01754 • 978-897-2222 •
www.maynard.k12.ma.us

October 11, 2024

Document J

Re: 40B Project Considerations from Maynard Public Schools

Dear Select Board,

The Maynard Public School District has significant concerns directly pertaining to the proposed 40B project and its immediate negative impact on student learning, staffing levels, building capacity, transportation needs and an overall increase in operating budget costs related to any significant increase in student enrollment within a short period of time.

The Massachusetts School Building Authority (MSBA) has approved the new Green Meadow Elementary School for a design to accommodate our student population of 395 Kindergarten to Grade 3 students and 100 Pre-Kindergarten students. These specific student population numbers were used by the MSBA to approve the exact size of the new elementary school. They were based on current birth trends and future enrollment of Maynard students.

If the student population increases significantly beyond expectations, (i.e. with the addition of the proposed 40B project), it will result in a number of unanticipated consequences at Green Meadow Elementary School alone:

- A sizeable increase in students in any grade level will result in the need for additional classes and the need for increased space for those classrooms;
- Our staffing levels are built on having five classes in each of the grades Kindergarten to Grade 3, which equates to 18-22 students per class. This teacher to student ratio is appropriate and necessary in order to meet the educational needs of young learners. If the number of elementary school students increases dramatically in a short time, it will negatively impact the student to teacher ratio, which will have a detrimental impact on ALL students;
- One very expensive option would be to put an addition on the new elementary school, which hasn't even begun construction yet, to add classrooms for the influx of additional students. This proposal would not only have to go back to the taxpayers for their approval but the additional cost would have to be absorbed solely by the taxpayers for the construction, with no additional assistance from the MSBA. Additionally, the significant increase in the annual operating budget to include the salaries/benefits of additional staff would add serious financial strain to our ongoing annual budget constraints;
- Finally, transportation will most likely be negatively impacted. Adding one or more buses to our existing contract will be significantly expensive if students require transportation. Based on our

current contract with our bus company, an extra bus for FY25 would be \$85,500, increasing by 6% each year (FY 26 \$90,630; FY27 \$95,940; FY28 \$101,700; FY29 \$108,820).

Similar District strains related to student learning, staffing levels, building capacity, transportation and operating budget costs will also be felt at the Fowler School and Maynard High School. For FY25, we have availability for an additional two to four School Choice seats in Grades K-6, zero in Grades 7 and 8. We're able to offer a few more seats at the 9th and 10th grades based on the different levels of classes. Any increase in these numbers in a specific grade level will have serious implications for the District as a whole.

The proposed 40B project is proposing 80 one-bedroom units, 100 two-bedroom units and 20 three-bedroom units. We can expect that the two bedroom and three-bedroom units will lend themselves to families with school age children.

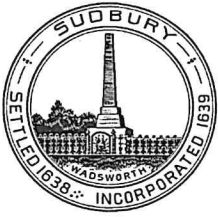
Other known potential impacts on school enrollment, separate from the 40B project, include:

- MacDonald Development, who is constructing a new apartment building at 115 Main Street, Maynard with 10 two-bedroom units, which may increase student enrollment;
- Halstead Apartments (located at Maynard Crossing) has 63 of their 180 apartments with two-bedrooms (45) or two-bedrooms with dens (18), which lend themselves to children with school age children;
- According to the New England School Development Council (NESDEC), our student enrollment is anticipated to increase by 1.5% annually between the 2024-2025 school year (1221 students K-12) and 2032-2033 school year (1373 students K-12) based on existing housing.

As is evidenced by the information above, the addition of the proposed 40B project will provide no positive benefits and significant negative impacts as it relates to the learning environment of the overall student population in the Maynard Public Schools.

Sincerely,

Maynard School Committee



Town of Sudbury

Planning & Community Development Department

Adam R. Burney, MPA, Director

Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776
978-639-3387
Fax : 978-639-3314

www.sudbury.ma.us/pcd
BurneyA@sudbury.ma.us

27 September 2024

Katharine Lacy
Massachusetts Housing Partnership
160 Federal Street
Boston, MA 02110

Document K

RE: Kanso Maynard

Dear Ms. Lacy:

Town of Sudbury Staff has reviewed the materials submitted the Kanso Maynard Project proposed at 182 Parker St. by AvalonBay Communities, INC. Based on this review and a number of comments received from constituents the Town of Sudbury would like to formally submit the following comments, questions, and concerns relative to the information provided in the application for Site Eligibility.

- The proposed location of the project includes ~5.75 acres of land in the Town of Sudbury. This property is substantially comprised of wetlands, including a riverine system. The proposed development does appear to leave these areas in a natural state, which the Sudbury supports. Any development of alteration of these parcels would require, at a minimum, filing with the Sudbury Conservation Commission.
- In addition to the aforementioned parcels there is an extensive wetland system that surrounds the proposed development site. Over the past 5 or more years there has been consistent, if not increasing, beaver activity in this area creating a substantially more saturation and flooding than in previous decades. There is apprehension about the further removal of habitat, the behavior of wildlife as a result, and the impacts of that behavior on real property in Sudbury and Maynard.
- The groundwater is known to be extremely high in this part of Sudbury. Residents have consistently reported frequently finding flooded basements with increasingly extensive volumes of water. Sudbury residents and staff are concerned about the impacts the introduction of numerous foundations into the ground will have on groundwater elevations. Specifically, that the reduced storage capacity will increase hydrostatic pressure on existing foundation and exacerbate the existing flooding issues and potentially creating new flooding conditions.
- The stormwater management BMPs shown on the conceptual plans are located in close proximity to the wetlands systems on-site. Due to the existing topography Town Officials are concerned about these BMPs having appropriate groundwater separation. Without the

appropriate separation to groundwater and the potential of the basins to be located with the seasonal highwater levels the aforementioned flooding and beaver activity has the potential to be substantially increased causing significant property damage.

- With the amount of ledge noted on the conceptual plans the proximal location of parking, buildings, and other disturbed areas to the retained forested areas raises questions about the topographic and soil conditions in these areas. Will the site preparation for construction require blasting? If so what will be the impact of the blasting/clearing activity on mature trees on the adjacent slopes? As the project plans become more developed it is critical that the applicant account for the retention and protection of as many mature trees in the areas adjacent to blasting and/or land clearing to aid in management of stormwater.
- It is the understanding of Sudbury Staff that the Town of Maynard may not have adequate public water capacity to provide such to the proposed project. What are the project proponents plans to provide domestic and fire protection water to this project? Additionally, the Town of Sudbury is aware that the Sudbury Water District has limited capacity remaining under its existing withdrawal permits from DEP. Furthermore, any alteration, extension, or modification to the Sudbury Water District would require action by the Annual Meeting and could not be represented as a guaranteed source of water until such vote had been taken and certified.
- If the Sudbury Water District is willing/able to provide water to the proposed development it is important that the Town of Sudbury be aware of what impacts may result from such a decision. For instance, are there wetland impacts with the installation of water lines to service the project? Will the withdrawal of water from well sites in Sudbury have effects on the surrounding wetlands? Will the provision of water reduce the available water to existing customers, especially in times of drought? Where will the effluent from this water usage be discharged and will that result in a net decrease in water available in the Hop Brook Watershed, which is a Coldwater Fishery?
- The Town of Sudbury Fire Department (SFD) has a long-standing and beneficial mutual aid relationship with the Town of Maynard. In calendar year 2023 the SFD responded to approximately 200 calls at Maynard Crossing (less than 1 mile north of the proposed project locus). This does not include any other mutual aid calls in Maynard and the Maynard Crossing development is not yet complete. The addition of 200 units of housing poses a noteworthy potential for the number of calls for service that the SFD responds to in the Town of Maynard to increase exponentially. Without some provision (financial or otherwise) for the Town of Maynard and/or the SFD to increase their response capacity this increase has the probable outcome of overloading both communities' public safety response creating a life-threatening situation.
- With limited public transportation in the area of the proposed development the new residents will likely be heavily dependent on personal vehicles for access to employment, entertainment, healthcare, and other services around the region. The Town of Sudbury is concerned about the impacts this will have on travel routes within the Town that are already inundated with traffic at peak hours. Due to the location of the proposed development it is likely that the residents commuting to points east will have to travel one

of 2 routes (Rt. 27 or Rt. 117) that traverse Sudbury. This is true whether these folks are trying to access the MBTA Commute Rail stations in Concord and Framingham or if they are driving to their final destination. Sudbury Staff feels that it is critical that if the project moves forward any traffic analysis include the intersection of Maynard and Hudson Roads in Sudbury for consideration of mitigation, including the necessity of a traffic signal. Additionally, any traffic study should, at a minimum, examine the impacts of the eastbound traffic from the site on the Rt. 117 corridor through the Town of Sudbury and explore if any mitigation is necessary.

As mentioned above these concerns are based on the Town of Sudbury's review of the information provided as part of the Site Eligibility Application and Staff's knowledge of the community and its municipal operations. If Site Eligibility is granted and a full Comprehensive Permit Application is filed with the Maynard Zoning Board of Appeals it is likely that the Town of Sudbury will follow up with additional comments, questions, and concerns based on the more detailed and complete information submitted as part of this filing.

Thank you for the opportunity to outline the Town of Sudbury's concerns. It is the hope of staff that these items will provide insight into the significant challenges and potential flaws of locating a development of this nature on the proposed site.

Please do not hesitate to reach out to me if you wish to discuss any of these items or would like me to provide additional information.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'A' followed by a long horizontal stroke that loops back to the left.

Adam R. Burney, MPA
Director of Planning and Community Development