

**TOWN OF MILFORD  
ZONING BOARD OF APPEALS  
TOWN HALL  
52 MAIN STREET  
MILFORD, MASSACHUSETTS 01757  
(508) 634-2302**

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**NOTICE OF DECISION**

Notice is hereby given that the Zoning Board of Appeals of the Town of Milford, on June 29, 2021, filed the following decision in the office of the Town Clerk and Planning Board in the Town Hall, 52 Main Street, Milford:

1. A decision granting the application of The Gutierrez Company, a Delaware Corporation with a principal address of 200 Summit Drive, Burlington, MA., for a Comprehensive Permit pursuant to General Laws Chapter 40B in relation to a 17.25-acre portion of a larger 80 acre, more or less more or less, parcel of land known as Stone Ridge and located on the westerly side of Cedar Street north of US Route 495 and shown on the Milford Assessors Sheet 14 as lots 3A. The Petitioner proposed to develop and construct a 296-unit rental apartment development on the site. The Comprehensive permit Decision will allow 260 units, 25% of which will be affordable units pursuant to applicable provisions of law and the requirements of the financing agency. The Comprehensive Permit Decision is subject to conditions as set forth in the Decision.

Any person aggrieved by the Decision of the Zoning Board of Appeals may appeal such Decision to the Milford District Court, Superior Court or Land Court. Any such appeal, however, must be filed with such Court within twenty (20) days of the filing of the Decision in the office of the Town Clerk. Thus, any appeal must be filed no later than July 19, 2021. Anyone desiring to file such an appeal should contact an attorney immediately.

MILFORD ZONING BOARD OF APPEALS

*David R. Consigli*

David R. Consigli, Chairman

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**(508) 634-2302**

**FINDINGS AND DECISION**

**RE:** Application of The Gutierrez Company for Comprehensive Permit (the "Application")

**DATE:** June 23, 2021

**Premises Affected:** 300 Deer Street, 400 Deer Street and 50 Deer Street (the subject "Property"). The Project Site to which this Decision is applicable is a portion of the Property created via endorsement of an Approval Not Required Plan recorded at the Worcester District Registry of Deeds at plan Book 941, Plan 5, and consisting of approximately 17.25 acres.

**Members participating:** David R. Consigli (Chair), John Dagnese, Mark Calzolaio, Timothy Walsh and alternate member Robert Capuzziello. All members attended all sessions of the public hearing as held remotely in accordance with law or complied with the Mullin Statute.

**PROCEDURAL HISTORY**

1. On or about January 6, 2020, The Gutierrez Company (the "Applicant", which term shall be deemed to include its successors and assigns), 200 Summit Drive, Burlington, MA 01803, submitted a project eligibility application to the MassHousing (the "Subsidizing Agency") in order to develop a project with 296 dwelling units, 25% of which were proposed as affordable rental units priced at no more than 80% of area median household income (the "Project"). The Project to be known as The Residences at Stone Ridge – Phase II.
2. A Project Eligibility Letter (PEL) was issued for the Project by MassHousing on March 30, 2020. It is of significance that this PEL made note of the concerns expressed as to demands on the hydraulic system and additionally recommended under its Determinations as follows:

The Applicant should be prepared to provide detailed information relative to the proposed water and sewer supply for the project, and potential impacts upon existing capacity.

3. On June 5, 2020, the Applicant submitted a Comprehensive Permit application to the Zoning Board of Appeals (the "ZBA" or "Board"). The application included architectural plans for the Project, as well as civil engineering, environmental, drainage, utility and stormwater management, and traffic reports prepared by experts.
4. The ZBA commenced a duly noticed public hearing on October 7, 2020, continued until November 7, 2020 due to problems with the notice
5. Consistent with amendments to applicable law, in particular Chapter 53 of the Acts of 2020, the ZBA continued the public hearing to the following dates: December 2, 2020; December 23, 2020; January 13, 2021; February 3, 2021; March 16, 2021; April 7, 2021; May 5, 2021; June 2, 2021 and June 23, 2021.
6. On June 23, 2021, the ZBA closed the public hearing and further deliberated on the matter and the conditions which it would deem appropriate to attach to any affirmative decision. After further deliberation and discussion, the Board voted to approve the Comprehensive Permit by a unanimous vote based upon the findings, and subject to all of the conditions, set forth below.
7. The documents and exhibits set forth as Exhibit A were received during the public hearing and constitute the record for this decision. The Plans of Record are specifically identified in Exhibit A.

## **FINDINGS**

1. The Applicant is qualified to make the Application pursuant to 760 CMR 56.04 in that (a) it is or will become a "limited dividend organization" as that term is used in G.L. c.40B, s. 21 and 760 CMR 56.02; (b) it has a funding commitment from the Subsidizing Agency; and (c) it has "control of the site" as that term is used therein by virtue of deeds recorded at the Worcester Registry of Deeds at Books 40682, Page 313-320; 42514, Pages 281-284.
2. The Town of Milford has not met the statutory minimum set forth in G.L. c. 40B, s. 20 or 760 CMR 56.03(3) nor is affordable housing located on sites comprising one and one-half percent or more of the total land area zoned for residential, commercial or industrial use. The development of affordable units consistent with the Application will not result in the commencement of construction of such housing on sites comprising more than three tenths of one percent of such land area.
3. The Property is located in the Business Park (BP) zoning district, as established in the Milford Zoning By-law.
4. The Project was proposed to have three multifamily residential structures which would contain 296 dwelling units, now reduced to 260 units by virtue of this Decision. The dwelling units will have the following mix of bedrooms:

Studios	(4 %)
One-bedroom units:	(50 %)
Two-bedroom units	(36 %)
Three-bedroom units:	(10 %)

5. The ZBA retained the following consultants to assist in the review of the Application:

BSC Group, Inc. ("BSC")  
Comprehensive Environmental Inc. ("CEI")

6. Aspects of the Project were reviewed by the departments and officials of the Town of Milford, including:

Town Planner  
Fire Department  
Police Department  
Conservation Commission  
School Department  
Board of Health  
Highway Surveyor  
Town Engineer  
Sewer Department  
Board of Assessors  
Milford Water Company

7. The ZBA's consulting civil engineer CEI and the Town's Engineer reviewed the Applicant's plans and specifications and summarized their findings or reports in a several memoranda to the ZBA. CEI concluded that (1) the plan set including wetland and flood impact areas were delineated; (2) the site design and building layout plans were generally acceptable, subject to proposed revisions detailed in their findings or reports; (3) proposed traffic and circulation on the Property were generally acceptable, subject to proposed revisions detailed in the reports; (4) utility connections and service should be verified with appropriate Town authorities, but were generally adequate; (5) grading and drainage revisions were required but were not so extensive as to render the project infeasible; (6) proposed plantings and landscaping were generally adequate; (8) the existing site is to be serviced by adequate water and sewer; and (9) the Applicant proposes to provide 2 parking spaces per unit on the Property and this number is adequate. Boards Consultants and Town staff made recommendations to the ZBA for conditions to mitigate impacts of the proposed Project and these are set forth as Conditions below.

8. The ZBA's consulting traffic engineer, BSC, and the Town's Engineer and Planner reviewed the Applicant's Traffic Study and summarized findings in a several memoranda to the ZBA. It was concluded that (1) the Traffic Study contained the information typically provided in such studies and was consistent with engineering guidelines; (2) the Traffic

Study proposed an adequate traffic study area; (3) the methodology used in the Traffic Study to assess volume and peak hours was appropriate; (4) speed and sight distance measurements in the study were appropriate for the proposed use; (5) there are no high accident locations in the study area; (6) the methodology of projecting traffic impacts attributable to the Project was appropriate; (7) the study projections for level of service (LOS) impacts at nearby intersections were appropriate. The consultants and staff made recommendations to the ZBA for conditions to mitigate impacts of the proposed Project and these are set forth in the Conditions, below.

9. Availability of water supply is a significant consideration in this matter. It was also a significant consideration in relation to other projects conditionally approved by this Board under G.L. c. 40B, including the 242-unit project known as the Residences at Stone Ridge – Phase I, the decision on which issued September 18, 2018. That earlier decision, and two others rendered in 2018, detailed the concerns in relation to water supply at that juncture in time. The Findings set forth in the above referenced decision of September 18, 2018 have been considered by the Board and those findings are incorporated herein by reference, in particular Finding number 9.

10. Since the earlier decisions in 2018 referenced above, the Milford Water Company has invested in and begun improvements to the Godfrey Brook Wellfield and the Dilla Street wells, which projects, when completed, will significantly increase and improve water supply for all Milford users. See the letters from the water Company manager dated June 5, 2020, September 30, 2020 and November 5, 2020 which are listed in Exhibit A hereto and are incorporated herein by reference. In sum, water will not be available for this project until both the Godfrey Brook and Dilla Street well projects are complete. With the Conditions as set forth below, the Board deemed that it could conditionally approve the subject project with undue risk to the public health and welfare.

11. As stated above, the ZBA is well cognizant of the other recently approved projects under General Laws Chapter 40B seeking to establish significantly sized multi-unit apartment buildings each of which projects will have similar need for public water supply. In addition, these other projects, like the site here at issue, are on sites currently zoned and available for commercial and/or industrial development, which development typically would have lighter water system demands. Each of those projects was significantly reduced as to the number of dwelling units, based upon considerations including impacts upon the Milford water supply.

12. The ZBA was also concerned with the public safety considerations raised by the single access/egress roadway serving the Project site and the dwelling units and the significant length of said roadway. The single access/egress roadway is a previously approved subdivision roadway. Very significant to the number of units sought to be permitted, there is no second means of access or egress, not even for emergency vehicles, due to constraints of previously approved Conservation Restriction Areas.

13. Based upon serious concerns about the future of Milford's water supply, the ZBA finds that the appropriate number, under all the circumstances, of units for this project is 260 units.

On the basis of the testimony of the Applicant, the ZBA's technical consultants, Town officials, Town staff, and others, the ZBA finds that the need for the affordable housing produced by the Project outweighs the local concerns identified during the public hearing process, subject to the conditions set forth below.

## **DECISION**

Pursuant to G.L. c.40B, the Zoning Board of Appeals of Milford, after a public hearing and findings of fact, hereby grants a comprehensive permit (the "Comprehensive Permit") to the Applicant for the construction of 260 dwelling units on the Property, with associated accessory structures, infrastructure and improvements, subject to the following conditions. The term "Applicant" as set forth herein shall mean the Applicant, its heirs, successors and assigns. The terms "ZBA" or "Board" as set forth herein shall mean the Zoning Board of Appeals. Unless otherwise indicated herein, the Board may designate an agent or agents to review and approve matters set forth herein.

## **CONDITIONS**

Any grant of a comprehensive permit hereunder shall be dependent upon compliance with all of the following terms and conditions:

### **A. REGULATORY CONDITIONS.**

1. Construction of all facilities and amenities upon the premises shall be undertaken in substantial compliance with the Plans of Record as such may be modified by the conditions herein, with the specific terms of any conditions stated herein to have precedence over said Plans of Record in the event of any inconsistencies.
2. The total number of dwelling units that may be constructed at the Project shall be limited to a maximum of 260 dwelling units, with a maximum of 405 bedrooms, to be shown on the Plans of Record.
3. As a condition of any approval hereunder, at least 25% of the units shall be and shall remain affordable and shall be marketed to eligible households whose annual income may not exceed 80% of area median income (AMI), adjusted for household sized, as determined by the United States Department of Housing and Urban Development (the "Affordable Units"); and, subject to approval by DHCD, the Affordable Units and the remaining units shall be eligible to be included in the Town's Subsidized Housing Inventory (SHI), as maintained by DHCD.

4. The Applicant shall notify the ZBA and the Town Administrator when building permits are issued and cooperate with the preparation of request forms to add the units to the SHI.
5. The Applicant shall notify the ZBA and the Town Administrator when occupancy permits are issued and cooperate with the preparation of request forms to add the units to the SHI permanently.
6. The Affordable Units shall permanently remain affordable, for so long as the Project is not in compliance with the Town's Zoning By-law, as allowed by this Decision, or for the longest period allowed by law, if longer, so that the Affordable Units shall continue to serve the public purposes for which this Comprehensive Permit was authorized under G.L. c. 40B, §§ 20-23.
7. A springing affordable restriction and regulatory agreement shall be signed with the Town and recorded at the Registry of Deeds as set forth below.
8. The Affordable Units shall be dispersed throughout the Project as designated by the Applicant by agreement with the Subsidizing Agency. The Affordable Units and the market rate units shall be constructed on substantially the same schedule. No building shall contain less than a roughly proportional share of the Affordable Units. The Affordable Units shall be indistinguishable as viewed from the exterior from the market rate units.
9. The Applicant shall execute a Regulatory Agreement that shall be countersigned by the Subsidizing Agency as required under G.L. c.40B and submit annual reports to the Subsidizing Agency in accordance with the Regulatory Agreement.
10. The Affordable Units shall not be segregated from the market rate units. If the Project is intended to be occupied in phases, the Applicant shall provide notice of such intent to the ZBA with a construction/occupancy phasing plan containing an acknowledgement that 25% of the units in each such phase shall consist of affordable units.
11. The Applicant shall annually recertify to the Subsidizing Agency, or less frequently as may be required by the Subsidizing Agency, the continuing eligibility of any tenant in an affordable unit. If a previously eligible tenant becomes ineligible to occupy an affordable unit, the Applicant may charge the tenant a market rate rent; however, the Applicant shall comply with the Subsidizing Agency's requirements for converting another unit to an Affordable Unit. Upon request, the Applicant shall provide the Town with all necessary information to determine whether the required affordability levels are in place.
12. The Applicant shall enter into a Permanent Restriction/Regulatory Agreement with the Town, in a form and substance reasonably acceptable to the Subsidizing Agency, the ZBA and its counsel (the "Town Regulatory Agreement"), which shall be recorded with the Worcester County Registry of Deeds against the Property prior

to issuance of any building permit for the Project. ZBA endorsement of said Town Regulatory Agreement shall not be unreasonably withheld.

13. The Town Regulatory Agreement: (i) shall only become effective if and when the Regulatory Agreement with the Subsidizing Agency is terminated, expires or is otherwise no longer in effect and is not replaced with another regulatory agreement with another Subsidizing Agency; (ii) shall require that the Project shall remain a rental project so long as the Project does not conform to local zoning, as allowed by this Decision; (iii) shall require that at least twenty five (25%) percent of the apartments in the Project shall be rented in perpetuity to low and moderate income households as that term is defined in M.G.L. Chapter 40B, Sections 20-23; (iv) shall restrict or limit the dividend or profit of the Applicant only if and as required under G.L. c.40B and 760 CMR 56.00, et seq., and no independent limitation on dividends or profits is imposed hereunder; and (v) shall restrict the number of allowed units and bedrooms as set forth in the Comprehensive Permit and if the Comprehensive Permit is modified in the future to increase the number of units or bedrooms, then the Applicant shall request a modification of the Town Regulatory Agreement to conform to the Permit as modified.
14. The Town Regulatory Agreement shall constitute a restrictive covenant and shall be recorded against the Project Site and shall be enforceable by the Town and shall require that the Affordable Units shall remain affordable rental units in perpetuity, meaning, specifically, for so long as the Project does not conform to the Town's Zoning Bylaws, as allowed by this Decision, or for the longest period allowed by law, whichever period is longer.
15. While the Regulatory Agreement with the Subsidizing Agency (or one with another Subsidizing Agency) is in effect, the Subsidizing Agency shall be responsible to monitor compliance with affordability requirements pursuant thereto; however, the Town may request and shall be provided by the Applicant with all information that is provided to the Subsidizing Agency and may take any steps allowed under G.L. c.40B and 760 CMR 56.00 in relation to excess profits and enforcement of affordability provisions.
16. When the Town Regulatory Agreement takes effect, the affordability requirements shall be enforceable by the Town or its designee, to the full extent allowed by M.G.L. Chapter 40B, Sections 20-23.
17. Paragraphs 12 to 16, above, shall not be used or construed or otherwise exercised in conflict with the holdings in ZBA of Appeals of Amesbury v. Housing Appeals Committee, 457 Mass. 748 (2010) or any other relevant decisional law or amendment to G.L. Chapter 40B, §§20-23, nor shall the foregoing be deemed to limit the Town's authority to enforce the provisions of this Comprehensive Permit in accordance with the legal exercise of its zoning enforcement powers. At such time as the Town becomes responsible for monitoring the affordability requirements for the Project, the Applicant shall provide the Town with a



reasonable monitoring fee. Said monitoring fee shall be reasonably consistent with the monitoring fees required by the Subsidizing Agency.

18. (a) To the extent allowed under G.L. c. 40B and the regulations promulgated thereunder and other applicable law, and only if approved by the Subsidizing Agency, with respect to at least 70% of the affordable units, the Applicant shall provide a preference category for Milford residents as follows:  
  
Residents of Milford  
Parents and children of Milford residents  
Veterans  
Employees of the Town  
Employees in the Town
  - (b) The Town shall be responsible for providing the Applicant with all necessary information and data to support the local preference request as further detailed herein.
  - (c) If approved by the Subsidizing Agency, this preference shall be implemented by the Applicant and the Applicant shall maintain records of its marketing efforts, which records shall be open to review by the Town for compliance with the local preference set forth herein.
  - (d) The foregoing local preference shall be implemented pursuant to procedures approved by the Subsidizing Agency. The costs associated with the marketing of units in the Project, including the advertising and processing for the Affordable Units shall be borne by the Applicant.
19. The Applicant shall submit to the ZBA a report on marketing activity at the Project during the initial lease-up of the Project demonstrating compliance with the local preference requirement pursuant to the plan approved by the Subsidizing Agency as set forth below.
  20. The ZBA acknowledges that it will be required to provide evidence satisfactory to the Subsidizing Agency of the need for the foregoing local preference and to obtain approval of the categories of persons qualifying for the same, and in no event shall the Applicant be in violation of the terms of this Comprehensive Permit to the extent the Subsidizing Agency disapproves the local preference requirement or any aspect thereof. If the ZBA or its designee does not provide such information within sixty (60) days of a written request by the Applicant, its Lottery Agent, the Subsidizing Agency or DHCD, then the conditions regarding local preference in this Decision shall be void.
  21. The Applicant shall develop a marketing plan for the Affordable Units for review and approval of the Subsidizing Agency, said plan to conform to any and all

affirmative action requirements or other requirements as imposed by federal or state regulation and shall conform with the local preference requirement set forth above.

22. If at any time it appears that the Applicant is in violation of the Town Regulatory Agreement at any time when said Town Regulatory Agreement is in effect as described above, following a hearing of which the Applicant has been given prior notice, then the ZBA may pursue such enforcement rights as it may have under the Town Regulatory Agreement and/or applicable law.
23. Profits from the Project in excess of those allowed under applicable law and regulations shall be utilized as provided in the Regulatory Agreement with the Subsidizing Agency and as required and provided for under G.L. c.40B and 760 CMR 56.00.
24. The Applicant shall annually provide the ZBA or its designee with copies of any and all documents and statements provided by the Applicant to the Subsidizing Agency or its designated auditor of the Applicant's costs and revenues for informational purposes upon request by the Town.
25. The Town, by and through the ZBA or its designee, shall have continuing jurisdiction over the Project to ensure compliance with the terms and conditions of this Decision.
26. Prior to receiving any building permit, the Applicant shall obtain Final Approval from the Subsidizing Agency pursuant to 760 CMR 56.04(7) and shall provide evidence of such Final Approval to the Building Commissioner and the ZBA.

**B. GENERAL CONDITIONS.**

1. The Applicant shall comply with all local by-laws, rules and regulations of the Town of Milford and its boards, officers and commissions, unless expressly waived hereunder or as provided on the Plans of Record referenced herein, as may be modified.
2. Except as specifically waived by this Decision, the Project shall conform to all applicable state and federal laws, codes, regulations, and standards including, but not limited to, the following:
  - (a) International and Massachusetts Building, Plumbing, Fire Protection, Elevator, Access and Electrical Codes;
  - (b) The Massachusetts Wetlands Protection Act (M.G.L. c. 131 §40) and the associated Regulations 310 CMR 10.00 and approvals granted under DEP File No.: 223-964 and DEP File No.: 223-987, as may be amended or replaced;

- (c) Massachusetts Department of Environmental Protection Regulations;
  - (d) EPA and DEP Stormwater requirements and accepted industry best management practices for construction of the drainage infrastructure; and
  - (e) U.S. Army Corps of Engineers, Regulatory Program under Section 404 of the Clean Waters Act.
3. There shall be no exterior construction activity, including fueling of vehicles, on the Premises before 6:00 a.m., or after 7:00 p.m., Monday through Friday and before 7:30 a.m. or after 4:30 p.m. on Saturday. There shall be no construction on the Premises on the following days unless a special approval for such work has been issued by the Milford Police Department: Sundays or the following legal holidays: New Year's Day, Memorial Day, July Fourth, Labor Day, Thanksgiving and Christmas. The Applicant agrees that the hours of operation shall be enforceable by the Milford Police Department.
  4. All utilities within the Project shall be installed underground.
  5. The interior and exterior of all buildings and structures shall be constructed substantially as represented in the Application, as revised, and on the Plans of Record, as may be modified.
  6. No foundation or building permit shall be issued until the Applicant has demonstrated that the Milford Water Company or successor entity or on-site private wells will provide sufficient water supply for domestic use and fire suppression.
  7. All water and wastewater infrastructure facilities for the Project shall be constructed and fully operational prior to the issuance of the first occupancy permit for the Project; provided, however, that the required water and sewer infrastructure shall not include building service tie-in infrastructure for any building that has not yet been built or for which an occupancy permit has not yet been requested.
  8. All lighting for the Project shall be maintained in such a way that lights shall be shielded and directed so as to avoid light trespass exceeding 0.5 foot candles at the property line or unshielded point sources of light visible from public ways or adjacent properties unless otherwise noted on the Plan of Record. A lighting plan shall be submitted to the Building Commissioner for his approval prior to construction of said infrastructure and prior to issuance of any Certificate of Occupancy for a unit. The Applicant shall pay a reasonable peer review consultant fee if requested by the Building Commissioner.
  9. A final landscaping plan shall be presented to the Building Commissioner and Town Engineer for their review and approval prior to installation. Said review shall not require a new public hearing or amendment to this Decision and shall not be

- unreasonably withheld, conditioned or delayed if the final landscaping is consistent with the landscaping shown on the Plans of Record.
10. Final design plans for the storm water management system shall comply with Department of Environmental Protection regulations and any Order of Condition issued by the Conservation Commission for the Project Site.
  11. All utility work and any other roadwork, within any public right of way shall be performed and conducted in conformance with the regulations of the Town and MassDOT, if applicable, including requirements for street opening permits and trench permits. Contractors shall be duly licensed as required by the Town of Milford. All such work shall be performed in accordance with current engineering and construction standards.
  12. Any internal sidewalk and street trees to be planted adjacent to the Project Site's internal sidewalk shall be installed before issuance of the final occupancy permit for the Project, or may be subject to the surety requirements in Construction and Bonding Condition 8 below.
  13. As described further in Construction and Bonding Condition 23, all structures and site improvements within the Project Site shall remain private in perpetuity, including any and all ways, parking areas, street lighting, drainage, buildings, sewer and water infrastructure and the Applicant shall bear the cost of maintenance, repairs, replacement, snow plowing and trash removal for same in perpetuity.
  14. The Applicant shall provide 24/7 monitoring of the Project, either by on-site management or an off-site management entity that is available by phone 24/7. In the event the Applicant engages a management company, the Applicant shall post the name and telephone number of the management company in each building in a prominent place and shall provide the ZBA and Town Administrator with a current copy of the management contract upon request.
  15. Fire hydrants shall be located as required by the Fire Chief and shall be operational when the first framing of any structure begins. A more detailed, readable utility layout shall be provided if requested by the Fire Chief, and phased if necessary.
  16. The Project's multi-family dwellings shall be sprinklered, including attics and storage spaces. The Applicant shall submit final fire alarm/sprinkler plans to the Fire Chief for review and approval. The Project shall install the sprinklers in compliance with M.G.L. c. 148, §26I, which shall require a sprinkler system designated per NFPA code 13.
  17. The Applicant shall ensure that all underground water pipes shall have water tight joints.
  18. No Certificate of Occupancy for any building or phase shall be issued until the Project infrastructure set forth on the Plans of Record are constructed and installed

so as to adequately serve said building or phase, or adequate security has been provided, reasonably acceptable to the ZBA, and approved as to form by the ZBA's legal counsel, to ensure the completion of such improvements. No such performance guarantee shall be requested until all drainage facilities and the base course of the pavement have been installed. The choice of performance guarantee shall be governed by the provisions of G.L. c. 41, § 81U (excluding the statutory covenant which shall not apply in this matter) and shall be approved as to form by the ZBA's legal counsel. The ZBA shall notify the Building Commissioner, in writing, of such completion or performance guarantee. The Applicant shall have all statutory choices of performance guarantees available under G.L. c. 41, §81U at all stages of construction up until request for certificate of occupancy. The Applicant acknowledges that a letter of credit is not a suitable form of surety under G.L. c.41, §81U, ¶7.

19. Other than as depicted on the Plans of Record or as approved in an Order of Conditions, no stormwater pond or other water collection area to be constructed by the Applicant as part of the Project shall hold water for more than 72 hours, to prevent the breeding of mosquitos. Subject to necessary approvals, the Applicant shall implement any necessary mosquito control measures to protect residents of the Project and nearby residents in the event that water collects for longer than 72 hours.
20. Final drawings showing on-site water distribution system and wastewater system shall be submitted to the Highway Surveyor and Town Engineer.
21. Prior to issuance of Building Permits, the Applicant shall:
  - (a) Provide to the Building Commissioner a final Stormwater Pollution and Prevention Plan ("SWPP") to address specific sedimentation, erosion and dust control, which illustrates, at a minimum, locations of measures such as straw wattles, hay socks, silt fence, sedimentation basins, and all other erosion controls on the plans, and provides detailed construction sequencing and methods to protect the infiltration capacity of each infiltration system, all in conformance with the requirements of the Conservation Commission during the Order of Conditions process.
  - (b) Obtain a National Pollutant Discharge Elimination System General Permit (NPDES) from the United States Environmental Protection Agency, as necessary for construction of the Project at the Project Site.
  - (c) Provide to the Town Engineer procedures that outline the specific operation and maintenance measures for all stormwater/drainage facilities, including any temporary facilities that shall be employed to minimize or eliminate the threat of transmission of mosquito borne diseases to the residents of the Project and nearby residents. These procedures may be described in an Order of Conditions issued for the Project.

- (d) Have demonstrated that the Milford Water Company or successor entity or on-site private wells will provide sufficient water supply for domestic use and fire suppression.
- 22. Prior to issuance of a Building Permit, the Applicant shall conduct, or submit a report if completed, a hydrant flow test to determine available flow and pressure to fight a fire, and provide the results of such test to the Milford Water Company (if connecting to the Milford Water Company for the Project's water supply) and Fire Chief. In the event that there is insufficient water pressure or volume for fire protection, plans shall include on-site improvements such as a fire pump or off-site improvements to the Milford Water Company water distribution system as required to maintain a residual pressure of 20 psi to the Project. If connecting to the Milford Water Company for the Project's water supply, the procedure for flushing, disinfecting and pressure testing of the water mains shall be approved by the Milford Water Company.
  - 23. Upon issuance of a building permit for the Project, and only if requested, the Applicant shall provide the School Superintendent, ZBA and Board of Selectmen with an estimate of the number of school aged children who will reside at the Property, so that the Town can plan for the expected additions to the school population, provided that such estimate shall not require the Applicant to engage a consultant.
  - 24. The Applicant shall provide and obtain approval from the Conservation Commission for an Operations and Maintenance Plan covering the following:
    - (1) The Project's drainage infrastructure and all related appurtenances;
    - (2) The Project's access ways, parking areas, common areas, trash removal, snow removal; and
    - (3) Additional site areas of the Project that are identified by the Conservation Commission (if any) to require ongoing maintenance.
  - 25. Fertilizer, pesticide and herbicide use shall be minimized to the extent consistent with good landscape maintenance practice.
  - 26. Road salt shall not be used for vehicular parking areas.
  - 27. Dumping of landscape debris, including leaves, grass clippings and brush, within 50 feet of any wetland shall be prohibited.
  - 28. Unless approved by the Conservation Commission, no disturbance or construction work shall be done and no portion of any or structure or any pavement shall be placed any closer to any wetland than as depicted on the Plans of Record, and any

future proposal to alter this condition shall require advance approval by the ZBA of a modification to the plans, except as expressly and clearly shown on the Plans of Record.

29. The Project shall not be gated.
30. All grading shall be consistent with the Plans of Record.
31. Prior to filing for a building permit for the Project, the Applicant shall update the Plans of Record pursuant to the process as provided herein to reflect 260 units and 2 parking spaces per unit, and the ZBA shall grant such waivers necessary for the updated Plans of Record required by this Decision. Such plan updates shall not constitute a substantial change to the Plans of Record, as described in 760 CMR 56.05(11)(a) and shall not require a public hearing, except as provided below. The submission and review of the updated Plans of Record shall proceed as follows.
  - (a) The Applicant shall provide documents and plans to update the Plans of Record in this Decision to the ZBA, which shall forward such documents and plans to its peer review engineers and special counsel, if deemed necessary. Notwithstanding anything herein to the contrary, the Applicant shall not be required to perform any new or provide updates of any prior impact reviews, as the ZBA notes the approved number of units is less than the number included in the Application. The ZBA's peer review engineers and counsel shall provide an estimated cost for a peer review to the ZBA and the Applicant for review of materials for completeness and compliance with this Decision.
  - (b) Once the Applicant has provided the new documents and plans and the peer review funds are in place, if necessary, the ZBA shall have 45 days to obtain the necessary peer review comments and to determine whether the final design submittals and plans conform to the conditions set forth in the Comprehensive Permit. The ZBA's review of the new documents and plans shall be limited to an assessment of whether the new plans comply with the conditions set forth in this Comprehensive Permit. If the ZBA determines that the new plans comply, then it shall grant any additional necessary waivers and the new plans shall be Plans of Record.
  - (c) If the ZBA determines that the new plans do not comply with the conditions set forth in this Comprehensive Permit, then the ZBA shall notify the Applicant of the deficiencies and the Applicant shall have an opportunity (but not an obligation) to cure the perceived deficiencies and the Applicant and the ZBA may mutually agree to extend the 45-day period for review to cure the deficiencies. If the Applicant elects to cure any perceived deficiencies by submitting additional or replacement documents or plans, then the ZBA shall timely determine whether the additional or replacement documents or plans comply with the conditions set forth in this Comprehensive Permit, and if it so determines then the ZBA shall grant any additional necessary waivers and the new plans shall be Plans of Record. Should the ZBA determine that any set of additional or replacement documents or plans

still do not comply with the conditions set forth in this Comprehensive Permit, then the Applicant may, in its discretion, elect to submit further documents or plans and continue the process of ZBA review, and the parties may elect to extend the 45-day period further, for as many times as they choose.

- (d) At any time during the process described above (if the Applicant and ZBA reach an impasse concerning proposed plans or otherwise), (a) the Applicant may elect to notify the ZBA that it desires to substitute its proposed new set of Plans of Record (showing 242 units and 2 parking spaces per unit) for the current Plans of Record in accordance with 760 CMR 56.05(11)(a) and the procedures and appeal rights set forth in 760 CMR 56.05(11) shall apply; or (b) the Applicant may avail itself of any avenue of appeal that may exist.
- 32. Once the Plans of Record have been updated to reflect the final unit count, the Applicant shall prepare an Approval Not Required (ANR) Plan for endorsement by the ZBA to create a separate lot to constitute the Project Site and the ZBA shall endorse the same.
- 33. Subject to approval of MassDOT or the Milford Highway Department, as appropriate, the Applicant shall patch each trench for any work that occurs in a public way for the Project for the full length and width of the disturbance caused by each trench with a thickness of 2 inches of compacted binder course material (unless the in-situ pavement thickness is greater than 2 inches, in which case, the existing greater in-situ thickness shall be matched) and shall overlay, curb-to-curb, the full width and length of any public way disturbed during construction; and the curb-to-curb overlay shall be a minimum of 1.5 inches of compacted thickness or appropriate roadway thickness and size as required by the regulating authority, MassDOT or the Milford Highway Department. This shall occur after construction of the Project is completed, at the Applicant's sole expense. Completing such work shall not delay issuance of a certificate of occupancy if the Applicant is required to delay such work until an appropriate construction season.
- 34. Residential Buildings shall have elevators and the radio intercom infrastructure requested by public safety officials. This shall include bi-directional amplifiers for police and fire communications.
- 35. Each residential building shall be equipped with elevators that return to the ground floor when a power outage occurs.
- 36. The Applicant shall provide the ZBA and the Board of Health, before any occupancy permit issues, with an adequate operations plan for the storage and collection of solid waste and recycling, to make sure that odor and nuisance problems are avoided. The hours for trucks to collect or otherwise service the solid waste and recycling containers shall occur only during daylight hours between the hours of 7:00 a.m. and 4:00 p.m.



37. If an irrigation system is installed utilizing Milford Water Company water, it may be done only in full compliance with the specifications of the Milford Water Company and the Town of Milford and alternate sources of water will be explored.
38. The toilets shall have a 1.28-gallon maximum flush capacity.
39. The bathroom faucets shall have 1.0 gallon per minute maximum aerators.
40. The showerheads shall have 1.5 gallon per minute maximum flow.
41. All water and sewer construction and materials shall be as noted in the Plans of Record, or as otherwise required in accordance with the Town of Milford or the Milford Water Company's requirements, as applicable.

**C. CONSTRUCTION AND BONDING.**

1. The Applicant shall provide the ZBA and its agents with authority to enter the Premises during construction of the Project (subject to conformance with applicable health and safety requirements, including, but not limited to hard hat, safety glasses, reflective vests and work boot requirements), with or without prior notice to determine conformance with this Decision.
2. The Applicant shall pay all of the actual, reasonable ZBA's and Town's prior and outstanding peer review and legal fees, if any, within 30 days of the issuance of the Decision after all applicable appeal periods have lapsed. The Applicant shall pay for all actual reasonable post-permit peer review, post-permit inspections, and post-permit legal fees by establishing or continuing the escrow account now established pursuant to G.L. c. 44, s. 53G. No occupancy permit shall be issued if any authorized outstanding bill for any fee is 30 days overdue.
3. The Applicant shall abide by orders issued by the Building Commissioner in conformance with applicable law in conjunction with construction of the Project, subject to the Applicant's rights of appeal under applicable law.
4. Work and operations within the buffer zones within 100 feet of wetlands shall be governed by the Conservation Commission unless waived herein and as denoted on the Plans of Record.
5. Prior to construction, physical barriers shall be installed to provide tree protection and along the limit of the clearing line. Erosion controls and tree protection measures shall be continuously maintained throughout the course of construction. Adjacent public streets shall be swept as needed to remove sediment and debris. Disturbed areas shall be brought to final finished grade and stabilized permanently against erosion as soon as practicable. Bare ground that cannot be permanently

stabilized within 60 days shall be stabilized using annual rye grass following U.S. Natural Resource Conservation Service (NRCS) procedures.

6. With respect to the work to be done by Applicant on private ways within the Project Site, no certificates of occupancy shall be issued by the Town until the Applicant has substantially completed all site drainage and utility work appurtenant to any portions of the site for which an occupancy permit is to be issued and has installed a binder course of pavement on driveways and parking areas within the Project Site.
7. If applicable, prior to the issuance of the first certificate of occupancy, a satisfactory surety instrument, that shall not expire unless and until it is satisfactorily replaced or released, shall be provided to the Town, in an amount to be determined by the Board's consulting civil engineer performing the construction inspections sufficient to ensure the completion of the top coat of paving and completion of all trench repair work and all other work require such as loaming and seeding along the roadway edges and the blending in of abutting driveways. The surety shall be held in accordance with the Town's normal procedures and any surety release that occurs shall be made only upon the satisfactory completion of the work in question as confirmed by the Town Engineer.
8. To the extent that the final landscaping for the Project is not completed prior to the issuance of the first certificate of occupancy, the Applicant shall provide the ZBA a satisfactory surety instrument, that shall not expire unless and until it is satisfactorily replaced or released, and shall be in an amount to be determined by the Board's consulting civil engineer performing the construction inspections based upon the Applicant's reasonable estimate of the costs to complete such landscaping work. The surety shall be held in accordance with the Town's normal procedures and any surety release that occurs shall be made only upon the satisfactory completion of the work in question as confirmed by the Town Engineer. The work to be secured shall include any landscape screening and fencing along the limit of work boundary.
9. In addition, the Applicant shall provide surety sufficient to loam and seed any disturbed areas which are yet to be developed as per the plans. Such surety shall be in an amount to be determined by the Board's consulting civil engineer performing the construction inspections based upon the Applicant's reasonable estimate of the costs to complete such loam and seeding work. The surety shall be held in accordance with the Town's normal procedures and any surety release that occurs shall be made only upon the satisfactory completion of the work in question as confirmed by the Town Engineer. Requests to reduce the surety may be submitted as the landscaping work progresses and shall include the amount of requested reduction, a list of work outstanding and a cost estimate of the same. The amount of the surety retained shall be based on the cost estimate of the remaining work, and the surety shall be fully released upon the completion of the landscaping work.

10. Prior to the issuance of any building permit, the site and engineering plans, finalized as necessary as provided in this Decision, shall be signed and sealed by a Massachusetts Professional Engineer and a Massachusetts Registered Landscape Architect and filed with the ZBA and the Building Commission, and shall include the following:
  - (a) Utilities, including on-site utilities and connections to utilities in adjacent public ways, which shall conform to all requirements of municipal departments or private utility companies having jurisdiction and to all applicable codes;
  - (b) Stormwater Pollution and Prevention Plan (SWPPP) notes that address mitigation of sedimentation and erosion, including details relating to any temporary drainage basins;
  - (c) Letter from the Project architect confirming that the Project complies with Architectural Access Board (AAB) Regulations, as required; and
  - (d) Details of any temporary construction signs.
11. A surety instrument, that shall not expire until it is satisfactorily replaced or released, in an amount to be determined by the Board's consulting civil engineer performing the construction inspections based upon the Applicant's reasonable estimate of the costs to complete the Authorized Activity(described below) shall be given prior to starting any activity authorized by this approval ("Authorized Activity") within a public way, on Town property or in any Town easement to ensure the proper and timely completion of all such work. The surety shall be held in accordance with the Town's normal procedures and any surety release that occurs shall be made only upon the satisfactory completion of the work in question as confirmed by the Town Engineer. Requests to reduce the surety may be submitted as work progresses and shall include the amount of requested reduction, a list of work outstanding and a cost estimate of the same. The surety retained shall be based on the work remaining.
12. Prior to starting any work on the Project Site, the Applicant and the general contractor shall hold a preconstruction meeting with the Building Commissioner, Conservation Agent, and Highway Superintendent representative, as necessary, to review this Decision.
13. Prior to starting any work on the Project Site, the Applicant shall provide to the Building Commissioner:
  - (a) the company affiliation, name, address and business telephone number of the construction superintendent who shall have overall responsibility for construction activities on site;

- (b) a copy of a municipal lien certificate indicating that all taxes, assessments and charges due on the Project Site have been paid;
  - (c) certification from the Applicant that all required federal, state and local licenses and permits have been obtained;
  - (d) proof that "Dig-Safe" has been notified at least 72 hours prior to the start of any site work;
  - (e) proof that street signage is in place to ensure that emergency personnel can locate the site to provide emergency services to protect and secure the site and construction personnel; and
  - (f) at least 48 hour written notice. If activity on site ceases for longer than one month, 48 hour written notice prior to restarting work.
14. During construction, at the end of each work day, the Applicant shall cause all erosion control measures to be in place and shall cause all materials and equipment to be secured. Upon completion of all work on site and prior to As-Built approval, all debris and construction materials shall be removed and disposed of in accordance with state laws and regulations and the ZBA shall be notified in writing of the final disposition of the materials.
15. Blasting, if any shall be performed in a manner approved by the Fire Department and Building Department so as to prevent injury or property damage to the residents of the Town and proper evidence of insurance shall be provided to the Building Commissioner before blasting begins.
16. Within ninety (90) days of completion of the work on the Project Site and prior to the issuance of the final certificate of occupancy, the Applicant shall submit to the ZBA two sets of As-Built Plans (the "As-Built Plans") for all infrastructure improvements and, if applicable, evidence of compliance with this Decision and any other permits required for the construction of the improvements contemplated by this Decision. The As-Built Plans shall be provided both in paper form and as AutoCAD plans, in a version approved by the Town Engineer so as to be compatible with the Town Engineer's software and hardware. The site engineer of record shall provide a written description of any material deviations from the Plans of Record.
17. All catch basins and detention basins shall be cleaned at the end of construction. Thereafter, the Applicant and/or Applicant's successor shall be responsible for maintaining the site's storm-water management system in accordance with generally accepted practice, as the same may, from time to time, change.

18. A plan to implement adequate erosion and sedimentation control measures in compliance with any Order of Conditions for the Project shall be submitted by the Applicant to the Conservation Administrator for approval that such measures comply with the Order of Conditions, prior to the start of any Authorized Activity. Said measures shall be maintained throughout the Project and until all disturbed areas have been permanently stabilized with either an adequate vegetative or asphalt cover in accordance with the Plans of Record.
20. Any further soil testing shall be done by a Massachusetts Registered Professional Engineer who is a Licensed Soil Evaluator who shall observe soil conditions in the subsurface stormwater management area and shall relocate or modify the design of the facility if impervious soils or bedrock are present within the limits of the excavation.
21. During construction, the location of any and every stormwater management area shall be protected to prevent compaction by heavy equipment and to prevent contamination of the area with soils and material that may reduce infiltration rates for the existing soils.
23. The Applicant shall be permanently responsible for the following at the Project:
  - (a) all plowing, sanding, and snow removal. Snow shall be piled in designated locations as shown on the Plans of Record or alternate locations acceptable to the Fire Chief. In the event that snow impairs roadways such that the travel area is less than eighteen feet wide, and all designated snow removal locations have been exhausted, at the direction of the Fire Chief, the Applicant shall cause snow to be transported from the Project to an off-site location for the legal disposal thereof;
  - (b) all site maintenance and establishing a regular schedule for site maintenance;
  - (c) repairing and maintaining all Project Site roadways, including drainage structures and utilities therein and the infrastructure within the Project;
  - (d) conducting annual inspection, maintenance and cleaning of all elements of the drainage system, including but not limited to catch basins, drain manholes, detention basins, swales and pipelines;
  - (e) maintaining all any and all easements shown on the Plans of Record; and
  - (f) site lighting.

24. Prior to issuance of the first certificate of occupancy, the Applicant shall obtain approval from the U.S. Postmaster of any location to be used for mail boxes and parcel delivery areas.
25. Prior to commencing work on the Project Site, the Applicant's final construction plans shall provide that the construction of the Project shall be performed in accordance with all applicable laws and regulations regarding noise, vibration, dust, sedimentation control and blocking of Town roads and the Applicant shall install aprons at entry points and provide for dust control in the form of sweeping and spraying of water whenever necessary.
26. No stumps or construction debris shall be buried or disposed of at the Project Site.
27. The Applicant shall use all reasonable means to minimize inconvenience to residents in the general area, during construction.
28. The Applicant shall expend commercially reasonable efforts to develop an on-site irrigation well in accordance with all applicable laws and regulations and shall diligently pursue approvals for same before irrigation is provided to on-site landscaping.
29. The Comprehensive Permit granted hereunder is granted to the Applicant and may not be transferred or assigned to any party without the approval of the Subsidizing Agency and notice to the ZBA, as required by 760 CMR 56.05(12)(b). After substantial completion of the Project, this Comprehensive Permit runs with the land as provided by 760 CMR 56.05(12)(b).
33. Any changes or revisions to the Plan of Record after issuance of the Decision shall be reviewed and approved by the ZBA in accordance with 760 CMR 56.05 (11). The Project shall be constructed substantially in accordance with the Plans of Record, as may be modified pursuant to the process outlined in 760 CMR 65.05(11). Proposed and reasonable adjustments to the Plans of Record following the issuance of this Comprehensive Permit are allowed. Plans of Record revisions shall be submitted to the Building Commissioner (or other appropriate department head in Milford) who may determine whether the revisions constitute a "change" per 760 CMR 56.05 (11). Revisions of a minor nature may be approved directly by the Building Commissioner with input from appropriate department heads. If the Building Commissioner is uncertain whether such revisions are minor, or if it constitutes a substantial or insubstantial change, he may direct the Applicant to submit the proposed revision to the ZBA for review and authorization in accordance with applicable regulatory provisions.
31. Building construction may begin simultaneously with the commencement of construction of the infrastructure, but no occupancy permit shall be issued unless and until all of the infrastructure necessary for the occupancy permit shall be substantially permitted

and completed and have any necessary temporary or final sign offs. Certificates of occupancy may be issued in phases, by floor, or in such other manner as may be approved by the Building Commissioner in consultation with the Applicant.

**D. SPECIAL CONDITIONS.**

1. As reflected in the findings referred to above, this Comprehensive Permit, notwithstanding the application or any other documents or plans submitted, is limited to 260 units, including but not limited to associated accessory structures, infrastructure and improvements such as a clubhouse/amenity space, management and leasing office, parking garage structures, mail room and maintenance building, all as shown on the Plans of Record. The applicant shall determine the appropriate allocation within the 3 buildings and, prior to construction, submit a plan to the ZBA for review indicating the number of units in each building and any change in configuration of such buildings.
2. The sewer connection for the Project is approved for construction, and use, in accordance with the Application, as amended through the Plans submission of Symmes Maini & McKee Associates (SMMA) of May 11, 2021 and Sewer Department Review report by SMMA dated May 11, 2021, both of which are attached hereto as Exhibit "D". Such approval is further conditioned upon compliance with the condition that all Sewer Department Rules and Regulations are met as applicable, together with the condition as stated in the letter from Tata & Howard consulting Engineers dated May 27, 2021, also attached hereto as Exhibit "D".
3. Parking shall be provided within the project at a ratio of 2.0 spaces per dwelling unit.
4. Any future revisions to the stormwater treatment system are required to undergo third party review to ensure adequate TSS removal through pretreatment/treatment with appropriate conveyance and treatment structures, and to ensure that performance standards are met for protection of the Outstanding Resource Waters and Critical Area (I. Standard 4, b. TSS Removal; (I. Standard 6)
5. The location of temporary construction-phase soil stockpiles and associated erosion/sediment control measures must be included in the Storm Water Pollution Prevention Plan (SWPPP) and on plan sheet C-111: Site Preparation Plan. Soil stockpiles may not be stored within wetland resource area buffer zones, and Sheet C-111 should include wetland resources areas and buffer zones to clearly identify where soil stockpiles are prohibited. (I. Standard 8, III.3, and IV.1)

6. The project is required to prepare Stormwater Pollution Prevention Plan (SWPPP) and obtain coverage under the NPDES Construction General Permit (CGP). (I. Standard 9 and V.3)
7. The Applicant is required to perform test pits at the intended locations of subsurface structures prior final design, with prior notice to the Town to enable Town personnel to witness the tests. (II. 5. And III.1.)
8. The Applicant is required to provide the final design drawing for third party review prior to submission of a Building Permit application to confirm that the final drawings are in compliance with the Conditions set forth in the Comprehensive Permit. (II.5.)
9. The SWPPP and final design drawings are required to include designated snow storage areas, to ensure adequate distance from Critical Areas. (III.2.)
10. In compliance with the Massachusetts Environmental Policy Act (MEPA), the Applicant received a Final Environmental Impact Report (FEIR) Certificate in 2008 for a previous development plan for the site, which at the time was proposed as business park with four buildings. The Applicant is required to submit a Notice of Project Change (NPC) to the MEPA Office for review of design changes associated with the proposed Phase II residential development.
11. The proposed project includes permanent impacts to Isolated Land Subject to Flooding as defined under the Massachusetts Wetlands Protection Act (WPA) and will therefore require WPA permitting by submittal of a Notice of Intent (NOI) to the Milford Conservation Commission. The NOI must address the applicability and compliance with each of the ten Massachusetts Stormwater Standards. (I. Standards 1-10, V.1, and VI.)
12. All stormwater management measures required for compliance with Phase II of the Residences at Stone Ridge with the Massachusetts Stormwater Management Standards shall be constructed at the time of construction of Phase II. Full compliance of Phase II with the Stormwater Management Standards shall not rely on construction of any future project phase. Redesign of the Phase II stormwater management measures as required for full compliance with the Stormwater Management Standards must be submitted to the Town for third-party review and Town approval prior to construct
13. The project shall comply with the current municipal By-Laws and regulations in effect as the date of this Decision unless otherwise waived.



14. The Applicant and the ZBA acknowledge that the project requires approval under the State Wetlands Protection Act pursuant to a separate process with the Milford Conservation Commission.
15. The Applicant shall designate an area for emergency refuge for residents as shown on sheet C-121 in the Plans of Record. The approach access to the area shall be paved. The area may be relocated to a comparable location so long as the new location has comparable access, and the same dimensions as the area shown on the Plans of Record. If relocated, a plan showing the new location shall be provided to the Milford Fire Department and Police Department.
16. As recommended by the ZBA's traffic consultant, BSC, the Town intends to conduct a Road Safety Audit (RSA) at the intersections of Cedar Street/Fortune Boulevard and Cedar Street/Old Cedar Street. The applicant shall, at its own expense, fund the cost of the RSA, but in no event to an amount greater than \$20,000. The applicant shall pay for the RSA upon a request for payment from the Town or the Town's duly authorized consultant, which request may be made no sooner than the Applicants receipt of a building permit for the construction of the first residential building in the Project, and no later than the Applicants receipt of the first certificate of occupancy for any units within the Project.
17. Prior to the issuance of a certificate of occupancy, but no earlier than the issuance of a building permit for construction of the first residential building, the Applicant shall, at its own expense, make a contribution of up to \$75,000 to the Milford Police Department to be used by the Department to undertake and complete the recommendation of the Fort Hill Group as contained in their letter of April 17, 2021 (inclusive of sketches), attached hereto as Exhibit "C".
18. Fire department Communications. The Applicant shall work with the Milford Fire Department to identify a mutually acceptable location for a receiver antenna to be situated on the roof of one of the residential buildings within the Project. A mutually agreeable location inside the building shall be provided for the associated radio equipment (collectively, the antenna and radio equipment shall be referred to as the "Communication Equipment"). The Milford Fire Department shall have full access to the Communication Equipment for so long such equipment is in use by said Fire Department. Prior to the issuance of a Certificate of Occupancy, but no earlier than the issuance of a building permit for the construction of the subject building upon which such Communication Equipment shall be located, the Applicant shall make a contribution of \$40,000 towards the procurement and installation of the Communication Equipment. The Applicant shall not be responsible for installing, procuring, repairing, or the operation of the Communications Equipment. Recognizing that this condition is central to the grant of this Comprehensive Permit and public safety in Milford, the Applicant, on behalf of itself and its successors and assigns, commits to the continued full

access by the Milford Fire Department as necessary for continued use of the Communications Equipment.

19. The 3 foot high embedded chain link fence as shown on Plan C-121 of the Plans of Record shall be increased to six feet in height for it's entire length along the northeast boundary and shall be permanently maintained in good condition at all times.

**E. LAPSE.**

1. Any Comprehensive Permit granted hereunder shall lapse three years from the date that it takes final effect (i.e., the date that it is filed with the Town Clerk, subject to tolling in the event of any appeal and as provided in 760 CMR 56.05(12)(c)), unless the Comprehensive Permit is duly recorded before the three-year period lapses and unless construction on the Project has commenced within such period. If the Milford Water Company has not been able to perform work necessary to provide public water for the Project or if work to implement a private on-site well has not been completed prior to the expiration of such three (3) year period, the ZBA agrees to vote to extend such lapse date for a further three (3) year time period.
2. In addition, once commenced, construction in accordance with this Comprehensive Permit shall be completed within five years of commencement of construction or approval of any further construction of any unit not already begun shall lapse.
3. The Applicant may apply to the ZBA for reasonable extensions of these deadlines for good cause, but must do so before any lapse occurs.

**F. WAIVERS.**

1. The Applicant shall comply with the State Building Code and the Town of Milford Zoning Bylaw as of the date this Application was filed with the ZBA, and all other local development controls as of the date of this Application, except as expressly waived and provided for herein. Any waiver not expressly granted or not shown on the approved Plan of Record is hereby not granted. Grant of the Comprehensive Permit and the Waivers is expressly conditioned upon compliance with all of the conditions of approval and with continued adherence to the facts and circumstances noted in the Findings of Fact.
2. The Waivers in Exhibit B were granted.

**G.      VALIDITY OF PERMIT.**

This permit shall not be valid until recorded with the Registry of Deeds and evidence of such recording is provided to the Building Inspector and the ZBA. Any modification of this permit shall be subject to 760 CMR 56.07(4) or any successor regulation thereto. Any person aggrieved by this decision may appeal to a court of competent jurisdiction within 20 days as provided by M.G.L. c. 40A, § 17 or M.G.L. c. 40B, §20 et seq., as applicable.

**MILFORD ZONING BOARD OF APPEALS**

By: , Chairman

On June 23, 2021, the Zoning ZBA of Appeals voted unanimously to grant the Comprehensive Permit on the conditions above and to authorize Chairman Consigli to execute the decision on behalf of the ZBA.

Filed with Town Clerk on: June 29, 2021

Sent to Applicant, certified mail, on: June 30, 2021

Notices to interested parties mailed on: June 30, 2021

## **EXHIBITS**

- A Document List
- B. Waiver List
- C. Fort Hill Letter dated April 17, 2021.
- D. Sewer Plans by SMMA with a revision date of May 11, 2021 and Sewer Department Review Report by SMMA revised May 11, 2021.
- E. Letter from Tata & Howard dated May 27, 2021.

## **Exhibit A Document List**

The following documents were received during the public hearing<sup>1</sup>:

1. Residence at Stone Ridge Phase II Comprehensive Town of Milford Permit Application 06-05-2020
2. Residence at Stone Ridge Phase II Milford Water Company Memo 06-05-2020
3. Residences at Stone Ridge Phase II Fire Department Memo 06-12-2020
4. Residences at Stone Ridge Phase II Planning Board Recommendation 09-23-2020
5. Residences at Stone Ridge Phase II Town Engineer Memo to the ZBA 09-28-2020
6. Residences at Stone Ridge Phase II Comprehensive Environmental Inc Review 09-29-2020
7. Milford Water Company Letter on Water usage for Residence at Stone Ridge Phase II 09-30-2020
8. Tata and Howard Report to the Board of Sewer Commissioners on Residence at Stone Ridge Phase II 09-30-2020
9. Residences at Stone Ridge Phases Milford Water Company Memo to Zoning Board of Appeals 11-05-2020
10. Residences at Stone Ridge Water Company and Zoning Board Email Chain 11-19-2020
11. The Gutierrez Company Letter to The Zoning Board on Residences at Stone Ridge Phase II 01-11-2021
12. Residences at Stone Ridge Phase II TEC Traffic Response Letter to the Milford Zoning Board of Appeals 11-23-2020
13. Residences at Stone Ridge Phase II BSC Group Peer Review Final Response 11-25-2020
14. Residences at Stone Ridge Phase II Proposed Expansion Memo to Zoning Board of Appeals 12-18-2020
15. Residence at Stone Ridge Phase II Response to Sewer Department Review Comments 01-26-2021
16. SMMA Peer Review Response of CEI for Residence at Stone Ridge Phase II 01-29-2021
17. Road Safety Audit from May 18, 2017
18. Letter from The Gutierrez Company 3-5-2021
19. Town Engineer Response Letter from SMMA 3-9-2021
20. SMMA Response to Sewer Department 3-15-2021
21. SMMA Sewer Department Review 3-15-2021
22. Town Engineer Response Letter 3-16-2021
23. C-121 Layout and Materials Plan
24. SMMA Response to Town Engineer Letter March 31, 2021
25. Residences at Stone Ridge Phase II Fort Hill Companies Evaluation Memo 04-17-2021
26. Residences at Stone Ridge Phase II Sewer Department Review Drawings 05-11-2021
27. Residences at Stone Ridge Phase II Sewer Department Technical Report 05-11-2021
28. Residences at Stone Ridge Phase II Sewer Department SMMA Review Letter 05-12-2021
29. Residences at Stone Ridge Phase II Tata and Howard Letter to the Sewer Commission 05-27-2021

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<sup>1</sup> The plans entitled "the Gutierrez Company, Comprehensive Plans of Record", dated 6/23/2021 are, subject to conditions herein, the Plans of Record for purposes of this decision.

*Development: The Residences at Stone Ridge*

*200-300 Deer Street, Milford, Massachusetts*

**EXHIBIT B**  
**LIST OF APPROVED WAIVERS**

The Board of Appeals authorizes the following waivers from the requirements of the Milford Zoning Bylaw and other local by-laws, rules, and regulations listed in this Exhibit B if and only if the Comprehensive Permit for the Project containing the Conditions identified in the attached Comprehensive Permit Application is finally issued and only to the extent necessary and sufficient to construct, occupy, and maintain the project in accordance with the Comprehensive Permit, the Conditions, and Plans of Record listed in the Comprehensive Permit Decision, and provided that the project is in fact constructed in accordance with the Comprehensive Permit, the Conditions, and the Plans of Record. Once the Project has been fully constructed and certificates of occupancy have been issued, these Waivers, the Comprehensive Permit and the Conditions shall not authorize any further waiver of the Milford Zoning Bylaws or other local bylaws, rules, or regulations; any proposed further modification of the Project or any unit within the Project thereafter must conform to the Milford Zoning Bylaw and other local bylaws, rules, and regulations, subject to the regulations concerning modifications of comprehensive permits found at 760 CMR 56.05(11).

## **Residence at Stone Ridge**

### **Requested Waiver List**

<b>Milford Zoning Bylaw</b>		
<b>Section Number/Title</b>	<b>Requirement</b>	<b>Proposed/Waiver Requested</b>
<b>Section 1.4.2 Permit Procedure</b>	The Zoning By-Law requires all applications to be submitted to the Building Commissioner.	The Zoning Board of Appeals shall act as the comprehensive permit granting authority.
<b>Section 1.5 Certificate of Zoning Compliance</b>	Section 1.5 requires an applicant to obtain a zoning certificate from the Building Commissioner.	The Zoning Board of Appeals shall act as the comprehensive permit granting authority.
<b>Section 1.15 Site Plan Review</b>	Section 1.15 requires new construction to obtain site plan approval.	The Zoning Board of Appeals shall act as the comprehensive permit granting authority and the applicant seeks a waiver from the site plan approval requirement. Note, the applicant will provide detailed plans for any retaining walls, as provided in Section 1.15.2.1(b), with the building permit application.
<b>Section 1.15.2.1(h) Planning Board Signature Block</b>	Section 1.15.2.1(h) requires a signature block for endorsement by the Planning Board.	The Zoning Board of Appeals shall act as the comprehensive permit granting authority and the applicant seeks a waiver to allow it to endorse plans, including approval not required plans.
<b>Section 2.2.1; Section 2.3 Use Regulation Schedule</b>	The Sections prohibit multifamily use and accessory off-street	The applicant seeks a waiver to allow multifamily use with accessory parking



	parking for dwelling units in the Business Park zoning district.	and other accessory uses such as a management/leasing office and amenity area(s) as shown on the Plans.
Section 2.4.4.2 Number of Principal Buildings Per Lot	Section 2.4.4.2 allows any number of principal buildings in a single lot in a Business Park District contingent that each building meet all requirements for the district.	The proposed project consists of three buildings. The applicant requests a waiver from this requirement.
Section 2.4.8 Wetland, Pond, Stream or Detention Area Setback	Section 2.4.8 requires a setback for any structure from wetlands, ponds, streams or detention areas.	The proposed project will fill an existing wetland and replicate it elsewhere on the larger site as allowed by Order of Conditions Mass DEP# 223-987 as such order has been amended and extended. The applicant requests a waiver from this setback requirement, as the existing wetland on the lot will be eliminated per such Order of Conditions.
Section 3.4 Parking Requirements	Section 3.4 requires parking to be on the same lot as the activity or use it services.	The applicant may use parking spaces on the future lot to the north, which is also owned by the applicant, for shared parking and seeks a waiver from this requirement.
Section 3.4.1(a) Off Street Parking Requirements	Section 3.4.1(a) requires two parking spaces per dwelling unit.	The applicant requests a waiver from the minimum parking spaces required by the Zoning By-Law to have

		the number of spaces shown on the Plans.
Section 3.4.2(a) Parking space dimensions	Section 3.4.2(a) requires parking spaces to have certain dimensions.	The applicant requests a waiver to allow the parking space dimensions, including compact parking spaces, as shown on the Plans.
Section 3.4.4(a) Number of parking area entrances/exits	Section 3.4.4(a) only allows one entrance and one exit from any parking area per 200 feet of frontage in a commercial district.	The applicant requests a waiver to have the number of entrances and exits as shown on the Plans.
Section 3.4.4(d) Parking Landscaping Requirements	Section 3.4.4(d) has landscaping, landscape buffer and lighting requirements.	The applicant requests a waiver to have the landscaping and lighting shown on the Plans.
Section 3.7 Earth Removal Regulations	Section 3.7 prohibits and regulates the removal of earth.	The applicant requests a waiver to allow the removal of earth incidental to construction of the proposed project. The Zoning Board of Appeals shall act as the comprehensive permit granting authority.
Section 3.9 Sign Regulations	Section 3.9 prohibits and regulates signs.	The applicant seeks a waiver to allow the signs shown on the Plans.
Section 3.16 Individual Lot Drainage	Section 3.16 regulates grading and drainage.	The applicant seeks a waiver to allow the grading and drainage shown on the Plans as the Zoning Board of Appeals is the comprehensive permit granting authority. The proposed project will meet

		the requirements of the DEP Stormwater Handbook.
<b>Milford General By-Laws</b>		
Article 8 Planning Board	Article 8 creates a Planning Board and enumerates its duties	The applicant seeks a waiver from this Article, as the Zoning Board of Appeals is the comprehensive permit granting authority, including for endorsement of approval not required (ANR) plans.
<b>Milford Wetland Administration By-Law</b>		
Article 33, Wetland Administration By-Law	Article 33 establishes the Milford Conservation Commission and enumerates its duties	The applicant seeks a waiver from this Article, as the Zoning Board of Appeals is the comprehensive permit granting authority with the authority to issue all local permits and approvals. The applicant will seek to amend the previous Order of Conditions from the Milford Conservation Commission DEP # 223-987 under the Massachusetts Wetlands Protection Act, M.G.L. c. 131, § 40 and 310 CMR 10.00 et seq.
<b>Milford Subdivision Rules and Regulations</b>		
Articles I through X, Milford Subdivision Rules and Regulations	The Purpose of the Subdivision bylaw is to provide rules and	The proposed project is part of an approved subdivision and the Project parcel will have frontage on

	regulations for the planning of a subdivision.	<p>the way approved on such subdivision plan. As such, the Subdivision Rules and Regulations are not applicable to the proposed project. However, to the degree that certain rules and regulations are applicable, including but not limited to Article IX, the applicant requests a waiver to allow the Plans as submitted, as the Zoning Board of Appeals is the comprehensive permit granting authority. In addition, to the extent the proposed project affects the definitive subdivision plan approved for the project site, or waivers granted therefore, the applicant requests a waiver to allow the Plans as submitted, as the Zoning Board of Appeals is the comprehensive permit granting authority. This waiver request includes a waiver to allow the Zoning Board of Appeals to endorse an Approval Not Required (ANR) plan for the project site.</p>
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\*Note, the applicant will update this list of waivers as necessary during the hearing and approval process.



**TECHNICAL MEMORANDUM**

**TO:** Mr. Israel Lopez  
Managing Director of Development  
The Gutierrez Company  
200 Summit Drive, Suite 400  
Burlington, Massachusetts 01803

**FROM:** William F. Lyons Jr., PE

**SUBJECT:** Residences at Stone Ridge - Phase II - Milford, Massachusetts  
Site Evaluation Related to Firearms Training Facility with Live Range

**DATE:** April 17, 2021

---

Fort Hill Companies LLC has conducted a detailed evaluation of the surface danger zone (SDZ) of the existing Milford Police Department Range (the "Range") and assessed its impacts on the subject site. Our evaluation has been performed based on the standards found in Military Handbook 1027, version 3A, dated 31 December 1989, entitled "Range Facilities and Miscellaneous Training Facilities Other Than Buildings." Our analysis reflects more than 30 years of combined experience planning, designing, and operating firing ranges for the US Department of Defense and the special operations community.

**Background**

We have gathered information from our field observations of the Range during a site visit on March 6, 2020 also attended by Milford Chief of Police James Falvey, and Town of Milford Board of Selectmen and former Milford Chief of Police Tom O'Loughlin.

The Range is approximately 640 feet long by 52 feet wide. The long axis generally runs east to west. The range is bounded by Town of Milford wooded land to the north and west. The southern portion of the Range is bounded by the subject site and by parcels of wooded land owned by the Town of Milford. The eastern side of the Range is bounded by single family residences and by town of Milford land. The land in between the Range and the subject site is wooded with brush and tree cover and generally slopes up from elevation 320' at the Range to elevation 380' at the subject site (or about 60-feet).



The Range provides two primary firing lines: one for shorter range and one for longer range targets. The western end of the Range is bounded by a protective earthen berm that spans the width of the Range and is approximately 30 feet above the surface elevation of the Range. The ground cover of the Range is grass and natural vegetation.

According to the Milford Chief of Police, use of the Range is exclusively controlled by the Milford Police Department. The Range is used for annual certification and training of the Department's officers.

According to information provided by the Milford Police Department, the maximum caliber of the weapons used on the Range is a .308 (7.62 x 51 mm) round fired from a sniper rifle with a maximum range of 4800 meters. The range is also used to fire 5.56 mm ball ammunition with a maximum range of 3100 meters. In addition, Glock 17 Pistols are also used among other handguns.

### **Surface Danger Zone**

The SDZ is a function of two discrete components. One is the maximum range of the weapon systems fired on the Range. The other is the dispersion angle, also known as the ricochet area. A graphical representation of the SDZ is shown in Exhibit 1. The SDZ is determined by adding 100 meters (328 feet) on either side of the base of the Range firing points. The base of the SDZ is established by the rear most firing line. The ricochet area is a function of the ground within the range, which is either typical soil conditions or soil likely to cause a ricochet. The existing Range is classified as an open range (Type O) with rocky soil.

### **Recommendations**

1. Our first recommendation is to resurface the ground between the firing line and the end impact berm to reduce the propensity of ricochets. Loaming and seeding this area with a minimum of six inches of topsoil will reduce exposure of the natural, rocky soils that tend to cause ricochets. It will also provide a safer range for the users as well.

Left untreated, the rocky soil would result in a dispersion angle of 30 degrees. However, if resurfaced with loam and seed as noted above, the rocky soil condition can be mitigated and a dispersion angle of 10 degrees can be used to determine the SDZ.

Exhibit 2 illustrates the surface danger zone and the residential development. Note that based on the longest weapon used, the SDZ extends past I-495 and is not fully shown in



Exhibit 2. However, as can be seen in Exhibit 2, the 10-degree dispersion angle does not result in an SDZ intrusion impact on the proposed development.

2. According to information provided by the Milford Police Department, the Range accommodates twelve firing lanes for simultaneous shooting. Reducing the number of lanes would narrow the base of the SDZ and thereby reduce the SDZ. The Department might consider reducing the number of lanes based on a cyclic rate of training analysis.

### **Conclusion**

In summary, we believe that the mitigation measures proposed in this memorandum will provide the occupants of the proposed development with the reassurance necessary to feel comfortable on the property. The mitigation should prevent a negligently discharged round from reaching the proposed development. We believe, based on our expertise in the design of ranges and our personal experience operating ranges, that these mitigation measures will provide safe conditions so long as the Range is operated properly and responsibly.

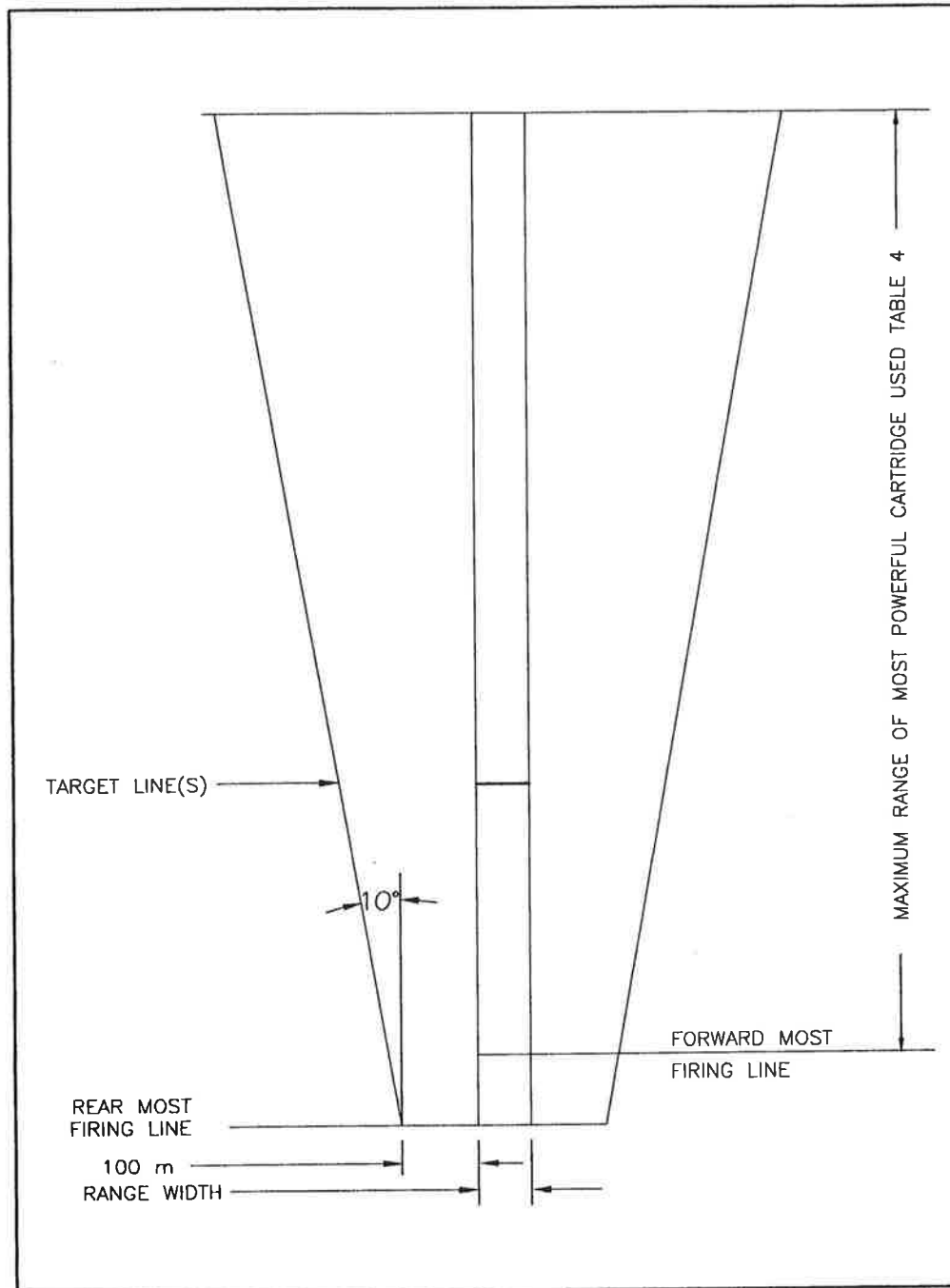
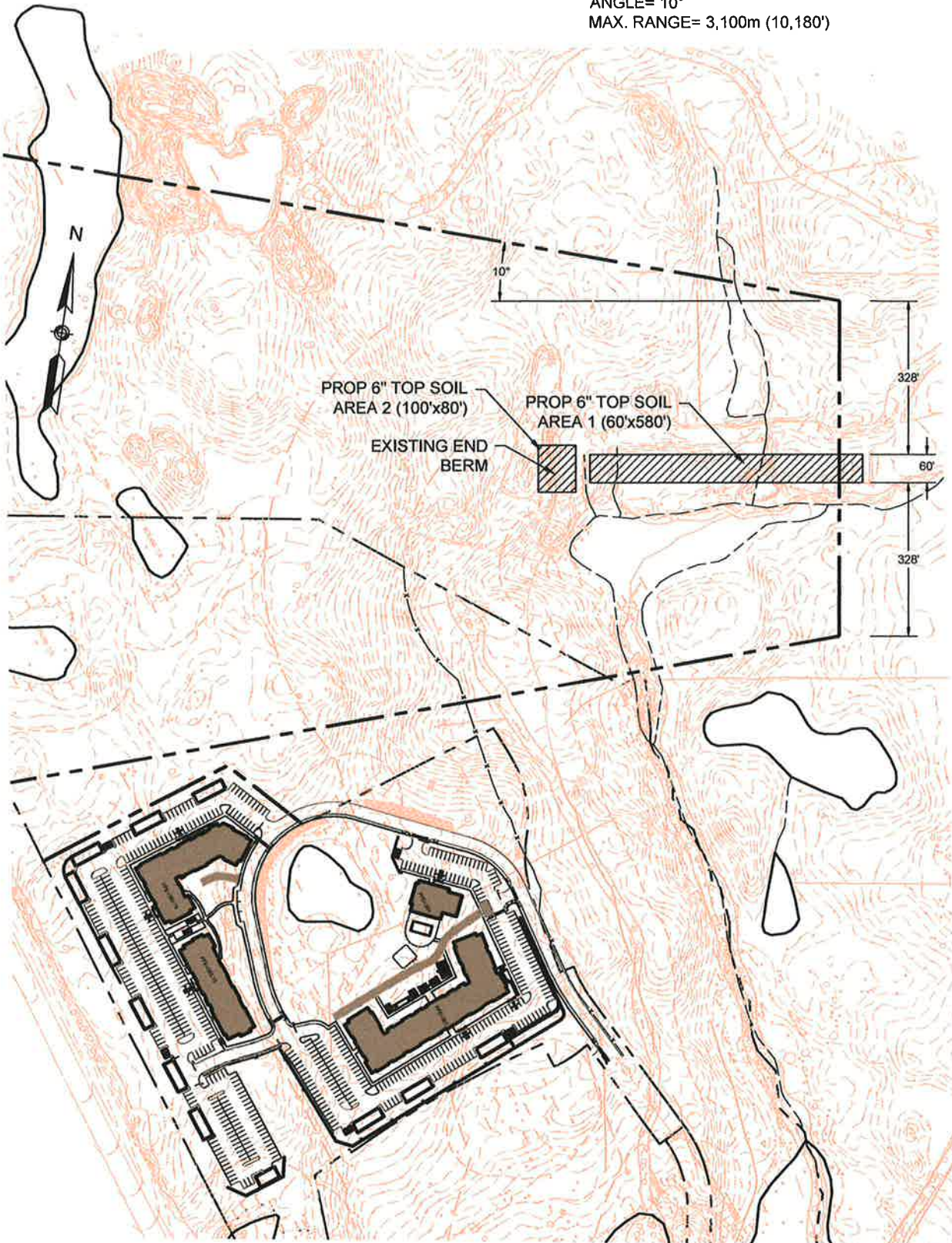


Figure 2.2-1

Surface Danger Zone for Small Arms Weapons Firing at  
Fixed Ground Targets - Open Range (Type "0")



FIGURE 2.2-1  
 SURFACE DANGER ZONE (SDZ) FOR SMALL  
 ARMS WEAPONS FIRING AT FIXED GROUND  
 TARGETS - OPEN RANGE (TYPE "O").  
 ANGLE= 10°  
 MAX. RANGE= 3,100m (10,180')



SCALE:  
 1" = 200'







### RESIDENCES AT STONE RIDGE PHASE II

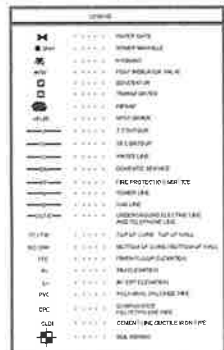
377 - 400 DEER STREET  
LOS ANGELES, CA 90015[illegible]

DEALE \_\_\_\_\_  
DEKARAN BY \_\_\_\_\_  
CHECK BY \_\_\_\_\_  
DISBURSED BY \_\_\_\_\_  
WHEELS WASH. \_\_\_\_\_  
JOB NO. \_\_\_\_\_

## UTILITIES PLAN

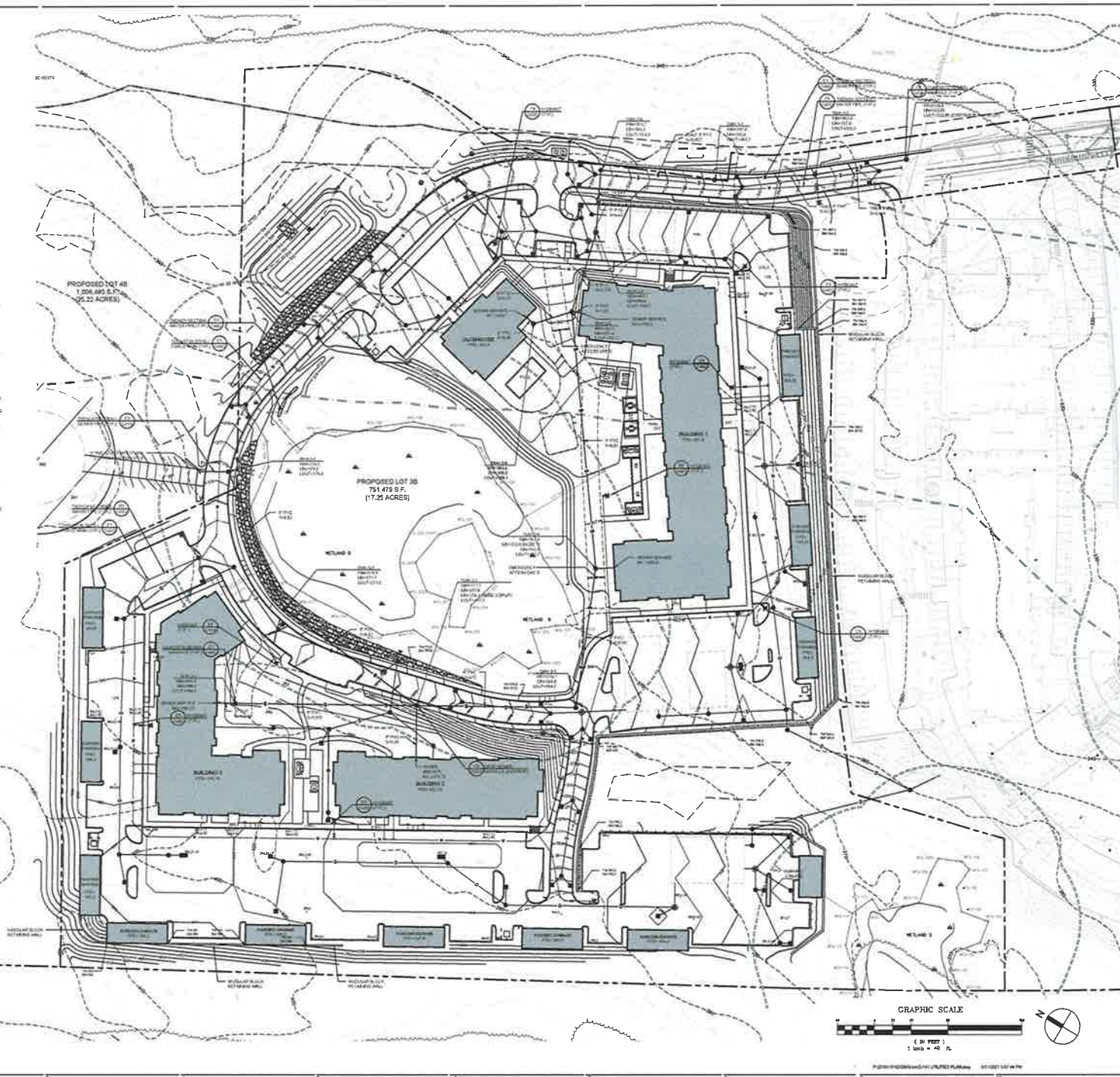
**C-141**

EXHIBIT "D"



GRADING & UTILITY NOTES

- [illegible]



GRAPHIC SCALE



© 2005 Blackwell Publishing Ltd, *Journal of Internal Medicine* 258: 105–112

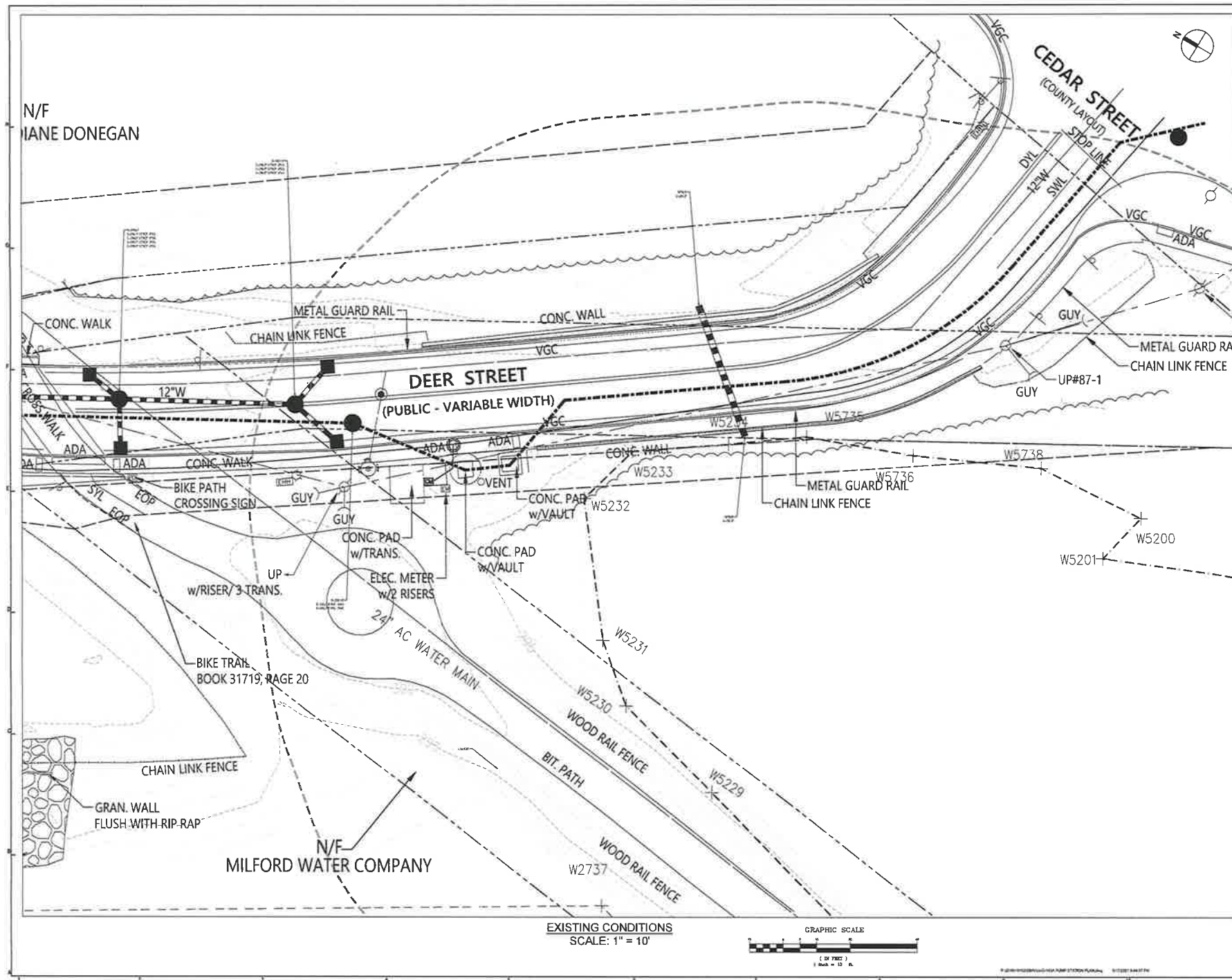
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DESIGNER	DC



DATE	1/15/10
DESIGNER	DC
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DESIGNER	DC

PUMP STATION -  
EXISTING CONDITIONS  
PLAN

C-143A





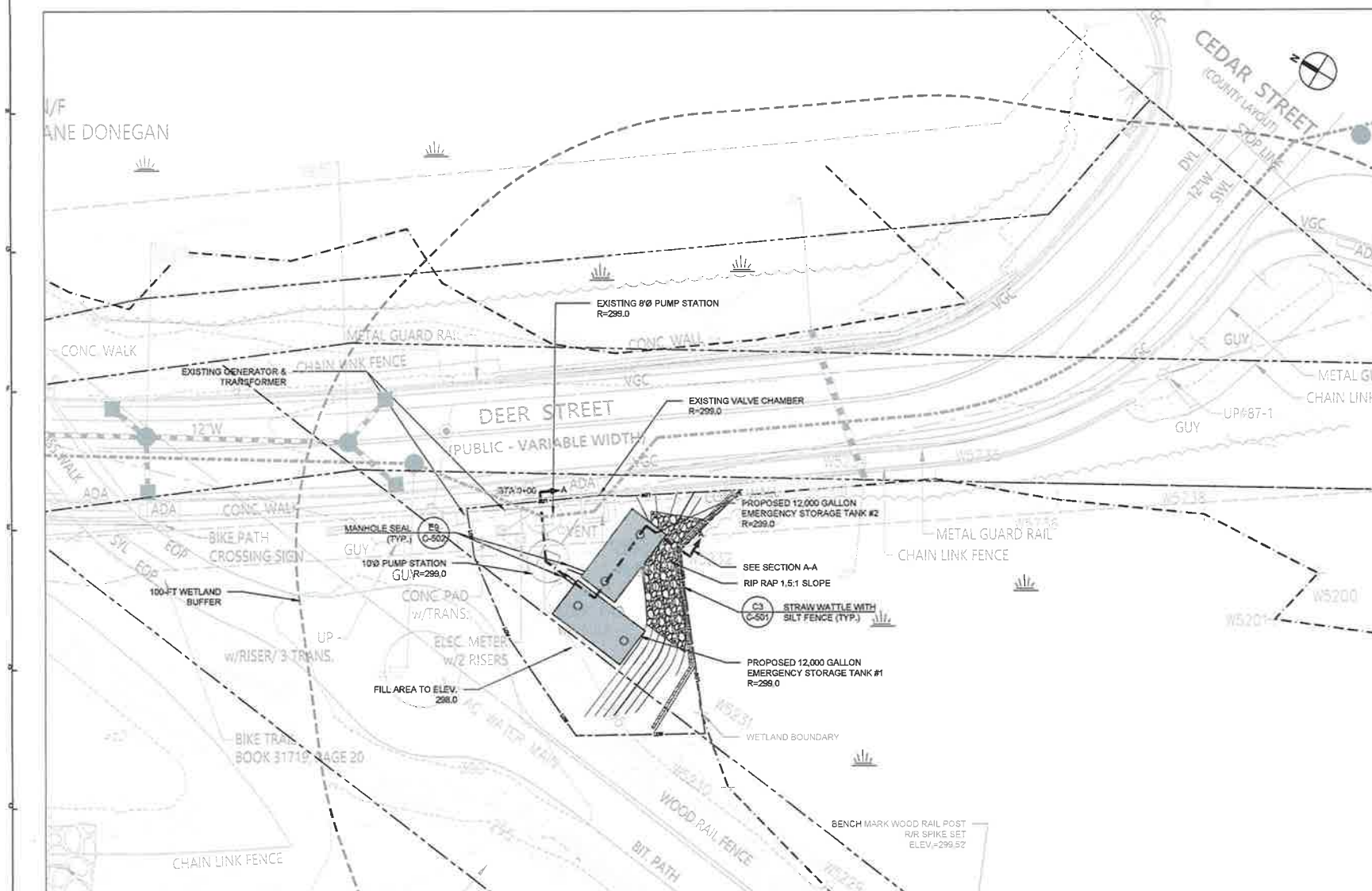
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SCALE	_____	T-_____
GRAVIMETRY	_____	CR_____
CHECK BY	_____	WH_____
INCHES/POUNDS	_____	J_____
PREL. WGT.	_____	S_____
ACT. WGT.	_____	SP_____

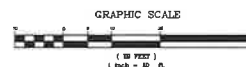
© STEWART, HARRIS & HARRIS ASSOCIATES, INC. 2001

**PUMP STATION -  
SITE IMPROVEMENT  
PLAN**

**C-143B**



**SITE IMPROVEMENT PLAN**  
**SCALE: 1" = 10'**



Source: <http://www.fishbase.org>. Last accessed 17 May 2010. © 2010 Blackwell Publishing Ltd

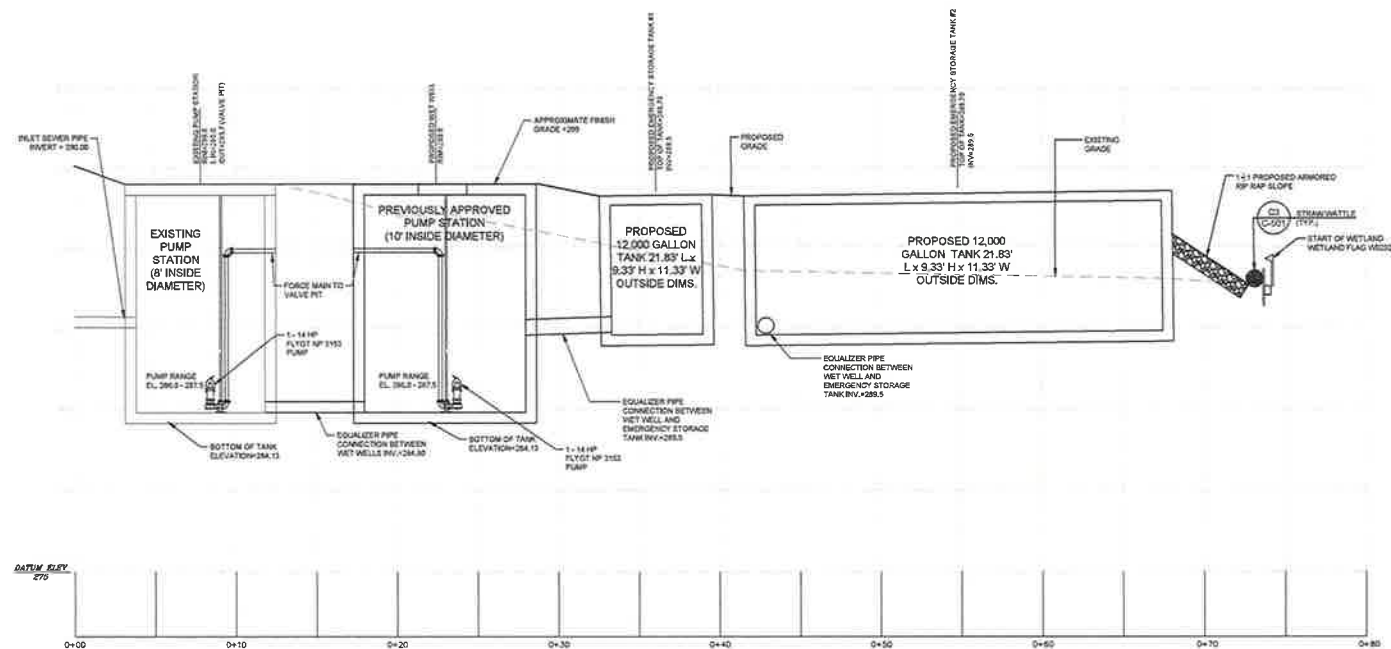
DESIGNED BY	STYMER, HARRIS & WHITE ASSOCIATES
CHECKED BY	STYMER, HARRIS & WHITE ASSOCIATES
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CHECKED BY	STYMER, HARRIS & WHITE ASSOCIATES
DESIGNED BY	STYMER, HARRIS & WHITE ASSOCIATES
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DESIGNED BY	STYMER, HARRIS & WHITE ASSOCIATES
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SCALE	1" = 1'
DATE	02/01/01
PROJECT	RESIDENCES AT STONE RIDGE PHASE II
PROJ. NO.	02-01
DATE	02/01/01
BY	STYMER, HARRIS & WHITE ASSOCIATES, INC.

PUMP STATION -  
SECTION A-A

C-143C



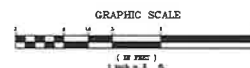
SECTION A-A  
SCALE: 1" = 3'

- NOTES:
- EXISTING PUMP STATION TO REMAIN. TWO EXISTING 8" PUMPS TO BE REMOVED AND REPLACED WITH ONE 14.0 HP PUMP. RAIS. FLUATS, CONTROLS, ETC. TO REMAIN.
  - NEW 15" PORT INSIDE DIAMETER WET WELL TO BE INSTALLED WITH ONE 14.0 HP PUMP. PUMP TO BE CONNECTED TO EXISTING CONTROL PANEL. HIGH WAT. SYSTEM TO BE INSTALLED. PUMP DISCHARGE TO BE CONNECTED TO EXISTING VALVE PIT. EXISTING VALVES TO REMAIN.
  - PUMPS ARE TO FUNCTION AS A DUPLEX SYSTEM ALTERNATING LOADS.
  - ADDITIONAL LOW AND HIGH WATER ALARM FLUATS TO BE INSTALLED IN NEW WET WELL.
  - NEW TWO 12,000 GALLON EMERGENCY STORAGE TANKS.

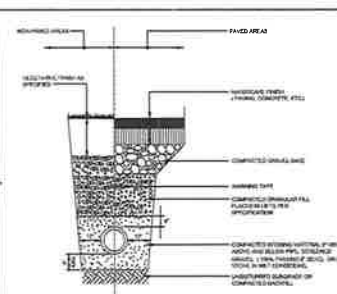
Well & Pump Elevations:

295.00	Tip of Slope
295.00	Invert In
298.00	Lap Pump On & High Water Alarm
297.50	Lap Pump On
295.00	Pump On and Alternate
295.00	Low Water Alarm
284.80	Bottom Inside of Chamber

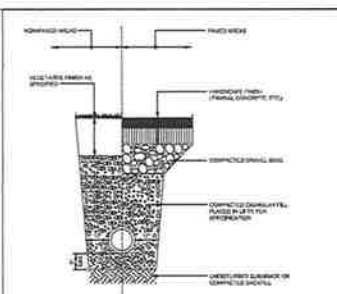
EMERGENCY STORAGE VOLUME PROVIDED  
EXISTING PUMP STATION VOLUME ABOVE ELEVATION 284.8 = 1,833 GAL.  
PROPOSED WET WELL VOLUME ABOVE ELEVATION 284.8 = 1,188 GAL.  
EMERGENCY STORAGE TANK VOLUME = 24,334 GAL.  
TOTAL EMERGENCY STORAGE REQUIRED  
4 HOURS OF REQUIRED STORAGE = 19,425 GAL.  
MINIMUM DAILY FLOW = 174,400 GAL/DAY  
STORAGE TIME PROVIDED = 15.84 HOURS (15.84 HOURS - 4 HOURS = 11.84 HOURS)  
MINIMUM ELEVATION AT 4 HOURS OF STORAGE = 297.5  
(SUBTRACT OF FRESHGAS AVAILABLE IN EMERGENCY TANKS)



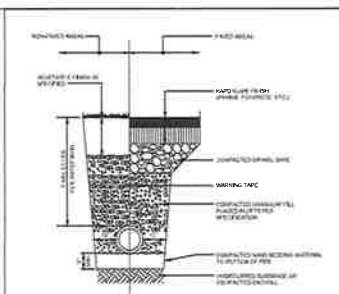
STYMER, HARRIS & WHITE ASSOCIATES, INC. 1300 MASSACHUSETTS AVENUE, CAMBRIDGE, MA 02138



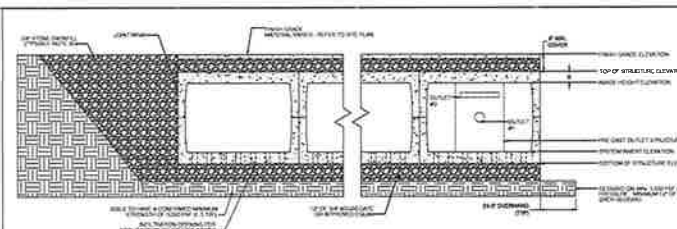
① TRENCH SECTION - SEWER PIPE



03 TRENCH SECTION - CPE DRAIN  
N.T.S.

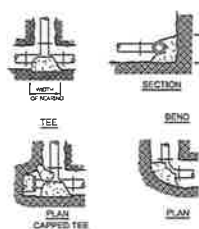


Q5 TRENCH SECTION - WATER + ELEC / TELECOM / GAS

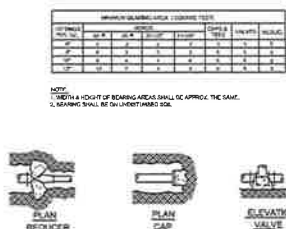


SYSTEM DIMENSIONS AND ELEVATIONS				OUTLET CONTROL STRUCTURE				
BASIN	DIMENSIONS	% SLOPE	STORAGE VOLUME	SYSTEM INVERT	STRUCT. 1 (1)	OUTLET #1	OUTLET #2	RM. OF.
BA-1	40' x 33' x 2'	0.0%	14,400 C.F.	562.50	Open 3'-0"	4" DIA. @ 385.25	4" x 8" WOOD @ 385.00	385.25
BA-2	50' x 30' x 2'	0.0%	14,400 C.F.	577.50	Open 3'-0"	4" DIA. @ 377.50	4" x 8" WOOD @ 374.80	375.50
BA-3	50' x 30' x 2'	0.0%	7,200 C.F.	588.50	Open 3'-0"	4" DIA. @ 575.00	4" x 8" WOOD @ 572.50	587.50
BA-4	40' x 30' x 2'	0.0%	7,200 C.F.	582.50	Open 3'-0"	4" DIA. @ 585.25	4" x 8" WOOD @ 585.00	582.50
BA-5	40' x 30' x 2'	0.0%	11,200 C.F.	551.50	Open 3'-0"	4" DIA. @ 552.00	4" x 8" WOOD @ 554.25	551.50

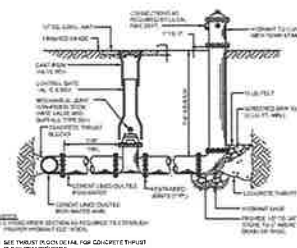
①7 SUBSURFACE INFILTRATION BASIN  
N.T.



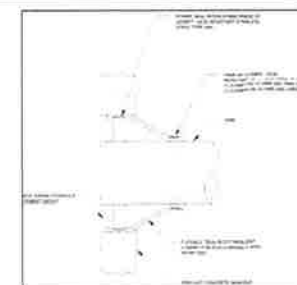
(E) THRUST BLOCKS - FORCE MAIN



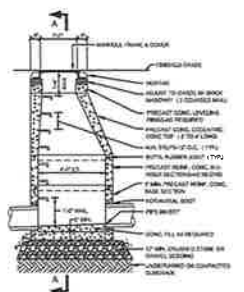
 **HYDRANT**



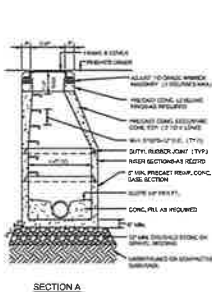
**E7** OUTLET CONTROL STRUCTURE



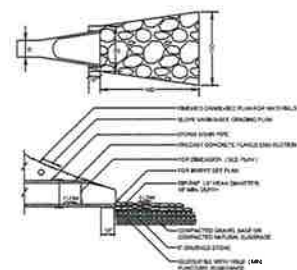
**E9** **MANHOLE SEAL**  
NTS



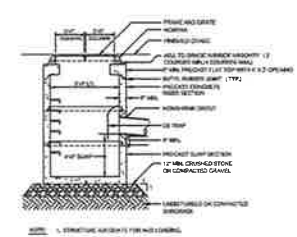
(C) CONCRETE SEWER MAN-HOLE



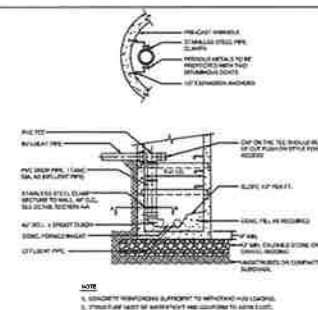
## SECTION A



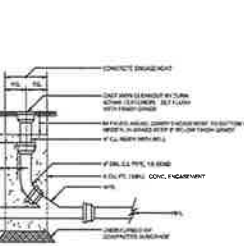
**C5 FLARED END**



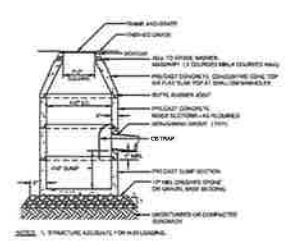
(C7) DOUBLE PRECAST CONCRETE CATCHBASIN



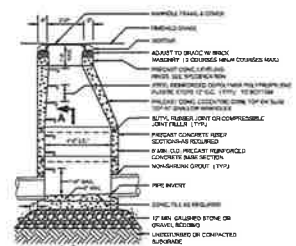
09 DROP SEWER MANHOLE INTERFERENCE



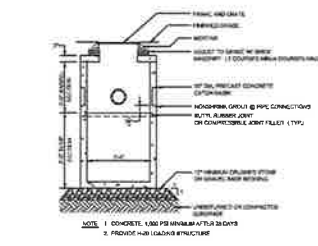
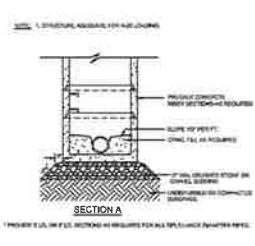
**(A1) CLEANOUT**



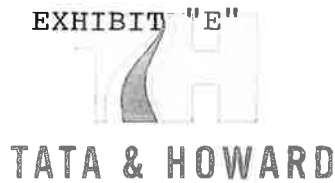
**A3** PRECAST CONCRETE CATCHBASIN



(A5) PRECAST CONCRETE DRAIN MAN-HOLE  
N.T.S.



**AREA DRAIN**



May 27, 2021

Mr. Rudolph V. Lioce III, Chairman  
Board of Sewer Commissioners  
Post Office Box 644  
Milford, MA 01757

Subject: The Residences at Stone Ridge – Phase II  
Plan Review  
Milford, Massachusetts  
T&H No. 1112

Dear Mr. Lioce:

Tata & Howard (T&H) has reviewed the Plans from Symmes Maini & McKee Associates (SMMA) dated May 11, 2021. The plans have relocated the storage tanks out of the right-of-way and appear to have addressed previous review comments from previous submissions.

We recommend the providing conditional approval of the current submission contingent on the applicant providing isolation valves as need on the equalization pipes to allow isolation of the storage tanks and wet well to accommodate maintenance or repairs.

We appreciate the opportunity to review the plans for the Board. Please call if you have any questions or concerns.

Sincerely,  
TATA & HOWARD, INC.

A handwritten signature in dark ink, appearing to read 'James V Hoyt, P.E.', is positioned above the printed name.

James V Hoyt, P.E.  
Project Manager

cc: Mr. John Mainini – Town of Milford  
enclosures