

**Commonwealth of Massachusetts  
Town of Milton  
SPECIAL PERMIT  
For Cluster Development  
Governor Stoughton Lane**

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MILTON, MA

2017 APR 14 P 12: 59

**Owner: Town of Milton, acting by its Board of Selectmen as Trustees under the Will of  
William Stoughton**

**Applicant: Pulte Homes of New England, LLC**

Pursuant to Section VI Subsection J of the Zoning Bylaws, after hearing, the Planning Board of Milton, duly constituted as the special permit granting authority, subject to the requirements, terms and conditions set out herein, grants a Special Permit for Cluster Development to Pulte Homes of New England, LLC (the "Applicant") and its approved successors and assigns for a lot of land containing approximately 1,293,252 square feet (approximately 29.69 acres) located at the end of Governor Stoughton Lane in Milton as shown on the Site Plan.

The Special Permit for Cluster Development shall be referenced as the "Special Permit" herein.

The requirements, terms and conditions of the Special Permit are obligations of the Applicant, subsequent owners, the homeowners association and its members as appropriate and shall be legally enforceable by the Town and by other persons and entities which have rights as provided herein. In the event of court proceedings initiated by the Town on account of breach or noncompliance, the defendant[s] shall be responsible for all costs of suit, including the Town's reasonable attorneys' fees in the event the Town shall prevail. The obligations shall run with the land as obligations of the relevant owners, and/or the homeowners' association as applicable. Prior to sale of lots and the creation of the homeowners' association the obligations imposed on lot owners and the homeowners' association shall be obligations of Applicant.

1. Site Plan. The Site Plan which is incorporated into the Special Permit contains a plan set entitled "Definitive Subdivision Plan, Milton Woods in Milton, MA" prepared by Marchionda & Associates, L.P. with the following 21 sheets all dated November 9, 2016 and last revised January 18, 2017 unless a later revision date is stated:

1. Cover Sheet
2. Existing Conditions
3. Existing Conditions
4. Subdivision Plan of Land
5. Subdivision Plan of Land
6. Subdivision Plan of Land
7. Subdivision Plan of Land
8. Roadway Profile Sta. 0+00-9+50
9. Roadway Profile Sta. 9+50-18+58.85
10. Off Road Sewer Profile Lots 11-14
11. Grading and Drainage Plan

12. Grading and Drainage Plan (last revised February 15, 2017)
13. Initial Sequencing Plan
14. Final Sequencing Plan
15. Road Details
16. Road Details
17. Drainage Details
18. Drainage Details
19. Water Details
20. Sewer Details
21. Erosion Control Details
22. Neighborhood Buffer Tree Exhibit (last revised January 24, 2017)

The Site Plan also contains the following sheets, dated May 11, 2016 prepared by Marchionda Associates:

- WR-1 Temporary Wetland Impact and Restoration Plan
- WR-2 Wetland Restoration Plan, Details and Notes

The Site Plan also contains the following sheets, dated November 30, 2016, and last revised January 10, 2017:

- L1 Preliminary Landscape Plan
- L2 Preliminary Landscape Plan

The Site Plan also contains a sheet entitled "Revised Proposed Site Plan" dated March 7, 2017 and a sheet entitled Proposed Stone Wall Exhibit dated March 20, 2017 both prepared by Marchionda Associates.

The Site Plan is attached hereto as Exhibit A with sheets in a reduced size. The Site Plan with full-size sheets is on file in the Town's Planning Office.

## 2. Applicable Standards for Granting Permit.

Standards for granting special permits are set out in Section IX.C of the Milton Zoning Bylaws, which provides that, in addition to other requirements set out in the Zoning Bylaws, a special permit may be granted provided that there is no substantial detriment to the public good and no substantial derogation from the intent and purpose of the Zoning Bylaws under the circumstances, including conditions and limitations which the Board finds necessary to safeguard other property in the neighborhood and the health and safety of the public. Section VI.J.18 provides that the Planning Board may grant a special permit for cluster development if it finds that an application satisfies the requirements set out in Paragraph 1-17 of Subsection J and that the proposed development is financially practical and will likely be completed. In granting a special permit for cluster development the Planning Board shall impose conditions and restrictions which are required by reports from the Board of Health and Conservation

Commission or which the Planning Board finds are reasonably necessary to accomplish the purpose or satisfy the requirements of Subsection J.

Pursuant to the Subdivision Control Law (G.L.c.41 §§ 81K to 81GG) Section 81U the Planning Board shall approve a definitive subdivision plan establishing a new street if the plan complies with the requirements in the law and with the Rules and Regulations of the Planning Board subject to waivers of one or more such rules and regulations as the Board finds to be in the public interest and not inconsistent with the purpose of the law.

In granting the Special Permit, subject to the requirements, terms and conditions set out herein, the Planning Board finds compliance with the requisite standards for decision in Section IX.C and Section VI.J. The applicable standards will be met by strict compliance with all requirements, terms and conditions set out herein, and there may be no deviation without breach of the Special Permit.

The Planning Board also finds that the requirements of the Subdivision Control Law regarding new streets have been satisfied in consideration of certain waivers of its rules and regulations which the Board finds are in the public interest and not inconsistent with the purpose of the Subdivision Control Law.

3. Authorized Development. The Special Permit authorizes construction, maintenance and use of a Cluster Development containing twenty-three (23) lots on each of which one single family dwelling may be erected and any other accessory structures as may be allowed by zoning and approved by the Planning Board. The Cluster Development includes a new street, infrastructure, Open Land, Restricted Land, and other features. The development shall be constructed as shown or specified in the Site Plan and as specified in the various requirements, terms and conditions specified in the Special Permit. No construction shall deviate from what is shown or specified in the Site Plan, including the notes and specifications contained therein, or from the requirements, terms and conditions in this Special Permit. Any future alterations to the Property which are not part of the single family lots shall be constructed and maintained in accordance with an amendment to this Special Permit which shall have been approved by the Planning Board. Any future alterations to the single family lots shall be constructed and maintained in accordance with this Special Permit, all other issued permits and approvals, and in accordance with all applicable zoning bylaws.

4. Streets; Waiver of Maximum Length; Name. These Permits authorize the construction and maintenance of one street shown on the Site Plan as Road A. This street is intended to be a public way to be accepted by the Town of Milton upon completion of all work as shown on the Site Plan. The Rules and Regulations of the Planning Board Governing the Subdivision of Land and the Laying Out of Ways provide that dead end streets in Residence A districts shall not exceed 500 feet in length. Road A is a dead end street of 1860 feet, significantly longer than the maximum specified in the Rules and Regulations. However, as shown on the Site Plan, an emergency access drive connecting Road A to Governor Stoughton Lane shall be constructed

and maintained so as to provide a second access to the development by emergency vehicles if an occasion should so require. The design of Road A with the emergency access to Governor Stoughton Lane provides an adequately safe and appropriate street with access from and egress to Unquity Road, and a waiver of the usual maximum length of dead-end streets is warranted.

Unquity Road is a roadway under the jurisdiction of the state's Department of Conservation and Recreation (DCR), and the Applicant shall secure all necessary permission and permits from DCR for construction, use and maintenance of Road A and associated infrastructure on DCR land prior to any construction or clearing for the Cluster Development. In the event that DCR shall require any substantial changes to the design of Road A or the surrounding terrain or infrastructure from what is shown on the Site Plan, Applicant shall secure approval of these changes from the Planning Board in an amendment to the Special Permit.

The proposed street name is "Baker Street" and that name is approved by the Planning Board.

5. Waivers of Certain Other Requirements. The Applicant shall comply with the Planning Board Rules and Regulations as applicable for construction of a street. However, in order to better provide certain open space and wooded areas and to permit enhanced design while preserving safety, the Planning Board approves the following waivers from certain requirements in its Rules and Regulations

a. Section 6.1.11 – Cross Streets

Cross streets are required at 900' intervals.

Cross streets shall not be provided.

b. Section 6.1.14 – Longitudinal Grades

The longitudinal grade of roads is required not to exceed 6% along curves.

Road slopes greater than 6% shall be permitted at curves from approximately 1+70-5+90 and 9+25-10+70.

c. Section 7.4.1 – Typical Cross Section

The required pavement width in the typical cross section is 28 feet.

A pavement width of 20 feet shall be provided.

d. Utilities are to be located offset from the street line as shown on the typical cross section. The location of the utilities within the right-of-way shall be constructed as shown on the Site Plan.

e. Section 7.4.3.4 and 7.4.3.5 – Preparation of the Roadway; crown

A 5" crown is required.

A 3- 1/2" crown shall be provided.

f. Section 7.4.5.1 – Sidewalks

Sidewalks are required on each side of the street.

A sidewalk on one side of the street shall be provided as shown on the Site Plan.

g. Section 7.5.2 – Location of Water Mains

Water mains are required to be located 14 feet from the street line.

The water main location shall be as shown on the Site Plan.

h. Section 8.2 – Storm Drainage Pipe

Drain pipes are required to be vitrified clay, concrete, or corrugated metal.  
High Density Polyethylene (HDPE) pipe shall be provided.

The Planning Board deems the foregoing measures and waivers to be adequate and appropriate.

6. Stormwater Maintenance Responsibilities. A long-term Operation and Maintenance Plan (O&M Plan) is attached as Exhibit B. The long-term O&M Plan identifies the Best Management Practices (BMPs) associated with the stormwater management system and the responsible parties. The Homeowners Association (HOA) shall maintain the basins and water quality units located outside of the Road A right-of-way as shown on the Site Plan. After acceptance of Road A by the Town of Milton, the Town shall maintain the catch basins and water quality units within the Road A right-of-way. Such maintenance on the DCR land shall be in accordance with a written agreement by Applicant, DCR and the Town. All detention/infiltration/bio retention basins shall be maintained in good condition and working order by the HOA except the basin located on the DCR land which shall be maintained in good condition and working order in accordance with a written agreement between the Applicant, DCR, and the Town at the expense of the HOA. Individual rooftop recharge infiltration systems shall be maintained by the lot owner on which the individual rooftop recharge system is located. The long term O&M Plan shall be enforceable against the HOA and lot owners in accordance with its terms as part of this Special Permit.

7. Open Land. The zoning, in Paragraph 8 of Subsection J, requires that cluster developments shall include Open Land. The Open Land shall be provided as shown on the Site Plan as Open Space Parcel 1 and Open Space Parcel 2.

a. Requirements. Consistent with the purposes stated in the zoning in Paragraph 8 of Subsection J, Open Land shall be maintained in its natural state, or if disturbed, shall be landscaped to restore its natural state, respecting the terrain of the site and its other features as shown on the Site Plan. Open Land may be used for utilities, sewers and storm drainage insofar as shown on the Site Plan. Any structures on Open Land shall be as shown on the Site Plan. The care and management of Open Land Parcel 2 is further specified in Section 7 ("Buffer Area") of this Special Permit.

b. Siting. The Open Land has been adequately sited. Open Space Parcel 2, standing alone, would be excessively narrow but, in conjunction with the adjacent Restricted Land, is sufficient.

c. Ownership and Maintenance of Open Land. Open Space Parcel 1 and Open Space Parcel 2 shall be owned by the Homeowners Association (HOA) which shall be responsible for its proper care and maintenance in its natural state or, if disturbed, in its landscaped state restoring its natural state in compliance with zoning requirements for Open Land and with the requirements of this Special Permit. Open Space Parcel 3 is not counted towards meeting the Open Land minimum area and shall be used as an emergency access drive. Since the Open Land is not being conveyed to the Town of Milton, a perpetual conservation restriction pursuant to G.L.c184§§31-

33 for Open Space Parcel 1 and Open Space Parcel 2 shall be granted to the Town and recorded with the Norfolk County Registry of Deeds by deed in form and content approved by Town Counsel. The recording of the conservation restriction shall be completed prior to the issuance of the certificates of occupancy for the final 10 dwelling units to be constructed. Open Space Parcel 3 shall be owned and maintained by the Homeowners Association as an emergency access drive in a landscaped setting and will not be included in the conservation restriction but shall be maintained in good condition by the Homeowners Association (HOA) so that the drive is usable throughout the year. An easement shall be granted to the Town for emergency access and public foot and bicycle daytime access as provided herein.

The Homeowners Association shall have the right of access by designated employees or contractors to the Open Land for maintenance purposes, and may access the Open Land across one or more lots as may be reasonably necessary for this purpose after reasonable notice to the lot owner and with responsibility for prompt repair of any damage which may result.

d. Access to Open Land. Daytime foot passage by the members of the Homeowners Association, their guests and designated members of the public on trails within Open Space Parcel 1 is permitted. There shall be no access to Open Space Parcel 2 behind lots 13-23 except for compliance inspection and maintenance. The conservation restriction shall be clear to allow the continued use, maintenance, and access to the trails and easements as shown on the Site Plan located within Open Space Parcel 1. Daytime foot and bicycle passage by the public shall be permitted on the emergency access drive on Open Space Parcel 3. The access easement for emergency vehicles and for foot and bicycle public daytime use on Open Space Parcel 3 shall be by deed to the Town approved by Town Counsel prior to acceptance of Road A as a Town of Milton street and submitted by the Applicant to Town Counsel for review and approval prior to issuance of the certificates of occupancy for the final 10 dwelling units to be constructed.

e. Site Specifics. The Site Plan shows a combined Open Land area (Open Space Parcel 1 and Open Space Parcel 2) of 14.3 acres which meets the requirement that 35% of total land area (29.69 acres) be Open Land. The Site Plan shows a combined upland Open Land area of 9.38 acres, which meets the requirement that 35% of the non-wetland area (24.46 acres) be Open Land.

8. Buffer Area. The Planning Board requires that there be a 100 foot buffer area between the rear lot lines of certain lots with existing dwellings on Countryside Lane and Whittier Road and the new development. This buffer is intended to be and shall be a largely wooded 100 foot wide strip of land (the "Buffer Area") providing reasonable visual screening of the dwellings on Countryside Lane and Whittier Road from the new dwellings and vice versa as well as to provide some buffering of noise travelling from one side of the Buffer Area to the other.

The Buffer Area shall be comprised of a 40 foot-wide strip of Open Land (Open Space Parcel 2) located along the rear lot lines of lots 12-23 as shown on sheets 5, 6, and 7 of the Site Plan together with an adjacent 60 foot-wide strip of restricted land (the "Restricted Land") comprising

the rear portion of lots 13-23, the boundary of which is denominated by a broken line shown on sheets 5, 6, and 7 of the Site Plan. Each of Lots 13-23 shall contain Restricted Land as shown. The Restricted Land shall serve the primary purpose of providing visual screening in conjunction with the adjacent Open Land.

Visual screening of one side of the Buffer Area from the other shall be provided by proper maintenance of the Open Land in its natural condition and by proper maintenance of the Restricted Land with the trees shown on the Neighborhood Buffer Tree Exhibit (Sheet 22) and with shrubs and undergrowth as documented for the Restricted Land on each of Lots 13-23 by photographs and survey prepared prior to the issuance of a building permit for the lot and provided to the HOA and the Planning Board. The photographs and survey shall depict the vegetation on the Restricted Land on each lot substantially as it shall have existed in June 2017.

This documentation of the condition of the Restricted Land on each lot shall be a combination of photography and survey to establish the natural condition of the area on each lot to be maintained. Planning staff shall review such documentation for adequacy prior to issuance of the building permit. The natural condition so established shall be the "Baseline Condition."

The Homeowners Association shall be responsible for maintaining the Open Land portion of the Buffer Area. Maintenance shall be as provided in the attached Milton Woods Land Management Plan (Exhibit C).

The individual homeowners shall be responsible for maintaining the trees, shrubs and undergrowth in the Restricted Land on their respective lots in the Baseline Condition. The limits of the Restricted Land on these lots shall be marked by permanent markers on each side lot line. Trees shall not be removed except for disease or structural unsoundness as determined by a qualified arborist. Any trees removed for that reason shall be replaced by a tree of the same or similar species. The replacement tree shall at planting have a caliper of at least 3" measured 5 feet above the ground and have a size at maturity the same as the tree replaced. Clusters of trees stunting healthy growth may be thinned so long as the remaining trees continue to provide equivalent screening. Invasive shrubs and other undergrowth may be removed provided that they shall be replaced with equivalent native shrubs or undergrowth which provide screening which is equivalent or better than the screening provided by the Baseline Condition. A land owner contemplating a change from the existing conditions shall prepare a plan showing the proposed changes to the Restricted Land. The proposed changes shall not reduce the amount or quality of the screening provided by the Baseline Condition.

A lot owner proposing a change in Restricted Land on a lot, other than routine maintenance in accordance with the requirements in the Milton Woods Land Management Plan shall provide notice, including a plan of the change, by certified mail to the Homeowner Association (HOA), to the Indian Cliffs Neighborhood Association and to lot owners within 150 feet of the lot. In the absence of written objection, provided by certified mail to the lot owner at the address of the property (or other address included in the notice) by an association or by a lot owner within 45

days of receipt of the notice, the change shall be deemed approved and may be implemented. If either or both associations or another lot owner notify the lot owner of an objection no change shall be implemented unless the change has first been approved by the Planning Board by amendment to the Special Permit. In the event of an objection by an association or lot owner it shall be made in writing, in good faith and the reason for objection shall be specified. No change shall alter the Baseline Condition so as reduce the overall amount of screening on a lot owner's restricted land or reduce the number of trees. Each approved change shall be documented by photograph and survey and shall then be the Baseline Condition on the affected lot. The documentation shall be provided by the land owner to HOA and the Planning Board.

The following additional terms and conditions shall be applicable to the Restricted Land and shall be observed by the lot owner and by any resident on a lot containing Restricted Land.

- I. Storage of motor vehicles, boats, trailers and storage containers shall not be permissible.
- II. Swimming pools, skating rinks, tennis courts, basketball courts and racquet courts shall not be permissible.
- III. Use of asphalt, concrete or other paving materials shall not be permissible without approval of a change.
- IV. Regrading, excavating or filling shall not be permissible.
- V. Wooden post and rail fencing not to exceed 4 feet high, and stone walls not to exceed 3 feet high shall be permissible. Black vinyl chain link fencing shall be permissible with approval of a change. Other fencing shall not be permissible.
- VI. Small gardens up to 500 square feet with compensatory trees, shrubs and undergrowth installed to provide substantial screening may be the subject of an approved change.
- VII. Small grassed areas with surrounding trees, shrubs and undergrowth installed to provide substantial screening may be the subject of an approved change.
- VIII. The restricted area shall not be illuminated by lighting whether internally or externally.
- IX. Small temporary brush and leaf piles for brush and leaves collected on site shall be permissible. Compost piles, free of vermin and noxious odors shall be permitted.
- X. Driveways and other roadways shall not be permissible. An unpaved path up to 4 feet wide may be the subject of an approved change.
- XI. Buildings shall not be permissible provided that one small shed up to 120 square feet may be the subject of an approved change.
- XII. Other above-ground structures exceeding 3 feet high shall not be permissible. Any underground structures shall not reduce the amount of above-ground vegetative screening.

The Homeowners' Association shall be responsible for enforcing the provisions regarding the Restricted Land, including enforcement action of the responsibilities, terms and conditions imposed herein on the individual lot owners. Upon complaint by the owner of an abutting lot or a lot within 150 feet, a complaint by the Indian Cliffs Neighborhood Association, or a self-initiated concern or complaint regarding a violation or failure to comply with any provision, term or condition of this section, HOA shall promptly investigate the subject matter of the complaint and shall have the right to access and enter the Restricted Land in question upon reasonable notice



and at a reasonable time for the purposes of its investigation of the complaint. The investigation shall be conducted in good faith and with due diligence.

Upon investigation of a complaint if the Homeowners' Association determines that a violation or failure to comply has occurred, it shall require the owner of the lot and any tenant or lessee to cure any violation and cease any non-compliance forthwith. If the lot owner, tenant or lessee fails to do so promptly the lot owner shall be in breach of his/her/their obligations to HOA and shall be fined for non-compliance for each month until cure has been effected; a lien shall be imposed on the lot if any fine is not promptly paid. HOA also file a complaint with the Building Commissioner regarding the violation or noncompliance and seek enforcement action. It shall provide all reasonable support to the Building Commissioner for any such enforcement action.

In the event that a complaint about a violation or failure to cure is not addressed by the HOA in a manner deemed adequate by the complainant or in the event that a lot owner fails to promptly comply with a requirement imposed by the HOA, the complainant may file a complaint with the Building Commissioner regarding the violation or failure to comply with any provision, term or condition of this section regarding the Restricted Land, and the Building Commissioner shall deal with the matter in the manner provided by law with respect to such a complaint.

With regard to lot ownership a lot owner shall be deemed to have an address at the lot unless another current address is provided to the Homeowners Association and to the Milton Board of Assessors. The Indian Cliffs Neighborhood Association shall give written notice of its address to HOA which shall provide it to residents upon request.

The property deeds for each of the lots 13-23, shall include a specific reference to this section regarding restrictions on the Restricted Land at the rear of each lot as shown on the Site Plan. The reference shall include the book and page at which this Special Permit is recorded. These restrictions shall be a burden on the land running with lot ownership.

The HOA and the Town of Milton Building Commissioner, through one or more duly designated member(s), employees, or agent(s), shall have the right to enter the Restricted Land at reasonable times and in a reasonable manner after reasonable advance notice to the lot owner for the purpose of inspecting the Restricted Land in order to insure compliance with these restrictions and to prevent, abate or remedy any violations thereof.

The restrictions on the Restricted Land set out herein shall be perpetual.

9. Construction Management Plan; Access Route. Exhibit D is a Construction Management Plan "Construction Management Plan" which contains pertinent terms and conditions with respect to construction of the development. This Construction Management Plan is incorporated herein by reference and is made a part of this Special Permit. The terms and conditions in the Construction Management Plan are terms and conditions of this Special Permit and enforceable as a part hereof. The Construction Management Plan provides for a proposed haul route from Route 138

to Blue Hill River Road, along Blue Hill River Road to Hillside Street along Hillside Street to Unquity Road, then along Unquity Road to the development site for use by construction trucks accessing or exiting the construction site. This haul route is shown on a sheet dated January 19, 2017 entitled "H:\487-200\Haul Route" by Marchionda & Associates attached to the Construction Management Plan. This haul route shall be used for construction trucks once access to the site from Unquity Road is established as provided in the Construction Management Plan. All construction trucks shall be required to use this route. Except for the portion of Hillside Street shown as part of the haul route, Hillside Street and Harland Street shall not be used for construction trucks accessing or departing the site and Applicant shall take effective measures to prevent construction truck traffic on unauthorized routes. Applicant shall ensure compliance with the terms and conditions of the Construction Management plan by employees, contractors and their employees. Failure to do so shall constitute a breach of this special permit. Upon notice any such breach of the Construction Management Plan shall be cured forthwith or, if prompt cure is not possible, work shall cease until the breach has been cured. Applicant shall be responsible for any damages resulting from a breach of the terms and conditions of the Construction Management Plan. Construction truck traffic originating in Milton may seek approval of an alternate route for good cause shown to the Planning Board.

Violation of or noncompliance with the material requirements, terms and conditions of the Construction Management Plan whether by owner or its contractors or subcontractors shall be a breach or the Special Permit.

Construction of the project shall be managed so as to minimize as much as reasonably possible impacts to the community, abutting property owners and local resource areas. The project will be subject to and adhere to the requirements of the EPA Construction General Permit (CGP), the Special Permit, the Construction Management Plan and an approved Stormwater Pollution Prevention Plan (SWPPP).

Applicant shall make all contractors familiar with these requirements. Applicant shall be responsible for overseeing all work on the project to control and mitigate impacts to the surrounding community and direct abutters from the construction activities. Once Applicant's project management team is in place, it shall inform the Town of the responsible individuals for this project and provide phone numbers and 24/7 contact information in order for them to be contacted.

Pre-construction meetings at each of which a Town representative shall be present will be held with all parties involved with this Project including the Town Public Works, Engineering, Fire, Police and Planning Departments, and Eversource, National Grid and Comcast. At these meetings responsible parties for all construction activities will be identified and their contact information will be forwarded to the department involved, the Town Planner and the Building Commissioner.

The Construction Management Plan is intended to permit some flexibility. If necessary, can be revised for good cause by the Planning Board.

10. Drainage and Sewer. The drainage system for the development shall be constructed as shown on the Site Plan. The system shall meet all specifications and requirements established by state and federal law and regulations and by the Milton Department of Public Works for such systems. Insofar as there are requirements or specifications not shown or described in the Site Plan, the Town Engineer may supplement the Site Plan with a memorandum setting out the requisite additional requirements and specifications. The memorandum shall be provided to Applicant and the Planning Board before May 15, 2017 and shall become part of the requirements for drainage. In addition, the Stormwater Pollution Prevention Plan (SWPPP), which will hereafter be approved by the Conservation Commission and the DPW, may impose additional requirements and specifications. Following construction and prior to any acceptance of the roadway by the Town an as-build plan showing the drainage, sewer, and utility systems shall be provided to the Town. See Exhibit E for additional requirements.

The Sewer shall be constructed as shown on the Site Plan and in accordance with all applicable federal and state rules, regulations and requirements and in accordance with all applicable Town of Milton rules, regulations, requirements and specifications with respect to sewers. Insofar as there are requirements and specifications for a sewer not shown or described in the Site Plan, the Town Engineer may specify any requisite additional requirements and specifications. The specifications shall be provided to Applicant and the Planning Board before May 15, 2017 and shall become part of the requirements for the sewer.

11. Utilities and Street Lights. Locations of utility systems shall be as shown on the Site Plan. The gas main and service connections shall be installed to the specifications and requirements of National Grid. The electrical service and service connections shall be installed to the specifications and requirements of Eversource. Communication Service and service connections shall be installed to the specifications and requirements of the communication provider or providers. Street lights shall be of the type and in the locations shown in the Site Plan. Installation shall meet all applicable specifications and requirements of Eversource. Until acceptance of the street by the Town Applicant and/or the Homeowners Association (HOA) shall be responsible for the costs of operation and maintenance of the street lights.

12. Affordable Housing. Section J, Paragraph 6, requires cluster developments containing 10 or more lots to make 10% available for affordable housing rounded to the nearest whole number. This Special Permit authorizes 23 lots and therefore two affordable housing lots are required. The Applicant is allowed by this Special Permit to satisfy this requirement either by (i) designating 2 lots on the Project Site as affordable lots with procedures for their development and sale to qualifying households; (ii) rehabilitating a historic building on the adjacent parcel currently owned by the Governor Stoughton Trust into two affordable units as described further below, or (iii) developing two affordable units offsite, in a manner and in a location to be approved by the Planning Board after submission of all appropriate documentation to the Board, including detailed construction plans and documents ensuring affordability. If all else fails,

Applicant has an option to seek a modification of the zoning requirements pursuant to Section J Paragraph 18 so as to permit substitution of a payment to the Town's Affordable Housing Trust in lieu of production of affordable lots or units.

Prior to the closing of sale on an affordable unit to an income-qualified household, the affordable unit shall be suitably and perpetually restricted so that the unit shall count as an affordable unit on the state's Subsidized Housing Inventory (SHI) or its future equivalent. The Applicant shall develop and sell these two affordable units so that they are perpetually restricted by deed to ownership by qualifying households so that the dwellings count on the SHI. There shall be a Milton resident/Milton town employee preference in household selection to the maximum extent allowed by law. Appropriate documents, including a regulatory agreement which controls disposition of the units to qualifying households and restricts them as affordable housing units in perpetuity shall be provided by Applicant and shall be recorded with the Registry of Deeds following approval by Town Counsel and execution by Applicant and the Town prior to the sale of an affordable unit.

Subsection J Paragraph 21 authorizes option (ii) above; the Applicant has the option, if desired and approved by the owner, the Trustees of the Governor Stoughton Trust, to request that Applicant be permitted to rehabilitate an adjacent, existing, historic building into 2 qualifying affordable units, and the Planning Board, after consultation with the Historical Commission, may authorize such rehabilitation in satisfaction of the affordable housing requirement. If reasonably possible, Applicant intends to rehabilitate the smaller of the two historic residential buildings on property owned by the Governor Stoughton Trust of which the Town's Selectmen are the Trustees. If the Applicant and the Trustees reach an agreement for rehabilitation of such historic building into two units of qualifying affordable housing, the Planning Board shall consult with the Historical Commission and may then authorize appropriate rehabilitation and restrictions in satisfaction of the affordable housing requirement.

Applicant shall pursue negotiations with the Trustees with due diligence and in good faith. Option (ii) is the preferred option if suitable agreement can be reached. If possible, the housing developed shall be home-ownership, affordable housing developed for sale to qualifying households on a separate lot of not less than 20,000 square feet adjacent to but not part of the development. If ownership housing is not possible because of restrictions on the land, the Trustees may propose workable procedures for rental housing to be managed by the Trustees or a Trustee-designated manager.

In the event that good faith negotiations with the Trustees fail to produce agreement for rehabilitation of an historic building into two units of affordable housing within 6 months from the date of this Special Permit, the Applicant may choose to restrict two lots on site, each for development of one unit of affordable ownership housing and shall designate a developer (such as Habitat for Humanity) to develop the lots and shall specify acceptable procedures to ensure timely development of the lots as affordable housing. Alternatively, the Applicant may choose to apply to develop two units of affordable housing off-site in a new or existing building or

buildings and shall submit appropriate plans and documents for the development of the two units.

Such off-site affordable units shall be units owned by the homeowners and shall be provided in single or two-family dwellings which are legal for such use. Each unit shall contain at least 2 bedrooms, kitchen, dining area, living room and at least one bathroom in a living area of at least 1,250 square feet. New construction shall create dwellings of similar quality, style and appearance as other dwellings in the neighborhood. The new construction shall be in decent, safe and sanitary condition in full compliance with building, sanitary and health code requirements. Existing dwellings that may be rehabilitated to provide affordable units shall be in decent, safe, sanitary, structurally sound condition in full compliance with building, sanitary and health code requirements. Roofs of existing dwellings shall have a useful life of at least 15 years.

A perpetual deed restriction shall restrict sale and resale of the affordable units to households of which the annual income at the time of sale or resale is less than 80% of area median income, adjusted for household size, as determined by the U.S. Department of Housing and Urban Development for the Boston metropolitan area. These households shall also be subject to such reasonable asset restrictions at the time of sale or resale as any applicable program rules or regulations may require. Occupancy of an affordable housing unit shall be restricted to the household to which it has been sold, provided that changes in household composition permissible under applicable program rules or as approved by the monitoring agent, shall be permitted. Insofar as permissible, there shall be a Milton resident/Milton town employee preference given in the selection of buyers. The affordable units shall be marketed and available for sale at the same time or earlier than the time at which 50% of the market units have been sold.

Each affordable unit shall qualify for inclusion and shall be included on the SHI. It shall be the Applicant's obligation and responsibility to secure approval from DHCD for inclusion of the unit on the SHI. The Town shall cooperate in order for the applicant to secure timely and efficient approval.

Each affordable unit shall be subject to a regulatory agreement which shall specify the requisite qualifications of the buyer of the affordable unit and the manner by which the buyer will be selected; the regulatory agreement shall also contain provisions for effective monitoring and enforcement of the deed restriction, including qualification and selection of buyers on sale and resale. The regulatory agreement shall provide for a lottery to select the initial buyers.

The regulatory agreement shall be signed by the Applicant, by the monitoring agent who will be in charge of buyer-selection, monitoring and enforcement, and by the Town pursuant to authorization from the Board of Selectmen. In addition, the regulatory agreement may be signed by a state or federal subsidizing agency. The deed restriction ensuring affordability on sale and resale shall be enforceable by the Town, any subsidizing agency and the monitoring agent. The deed restriction and regulatory agreement shall specify the manner of determination of the price on resale, including, insofar as permissible and reasonable, payment of a fee from the proceeds of sale and resale in order to compensate the monitoring agent. The fee shall not exceed the amount permissible under any applicable program rules.

A qualified entity shall serve as monitoring agent. Reasonable provision shall be made for its duties and compensation as monitoring agent.

Applicant and the Town shall do the necessary for preparation of a regulatory agreement setting out necessary terms and conditions. The Applicant and the Town shall also do the necessary for preparation of a suitable deed restriction which ensures perpetual affordability on sale and resale, which restricts occupancy of the unit to the household to the head(s) of which it has been sold and which gives the monitoring agent appropriate powers to select qualified buyers on resale, to enforce the restriction, and to collect any applicable fee on resale of the unit.

In the event that negotiations with the Trustees fail to produce agreement for rehabilitation of an historic building into two units of affordable housing within 6 months of the date of the Special Permit and in the event that the Planning Board determines that the on-site and off-site options set out in the previous paragraph are unduly burdensome administratively or are likely to unduly delay production of affordable housing, the Planning Board in its discretion may authorize payment to the Town's Affordable Housing Trust in an amount which it finds reasonable and adequate under all relevant circumstances.

Whatever option is pursued by Applicant as provided herein the Planning Board shall act promptly on Applicant's submissions and requests and shall cooperate in obtaining two units of quality affordable housing.

Regardless of the option chosen for provision of ownership affordable housing, the affordable units shall be completed and offered for sale no later than the time when 50% of the market rate units have been sold provided that if unavoidable delays make that deadline impossible for completion and marketing of affordable units in rehabilitated historic structures, a bond in an amount determined to be adequate by the Planning Board to ensure completion and marketing of the units may be posted by Applicant. In the event that Applicant chooses to make on-site lots available for development of affordable housing, in making such choice Applicant shall designate the lots to be developed as affordable housing. Applicant may choose to develop the lots itself subject to the same restrictions and requirements set out above for off-site affordable units, or may designate another qualified developer to do so, or may provide legal authorization to the Town's Affordable Housing Trust to select a developer to develop the lots, again subject to the same restrictions and requirements set out above for off-site affordable units.

13. Pest House. The site of the development contains part of an historic site known as the Milton Poor Farm. An historic building known as the Pest House exists on the development site and Applicant has agreed with the DCR and Massachusetts Historical Commission with concurrence of the Milton Historical Commission to move the Pest House from its current site to a site on property to be retained by the Trustees of the Governor Stoughton Trust as shown on Sheets 10 and 12 of the Site Plan. The Trustees have signified agreement to this move under appropriate conditions. Accordingly, prior to issuance of an occupancy permit for the 5<sup>th</sup> new dwelling Applicant shall in a good and workman-like manner move the Pest House from its current foundation to a new foundation to be constructed by Applicant at its sole expense on premises of

the Trustees as generally shown on the Site Plan and as specifically determined by further agreement of the Trustees and Applicant. The foundation shall be faced with fieldstones above-ground so as to preserve the historic appearance. Within the foundation walls there shall be a basement with a poured concrete floor and 6 feet or more clearance installed by Applicant at its sole expense. Applicant shall be financially responsible for ensuring that the Pest House is in structurally sound and watertight condition after it has been moved. Applicant shall also be financially responsible for provision of electricity, water and sewer to the relocated Pest House and for their hook-up with its existing systems in the building. Any sewer and water fees related to the hook up of sewer and water to the relocated Pest House shall be waived by the Town. Upon certification by the Building Commissioner that the relocation, as specified herein is complete, occupancy permits for the 5<sup>th</sup> and subsequent dwellings may be issued.

14. Stone Walls. As shown on Sheet 3 of the Site Plan, more than 850 feet of historic stone walls exist in the area of Lots 8-11 and 16 and in a portion of the roadway. Applicant has agreed with DCR and the Massachusetts Historical Commission with concurrence of the Milton Historical Commission to retain a portion of these walls as shown on the sheet entitled "Revised Proposed Site Plan" dated March 7, 2017 which is part of the Site Plan. Other portions of these walls will be removed and salvaged and certain walls relocated as shown on the sheet. In addition, an appropriately constructed stone wall shall be relocated to portions of the boundary of the Restricted Area closest to Road A on Lots 13-23 as shown on the proposed Stone wall Exhibit dated 3/20/17. Any excess of the stones which are removed and salvaged but not used in relocated walls shall be temporarily retained on site pending further agreement by Applicant with DCR and Massachusetts Historical Commission with the concurrence of Milton Historical Commission on additional relocated walls or other disposition of the stones.

15. Farm Equipment. The development will be constructed on land which was part of the Town Poor Farm. If in the course of construction farming materials, such as rakes, hoes, shovels, pitchforks, plows, harnesses, bridles and horseshoes are found, they shall be transported to a location on the land retained by the Trustees as the Trustees may designate. Following transport the items shall be left in an arrangement suitable for view of the items and not simply piled together. A designee of the Milton Historical Commission shall be notified if farming equipment not easily transported is located, and the designee shall promptly inspect and notify Applicant of a reasonable disposition by Applicant. All equipment and materials so found shall remain the property of the Trustees except for farm equipment which the Historical Commission determines is junk to be disposed of by Applicant.

16. Setbacks. Buildings on a lot shall be set back at least 20 feet from the street, at least 10 feet from any side lot line, and at least 20 feet from the rear lot line. There shall be at least 30 feet between dwellings on adjacent lots. In addition, on lots 13-21, buildings (not including decks, deck stairs, bulkheads, and fireplace chimneys) shall be set back at least 20 feet from any Restricted Land on the lot provided that a one story shed covering no more than 150 square feet may be constructed without a set back from Restricted Land. Setback requirements in the zoning bylaws shall not be applicable.

17. Height. Dwellings including attaches garages, shall not exceed 35 feet in height and shall not contain more than 2 ½ stories, height being measured from the mean finished grade around the dwellings as shown on the Site Plan. Detached garages and other buildings shall not exceed 11 feet in height and shall not contain more than one story. Height requirements in the zoning bylaws shall not be applicable.

18. Building and Driveway Placement. The building and driveway placement as shown on the Site Plan reflects conceptually where the dwellings will be situated on the lots, their footprints and the footprints of the driveways. Actual development shall be conceptually as shown, although there will be deviations in the siting of the dwellings, the shape of their footprints, and the footprints of their driveways as the intent is that the Buyer of a home on a lot will select which home they want from a variety of housing options and then the engineer will locate it on the lot in compliance with the setbacks and restrictions. In no case shall the dwellings be located outside of the building setbacks provided in paragraph #16 above. Deviations shall not increase the size of the footprint of the conceptual dwelling on any lot or the amount of conceptual driveway/parking pavement area on any lot by more than 15% provided that for good cause shown the Planning Board may allow a greater deviation as an insubstantial change upon a showing that such a deviation is reasonably necessary and appropriate in design and that it will have no adverse impacts on neighboring lots. No deviation shall adversely impact drainage.

19. Dwelling Designs. The designs of the dwellings shall be varied so that the dwellings have individual identities without being incongruous with each other. There shall be different basic designs for dwellings or if the same basic design is used for more than one dwelling the details of that basic design shall be different so that the individual identities of the dwellings are established. The overall effect shall be congruous and present a thoughtful, reasonably traditional appearance. Special care shall be taken to prevent the garage doors from being the principal architectural feature of any dwelling. See Exhibit E for additional requirements.

20. Parking. The principal needs of the residents of the development for parking shall be satisfied by the parking available in garages and driveways on their lots. Parking on one side of the street shall also be available but not for overnight use; designation of street parking shall be determined by the Town's Department of Public Works. There shall be no parking on the emergency access drive and the HOA shall take effective measures to preclude parking for users of the development on Governor Stoughton Lane or on Countryside Drive.

21. Signs. Traffic control signs shall be as prescribed by the Town's Department of Public Works. The street sign at Unquity Road shall be of the usual type and appearance. Temporary signage for construction traffic shall be permissible with approval of the Building Commissioner and DCR if on DCR's land. A temporary sign on Unquity Road regarding units for sale shall be permissible with approval of the Town's Sign Review Committee and the DCR. A permanent sign on Unquity Road with the name of the development shall be permissible with approval of the Town's Sign Review Committee and the DCR.



22. Emergency Access Drive. As shown on Sheet 12 of the Site Plan there shall be an 18 foot wide "Emergency Access Drive" between Lots 10 and 11. This drive is to be extended beyond the development through land to be retained by the Trustees of the Governor Stoughton Trust so as to connect with Governor Stoughton Lane. This access drive is for use by emergency vehicles in situations where access from Unquity Road is not practical. There shall be a 12 foot wide all-weather surface constructed with grass pavers (of the type used at Curry College and on Kinsale Lane) extending to the existing impervious surface on the Trustees' Land. Applicant shall bear the entire cost of constructing the grass paver surface and installing a gate which will prevent unauthorized cut-through traffic without unduly delaying access by emergency vehicles and which will permit safe and convenient daytime pedestrian and bicycle access. Applicant shall secure from the Trustees a permanent easement for the extension of the drive across the Trustees' land to Governor Stoughton Lane for use by emergency vehicles. HOA shall be responsible for proper maintenance of the gate and drive, including the portion over the Trustees' land. The drive shall be kept in an open, passible condition throughout the year. The area of the drive not containing grass pavers may be grassed or landscaped with flowers, shrubs and/or ground cover and shall be kept in good condition by HOA.

23. Drainage Easement on Trustees' Land. As shown on Sheets 7, 12, 13, and 14 an "infiltration basin/temporary sediment basin" is proposed for installation on part of the property to be retained by the Trustees. This basin is an integral and important part of the drainage system for the Cluster Development and shall also serve the existing and future uses on the land retained by the Trustees. Applicant shall secure from the Trustees a good and sufficient permanent drainage easement permitting the construction use and maintenance of the basin and associated infrastructure necessary for the intended uses of the basin. The HOA shall be responsible for maintenance and shall maintain the basin and its associated infrastructure in good, fully operational well-tended condition in accordance with the requirements of the Long Term Operation and Maintenance Plan attached as Exhibit E and made a part of this Special Permit.

24. Tree Protection and Site Mobilization. Prior to construction activities, an on-site meeting will be held between Applicant, the site contractor, and Applicant's engineer to review the approved limit of work and to establish and coordinate the tree cutting limits as shown on the Site Plan. A representative of the Town shall be present.

Prior to construction survey crews will establish the limits of clearing and perimeter erosion controls (straw wattles and silt fence) location. Once perimeter erosion controls within the 100-foot buffer are established they shall be inspected by the Milton Conservation Commission or its duly authorized representative. The Tree Warden and Town Planner shall confirm the limits of clearing which shall be clearly marked. Protective fencing (silt fence or equivalent) shall be placed near trees which will be saved as shown on the Site Plan prior to any clearing activities. All other reasonable protective measures as specified by the Tree Warden or Town Planner shall be taken to preserve the trees.

No construction related activities will be allowed between the limits of clearings so marked or the perimeter erosion controls and the property boundary line of the site. It is intended that the

wooded areas between the limits of clearing and the perimeter erosion controls and the property line will remain as they exist prior to the start of construction and be carefully protected. All temporary fencing, signage and other protective measures shall be maintained continuously throughout construction, until all work in the vicinity of the protected trees and vegetation has been completed.

25. Truck Traffic. The haul route (see Section 9) for construction trucks accessing or exiting the construction site shall be used for construction trucks once access to the site is established. Applicant shall take effective measures to ensure that construction trucks use the designated haul route. Failure to take effective measures to ensure such use shall be a breach of the Special Permit. Construction truck traffic originating in Milton may seek approval of an alternate route for good cause shown to the Planning Board. Construction truck traffic during peak traffic times shall be minimized. Queuing and idling trucks shall not occur off-site, and any onsite queuing or idling shall be only for good cause. There shall be no construction truck traffic before 7 A.M. Reasonable steps shall be taken to concentrate construction truck traffic during late morning/early afternoon hours or weekdays. Conflicts with school bus transportation shall be avoided.

26. Employee Parking. Construction parking shall be on site under the control of Applicant. No employees of Applicant, contractors or other subcontractors shall be permitted to park on public roadways surrounding the Project or other than on-site following such time as on-site access has been established. Satellite parking at a private parking facility shall be permissible. Effective measures shall be taken to maintain employee parking areas and the parking access route in as dust-free a condition as reasonably possible during dry conditions and in conveniently passable condition in wet and snow conditions.

27. Controllable Noise and Pollution. Applicant shall institute effective measures to control unnecessary noise and pollution during construction activities. Employees of Pulte, contractors and subcontractors shall be prohibited from playing music or third party talk at levels not reasonably necessary for individual use. Noisy construction equipment used on-site shall be turned off when not in use or about to be used. Loud speakers shall not be used on site. Complaints by neighbors regarding avoidable loud noise shall be promptly addressed by effective measures to reduce the noise level.

28. Reference to "Typical" Features and Items. The detail sheets in the Site Plan show a number of "typical" items, including trenches, services, joints, tees, sections, chimneys, connections, hydrants, inlets, fences and controls. Such "typical" items shall be employed in all construction except where the Milton Department of Public Works permits a non-typical item to be substituted. DPW permission shall be in writing and a copy shall be sent to the Planning Board.

29. Association of Lot Owners. There shall be an association of the owners of the twenty three (23) single family lots that make up this cluster development (the "Homeowners Association" or the "HOA"). Each owner of a lot shall be a member for the HOA and shall be legally responsible

to pay a proportionate share of the expenses of the association. Until completion of the development, the Applicant shall be legally responsible for prompt performance of the duties and responsibilities of the Homeowners Association set out in this Special Permit. Upon completion, the Homeowners Association shall assume responsibility for performance of all these duties and responsibilities and shall be legally and financially responsible and liable for performing these duties and responsibilities and for meeting any other relevant terms and conditions of this Special Permit.

30. Homeowners Association Documents. Homeowners Association documents establishing the association of the cluster development lot owners and its rights and responsibilities shall be approved by the Planning Board and by Milton Town Counsel prior to the issuance of an occupancy permit for the first completed single family home. The HOA documents shall impose an unconditional legal obligation for each lot owner within the cluster development to be a member of the association and to pay a proportionate share of the expenses of the association, including the costs of meeting applicable terms, conditions and requirements and performing the obligations imposed on the HOA by this Special Permit. The HOA documents shall specifically list these terms, conditions, responsibilities, and obligations of HOA and shall contain reference to this Special Permit and the Book and Pages at which the Special Permit is recorded with the Registry of Deeds.

31. Enforcement. The Town shall be entitled to enforce the terms, conditions and requirements of this Special Permit against the responsible persons or entities. The Town shall be entitled to enforce obligations and requirements imposed hereunder against Applicant and HOA and any relevant lot owner or lot owners on which such obligation or responsibility rests. Applicant and HOA shall be entitled to enforce the terms, conditions and requirements of this Special Permit against relevant individuals and entities. Insofar as individuals and/or entities have rights hereunder, any such individual and entity shall be entitled to enforce such rights. In the event that the Town is obliged to bring suit to secure compliance by the HOA with the requirements, terms and conditions of this Special Permit, the HOA shall reimburse all costs of suit, including the Town's attorney's fees in the event the Town shall prevail. Relevant lot owners shall provide such reimbursement if the suit for enforcement is brought directly by the Town against a lot owner or lot owners and the Town shall prevail. The HOA documents shall provide for the foregoing.

32. Commencement and Completion of Construction. Construction shall be commenced within two (2) years from the latest of the following dates: (a) the date when this Special Permit becomes final; (b) the date of closing of sale of the property by the Trustees to the Applicant, including the necessary easements for the infiltration basin and the emergency access drive on land retained by the Trustees; (c) the date at which an access permit is secured from the DCR and at which changes to the Site Plan occasioned thereby are approved by the Planning Board. Any construction shall be substantially completed within five (5) years from the commencement date,

unless the Applicant for good cause requests the date be extended by the Planning Board, which extension shall not be unreasonably denied.

33. Access Permit from DCR. Prior to commencement of construction Applicant shall secure from DCR an access easement or permit through DCR Land as shown on the Site Plan. DCR shall approve: (a) provisions for the roadway, and use of the roadway, including future truck traffic on Unquity Road; (b) provisions allowing the roadway to be accepted and maintained by the Town as a Town street; (c) provisions for the landscaping and landscaping features to be maintained in good condition by or at the expense of HOA; (d) provision for the bio retention basin to be maintained in good condition and good operational order by or at the expense of HOA; (e) provisions for signs on DCR land; signs which shall also be approved by the Town's Sign Review Committee; and (f) provisions regarding deposit of plowed snow on DCR land. The Access Permit shall be recorded in the Registry of Deeds and shall have a marginal reference to this Special Permit. If the DCR access permit shall impose requirements inconsistent with the requirements in this Special Permit, Applicant shall apply to the Planning Board for appropriate changes to be made to this Special Permit. Applicant shall provide a copy of any access easement or permit received from DCR to the Planning Board forthwith upon receipt.

34. Acceptance of Roadway as a Public Street. At some future time after the roadway and all associated infrastructure and landscaping has been completed in a good and workmanlike manner in accordance with all specifications of this Special Permit and applicable laws, codes and regulations, Applicant intends to request that the Milton Town Meeting vote to accept Road A as a public street to be owned and maintained by the Town as provided herein. If the roadway and infrastructure is constructed in a good and workmanlike manner as provided herein and the infrastructure is all functioning properly as intended, the Planning Board will recommend that Town Meeting accept Road A as a public street. However, unless and until the Town Meeting votes to accept Road A as a public street, Road A will be a private street, and Applicant and HOA will be responsible for its proper upkeep and maintenance, including plowing and maintenance of the pavement, sidewalk, sewer and all the drainage infrastructure in good condition.

35. Failure of Drainage Infrastructure to Work as Intended. If for any reason the drainage infrastructure, including the catch basins and infiltration basins, once in operation, fails to operate as intended with adverse effects on neighboring property, Applicant or HOA will take all reasonably necessary measures forthwith at its own expense to eliminate those adverse effects. This obligation shall cease when and if Road A is accepted as a public way with respect to infrastructure within the right of way but not with respect to the basins and infrastructure outside of the right of way.

36. Responsible Person on Site. While construction is underway Applicant shall have an agent or employee on site with authority to issue any necessary directives to construction workers regarding construction activities. The Town's Building Commissioner shall have contact information with respect to that responsible person. That on-site representative may also be

Applicant's representative who shall be generally responsible for all construction activities, whether underway, or contemplated and who shall be Pulte's liaison to the Town and to abutting property owners. The name and contact information of this representative shall be made available to the Building Commissioner, to the Town Planner and Assistant Town Planner, to the Conservation Agent, to the Town's DPW director and to the Town Engineer. This representative shall be responsible for managing the on-site responsible person who shall be overseeing day-to-day construction activities on site and dealing promptly with any complaints with respect to these construction activities. Applicant's representatives shall provide written monthly reports on the progress of construction and on impending construction activities to the Building Commissioner and Town Planner.

37. Access to Site. The Building Commissioner or designee, the Town Planner, the Assistant Town Planner, Utility Inspectors, the Town Engineer and the Conservation Agent shall have access to the site at any time during regular business hours in connection with their municipal duties.

38. Bond. A bond shall be posted prior to construction to ensure that the street and infrastructure, including water, sewer, utilities, street lighting, drainage, sidewalks, emergency access drive and landscaping, are completed in good and workmanlike condition as shown on the Site Plan. The amount of the bond shall be determined by the Planning Board and its terms shall be as specified by Town Counsel. In lieu of a bond the Applicant may request permission to post a number of lots which shall not be saleable until the street and infrastructure have been completed. Town Counsel shall approve any such posting of lots in lieu of a bond.

39. Construction Notice. Ten (10) days advance written notice shall be provided to the Planning Board prior to commencing construction. All construction shall be conducted in compliance with all applicable terms and conditions of the Special Permit, including the exhibits.

40. Model Homes. The Applicant shall be entitled to receive a building permit and start a model home prior to binder coat pavement. Two more model homes shall be allowable.

41. Temporary Office Trailer. The Applicant shall be permitted to have a temporary office trailer on the site shielded from off-site view.

42. Massachusetts Historical Commission ("MHC") / Milton Historical Commission. The Applicant has committed to providing additional vegetative screening at the rear of lots 9, 10, and 11 in areas where there is no existing vegetation. Screening will consist of a variety of mature coniferous native trees as approved by the Tree Warden approximately 8-10 feet in height with a caliper of 3 inches measured 5 feet above ground at installation and appropriately spaced to create a visual obstruction and to allow for future growth. The landscaping behind lots 9, 10, and 11 is shown on the "Revised Proposed Site Plan" which is part of the Site Plan.

43. Assignment. These Permits shall not be assigned by the Applicant to an assignee without the written consent of the Planning Board, which shall not withhold consent to assignment without good cause, provided that such consent shall not be required if the assignment is to a special purpose entity which is related to the Applicant so long as Applicant shall remain financially responsible for the development and its duties and obligations hereunder.

44. Amendment. These Permits may be amended by the Planning Board upon application by the Applicant or its assignee during construction and, following completion, upon application by the association of lot owners. Applications for substantial amendment shall be subject to the usual requirement for notice, including advertising and a hearing. Applications for insubstantial amendment shall be subject to such notice as the Planning Board deems reasonable. In the event that any board member or interested entity notifies the Board that an amendment is substantial, it shall be so treated.

45. Recording. This Permit, including the Site Plan and exhibits shall be recorded with the Norfolk County Registry of Deeds by the Applicant at its own expense within thirty days from the date when such Permit or amendment becomes final and a copy of the recorded document with recording information shall be provided to the Town Planner. There shall be a marginal reference to this Permit in any deed to or from the Applicant, and deeds from Applicant to lot owners shall have a specific reference to this Special Permit and the book and page at which it is recorded. Any future amendments to the Special Permit shall be recorded in like manner.

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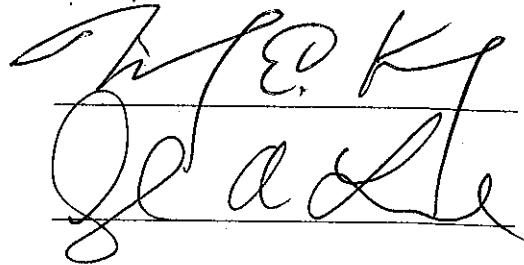
Executed at Milton, Massachusetts this 13<sup>th</sup> day of April, 2017.

Planning Board of Milton



Alexander Brito

George

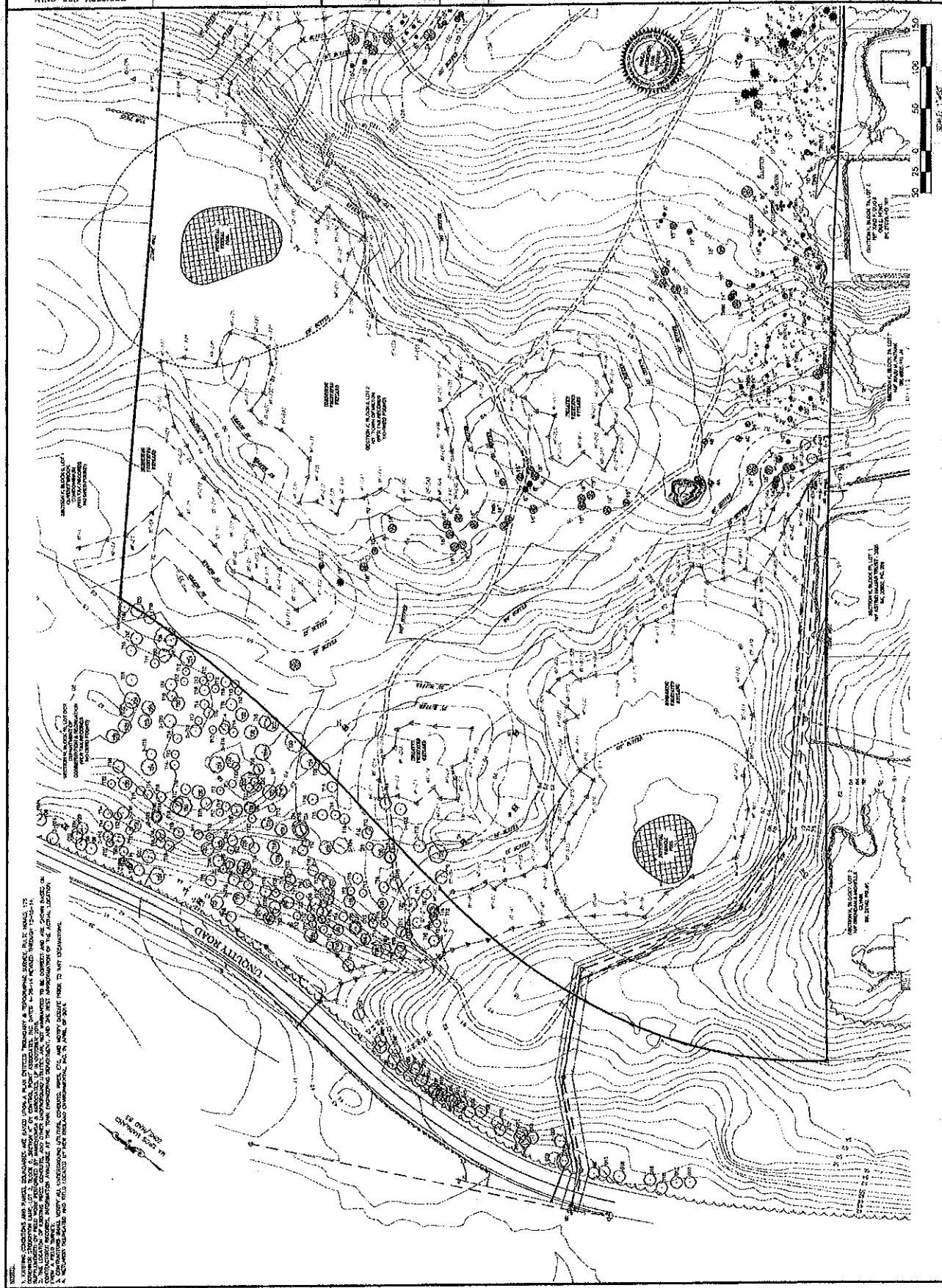


**EXHIBIT A**

**SITE PLAN**







REGISTERED USE ONLY		APPROVED BY THE TOWN OF MILTON PLANNING BOARD		DATE					
EXISTING CONDITIONS		MILTON WOODS MILTON, MA PULTE HOMES OF NEW ENGLAND, LLC 116 FLANDERS ROAD WESTBORO, MA 01581		REV. 1. 11/23/19 2. 11/23/19 3. 11/23/19 4. 11/23/19 5. 11/23/19 6. 11/23/19 7. 11/23/19 8. 11/23/19 9. 11/23/19 10. 11/23/19 11. 11/23/19 12. 11/23/19 13. 11/23/19 14. 11/23/19 15. 11/23/19 16. 11/23/19 17. 11/23/19 18. 11/23/19 19. 11/23/19 20. 11/23/19 21. 11/23/19 22. 11/23/19 23. 11/23/19 24. 11/23/19 25. 11/23/19 26. 11/23/19 27. 11/23/19 28. 11/23/19 29. 11/23/19 30. 11/23/19 31. 11/23/19 32. 11/23/19 33. 11/23/19 34. 11/23/19 35. 11/23/19 36. 11/23/19 37. 11/23/19 38. 11/23/19 39. 11/23/19 40. 11/23/19 41. 11/23/19 42. 11/23/19 43. 11/23/19 44. 11/23/19 45. 11/23/19 46. 11/23/19 47. 11/23/19 48. 11/23/19 49. 11/23/19 50. 11/23/19 51. 11/23/19 52. 11/23/19 53. 11/23/19 54. 11/23/19 55. 11/23/19 56. 11/23/19 57. 11/23/19 58. 11/23/19 59. 11/23/19 60. 11/23/19 61. 11/23/19 62. 11/23/19 63. 11/23/19 64. 11/23/19 65. 11/23/19 66. 11/23/19 67. 11/23/19 68. 11/23/19 69. 11/23/19 70. 11/23/19 71. 11/23/19 72. 11/23/19 73. 11/23/19 74. 11/23/19 75. 11/23/19 76. 11/23/19 77. 11/23/19 78. 11/23/19 79. 11/23/19 80. 11/23/19 81. 11/23/19 82. 11/23/19 83. 11/23/19 84. 11/23/19 85. 11/23/19 86. 11/23/19 87. 11/23/19 88. 11/23/19 89. 11/23/19 90. 11/23/19 91. 11/23/19 92. 11/23/19 93. 11/23/19 94. 11/23/19 95. 11/23/19 96. 11/23/19 97. 11/23/19 98. 11/23/19 99. 11/23/19 100. 11/23/19		Marchionda Associates, LP Engineering and Planning Consultants 62 Montvale Avenue Suite 1 Stoughton, MA 02072 TEL: (508) 435-1000 FAX: (508) 435-1001 Email: <a href="mailto:engineering@marchionda.com">engineering@marchionda.com</a> Website: <a href="http://www.marchionda.com">www.marchionda.com</a>		DATE: 11/23/19 BY: [Signature] CHECKED: [Signature] SCALE: 1"=50'	



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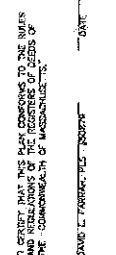
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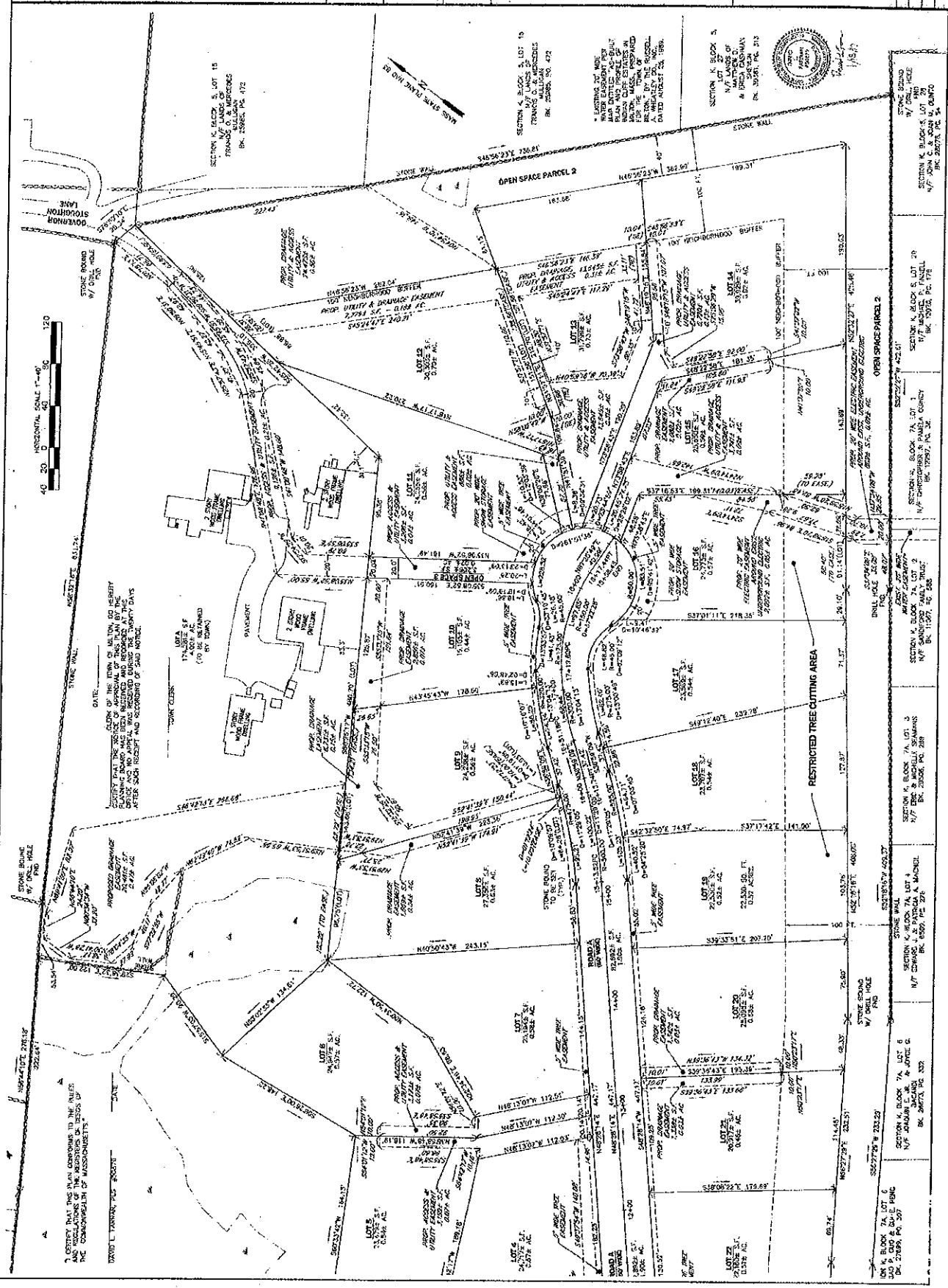
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DATE: NOVEMBER 9, 2006		SHEET: 4 OF 20	
BY: J. A. HILL		SCALE: AS NOTED	
RE: PARALLEL AND PERPENDICULAR DISTANCE MEASUREMENTS			

FAX: (781) 438-9554  
Email: [engineering@merchiondo.com](mailto:engineering@merchiondo.com)  
Website: [www.merchiondo.com](http://www.merchiondo.com)

32 Montpelier Avenue  
Suite 1  
Stoughton, MA 02180  
Tel: (617) 478-6100

### Engineering and Planting Consultants



**MidColumbia**  
& Associates, L.P.

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0540 PLAN LLC

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NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_  
 STATE \_\_\_\_\_  
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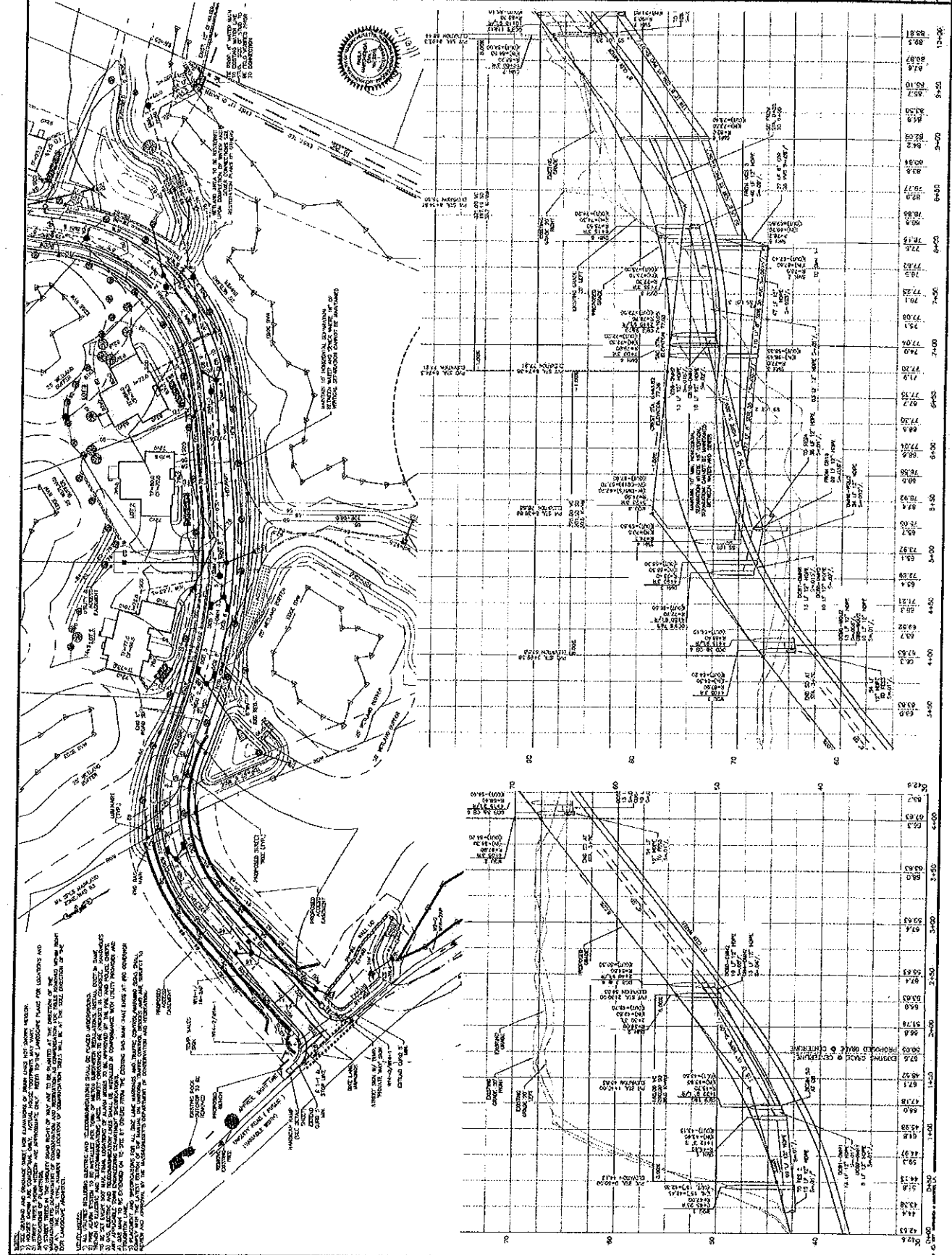
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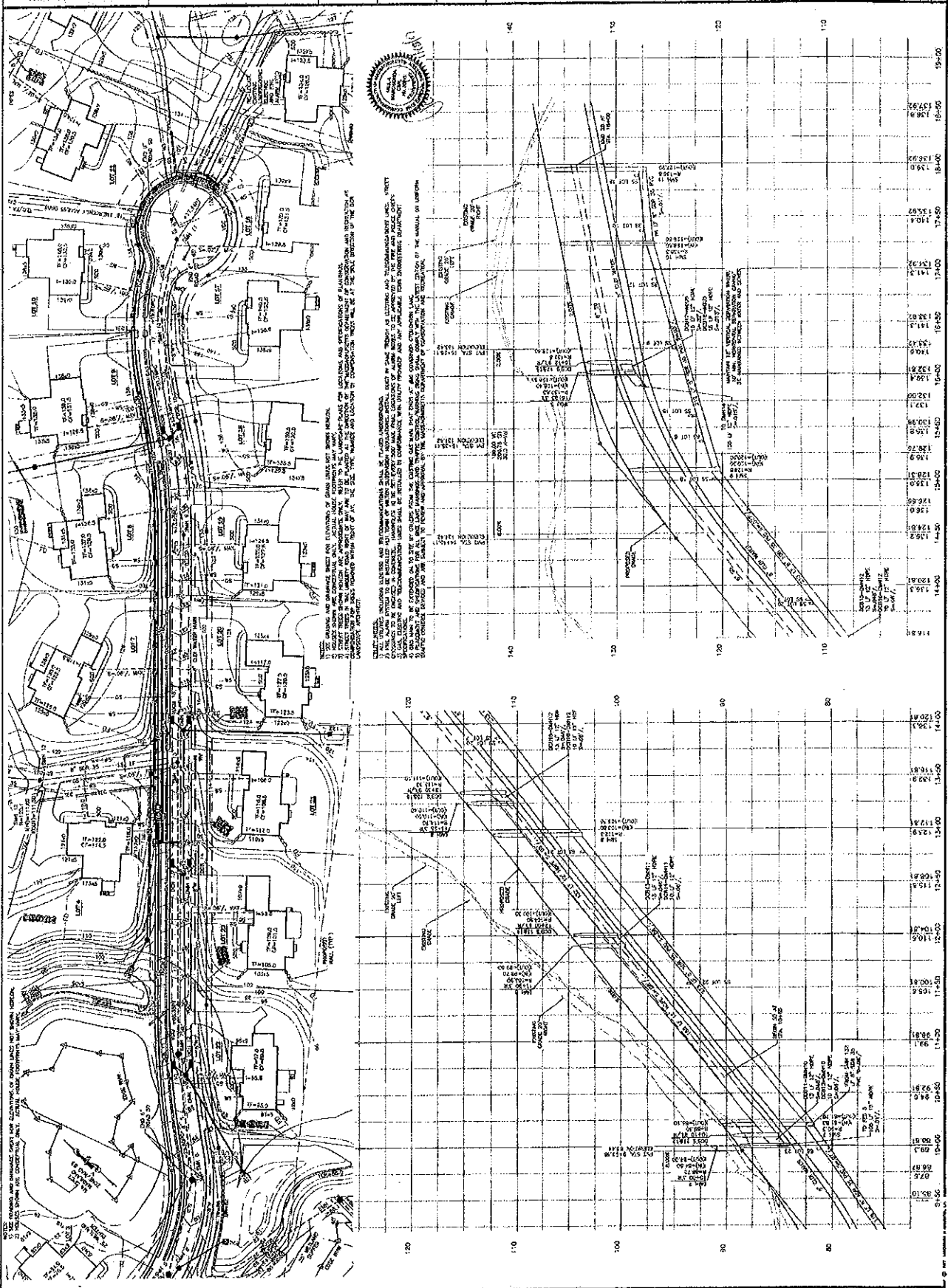
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**Engineering and  
Planning Consultants**

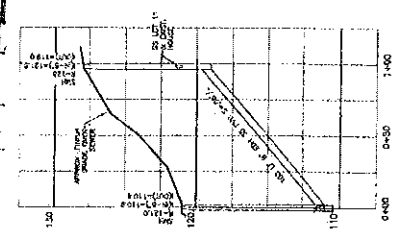
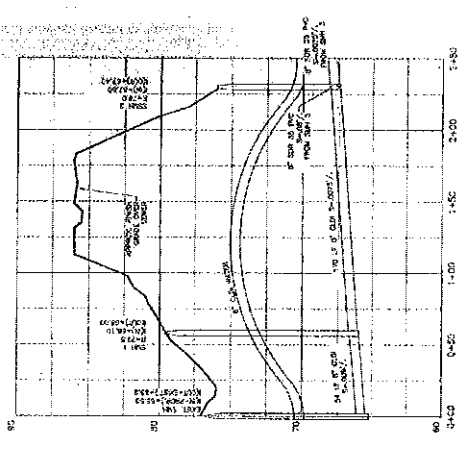
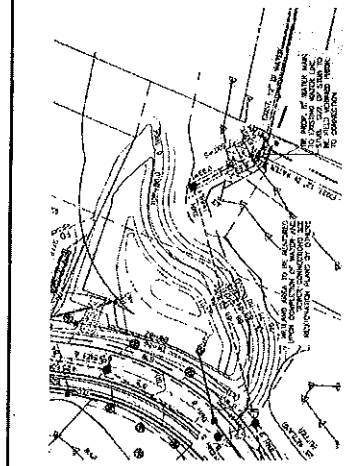
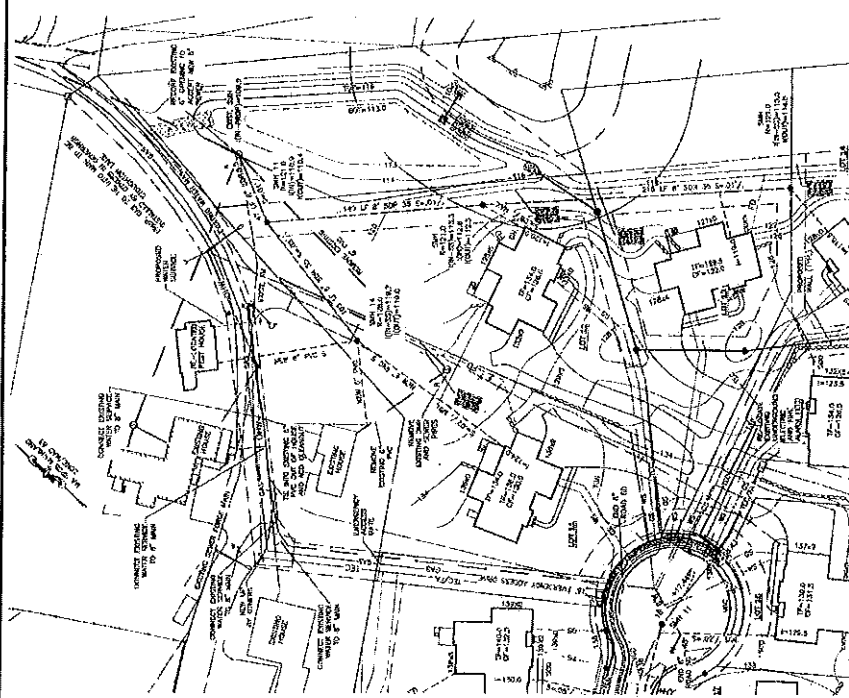
**52 Montvale Avenue  
Suite 1  
Stonington, MA 02180  
TEL: (781) 438-6121  
FAX: (781) 438-9854  
Email: [engineering@marthiende.com](mailto:engineering@marthiende.com)  
Website: [www.marthiende.com](http://www.marthiende.com)**

12/1/78

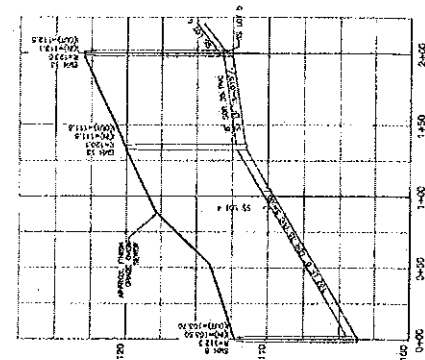
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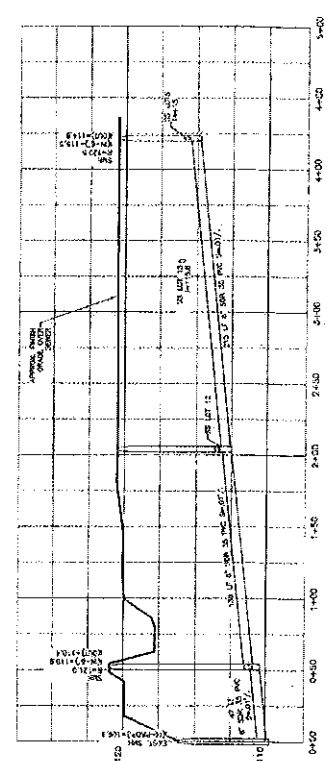
NOTES:  
 1. ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.  
 2. THE PLANNING BOARD HAS REVIEWED THIS PLAN AND HAS APPROVED IT FOR THE TOWN OF MILTON.  
 3. THE PLANNING BOARD HAS REVIEWED THIS PLAN AND HAS APPROVED IT FOR THE TOWN OF MILTON.  
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 10. THE PLANNING BOARD HAS REVIEWED THIS PLAN AND HAS APPROVED IT FOR THE TOWN OF MILTON.



OFFROAD SEWER LOT 11



OFFROAD SEWER LOTS 4-7

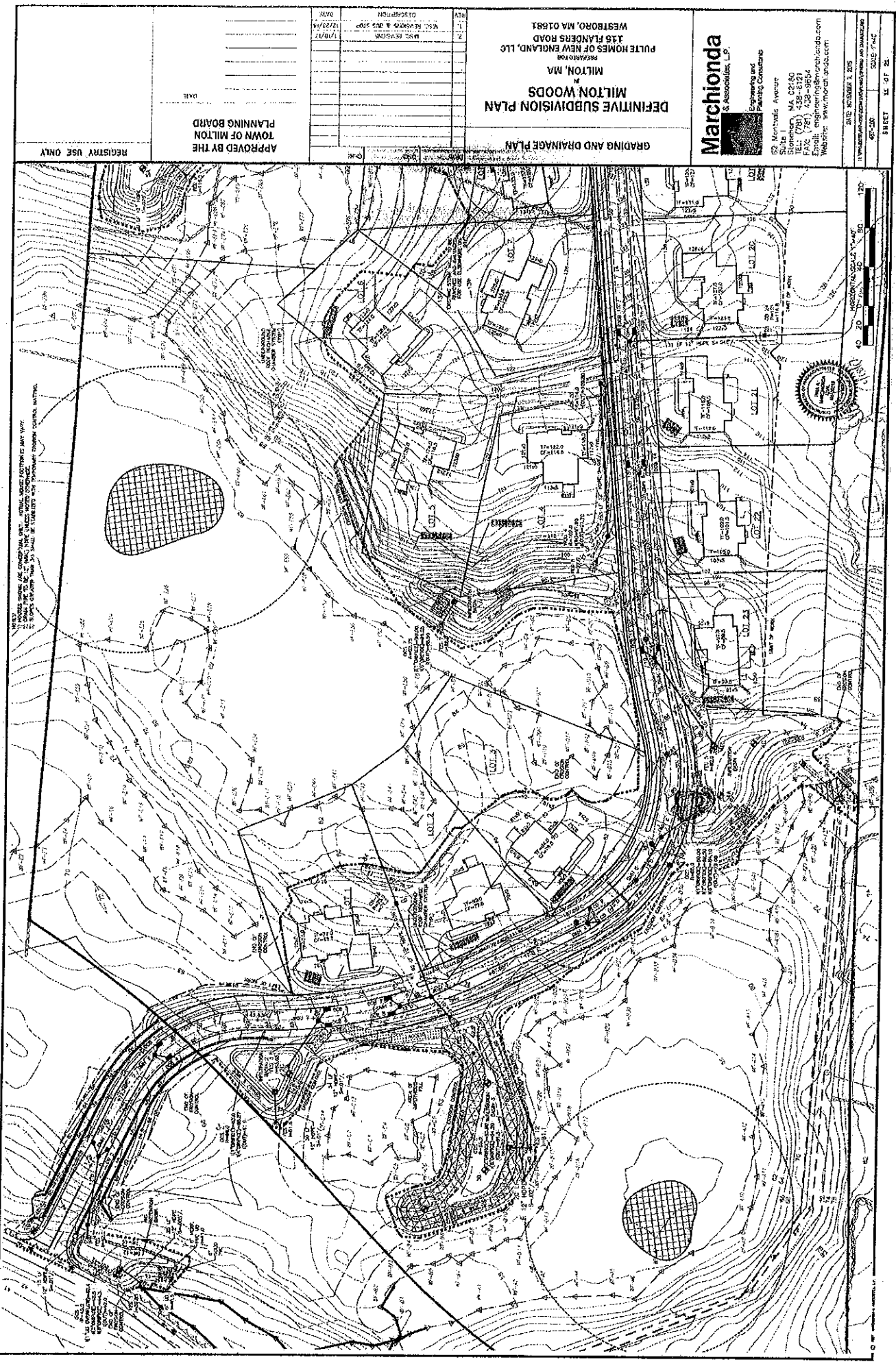


OFFROAD SEWER LOTS 12-14

DEFINITIVE SUBDIVISION PLAN  
 MILTON WOODS  
 MILTON, MA  
 115 FLANDERS ROAD  
 WESTBORO, MA 01581

**Marchionda & Associates, L.P.**  
 Engineers and  
 Planning Consultants  
 22 Montvale Avenue  
 Stoneham, MA 02180  
 Tel: (781) 438-6127  
 Fax: (781) 438-8854  
 E-mail: [engineering@marchionda.com](mailto:engineering@marchionda.com)  
 Website: [www.marchionda.com](http://www.marchionda.com)

DATE: 10/10/01  
 SHEET: 30 OF 31



REGISTRY USE ONLY

APPROVED BY THE  
TOWN OF MILTON  
PLANNING BOARD

DATE

GRADING AND DRAINAGE PLAN

DEFINITIVE SUBDIVISION PLAN

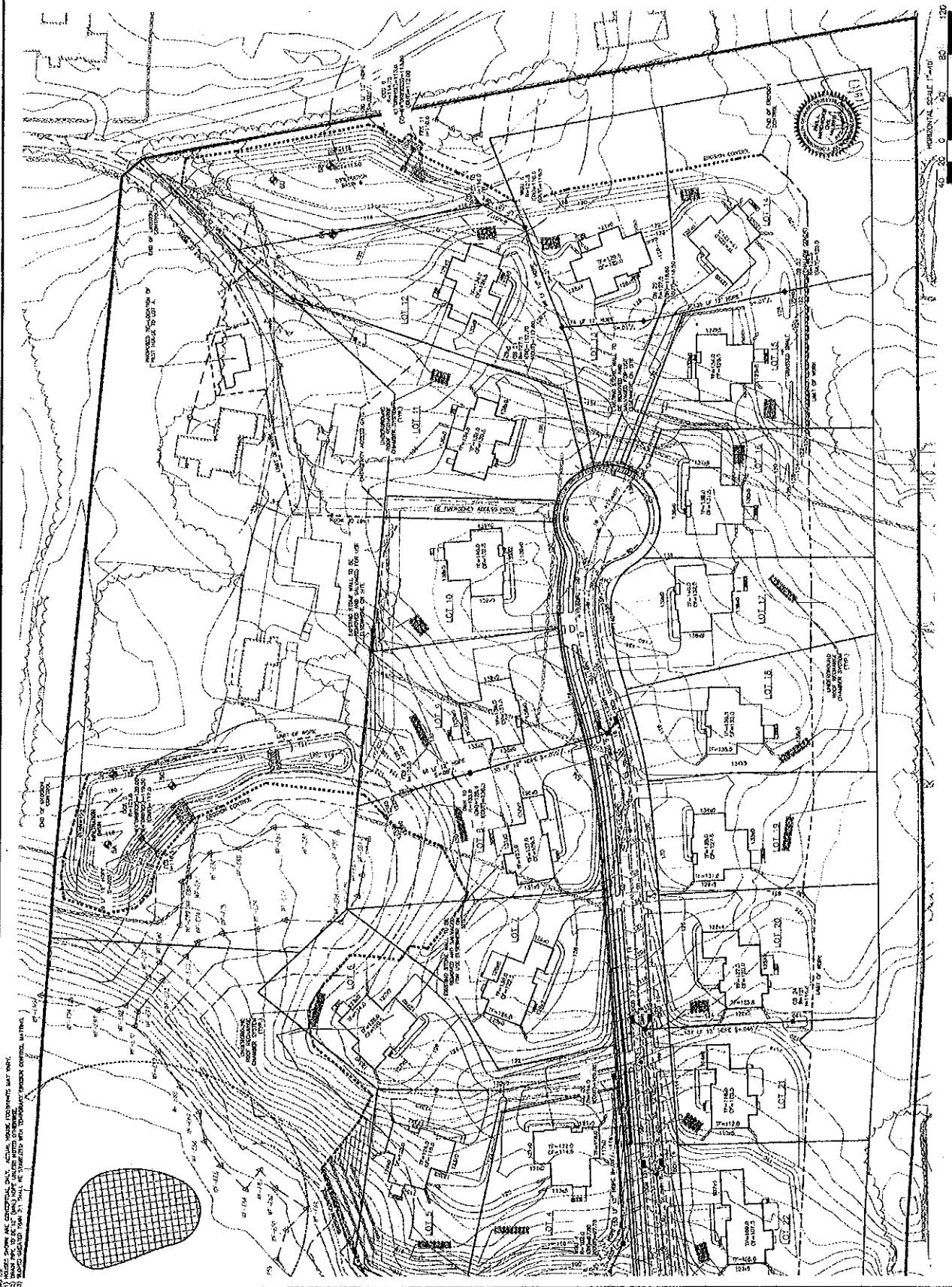
MILTON, MA

PULTE HOMES OF NEW ENGLAND, LLC  
135 FLANDERS ROAD  
WESTBORO, MA 01581

**Marchionda**  
& Associates, L.P.  
Engineering and  
Planning Consultants

102 Merchants Avenue  
Suite 1  
Milton, MA 02180  
Tel: (617) 888-1100  
Fax: (617) 888-9854  
Email: [engineering@marchionda.com](mailto:engineering@marchionda.com)  
Website: [www.marchionda.com](http://www.marchionda.com)

DWG. NO. 000001-2, 000  
45'-0" 30' 15' 0"  
SHEET 11 OF 21



1. THESE PLANS ARE PRELIMINARY. ANY CHANGES TO THE PLANS SHALL BE MADE BY THE ENGINEER. THE ENGINEER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE PLANS. THE ENGINEER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE PLANS. THE ENGINEER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE PLANS.

REGISTERED PROFESSIONAL ENGINEER

APPROVED BY THE  
TOWN OF MILTON  
PLANNING BOARD

DATE

NO.	DATE	DESCRIPTION
1	12/25/16	W.C. GARDNER & SONS, INC.
2	1/18/17	W.C. GARDNER & SONS, INC.
3	1/18/17	W.C. GARDNER & SONS, INC.
4	1/18/17	W.C. GARDNER & SONS, INC.
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21	1/18/17	W.C. GARDNER & SONS, INC.
22	1/18/17	W.C. GARDNER & SONS, INC.

GRADING AND DRAINAGE PLAN

DEFINITIVE SUBDIVISION PLAN

MILTON WOODS

MILTON, MA

PULTE HOMES OF NEW ENGLAND, LLC  
115 FLANDERS ROAD  
WESTBORO, MA 01581

**Marchionda**  
Associates, L.P.

Engineering and  
Planning Consultants  
62 Merrimack Avenue  
Suite 100  
Milton, MA 02186  
TEL (781) 439-6120  
FAX (781) 439-6654  
Email: [engineering@marchionda.com](mailto:engineering@marchionda.com)  
Website: [www.marchionda.com](http://www.marchionda.com)

DATE: NOVEMBER 1, 2016  
APPROVED BY: [Signature]  
SHEET: 22 OF 22

DATE: 12/17/19  
 DESIGNED BY: MARCHIONDA & ASSOCIATES, L.P.  
 CHECKED BY: MARCHIONDA & ASSOCIATES, L.P.  
 SCALE: 1"=40'

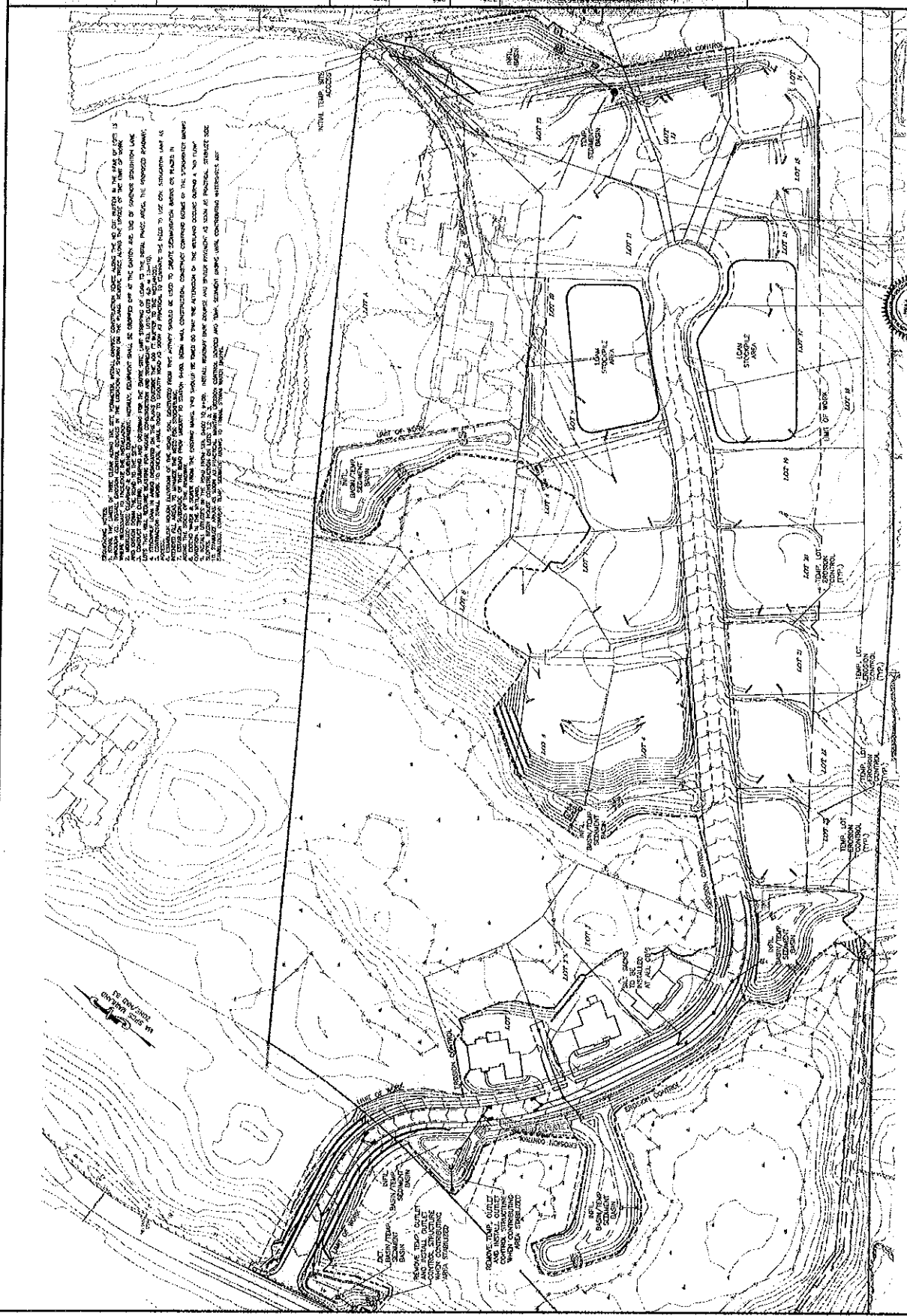
**Marchionda & Associates, L.P.**  
 ENGINEERING AND PLANNING CONSULTANTS  
 83 Montague Avenue  
 South Plainfield, NJ 07080  
 TEL: (973) 439-6121  
 FAX: (973) 439-6122  
 Email: engineering@marchionda.com  
 Website: www.marchionda.com

**DEFINITIVE SUBDIVISION PLAN**  
 MILTON WOODS  
 MILTON, MA  
 118 FLANDERS ROAD  
 WESTBORO, MA 01581

**APPROVED BY THE TOWN OF MILTON PLANNING BOARD**

REGISTRY USE ONLY

HORIZONTAL SCALE 1"=40'  
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 1"=40'

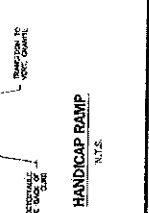
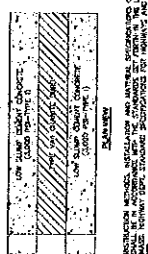
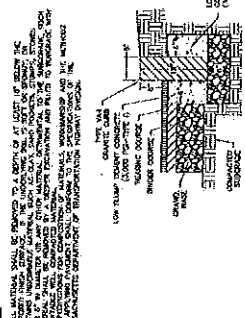
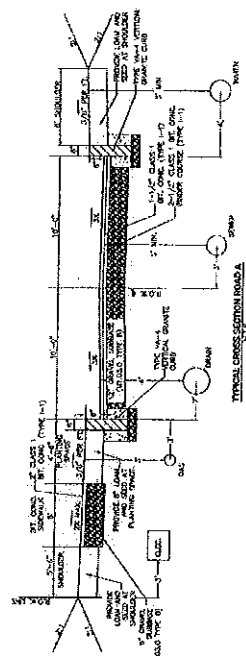
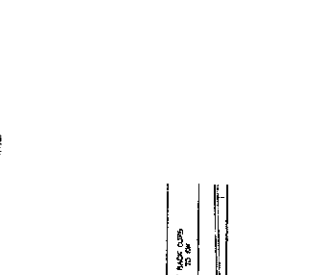
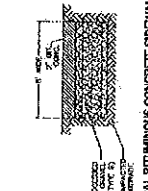
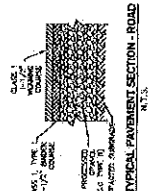
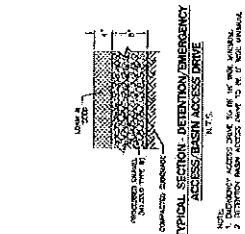
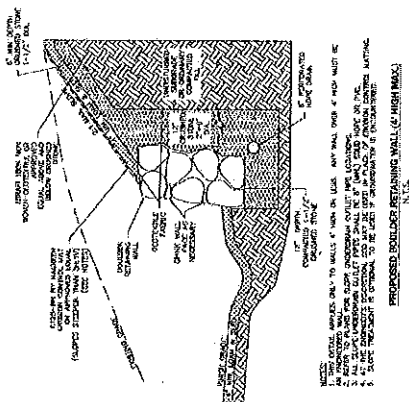






**GENERAL NOTES:**

1. THE TOWN OF MILTON HAS REVIEWED THE SUBMITTAL AND IS APPROVING THE SAME FOR THE PURPOSES OF THE TOWN OF MILTON. THE TOWN OF MILTON IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT.
2. THE TOWN OF MILTON HAS REVIEWED THE SUBMITTAL AND IS APPROVING THE SAME FOR THE PURPOSES OF THE TOWN OF MILTON. THE TOWN OF MILTON IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT.
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**Marchionda & Associates, L.P.**  
 Engineering and Planning Consultants  
 82 Mettelle Avenue  
 Springfield, MA 01103  
 Tel: (413) 438-6121  
 Fax: (413) 438-6121  
 E-mail: info@marcinfo.com  
 Website: www.marcinfo.com

DATE: 01/11/01  
 SCALE: 1"=10'-0"

**DEFINITIVE SUBDIVISION PLAN**  
 MILTON, MA  
 115 FLANDERS ROAD  
 WESTBORO, MA 01581

**ROAD DETAILS**

APPROVED BY THE TOWN OF MILTON PLANNING BOARD  
 DATE: 01/11/01

REGISTRY USE ONLY

Email: [engineering@marchiondo.com](mailto:engineering@marchiondo.com)  
Website: [www.marchiondo.com](http://www.marchiondo.com)

**Phillips**  
**& Associates, L.P.**

**Engineering and  
Planning Consultants**  
22 Montvale Avenue  
Suite 1  
Stonham, MA 02150  
TEL: (781) 439-6121  
FAX: (781) 438-9854  
e-mail: [engineering@marchionde.com](mailto:engineering@marchionde.com)  
Website: [www.marchionde.com](http://www.marchionde.com)

DEFINITIVE SUBDIVISION PLAN  
MILTON WOODS

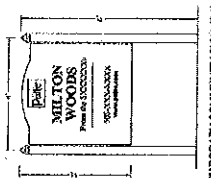
PULTE HOMES OF NEW ENGLAND, LLC  
116 FLANDERS ROAD  
WESTBORO, MA 01581

## ROAD DETAILS

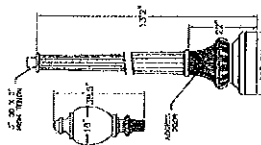
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APPROVED BY THE  
TOWN OF MILTON  
PLANNING BOARD

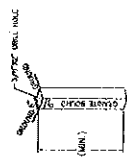
REGISTRY USE ONLY



NOTES: N-25  
TO BE INSTALLED AT LINCOLN ROAD ENTRANCE DUE  
TEMPORARY COMMUNITY SIGN (1-3)

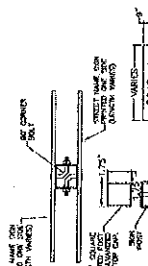


**STREET LUMINAIRE DETAIL**



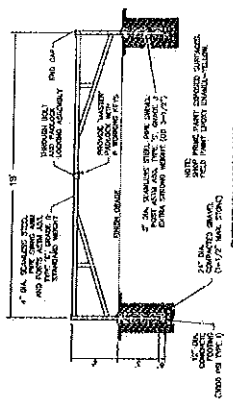
**GRANITE MONUMENT DETAIL**

ALL ANGLE POINTS OF THE PROPOSED RIGHT OF WAY,  
A TOP OF MOVEMENT TO THE SET FLUSH WITH FINAL GRADE.

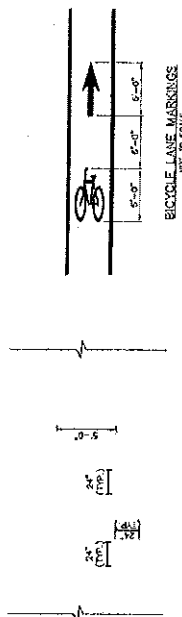


ROAD A

STANDARD STREET SIGN DETAIL



EMERGENCY ACCESS GATE



ONE WAY BICYCLE CROSSING

BICYCLE LANE MARKINGS

## TRAFFIC SIGN SUMMARY

SECTION NUMBER	DATE OF JOB		TEXT	TEXT DESCRIPTION		NUMBER OF PIECES REQUIRED		COLOR		WATER USE GALLONS REQUIRED	WATER APPLIED PER SQUARE YARD	TOTAL WATER USED
	START	STOP		UTILE PIECES	WASTE PIECES	BLACK BOARD	WHITE BOARD					
W-1	9:00	9:45	STOP	SEE 2009 MU-200	1					0.50	0.25	0.25
W-2	9:45	1:00	↑		1					1	1.25	1.25
W-1	9:45	9:45	OK		1					0.50	0.25	0.25
W-1	9:45	1:00	100 FT							1.50	2.00	2.00
W-1	1:00	5:00	100 FT		1					1.50	1.75	1.75
W-1	5:00	5:00	END		2					0.50	0.25	0.25
W-2	5:00	5:00	NO WORK		2					0.50	0.25	0.25

NOTES:

1. ALL SIGNS TO BE MOUNTED ON A POST THAT MEETS THE REQUIREMENTS OF THE TOWN OF ALTON ENGINEERING DEPARTMENT AND MEETS ALL REQUIREMENTS.



**REQUIREMENTS**

1. ALL DRAINAGE SYSTEMS SHALL BE DESIGNED TO BE PROTECTED BY 10% OVERLAP.

2. ALL DRAINAGE SYSTEMS SHALL BE DESIGNED TO BE PROTECTED BY 10% OVERLAP.

3. ALL DRAINAGE SYSTEMS SHALL BE DESIGNED TO BE PROTECTED BY 10% OVERLAP.

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# **Marchionda & Associates, LP**

20 Montvale Avenue  
Suite 200  
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Fax: (781) 438-6634  
Email: [represent@stamfordva.com](mailto:represent@stamfordva.com)  
Website: [www.marchionda.com](http://www.marchionda.com)

DATE: 08/08/18	DATE: 08/08/18
BY: [Signature]	DATE: 08/08/18
BY: [Signature]	DATE: 08/08/18

## **DEFINITIVE SUBDIVISION PLAN** MILTON WOODS MILTON, MA 116 FLANDERS ROAD WESTBORO, MA 01581

### **DRAINAGE DETAILS**

REV	DESCRIPTION	DATE
1	MISC. REVISIONS	12/22/18
2	MISC. REVISIONS	1/18/19

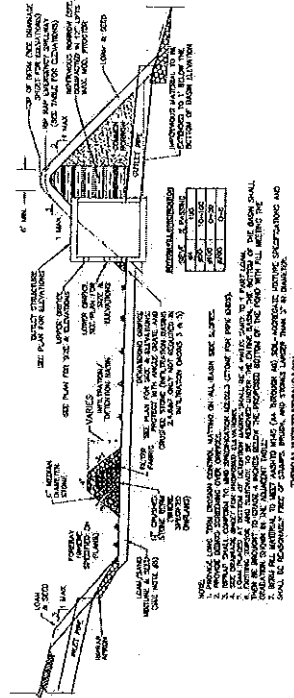
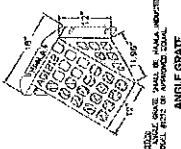
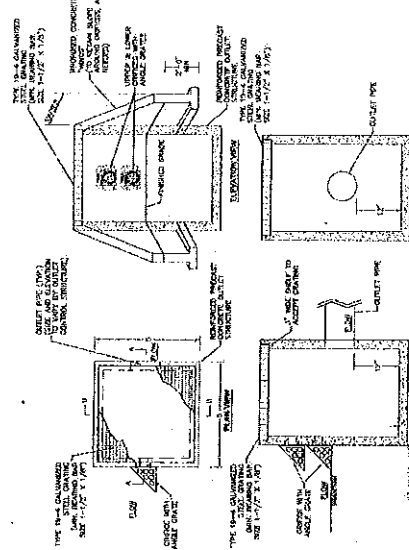
APPROVED BY THE  
TOWN OF MILTON  
PLANNING BOARD

REVISIONS: USE ONLY



FOR USE OF ANY PART OF THE SUBDIVISION, SEE SHEET 1 & 2.  
1. EXISTING DRAINAGE TO BE MAINTAINED.  
2. EXISTING DRAINAGE TO BE MAINTAINED.  
3. EXISTING DRAINAGE TO BE MAINTAINED.

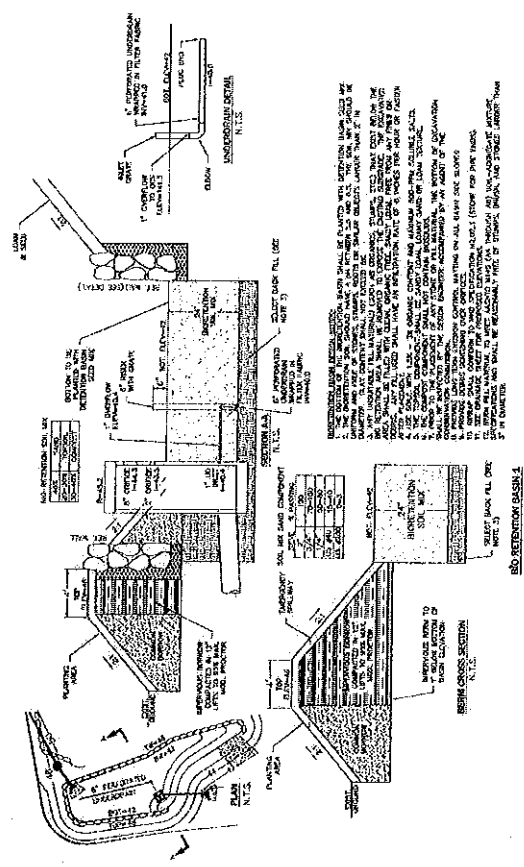
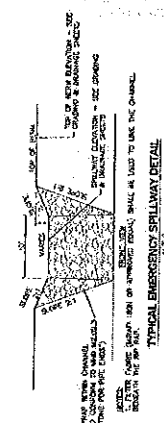
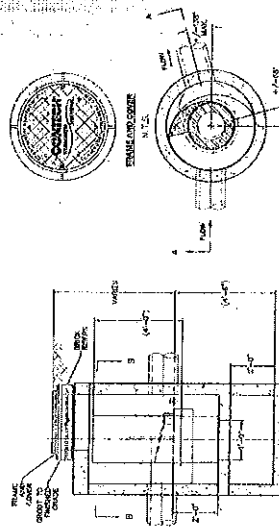
### **OUTLET CONTROL STRUCTURE (OCS) DETAIL**



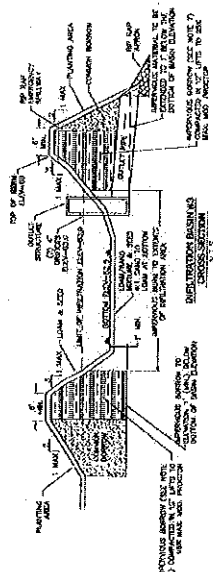
### **TYPICAL RETENTION BASIN**

## **CONTECH** ENGINEERED SOLUTIONS LLC

CONTECH WATER  
ENGINEERED SOLUTIONS LLC  
www.contechwater.com



### **RETENTION BASIN 1**



### **RETENTION BASIN 2**

RETENTION BASIN 2  
RETENTION BASIN 2  
RETENTION BASIN 2







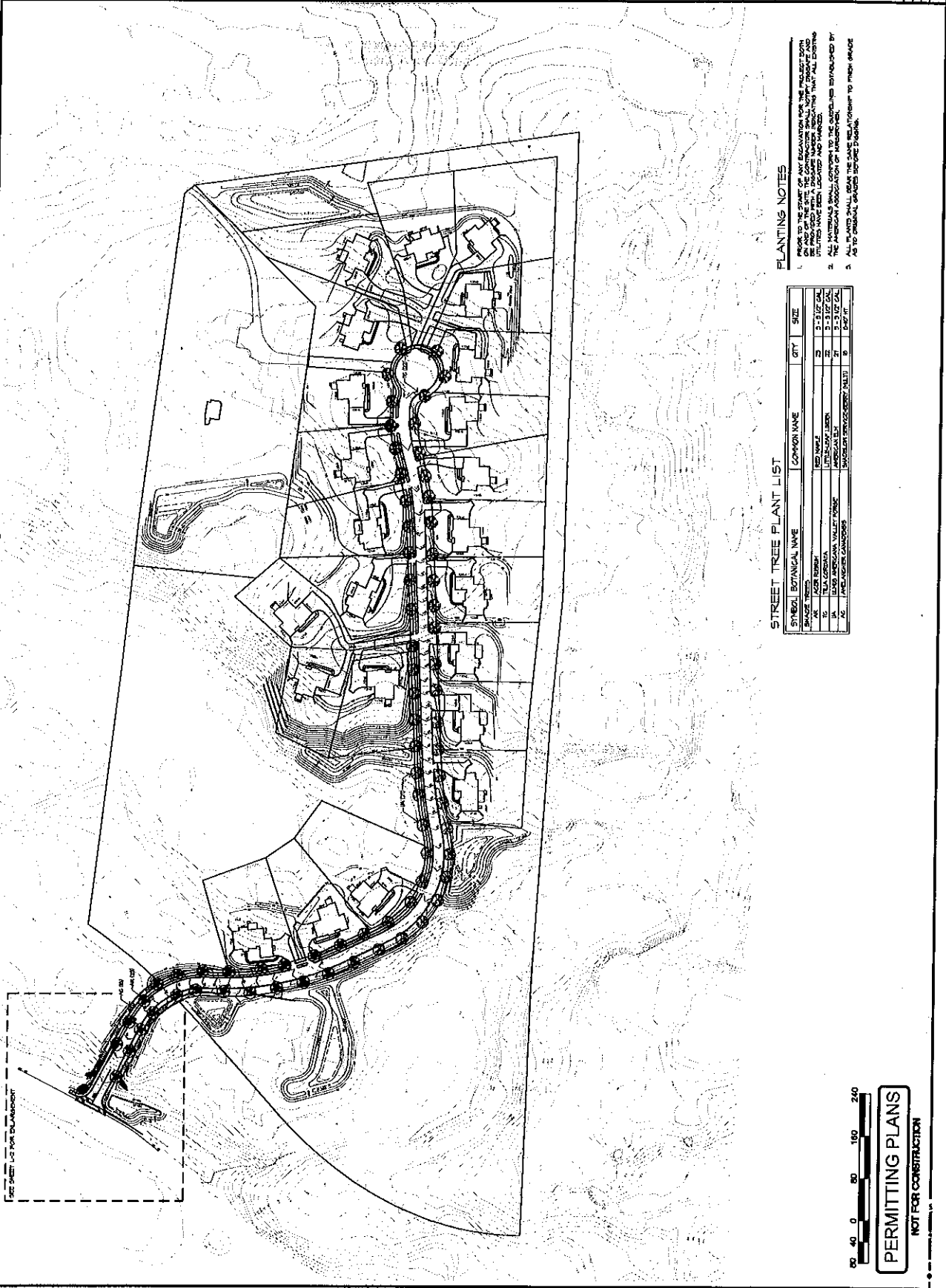




[illegible][illegible]



<b>PRELIMINARY LANDSCAPE PLAN</b> DEWYNE SUDHORN PLANS for <b>MILTON WOODS</b> Applicant: <b>PULTE HOMES OF NEW ENGLAND, L.L.C.</b> 115 FLANDERS ROAD WESTBORO, MA 01581		<b>Marchionda &amp; Associates, L.P.</b> Engineering and Planning Consultants 82 Nichols Avenue Boston, MA 02110 TEL: (781) 584-3121 FAX: (781) 424-0654 Email: <a href="mailto:apw@marcinfo.com">apw@marcinfo.com</a> Web: <a href="http://www.marcinfo.com">www.marcinfo.com</a> FORM 301, 3/01	
DATE: _____ DESIGNED BY: _____ CHECKED BY: _____ IN CHARGE: _____ APPROVED BY THE TOWN OF MILTON PLANNING BOARD: _____ DATE: _____		SHEET 1 OF 2 SCALE: AS SHOWN	



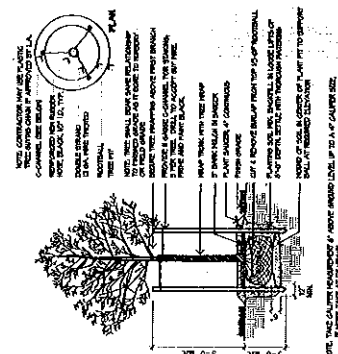
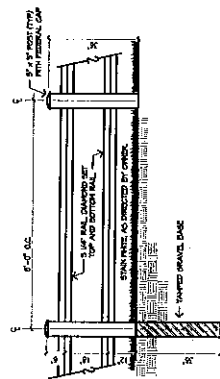
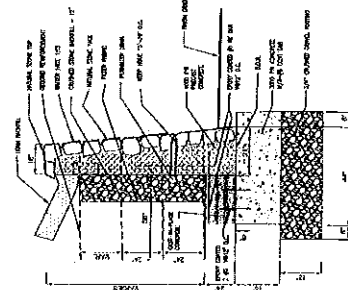
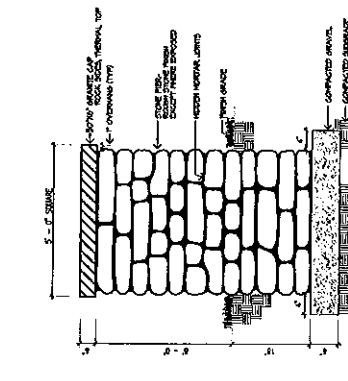
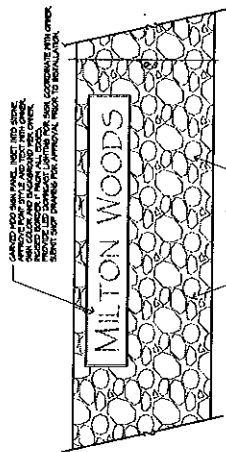
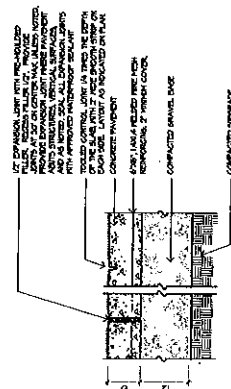
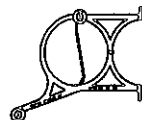
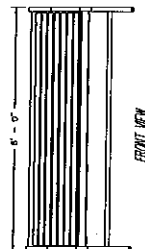
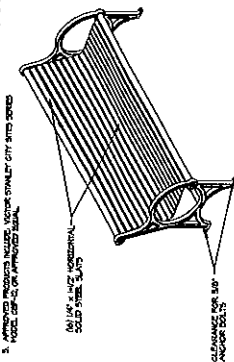
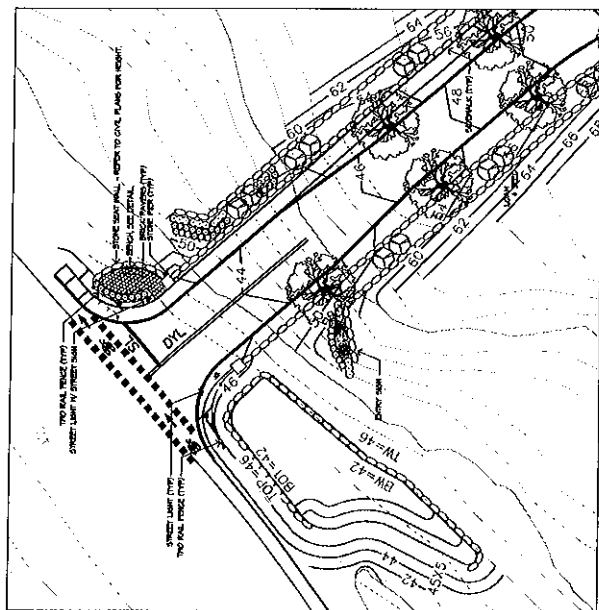
**PLANTING NOTES**

1. PRIOR TO THE START OF ANY EXCAVATION FOR THE PROJECT, BOTH EXISTING AND PROPOSED PLANTING SHALL BE IDENTIFIED AND RECORDED ON THE PLANS. PLANTING UTILITIES HAVE BEEN LOCATED AND MARKED.
2. THE AMERICAN ASSOCIATION OF LANDSCAPE ARCHITECTS (AASLA) SHALL BE CONSULTED FOR THE SELECTION OF PLANTS.
3. ALL PLANTS SHALL BEAN THE SAME RELATIONSHIP TO OTHER PLANTS AS TO ORIGINAL PLANTS BEFORE DRAINAGE.

**STREET TREE PLANT LIST**

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE
1	QUERCUS ROBUR	RED OAK	10	3 - 4" DBH
2	TELA CORDATA	WHITE OAK	10	3 - 4" DBH
3	QUERCUS ALBA	WHITE OAK	10	3 - 4" DBH
4	QUERCUS ROBUR	RED OAK	10	3 - 4" DBH
5	QUERCUS ALBA	WHITE OAK	10	3 - 4" DBH

0 40 80 160 240  
 PERMITTING PLANS  
 NOT FOR CONSTRUCTION



NOTES:

1. ALL ITEMS TO BE POWERCOAT PRIMER, COLOR BLACK.
2. ALL ITEMS TO BE NOT EXCEED UNPAVEMENT PRIOR TO APPLICATION OF POWERCOAT PRIMER.
3. PROVIDE AND INSTALL GUANTITIES AS SHOWN ON THE PLANS.
4. INSTALL PAVEMENT REQUIRED IN VERTICAL BOLTS ON CONCRETE PAV. IN STATION 4+75 SEE DETAIL 40.
5. APPROVED PRODUCTS INCLUDE: VULCANIZING BITUMEN, STANLEY CITY BITUMEN.

...

TOWN OF MILTON  
PLANNING BOARD[illegible]

**PRELIMINARY LANDSCAPE PLAN**

DEFINITE SUBMISSION PLANS  
for  
MILTON WOODS  
MILTON MA  
Applicants  
FULTON HOMES OF  
NEW ENGLAND, L.L.C.  
115 FLANDERS ROAD  
WESTBORO, MA 01581

**Marchionda**  
& Associates, L.P.

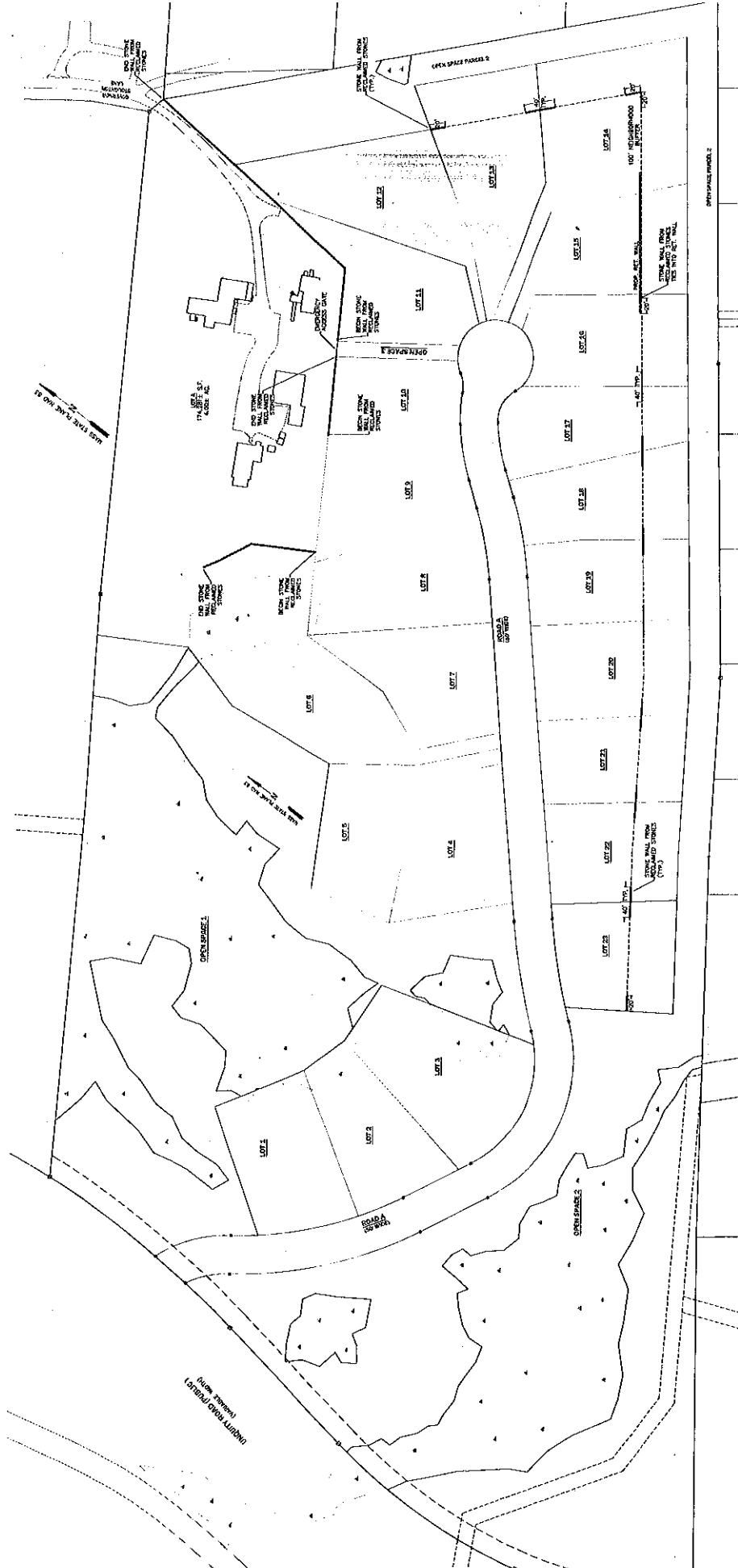
Engineering and  
Planning Consultants

TEL: (781) 438-6121  
FAX: (781) 438-9854

100 Marchese Avenue  
Boston, MA 02180

E-mail: [engineering@marchionda.com](mailto:engineering@marchionda.com)  
WebSite: [www.marchionda.com](http://www.marchionda.com)





**PROPOSED STONE WALL EXHIBIT**

**MILTON WOODS**  
IN  
MILTON, MA  
PREPARED FOR  
PULTE HOMES OF NEW ENGLAND, LLC  
115 FLANDERS ROAD  
WESTBORO, MA 01581

**Marchionda & Associates, L.P.**  
Engineering and Planning Consultants  
82 Montvale Avenue  
Stoughton, MA 02160  
TEL: (781) 435-6121  
FAX: (781) 435-9554  
E-MAIL: [info@marbionda.com](mailto:info@marbionda.com)  
Website: [www.marbionda.com](http://www.marbionda.com)

DATE	DESCRIPTION	DATE
JAN. 10, 2017	DATE MADE FOR	

40'-00" SCALE: 1"=80'

SHEET 1 OF 1



**EXHIBIT B**

**LONG TERM OPERATION AND MAINTENANCE PLAN**

**Long Term Operation and Maintenance Plan/  
Pollution Prevention Plan**

**Milton Woods**

**Milton, Massachusetts**

**Prepared for:**

**Pulte Homes of New England, LLC**

**Prepared by:**

**MARCHIONDA & ASSOCIATES, LP**

62 MONTVALE AVE.

SUITE I

STONEHAM, MA 02180

November 3, 2016

## **Table of Contents**

### **Long Term Operation & Maintenance Plan/Pollution Prevention Plan**

#### **Exhibit 5 - BMP Exhibit**

##### **Operations and Maintenance**

- Deep Sump Catch Basin Cleaning Schedule
- Water Quality Unit Maintenance
- Infiltration/Detention Basin Maintenance
- Bio Retention Area/Rain Garden Maintenance

##### **Pollution Prevention**

- Winter Maintenance (Snow Removal)
- Storage of Waste Products
- Illicit Discharges
- Emergency Spills

##### **Order of Conditions**

##### **Responsibility to Administer the Operation & Maintenance Plan/Pollution Prevention Plan**

##### **Manufacturer Inspection and Maintenance Guides and Inspection Log Forms**

- Contech CDS® Inspection and Maintenance Guide with CDS Inspection and Maintenance Log
- General Stormwater Management System Inspection & Maintenance Log

## **Operations and Maintenance:**

This Long-Term Stormwater Operation and Maintenance Plan & Pollution Prevention Plan (hereinafter the "O&M Plan") covers the post-construction operation and maintenance of the stormwater management system and post-construction pollution prevention practices for Milton Woods in Milton, Massachusetts.

The procedures, practices, and schedule outlined in this plan are intended to be ongoing requirements and are an important factor in ensuring the continued proper functioning of the stormwater management system and integrity of the discharged stormwater.

The following is description of the components of the stormwater management system for Milton Woods along with the maintenance requirements.

As outlined below, qualified personnel shall inspect and maintain all components of the stormwater management system. An inspection log shall be kept documenting all inspections. An example inspection log form is included in this report.

For locations and specifications of the components reference is made to the Definitive Subdivision Plan prepared by: Marchionda & Associates, L.P., dated: April xx, 2016.

The long term operation and maintenance of the stormwater facilities is to be the responsibility of the homeowner's association.

### ***DEEP SUMP CATCH BASINS:***

The stormwater management system includes 23 deep-sump hooded catch basins.

#### **Inspection:**

The catch basins shall be inspected four times per year for build-up of sediment, oil, and/or other debris which could decrease the effectiveness of the sumps.

Typically a dipstick tube equipped with a ball valve, such as a Sludge Judge®, is used to measure the approximate oil and sediment depth, and a clamshell bucket or vacuum truck is used to clean out the catch basin. At a minimum catch basins shall be cleaned once per year and whenever the depth of sediment is greater than or equal to half the depth from the bottom of the sump to the invert of the lowest pipe (whichever is sooner). Cleaning shall coincide with the end of foliage and snow removal seasons. Any material removed shall be disposed of in accordance with applicable local, state and federal guidelines and regulations.



As part of the inspection, the catch basin hoods and associated hardware should be inspected to ensure that they are functioning properly. Hoods shall be repaired or replaced as necessary to ensure proper operation.

Estimated Annual Budget: \$8,100

#### **GROUNDWATER ROOF RECHARGE SYSTEM:**

The groundwater recharge systems consist of a series of underground HDPE chambers set in a bed of stone. The purpose of the recharge system is to infiltrate stormwater runoff from building roof tops, parking areas, and access drives back into the groundwater table.

It is important to occasionally inspect the system to ensure that it remains clear of any debris and sediment, which will help to ensure that they continue to function efficiently for the long term.

To accomplish this, the recharge systems should be inspected once every year. The recharge systems include inspection ports made up of vertical pipes that extend from the recharge chamber to the ground surface. A small valve box located flush with the ground surface protects each of the inspection ports. In order to access the inspection ports, the lid must be removed from the valve box and a threaded end cap must be removed from the inspection port. A dipstick tube equipped with a ball valve, such as a Sludge Judge®, or a stadia rod should be used to measure the depth of sediment in the chamber. Should the depth of sediment exceed six inches, which is not expected to occur during the life of the system, the chamber(s) should be cleaned of the sediment. In the event that the system would need to be cleaned, a culvert cleaning nozzle such as a JetVac® is recommended.

Estimated Annual Budget: \$0

#### **WATER QUALITY UNITS:**

The stormwater management system includes 5 proprietary water quality units to provide additional stormwater treatment prior to discharging from the site. The water quality units specified are Contech CDS® units, model 2015-4.

#### **CDS® Maintenance Schedule:**

##### Inspection:

The CDS® unit shall be inspected a minimum of two (2) times per year, preferably in early spring after snow melt and in the fall after the leaf season. A visual inspection shall be made to ensure that all system components are in working order and that there are no obstructions at the inlet or separation screen. Any damaged system components shall be

repaired or replaced to ensure proper function of the unit.

The CDS® unit shall be cleaned at a minimum once a year or when the level of sediment has reached 75% of capacity in the isolated sump, or when an appreciable level of hydrocarbons and trash has accumulated whichever occurs first. The 75% capacity determination can be made by determining the depth of the accumulated debris. This can most easily be achieved by the use of a calibrated dipstick or alternatively by measuring the vertical difference between the top of the sediment pile and manhole rim, then subtracting that measurement from the vertical difference between the bottom of the sump and the manhole rim as reported on the as-built drawings. When this depth of accumulated sediment depth reaches 75% of the available storage depth, then the unit must be cleaned. To avoid underestimation of the level of sediment in the unit, the measuring device should be lowered onto the sediment pile carefully. The sediment at the top of the pile typically offers less resistance than the particles at the bottom of the pile.

An inspection log shall be kept documenting all inspections of the unit. An inspection & maintenance log form is available online for download at the manufacturer's website: [www.contechstormwater.com](http://www.contechstormwater.com).

When absorbent pads are used to remove hydrocarbons from the unit, the level of discoloration of the pad should be noted on the inspection log.

#### Cleaning/Maintenance:

The cleaning of the CDS® unit shall be performed during dry weather when there is no flow entering the unit. A vacuum truck shall be used to clean the units. This is accomplished by simply removing the access covers and inserting a vacuum hose into the sump to remove the accumulated debris.

#### Cleaning/Maintenance:

The water quality units should be completely drained down and the sump fully evacuated of sediment. The area outside of the screen should also be cleaned.

In the event of an oil or gasoline spill, the oil or other hydrocarbons should be removed immediately. To remove these pollutants, the use of absorbent pads may be preferred.

If desired, any floating debris may be separated from the other pollutants and removed from the unit by using a net.

After maintenance of the units, the manhole covers shall be securely seated on the frame to ensure safety.

Any material removed shall be disposed of in accordance with applicable local, state and

federal guidelines and regulations.

Confined space entry procedures shall be followed in the event that physical access is required to the unit. OSHA rules and any local, state or federal regulations for confined space entry shall be followed.

The inspection and maintenance schedules provided herein are based on the specific units specified. Occasionally a different but "equivalent" type of unit is substituted during the construction process, and if this is the case, the applicable manufacturer's inspection and maintenance recommendations shall override those contained herein. The water quality unit shall be inspected two times per year in conjunction with the catch basin inspections and cleaned at least once per year and when oil and sediment levels reach recommended maintenance levels. The water quality unit should also be inspected after any spill event and cleaned accordingly.

Estimated Annual Budget: \$2,500

#### ***INFILTRATION/DETENTION BASINS:***

The stormwater management system includes two infiltration basins and five detention basins.

#### ***Maintenance Schedule:***

##### *Inspection/Cleaning:*

Initially, the infiltration and detention basins shall be monitored during and after at least three major storms ( $>1"$  in 24 hours) during the first three months after they have been put "on-line". These inspections should determine that systems are functioning as designed and are draining within the required 72 hours. After the initial inspection period, the basins shall be inspected at a minimum of twice per year. This inspection interval shall be adjusted based on previous observations if conditions warrant more frequent inspection.

One inspection should occur during wet weather to determine whether they are operating as intended. A follow up inspection of the infiltration basins shall be performed 72 hours after a major storm event to insure that the system has fully drained. If the infiltration basin has not fully drained within 72 hours after a storm event, the responsible party shall retain the services of a qualified engineer to assess the cause of the failure of the retained water to infiltrate and to recommend corrective action to restore proper functioning of the basin.

The second inspection of the infiltration/detention basins should occur during dry weather to determine the extent of any accumulated sediment, which should be removed as necessary to maximize the effectiveness of the basins thus minimizing sedimentation

into downstream areas. During the dry inspection, the bottom, side slopes, berm, spillways and aprons shall be inspected for any signs of erosion.

If there is any erosion observed, the area shall be immediately repaired. The necessary repairs may include replacement of any eroded soils, replanting of any grassed or vegetated areas that have eroded and repair or replacement of any stone or rip rap that has been disturbed. Any accumulated sediment in the basin shall be removed and disposed of.

The outlet control structure shall also be inspected at this time. If the accumulated sediment inside the structure has reached one half the depth from the sump to the invert of the outlet pipe, then the structure shall be cleaned. The grate of the structure and any orifices or weirs shall be inspected for any blockages. Any trash or debris that is found at the orifices, weirs, grates or inside the structure shall be removed.

Any trash and debris removed shall be disposed of in accordance with any applicable local, state and federal guidelines and regulations.

Cleaning/Maintenance:

The upper stages, embankments, and side slopes should be mowed at least once per year. At the time of the mowing, the emergency spillway and rip rap aprons at the outlet should be inspected to insure that they are free of debris. Grass clippings shall be removed and disposed of properly.

Estimated Annual Budget: \$1,400

**BIORETENTION BASIN:**

The stormwater management system includes one Bioretention Basin.

**Maintenance Schedule:**

Inspection/Cleaning/Maintenance:

The bioretention basin should be inspected and cleaned of trash once a month.

The upper stages, embankments, and side slopes should be mowed at least once per year. Mowing and weeding of invasive species should take place as necessary during the growing season. Native grasses should be mowed to provide a neat trim appearance with heights no shorter than 8".

At the time of the mowing, the emergency spillway and rip rap aprons at the outlet should be inspected to insure that they are free of debris. Grass clippings shall be removed and disposed of properly.

It is appropriate for stormwater to temporarily pond above the surface. Twice a year inspections should take place after a heavy rainfall to ensure proper function of the bioretention basin. If ponding is witnessed for extended periods of time it is recommended that top layer of the bioretention soil mix be loosened by rake. If it is determined that the cation exchange capacity of the soil is exhausted or the system becomes clogged, the area shall be excavated, the bottom and sides shall be scarified, the soil media shall be replaced and the surface shall be replanted with new wetland seed mix.

Estimated Annual Budget: \$1,000

#### ***SUMMARY OF MAINTENANCE REQUIREMENTS:***

<b>BMP</b>	<b>MIN. FREQUENCY</b>	<b>RESPONSIBLE PARTY</b>
Catch Basins	Inspect 4x/year Clean 1x/year min. (and @½ the sump capacity)	Offroad BMP's – HOA Roadway BMP's – Town
Water Quality Units	Inspect 2x/year Clean 1x/year (or at 75% sump capacity)	Offroad BMP's – HOA Roadway BMP's/DCR Property – Town
Infiltration/Detention Basins	Inspect 2x/year Clean as necessary	All Detention/Infiltration basins except for Det. Basin 1 – HOA Det. Basin 1 – Town
Roof Top recharge systems	Inspect 1x/year Clean as necessary	Individual Homeowner
Bio Retention Basin	Inspect 1x/month Mow 1x/year Replace Soil Media as necessary	Town

#### ***INSPECTION REPORTS AND MAINTENANCE LOGS:***

Inspection reports should be completed at each inspection and maintenance procedure. The reports should document inspections, maintenance, and repairs required since the last inspection. Maintenance logs shall be maintained for the past three years and shall include inspections, repairs, replacement, and disposal (type of material and disposal location).

**POLLUTION PREVENTION:****WINTER MAINTENANCE (SNOW REMOVAL) OF DRIVEWAYS AND ROADWAYS:**

Snow shall be managed in accordance with MA DEP "Snow Disposal Guidelines". Every effort should be made to plow and store snow on vegetated pervious surfaces to allow the snowmelt to filter through the soil, leaving behind sand and debris that can be collected and removed in the springtime. Any material removed shall be disposed of in accordance with applicable local, state and federal guidelines and regulations. Snow shall not be stored in infiltration/detention basins. Plowed snow should not block catch basins, drainage collection areas, and conveyance channels as this may cause flooding. Furthermore, snow shall not be stored in or within 25 feet of a wetland resource area. No road salt, sodium chloride, or other deicing chemicals shall be used on paved surfaces within 100 feet of a wetland resource area.

**STORAGE OF WASTE PRODUCTS:**

Any outdoor storage of waste products shall be covered to prevent rainfall from picking up contaminants from the waste. This requirement shall include any dumpster(s) which shall have the lid(s) closed when not being loaded or unloaded. Dumpsters should not be located within 100 feet of a wetland resource area.

**ILLICIT DISCHARGES:**

There shall be no illicit discharges to the stormwater management system. Illicit discharges are defined by 310 CMR 10.04 as follows:

*"Illicit discharge means a discharge that is not entirely comprised of stormwater. Notwithstanding the foregoing, an illicit discharge does not include discharges from the following activities or facilities: firefighting, water line flushing, landscape irrigation, uncontaminated ground water, potable water sources, foundation drains, air conditioning condensation, footing drains, individual resident car washing, flows from riparian habitats and wetlands, dechlorinated water from swimming pools, water used for street washing and water used to clean residential buildings without detergents."*

Prior to the discharge of stormwater runoff to the post-construction stormwater best management practices, an Illicit Discharge Compliance Statement shall be submitted to the Milton Conservation Commission verifying that no illicit discharges exist on the site.

**EMERGENCY SPILLS:**

The Homeowner's Association shall maintain a list of emergency contact phone numbers to use in the event of a spill. At a minimum the list should include the DEP Emergency Response Section, an environmental cleanup contractor such as Clean Harbors, Inc., the Milton Fire Department, and the Milton Conservation Department:

- DEP Emergency Response    **1(888)304-1133**
- Clean Harbors, Inc.        1(800)645-8265
- Milton Fire Department    911 or (617)696-5178
- Milton Conservation Commission    (617)898-4974

While the above-listed phone numbers are current as of the writing of the O&M Plan, the home owner's association shall verify these numbers and periodically check/update the list.

***ORDER OF CONDITIONS – MASSACHUSETTS WETLANDS PROTECTION ACT:***

The Milton Woods project will be subject to an Order of Conditions under the Massachusetts Wetlands Protection Act and the Milton Wetlands Protection Bylaw. Orders of Conditions often times include conditions relating to stormwater pollution prevention that run in perpetuity. Therefore, the HOA shall be familiar with and shall operate and maintain the site in accordance with any such conditions of the Order of Conditions, in addition to the maintenance schedule provided herein.

***RESPONSIBILITY TO ADMINISTER THE PLAN:***

During construction and up until the creation of a Home Owner's Association (HOA), the Developer will be responsible for maintaining the entire stormwater management system in accordance with this O&M Plan until such time that ownership of the project is turned over to "Owner(s)".

The developer is expected to be:

Pulte Homes of New England, LLC  
115 Flanders Road  
Westboro, MA 01581

After construction and upon creation of the HOA, it shall be the responsibility of the Home Owner's Association to operate and maintain the off road components of the stormwater management system and practice the pollution prevention measures in accordance with the O&M Plan. Upon acceptance of the road by the town, the town will be responsible for maintaining the stormwater management system components that are connected to the roadway drainage and practice the pollution prevention measures in accordance with the O&M Plan for the roadway drainage components.

Upon any future changes in property ownership, the responsibility to administer the O&M Plan shall be transferred entirely to the new responsible party.



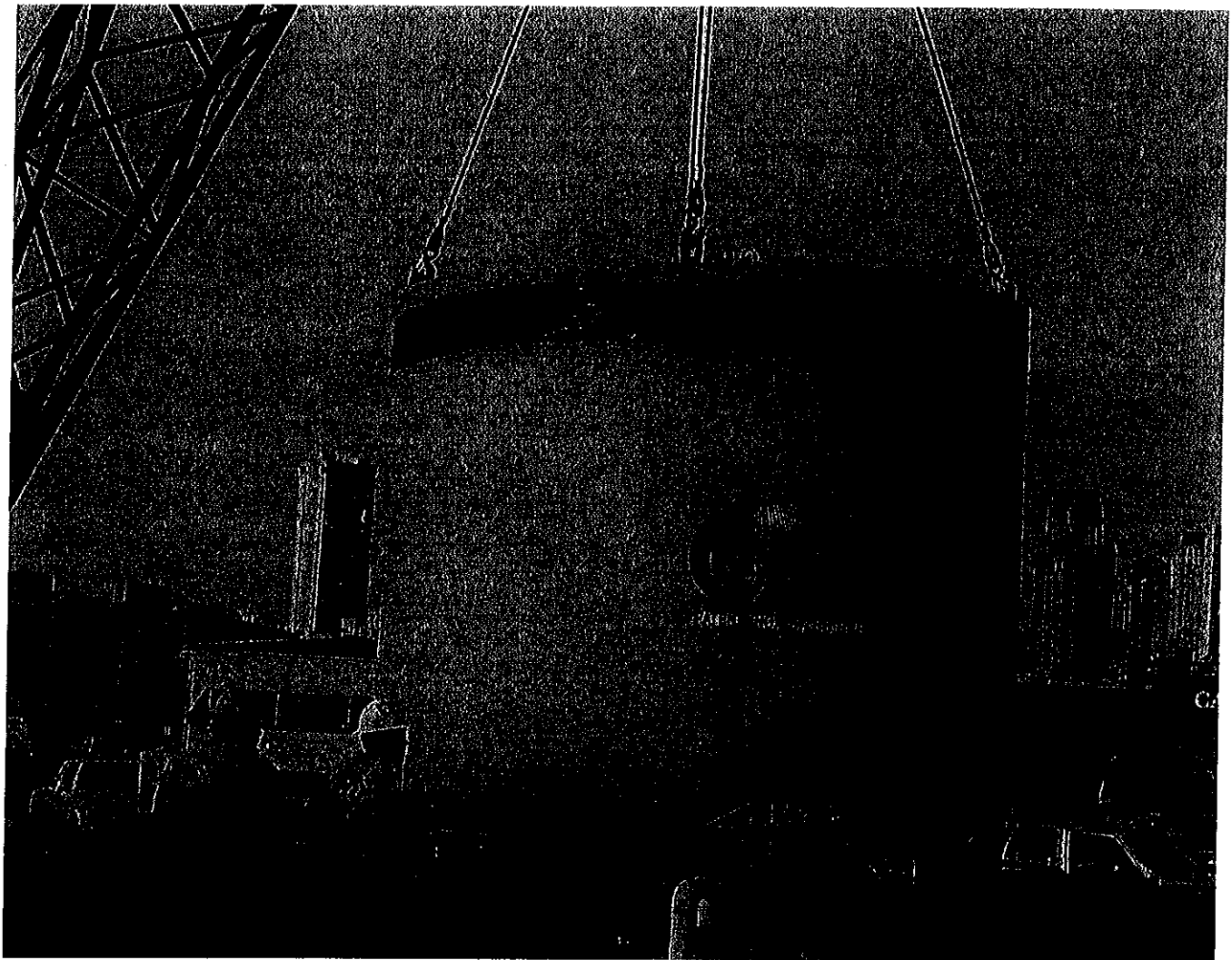
### **Manufacturer Inspection and Maintenance Guides and Inspection Log Forms**

- Contech CDS® Inspection and Maintenance Guide with CDS Inspection and Maintenance Log
- General Stormwater Management System Inspection & Maintenance Log



## CDS<sup>®</sup> Inspection and Maintenance Guide

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## Maintenance

The CDS system should be inspected at regular intervals and maintained when necessary to ensure optimum performance. The rate at which the system collects pollutants will depend more heavily on site activities than the size of the unit. For example, unstable soils or heavy winter sanding will cause the grit chamber to fill more quickly but regular sweeping of paved surfaces will slow accumulation.

## Inspection

Inspection is the key to effective maintenance and is easily performed. Pollutant transport and deposition may vary from year to year and regular inspections will help ensure that the system is cleaned out at the appropriate time. At a minimum, inspections should be performed twice per year (e.g. spring and fall) however more frequent inspections may be necessary in climates where winter sanding operations may lead to rapid accumulations, or in equipment washdown areas. Installations should also be inspected more frequently where excessive amounts of trash are expected.

The visual inspection should ascertain that the system components are in working order and that there are no blockages or obstructions in the inlet and separation screen. The inspection should also quantify the accumulation of hydrocarbons, trash, and sediment in the system. Measuring pollutant accumulation can be done with a calibrated dipstick, tape measure or other measuring instrument. If absorbent material is used for enhanced removal of hydrocarbons, the level of discoloration of the sorbent material should also be identified during inspection. It is useful and often required as part of an operating permit to keep a record of each inspection. A simple form for doing so is provided.

Access to the CDS unit is typically achieved through two manhole access covers. One opening allows for inspection and cleanout of the separation chamber (cylinder and screen) and isolated sump. The other allows for inspection and cleanout of sediment captured and retained outside the screen. For deep units, a single manhole access point would allow both sump cleanout and access outside the screen.

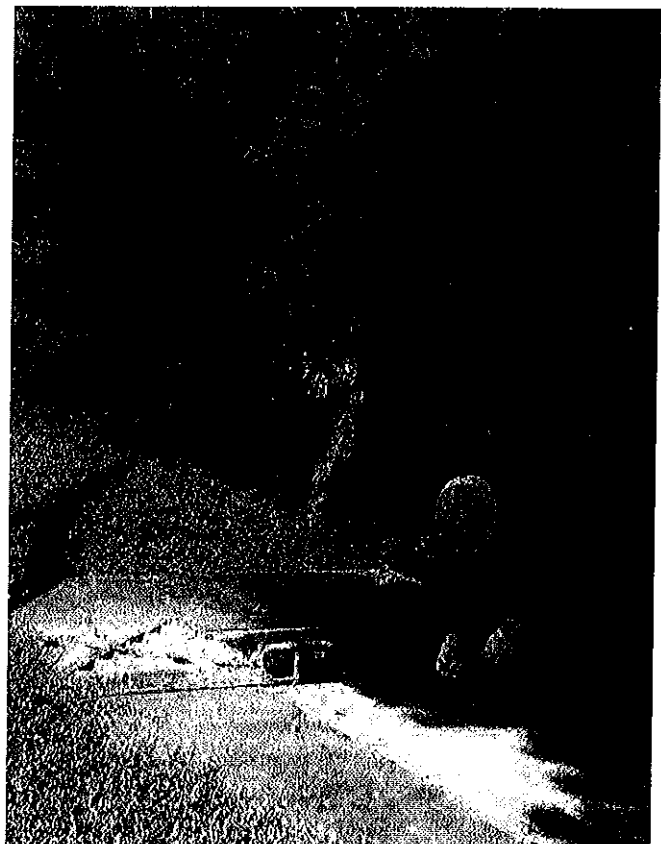
The CDS system should be cleaned when the level of sediment has reached 75% of capacity in the isolated sump or when an appreciable level of hydrocarbons and trash has accumulated. If absorbent material is used, it should be replaced when significant discoloration has occurred. Performance will not be impacted until 100% of the sump capacity is exceeded however it is recommended that the system be cleaned prior to that for easier removal of sediment. The level of sediment is easily determined by measuring from finished grade down to the top of the sediment pile. To avoid underestimating the level of sediment in the chamber, the measuring device must be lowered to the top of the sediment pile carefully. Particles at the top of the pile typically offer less resistance to the end of the rod than consolidated particles toward the bottom of the pile. Once this measurement is recorded, it should be compared to the as-built drawing for the unit to determine whether the height of the sediment pile off the bottom of the sump floor exceeds 75% of the total height of isolated sump.

## Cleaning

Cleaning of a CDS system should be done during dry weather conditions when no flow is entering the system. The use of a vacuum truck is generally the most effective and convenient method of removing pollutants from the system. Simply remove the manhole covers and insert the vacuum hose into the sump. The system should be completely drained down and the sump fully evacuated of sediment. The area outside the screen should also be cleaned out if pollutant build-up exists in this area.

In installations where the risk of petroleum spills is small, liquid contaminants may not accumulate as quickly as sediment. However, the system should be cleaned out immediately in the event of an oil or gasoline spill should be cleaned out immediately. Motor oil and other hydrocarbons that accumulate on a more routine basis should be removed when an appreciable layer has been captured. To remove these pollutants, it may be preferable to use absorbent pads since they are usually less expensive to dispose than the oil/water emulsion that may be created by vacuuming the oily layer. Trash and debris can be netted out to separate it from the other pollutants. The screen should be power washed to ensure it is free of trash and debris.

Manhole covers should be securely seated following cleaning activities to prevent leakage of runoff into the system from above and also to ensure that proper safety precautions have been followed. Confined space entry procedures need to be followed if physical access is required. Disposal of all material removed from the CDS system should be done in accordance with local regulations. In many jurisdictions, disposal of the sediments may be handled in the same manner as the disposal of sediments removed from catch basins or deep sump manholes.



CDS Model	Diameter		Distance from Water Surface to Top of Sediment Pile		Sediment Storage Capacity	
	ft	m	ft	m	yd3	m3
CDS2015-4	4	1.2	3.0	0.9	0.9	0.7
CDS2015	5	1.5	4.0	1.2	1.3	1.0
CDS2020	5	1.5	3.5	1.1	1.3	1.0
CDS2025	5	1.5	4.0	1.2	1.3	1.0
CDS3020	6	1.8	4.0	1.2	2.1	1.6
CDS3030	6	1.8	4.6	1.4	2.1	1.6
CDS3035	6	1.8	5.0	1.5	2.1	1.6
CDS4030	8	2.4	4.6	1.4	5.6	4.3
CDS4040	8	2.4	5.7	1.7	5.6	4.3
CDS4045	8	2.4	6.2	1.9	5.6	4.3
CDS5640	10	3.0	6.3	1.9	8.7	6.7
CDS5645	10	3.0	7.3	2.2	8.7	6.7
CDS5668	10	3.0	9.3	2.8	8.7	6.7
CDS5678	10	3.0	10.3	3.1	8.7	6.7

Table 1: CDS Maintenance Indicators and Sediment Storage Capacities



#### Support

- Drawings and specifications are available at [www.contechstormwater.com](http://www.contechstormwater.com).
- Site-specific design support is available from our engineers.

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cdsMaintenance 11/14

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800.925.5240  
[www.contechES.com](http://www.contechES.com)

## CDS Inspection & Maintenance Log

CDS Model: \_\_\_\_\_ Location: \_\_\_\_\_

[illegible]

1. The water depth to sediment is determined by taking two measurements with a stadia rod: one measurement from the manhole opening to the top of the sediment pile and the other from the manhole opening to the water surface. If the difference between these measurements is less than the values listed in table 1 the system should be cleaned out. **Note: to avoid underestimating the volume of sediment in the chamber, the measuring device must be carefully lowered to the top of the sediment pile.**
2. For optimum performance, the system should be cleaned out when the floating hydrocarbon layer accumulates to an appreciable thickness. In the event of an oil spill, the system should be cleaned immediately.

**STORMWATER MANAGEMENT SYSTEM**  
**INSPECTION/MAINTENANCE LOG**  
**Milton Woods**

**Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Supervisor Sign off:** \_\_\_\_\_

[illegible]

**EXHIBIT C**

**MILTON WOODS LAND MANAGEMENT PLAN**



## Milton Woods Land Management Plan

### I. Open Land Management Objective - Buffer Area

The perimeter of the property abutting lots on Whittier Road and Countryside Lane is marked by a fairly well-defined wooded area. This area is being dedicated as permanent Open Land and Restricted Land, in order to:

- A. Preserve the wooded nature of this perimeter buffer so as to maintain the rural character of the area for existing and future residents;
- B. Provide a visual barrier to the developed areas abutting the buffer so as to minimize visibility, one from another;
- C. Minimize the impact of the Development on the abutting neighborhood.

### II. Open Land Management Objective – Other Areas

The Open Land which is not part of the Buffer Area is being dedicated to Open Land in order to preserve a portion of the development site in its natural condition for visual beauty, historical preservation, and preservation of habitat.

### III. Open Land Management Plan

The Open Land shall be managed so as to maintain and perpetuate the objectives for the area. This plan recognizes the natural succession of species which is likely to take place and recognizes the limits which exist when managing small areas in their natural states.

- A. The Open Land shall be assessed by a qualified arborist periodically but at least once every 3 years for the purpose of determining any prescriptive action including but not limited to those described below which may be necessary to maintain the objectives of the Open Land Management Plan.
- B. Poison Ivy, Virginia Creeper, and various species of grape and other vine type or invasive vegetation whose population, density or growth habit significantly threatens the growth and establishment of other more desirable natural understory and successional overstory growth may be treated to kill it or control its threat.
- C. Dead trees which pose a hazard to public safety or otherwise represent an unsafe condition shall be addressed.
- D. Landscaping practices shall not be permitted within the Open Land, including but not limited to the following:
  - a. There shall be no mulching;
  - b. There shall be no planting of landscape variety materials;
  - c. There shall be no stonework or paving; and
  - d. There shall be no mowing, raking or manicuring.
- E. Dumping, piling or composting of materials other than material which originates on the Open Land shall not be permitted.
- F. Planting and replanting of native New England tree and shrub species shall be allowed:

Exhibit C

- a. To replace dying or dead trees;
  - b. To anticipate future needs for larger species; and
  - c. To increase lower story density to meet Open Land objectives.
- G. Planting of Rhododendron, laurel or other native evergreen species will be permitted:
- a. To increase lower story density to meet Open Land objectives;
  - b. To mitigate the impact of leafless months and enhance Open Land objectives during these months;
  - c. To enhance the Open Land perspective; and
  - d. Such plantings shall be conducted in a manner not to adversely affect regeneration of upper story species.
- H. Maintenance in wetland areas and the wetland buffer zone shall require approval of the Conservation Commission.

**EXHIBIT D**

**CONSTRUCTION MANAGEMENT PLAN**

## Exhibit D

### Milton Woods



### Construction Management Plan

Prepared for:

Pulte Homes of New England, LLC  
115 Flanders Road, Suite 200  
Westborough, MA 01581  
(508) 870-9999

Prepared by:

Marchionda & Associates, L.P.  
62 Montvale Avenue, Suite I  
Stoneham, MA 02180

January 19, 2017

Last Updated: March 22, 2017

### Contact Information

Owner: Pulte Homes of New England LLC  
115 Flanders Road, Suite 200  
Westborough, MA 01581  
(508) 870-9999 phone

Site Contractor: Contact information to be provided upon selection of primary site contractor

Civil Engineer: Marchionda & Associates, L.P.  
62 Montvale Avenue, Suite I  
Stoneham, MA 02180  
(781) 438-6121 phone  
(781) 438-9654 fax

Landscape Architect: Huntress Associates, Inc.  
17 Tewksbury Street  
Andover, MA 01810  
(978) 470-8882 phone  
(978) 470-8890 fax

Site Survey: Marchionda & Associates, L.P.  
62 Montvale Avenue, Suite I  
Stoneham, MA 02180  
(781) 438-6121 phone  
(781) 438-9654 fax

### 1. Introduction

Pursuant to Section VI Subsection J of the Zoning Bylaws, after hearing the Planning Board of Milton, duly constituted as the special permit granting authority, subject to the requirements, terms and conditions set out herein has granted a Special Permit for Cluster Development to Pulte Homes of New England, LLC ("Pulte") and its approved successors and assigns for a lot of land containing approximately 1,293,252 square feet (approximately 29.69 acres) located at the end of Governor Stoughton Lane in Milton as shown on the Site Plan.

The Special Permit for Cluster Development shall be referenced as the Special Permit herein.

1. Site Plan. The Site Plan which is incorporated into the Special Permit contains a plan set entitled "Definitive Subdivision Plan, Milton Woods in Milton, MA" prepared by Marchionda & Associates, L.P. with the following 21 sheets all dated November 9, 2016 and last revised January 18, 2017 unless a later revision date is stated:

1. Cover Sheet
2. Existing Conditions
3. Existing Conditions
4. Subdivision Plan of Land
5. Subdivision Plan of Land
6. Subdivision Plan of Land
7. Subdivision Plan of Land
8. Roadway Profile sta. 0+00-9+50
9. Roadway Profile Sta. 9+50-18+58.85
10. Off road Sewer Profile Lots 11-14
11. Grading and Drainage Plan
12. Grading and Drainage Plan (last revised February 15, 2017)
13. Initial Sequencing Plan
14. Final Sequencing Plan
15. Road Details
16. Road Details
17. Drainage Details
18. Drainage Details
19. Water Details
20. Sewer Details
21. Erosion Control Details
22. Neighborhood Buffer Tree Exhibit (last revised January 24, 2017)

The Site Plan also contains the following sheets, dated November 30, 2016:

- WR-1 Temporary Wetland Impact and Restoration Plan
- WR-2 Wetland Restoration Plan, Details and Notes

The Site Plan also contains the following sheets, dated November 30, 2016, and last revised January 10, 2017:

- L1 Preliminary Landscape Plan
- L2 Preliminary Landscape Plan

Updated plans not attached

The Site Plan also includes a sheet entitled "Revised Proposed Site Plan" dated March 7, 2017 and a sheet entitled "Proposed Stone Wall Exhibit" dated March 20, 2017, both by Marchionda & Associates.

The Site Plan is attached to the Special Permit as Exhibit A.

## 2. Authorized Development

The Special Permit authorizes construction, maintenance and use of a Cluster Development to be known as Milton Woods containing twenty-three (23) lots on each of which one single family dwelling may be erected and any other accessory structures as may be allowed by zoning and

approved by the Planning Board. The Cluster Development includes a new street, infrastructure, Open Land, Restricted Land, and other features. The development shall be constructed as shown or specified in the Site Plan and as specified in the various requirements, terms and conditions specified in the Special Permit. No construction shall deviate from what is shown or specified in the Site Plan, including the notes and specifications contained therein, or from the requirements, terms and conditions in the Special Permit.

**3. Construction Management Plan:** This Construction Management Plan "Construction Management Plan" contains pertinent terms and conditions with respect to construction of the development. This Construction Management Plan has been incorporated and made a part of the Special Permit. The terms and conditions in the Construction Management Plan are terms and conditions of the Special Permit and enforceable both as a part of the Construction Management Plan and of the Special Permit. Violation of or noncompliance with the material requirements, terms and conditions of the Construction Management Plan whether by owner or its contractors or subcontractors shall be a breach of the Plan and of the Special Permit.

Construction of this project shall be managed so as to minimize as much as reasonably possible impacts to the community, abutting property owners and local resource areas. The project will be subject to and adhere to the requirements of the EPA Construction General Permit (CGP). The Special Permit, the Construction Management Plan and an approved Stormwater Pollution Prevention Plan (SWPPP) which shall be approved by the Conservation Commission and the Town's Department of Public Works. Notice of approval shall be provided to the Planning Board prior to commencement of construction.

Pulte shall make all contractors familiar with the requirements in this Construction Management Plan. Pulte shall be responsible for overseeing all work on the project to control and mitigate impacts to the surrounding community and direct abutters from the construction activities. Once Pulte's project management team is in place, it shall inform the Town of the responsible individuals for this project and provide phone numbers and 24/7 contact information in order for them to be contacted.

The Construction Management Plan is intended to permit some flexibility. If necessary, can be revised for good cause by the Planning Board. It is estimated that site work will begin in the third quarter of 2017.

**4. Pre-Construction Site Coordination.** Pre-construction meetings at each of which a Town representative shall be present will be held with all parties involved with this Project including the Town Public Works, Engineering, Fire, Police and Planning Departments, and Eversource, National Grid and Comcast. At these meetings responsible parties for all construction activities will be identified and their contact information will be forwarded to the department involved, the Town Planner and the Building Commissioner.

**5. Responsible Person on Site; General Representative.** While construction is underway Pulte shall have an agent or employee on site with authority to issue any necessary directives to construction workers regarding construction activities. The Town's Building Commissioner shall have contact information with respect to that responsible person. That on-site representative may

also be Pulte's general representative who shall be generally responsible for all construction activities, whether underway, or contemplated and who shall be Pulte's liaison to the Town and to abutting property owners. The name and contact information of the general representative shall be made available to the Building Commissioner, to the Town Planner, to the Conservation Agent, to the Town's DPW director and to the Town Engineer. This general representative shall be responsible for managing the on-site responsible person who shall oversee day-to-day construction activities on site and deal promptly with any complaints with respect to these construction activities. Pulte's representatives shall provide written monthly reports on the progress of construction and on impending construction activities to the Building Commissioner and Town Planner.

**6. Access to Site.** The Building Commissioner or designee, the Town Planner, the Assistant Town Planner, Utility Inspectors, the Town Engineer and the Conservation Agent shall have access to the site at any time during regular business hours in connection with their municipal duties.

**7. Enforcement.** Pulte shall have the primary duty of enforcement of the terms and conditions of this Construction Management Plan. It shall be responsible for ensuring that actions of contractors and subcontractors comply with all applicable terms and conditions of the Plan. In the event of breach or non-compliance by a contractor or subcontractor, Pulte shall take immediate effective measures to cure the default or non-compliance and to prevent any recurrence. Upon notice of any breach or non-compliance from any of the Town officials listed in the prior paragraph, or upon receipt of a valid written complaint regarding any breach or non-compliance, Pulte shall take immediate effective measures to cure the default or non-compliance and to prevent a recurrence. Pulte's failure to take such immediate and effective measures shall itself be a breach of this Construction Management Plan and the Special Permit and shall be cause for the Building Commissioner to issue a stop-work order until there shall be reasonable assurance of future compliance. The Building Commissioner shall also retain all available legal remedies and enforcement powers regarding breach of a special permit.

**8. Truck Traffic.** The route for construction truck traffic, after access to the development site from Unquity Road has been established, shall be as follows: from Route 138 to Blue Hill River Road, along Blue Hill River Road to Hillside Street, along Hillside Street to Unquity Road, then along Unquity Road to the development site. This route shall be used by construction trucks accessing or exiting the construction site. This route is shown on a sheet dated January 19, 2017 entitled "H:\487-200\Haul Route" by Marchionda & Associates attached as Exhibit 1. All Construction trucks shall be required to use this route. Except for the portion of Hillside Street shown as part of the haul route, Hillside Street and Harland Street shall not be used for construction trucks accessing or departing the site and Pulte shall take effective measures to prevent construction truck traffic on unauthorized routes. Failure to do so shall constitute a breach of this special permit. Upon notice any such breach if it shall not be cured forthwith, construction work shall cease until a cure is made. Construction truck traffic originating in Milton may seek approval of an alternate route for good cause shown to the Planning Board.

Construction truck traffic during peak traffic times shall be minimized. Queuing and idling trucks shall not occur off-site, and any onsite queuing or idling shall be only for good cause.



There shall be no construction truck traffic before 7 A.M. Reasonable effective steps shall be taken to concentrate construction truck traffic during late morning/early afternoon hours on weekdays.

**9. Employee Parking.** Construction parking shall be on site under the control of Pulte. No employees of Pulte, contractors or other subcontractors shall be permitted to park on public roadways surrounding the Cluster Development or other than on-site following such time as on-site access has been established. Satellite parking at a private parking facility shall be permissible. Effective measures shall be taken to maintain employee parking areas and the parking access route in as dust-free a condition as reasonably possible during dry conditions and in conveniently passable condition in wet and snow conditions. Parking areas shall be remote from dwellings of abutters.

**10. Controllable Noise and Pollution.** Pulte shall institute effective measures to control unnecessary noise and pollution during construction activities. Employees of Pulte, contractors and subcontractors shall be prohibited from playing music or third party talk at levels not reasonably necessary for individual use. Noisy construction equipment used on-site shall be turned off when not in use or about to be used. Loud speakers shall not be used on site. Traffic controls shall be established to eliminate unnecessary backing movements and use of back-up horns.

**11. Tree Protection and Site Mobilization.** Prior to construction activities survey crews will establish the limits of clearing and perimeter erosion controls (straw wattles and silt fence) location. Once perimeter erosion controls within the 100-foot buffer are established they shall be inspected by the Milton Conservation Commission or its duly authorized representative. The Tree Warden and Town Planner shall confirm the limits of clearing which shall be clearly marked. Protective fencing (silt fence or equivalent) shall be placed near trees which will be saved as shown on the Site Plan prior to any clearing activities. Other reasonable protective measures as specified by the Conservation Commission, Tree Warden or Town Planner shall be taken to preserve the trees.

No construction related activities will be allowed between the limits of clearing so marked or the perimeter erosion controls and the property boundary line of the site. It is intended that the wooded areas between the limits of clearing and the perimeter erosion controls and the property line will remain as they exist prior to the start of construction and be carefully protected. All temporary fencing, signage and other protective measures shall be maintained continuously throughout construction, until all work in the vicinity of the protected trees and vegetation has been completed.

Prior to construction activities at an on-site meeting the site contractor and Pulte's engineer shall meet with Town representatives to review the limit of work and to establish and coordinate the tree cutting limits as shown on the Site Plan.

**12. Construction Sequencing.** The project is anticipated to occur in two (2) pavement sequences. These sequences are generally described below and further outlined on the enclosed Overall Sequencing Exhibit.

- Sequence 1 will include the establishment of the limits of tree clearing along the site perimeter with silt fence. Orange construction fence will be installed along the no cut buffer in the rear of lots 13 through 23 until the relocated stone wall is built along portions of the Restricted Land buffer. Erosion control measures in the locations shown on the SWPPP shall be installed.

Tree clearing and grubbing equipment will be mobilized. Initially, the equipment will be off-loaded at the Northwest end of Governor Stoughton Lane and then will be driven down the emergency access drive which accesses the site. Tree cutting, stumping, and grubbing will be performed for the entire site within the limits for construction. The initial phase areas, the proposed roadway, lots that will require re-grading for house construction and significant fill lots will be stripped. Loam will be stockpiled in areas as shown on the SWPPP and will be outside of the 100-foot buffer zone.

The contractor shall create an access road to Unquity Road as soon as practical to eliminate the need to use Governor Stoughton Lane for access. The rough elevation of the road will be established. Soil generated from this activity shall be used to create sedimentation basins as shown on the SWPP or be placed in intended fill areas to minimize the need for stockpiling. The subgrade of the roadway will be established between stations 0+00 and 9+00. Confining berms will be constructed along the sides of the roadway and other areas as necessary to control erosion. The water and sewer mains will be extended. Utilities in the roadway between stations 0+00 and 9+00 will be installed.

The roadway base course and binder pavement shall be installed as soon as practical. Side slopes shall be stabilized in the manner specified by the SWPPP. House construction will begin on proposed potential model home lots (1, 2, and 3). Areas will be stabilized as promptly and as soon as practical. Erosion control devices and temporary sediment basins as required by the SWPPP will be maintained until contributing watersheds are stabilized. Temporary sediment basins shown will be converted to final storm water basins as shown on the Site Plan.

- Sequence 2 will include the establishment of the road subgrade between station 9+00 and the end of the roadway. Confining berms will be constructed along the sides of the roadway and other areas as needed to control erosion. Water, sewer and other utilities will be extended to Governor Stoughton Lane. Construction on lots 4 through 23 will begin.

The roadway base course and binder pavement will be installed as soon as practical. The side slopes will be stabilized as provided in the SWPPP. Areas will be stabilized promptly and as soon as practical. Erosion control devices and temporary sediment basins required by the SWPPP will be maintained until permanent measures are in place. Temporary sediment basins shown will be converted to final storm water basins as provided in the SWPPP.

The sequencing outlined herein is an indication of the expected order of construction. Pulte intends to work concurrently in various areas of the site at the same time as necessary for construction and earthwork activities to ensure that construction is completed in an efficient manner. Pulte shall stabilize land promptly after it has been graded.

### 13. Preliminary Construction Schedule.

Task	Approximate Start	Approximate Duration	Approximate Finish
Sequences 1 & 2	3Q 2017	36 Months	3Q 2020

- Durations may be adjusted to reflect site development and real estate market conditions.
- This Preliminary Construction Schedule provides a general indication of expected order and timing of construction activities associated with the development, the Developer intends to work concurrently in multiple areas at the same time and shall ensure orderly, rational development activities.
- Each sequence may be broken down into more detailed construction sequencing plans in accordance with the SWPPP.

14. Earthwork. After stripping and stockpiling existing topsoil the overall earthwork across the site will be a net export. Cut volume generated as part of the roadway work will be utilized for fill elsewhere on site. Excess fill material will be removed from the site via the route for construction truck traffic specified in Paragraph 8 unless otherwise specified by the Building Commissioner. Based upon initial geotechnical investigations, bedrock was generally encountered between 8 and 15 feet below existing grade. Bedrock is anticipated to be encountered in some areas of the site and limited blasting is expected.

Pulte anticipates that the site will produce approximately 5,000 cubic yards of excess material that will need to be removed from the site. Wherever practical, earth materials will be re-utilized on the site. All excess material that cannot be used on-site shall be transported offsite. The delivery and/or removal of materials shall extend over the projected three year construction period. Whenever possible, hauling of materials off the site shall occur after the morning commuting hours and before the afternoon commuting hours.

In the event that blasting shall be necessary, the following summary outlines the blasting process to be followed. Any and all blasting will be performed in strict conformance with the state regulations (527 CMR 1.00, 13.00) and under the direction of the requirements of the Committee on Blasting. The blasting process shall comply with all federal and state regulations and permissible levels as well as Chapter 23 of Milton's General Bylaws and any blasting committee or Fire Department rules, regulations or directives. The Committee on Blasting shall issue a Permit to Blast only if there has been full compliance with all applicable rules, regulations, requirements and directives. The conditions set out in 527 CMR 1.00 shall have been met. The company performing the work shall be required to offer all properties located within 250 feet of

any blasting a free, pre-blast survey of their property at Pulte's expense. The purpose of the pre-blast survey shall document the condition of these properties prior to any blasting taking place.

Allowable vibration and noise levels shall be established as required and seismographs shall be installed to record vibration levels by regulation under 527 CMR 1.00 Section 65.9.14.4. The limits set for blasting noise and vibration have been deemed conservative and below the threshold where damage is known to occur. See "Facts About Blasting for Massachusetts Property Owners," prepared by the Massachusetts Department of Fire Services found at the following web address: <http://www.mass.gov/eopss/docs/dfs/osfm/forms/blasting-prop-owners.pdf> The licensed blasting contractor shall keep a log of all blast activity and shall carry at a minimum a \$1,000,000 per incident liability policy. In the event that a property owner suffers damage from blasting operations, a complaint form shall be filed with the Milton Fire Department and the State Fire Marshall. The blasting contractor shall respond to all complaints within 30 days. Any and all blasting will take place in accordance with all applicable federal, state and local requirements.

**15. Construction Operations.** Below is a list of general construction operations and procedures to be followed throughout the course of construction.

Construction Hours: Hours of operation will adhere to the Town of Milton's restrictions of Monday-Friday 7:00 AM to 6:00 PM and Saturdays from 8:00 AM to 5:00 PM. No construction activities will occur on Sundays or holidays unless approval has been sought and received from the Town of Milton Building Commissioner. Any blasting, if required, shall not be conducted any day prior to 9 am or after 5 pm.

Non-Stormwater: The following non-storm water discharges from Pulte's construction activity are authorized, unless otherwise prohibited, provided that, with the exception of water used to control dust and to irrigate areas to be vegetatively stabilized, these discharges are not routed to areas of exposed soil on the site and Pulte will comply with any applicable requirements for these discharges in Part 2 of the EPA Construction General Permit (CGP).

- Discharges from emergency fire-fighting activities;
- Fire hydrant flushings (subject to Fire/Water Department approval);
- Landscape irrigation;
- Water used to wash vehicles and equipment kept onsite, provided that there is no discharge of soaps, solvents, or detergents used for such purposes;
- Water used to control dust;
- Potable water including uncontaminated water line flushings;
- Routine external building wash down that does not use detergents;
- Pavement wash waters provided spills or leaks of toxic or hazardous materials have not occurred (unless all spill material has been removed) and where detergents are not used. Pulte is prohibited from directing pavement wash waters directly into any surface water, storm drain inlet, or storm water conveyance, unless the conveyance is connected to a sediment basin, sediment trap, or similarly effective control;
- Uncontaminated air conditioning or compressor condensate;
- Uncontaminated, non-turbid discharges of ground water or spring water;

- Foundation or footing drains where flows are not contaminated with process materials such as solvents or contaminated ground water; and
- Construction dewatering water that has been treated by an appropriate control under Part 2.1.3.4 of the CGP.

Pulte is prohibited from discharging the following from the site:

- Wastewater from washout of concrete, unless managed by appropriate controls approved by the Building Commissioner.
- Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, unless managed by appropriate controls approved by the Building Commissioner.
- Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
- Soaps, solvents, or detergents used in vehicle and equipment washing; and
- Toxic or hazardous substances from a spill or other release.

Non-storm water management Best Management Practices (BMPs) involve practices to reduce or prevent unauthorized non-storm water discharges from entering the storm drains, to control potential pollutants, and to reduce or prevent them from coming into contact with both non-storm water and storm water runoff.

Storm water: Storm water runoff during construction shall be controlled using a combination of temporary drainage structures prior to the installation of the permanent systems in accordance with the SWPPP. Existing and proposed catch basin inlets shall be protected as detailed in the SWPPP. All storm water control systems shall be inspected and maintained by Pulte regularly to ensure that the system is functioning correctly throughout the construction process. Inspection and maintenance shall include compliance with all requirements in the Long Term Operations and Maintenance Plan which is annexed to the Special Permit as Exhibit\_\_.

Utilities: Site utilities, including any temporary service connections, shall be constructed in a coordinated fashion so as not to impede or interrupt services, including storm drainage and sewer to residents. Pulte's representative and the site contractor shall coordinate the efficient installation of all drainage, water and sewer installations as well as all private utility services (gas, telephone, cable, electric, etc.).

Erosion Controls: The selection, installation, and maintenance of soil erosion and sediment control measures shall result from good engineering practices and follow any applicable manufacturer's specifications. Pulte shall install all storm water controls in accordance with good engineering practices, including applicable design specifications. All temporary sediment and erosion control measures will be repaired or replaced forthwith in compliance with the SWPPP, but at no time shall a repair extend beyond seven (7) calendar days unless authorized by the Conservation Commission.

All erosion and sediment controls shall be installed and maintained to the standards set forth in the SWPPP and in the site engineering plans. Areas that are not be paved or covered with

non-erosive material shall be stabilized using procedures in conformance with the SWPPP and site engineering plans. The installation of any additional erosion and sediment control measures will be completed as necessary for adequate control and the SWPPP shall be amended to reflect the additional measures.

Appropriate soil erosion and sediment controls shall be implemented on site for the various phases of construction. Erosion controls shall be primary and sediment controls secondary but both shall be deemed critical. The following erosion and sediment controls shall be used during construction:

- Minimization of disturbed areas and preservation of existing vegetative buffers
- Erosion control blankets
- Minimize soil compaction
- Preservation of topsoil
- Sediment basins
- Storm drain inlet protection
- Straw wattles and silt fence
- Stabilized channels / diversion swales
- Stone check dams
- Earth dikes
- Dust suppression
- Vegetative cover

Stabilization Controls: A fundamental principal for preventing erosion and controlling sedimentation is to minimize the extent of land disturbance. For areas where disturbances cannot be avoided, rapid stabilization of the surface is the most effective method of controlling erosion. Areas that are disturbed during construction activity shall be stabilized as soon as practicable. A land surface that is stabilized resists the erosive action of storm water runoff.

Pulte will initiate soil stabilization measures whenever earth-disturbing activities have permanently or temporarily ceased on any portion of the site. Earth-disturbing activities have permanently ceased when clearing and excavation within any area of the construction site that will not include permanent structures have been completed. Earth-disturbing activities have temporarily ceased when clearing, grading, and excavation within any area of the site that will not include permanent structures will not resume (i.e., the land will be idle) for a period of fourteen (14) or more calendar days, but such activities will resume in the future.

The fourteen (14) calendar day timeframe begins as soon as Pulte knows that construction work on a portion of the site will temporarily cease. For the purposes of this project, Pulte considers any of the following types of activities to constitute the initiation of stabilization, this list is not exhaustive:

1. Preparing the soil for vegetative or non-vegetative stabilization;
2. Applying topsoil, mulch or other non-vegetative product to the exposed area;

3. Seeding or planting the exposed area suitably prepared for successful planting
4. Starting any of the activities in #1 – 3 on a portion of the area to be stabilized, but not on the entire area; and
5. Finalizing arrangements to have appropriate stabilization product fully installed in compliance with any applicable deadline for completing stabilization in Parts 2.2.1.2 and 2.2.1.3 of the CGP.

Temporary vegetative cover may be established using hydro seeding for properly prepared areas of exposed soil where construction will cease for more than fourteen (14) days. Hydroseeding materials may include wood fibers, seed, polymers and/or stabilizing emulsion blended to promote effective growth of ground cover. A record of the dates when major grading activities occur, when construction activities cease on a portion of the site, and when stabilization measures are initiated shall be maintained as provided in the SWPPP.

Dust and Wind Controls: Dust control shall be implemented on site as necessary. Repetitive treatment shall be applied when needed to accomplish control when dust conditions exist. At least one mobile unit shall be available to distribute water to control dust on the project area. Each mobile unit will be equipped with a positive shutoff valve to prevent over watering. If field observations by Pulte or the Building Commissioner indicate that additional protection from wind erosion (in addition to, or in place of watering) is necessary, additional dust suppressant measures shall be implemented forthwith. The following list of control measures may be implemented on site to limit the generation of dust as needed:

- Watering
- Establishment of Vegetative Cover
- Mulch or Spray-On Soil Treatments
- Tillage – Stone

Street cleaning shall also be used as necessary to control dust. Paved areas that have soil or dust on them from the construction site shall be cleaned as needed, utilizing a street sweeper or other appropriate equipment.

Stockpiled Soil: Topsoil and borrow stripped from the site shall be stockpiled in areas shown on the SWPPP. A silt fence (or equivalent) shall be installed around the perimeter of each stockpile. Soil stockpiles shall be stabilized, and appropriate soil stabilization controls or dust control measures shall prevent dust conditions at such stockpiles. Topsoil shall not be removed from Town if use within Town is reasonably possible and practical as determined by the Conservation Commission.

Anti-Tracking: The site shall be managed to minimize the amount of dirt, mud, and dust that is generated and can be tracked or blown off the site. Pulte shall provide a stabilized construction entrance(s) to reduce off-site tracking, and if necessary a stabilized entrance will be installed at individual lots. The stabilized entrance will be a least fifty (50) feet long, a minimum of twenty (20) feet wide, flared at the end closest to Unquity Road, and will consist of a 12-inch-thick layer of crushed stone (2-4 inches in diameter). The crushed stone will be placed over a layer of geotextile filter fabric to reduce the migration of sediment from the

underlying soil. Plastic mesh fence may be installed along the length of the construction exit to keep construction vehicles and equipment on the stone anti-tracking pads. All necessary approvals shall be secured from DCR.

Maintenance may include top dressing the stabilized entrance with additional stone and removing top layers of stone and sediment, as needed. Vehicles hauling erodible material to and from the construction site shall be covered with a tarp. If necessary, rumble strips and wheel washes shall be used in problem areas with fine grained soils or where off-site tracking cannot be controlled by a stabilized construction entrance and sweeping alone.

All dirt and/or debris tracked or transported to off-site paved surfaces shall be removed as needed by hand sweeping or mechanized sweeper. Washing of sediment from the right-of-way shall be prohibited except in accordance with procedures approved by the Conservation Commission or DCR, if on DCR property.

At a minimum Pulte shall implement the following:

- Once Unquity Road access/egress is established restrict vehicle use to that access/egress.
- Use appropriate stabilization techniques so that sediment removal occurs prior to vehicle exit;
- Where necessary, use additional controls to remove sediment from vehicle tires prior to exit; and
- Where sediment has been tracked-out from the site onto the surface of off-site streets, other paved areas, and sidewalks, Pulte shall remove the deposited sediment by the end of the same work day in which the track-out occurs or by the end of the next work day if track-out occurs on a non-work day. Pulte shall remove the track-out by sweeping, shoveling, or vacuuming these surfaces, or by using other similarly effective means of sediment removal. Pulte, its contractors and subcontractors are prohibited from hosing or sweeping tracked out sediment into any storm water conveyance.

Materials Storage: The following practices should be followed on site during the construction project:

- An effort should be made to store only enough product required to meet work requirements for the ensuing 3 months. With respect to hazardous products this effort shall be mandatory.
- All materials stored on site shall be stored in a neat, orderly manner in their appropriate containers and adequately protected from the environment and secure from unauthorized use.
- Products should be kept in their original containers with the original manufacturer's label.
- Substances should not be mixed with one another unless recommended by the manufacturer and noted on the container.
- Operations should be monitored to ensure proper use and disposal of materials on site.
- Whenever possible, all of a product should be used up before disposing of the container.
- Manufacturer's recommendations for proper use and disposal shall be followed.
- Storage sites and facilities shall be designated on the SWPPP.



Trailer or container storage may be appropriate for materials that may be potential contaminants or otherwise hazardous. If utilized, trailers shall be placed on a temporary bituminous pad. If not utilized, another safe and secure storage area shall be used for such materials as designated in the SWPPP.

*For Building Products:* Store in designated storage areas and provide either a cover (e.g., plastic sheeting or temporary roofs) to prevent these products from coming into contact with rainwater, or a similarly effective means designed to protect the building products and prevent any discharge of pollutants resulting from improper storage.

*For Pesticides, Herbicides, and Insecticides:* Store in designated safe and secure storage facilities to prevent these chemicals from coming into contact with rainwater, and to protect them from unauthorized use. Pulte shall also comply with all application and disposal requirements included on the registered pesticide, herbicide, and insecticide label.

*For Fertilizers:* Store in designated storage areas and provide either a cover (e.g., plastic sheeting or temporary roofs) to prevent these fertilizers from coming into contact with rainwater, or a similarly effective means designed to prevent the discharge of any pollutants. Pulte shall also comply with all application and disposal requirements included on the registered fertilizer label.

*For Diesel Fuel, Oil, Hydraulic Fluids, other Petroleum Products, and Other Chemicals:* Store Petroleum products in water-tight containers in a safe and secure location. They should be covered to prevent these containers from coming into contact with rainwater, or a similarly effective means designed to prevent the discharge of pollutants from these areas (e.g., spill kits), or provide secondary containment (e.g., spill berms, spill containment pallets). Spills shall be cleaned up immediately, using dry clean-up methods if possible. Spills shall not be cleaned up by hosing the area down. Source of any spill shall be eliminated to prevent a discharge or a continuation of a discharge. The storage of petroleum products on site shall be avoided whenever reasonably possible.

*Concrete waste or washout:* Concrete waste or washout shall not be allowed outside of the site or allowed to reach a storm water drainage system or watercourse. Concrete washout should be completed outside of the Town of Milton or if allowed on site by Pulte, concrete washout should be contained and completed in a location designated on the SWPPP.

*Paint, Paint Waste, Other Chemicals:* Paint waste shall be disposed in a manner that minimizes the potential to discharge into storm drains or watercourses. An on-site area should be designated for paint and chemical delivery and storage. All paint and other chemicals kept on site should be stored in original containers with legible labels in a safe, secure, dry facility. Labels should be replaced if damaged or difficult to read. MSDS should be available for referencing clean-up procedures. Any release of paint or other chemicals should be immediately cleaned up and disposed of properly. Contractors should immediately report all spills as outlined in the SWPPP. Pulte shall keep a list of any chemicals which are

kept on site, and on request make that list available to the Building Commissioner, Town Planner or Fire Department.

Solid Waste Management: Solid waste materials including trash, construction debris, excess construction materials, machinery, tools and other items will be collected and disposed of offsite. Pulte is responsible to acquire any necessary permits required for such disposal. Burning on site shall not be permitted. No solid materials, including building materials, shall be discharged to Waters of the State in the Town of Milton. All waste materials shall be collected and stored in approved dumpsters or other approved receptacles. No wastes shall be placed in any location other than in the approved containers appropriate for the materials being discarded. There shall be no liquid wastes deposited into dumpsters or other receptacles or containers which may leak. Receptacles with deficiencies shall be replaced as soon as possible and any appropriate clean-up procedure shall take place, if necessary. Construction waste material shall not be buried on site. Waste disposal shall comply with all local, State, and Federal regulations.

Hazardous materials and all other material on site shall be stored in accordance with manufacturer or Material Safety Data Sheet (MSDS) specifications. When disposing of hazardous materials, manufacturer, local, or State recommended methods shall be followed.

Collection and disposal of solid waste during construction shall be provided by a licensed contractor. Pulte shall insure that the private contractor obtains any necessary permits for removal and transport of rubbish from the Town of Milton.

It is expected that cleanup of on-site debris will be conducted on at least a weekly basis. The cleanup shall insure that there shall be no long-term accumulations of trash on site.

Sanitary Waste: Portable sanitary stations shall be located in sites shown on the SWPPP or as it provides. Stations shall be anchored to the ground to prevent against tipping over, if necessary. Portable sanitary stations located on impervious surfaces shall be placed on top of a secondary containment device, or be surrounded by a control device (e.g., gravel-bag berm). Pulte shall not create or allow unsanitary conditions. Sanitary waste should be disposed of in accordance with applicable State and/or local regulations at least weekly.

Portable sanitary service will be provided by a licensed contractor.

Paving Operations: In order to reduce the potential for the transport of pollutants in storm water runoff from paving operations, catch basin filters, or other appropriate BMPs will be utilized to trap pollutants. Any pavement cutting waste or slurries, generated by pavement cutting activities, shall be shoveled and/or vacuumed up and disposed of immediately.

Vehicle Operations: On-site vehicle and equipment washing is not permitted unless an exception is granted as outlined in the SWPPP. Vehicle cleaning shall use dry methods such as wiping down in lieu of water washing on-site. If and when permitted, on-site vehicle washing will be carefully managed and performed at the designated cleaning area shown on the BMP Map included in the SWPPP.

When not in use, vehicles utilized in the site preparation operations should be stored in a designated area away from any natural or created watercourse, pond, drainage-way or storm drain. Vehicle maintenance and repairs shall be performed off-site whenever reasonably possible. On-site vehicle maintenance (including both routine maintenance as well as repairs) shall be made within a designated containment area to prevent the migration of fluids (oil, antifreeze, etc.) into the ground, watercourses, wetlands or storm drains. Drip pans or absorbent pads shall be used for all vehicle and equipment maintenance activities that involve grease, oil, solvents, or other vehicle fluids. Construction vehicles should be inspected frequently to identify any leaks; leaks should be repaired immediately or the vehicle should be removed from the site. All used oil, antifreeze, solvents and other vehicle-related chemicals shall be disposed of in accordance with Federal, State, or local regulations and per MSDS and/or manufacturer instructions. Contractors should immediately report spills in accordance with the SWPPP.

Contractor parking is not permitted along either Unquity Road or Governor Stoughton Lane.

Dewatering: Pulte is prohibited from discharging ground water or accumulated storm water that is removed from excavations, trenches, foundations, vaults, or other similar points of accumulation, unless such waters are first effectively managed by appropriate controls. Uncontaminated, non-turbid dewatering water can be discharged without being routed to a control. During de-watering/pumping operations, only uncontaminated water shall be allowed to discharge to protected natural areas, Waters of the State, or to a storm sewer system (in accordance with local permits). Inlet hoses shall be placed in a stabilized sump pit or floated at the surface of the water in order to limit the amount of sediment intake. Pumping operations may be discharged to a stabilized area with a sediment filter bag. Pulte shall also meet the following requirements for dewatering activities:

- Do not discharge visible floating solids or foam;
- Use an oil-water separator or suitable filtration device (such as a cartridge filter) that is designed to remove oil, grease, or other products if dewatering water is found to contain these materials;
- To the extent feasible, utilize vegetated, upland areas of the site to infiltrate dewatering water before discharge. In no case will surface waters be considered part of the treatment area;
- At all points where dewatering water is discharged, comply with the velocity dissipation requirements;
- With backwash water, either haul it away for disposal or return it to the beginning of the treatment process; and
- Replace and clean the filter media used in dewatering devices when the pressure differential equals or exceeds the manufacturer's specifications.

Maintenance of BMPs: Maintenance of the best management practices (BMPs) incorporated into this project should be performed as needed to assure their continued effectiveness. This includes prompt and effective repair and/or replacement of deficient BMPs. Procedures shall maintain, in good and effective operating condition, erosion and sediment control measures

and other protective measures identified in this CMP or the SWPPP. If construction necessitates removal of any erosion or sediment control device, such device shall be replaced at the end of the working day or as soon thereafter as possible.

*Stabilized Construction Entrance:* The entrance shall be maintained to prevent tracking of sediment onto Unquity Road. Maintenance includes top dressing with additional stone and removing top layers of stone and sediment. The sediment tracked onto the public right-of-way shall be removed immediately.

*Sediment Filter Bags and De-Watering Treatment Swales:* Sediment filter bags shall be installed on pump outlet hoses and shall be placed in an area that allows for the bag to be removed without producing a sediment discharge. Inlet or intake hoses shall be placed in a stabilized sump pit. Jute and flocculent placed in treatment swales shall be monitored for effectiveness, and replaced as needed to maintain a sediment-free storm water discharge. Soil tests shall be conducted in the field to determine polymer type.

*Concrete Washout Area:* Any concrete washout area designated in the SWPPP should be cleaned out frequently. Washouts should be inspected frequently to ensure that impermeable linings (as applicable) are intact and sidewalls have not been damaged by construction activities. Any accumulated concrete waste on the road, curb, or gutter shall be removed promptly and disposed of properly.

*Erosion Control Blanket:* Erosion Control blankets and staples shall be inspected frequently. They shall be installed to standard practices, unless otherwise instructed by the manufacturer. Erosion occurring underneath the blanket shall be backfilled and seeded with an appropriate seed mix. Additional BMPs may need to be installed to reduce erosion under the blanket.

*Vegetative Soil Erosion Measures:* The vegetative growth of temporary and permanent seeding, vegetative filters, etc., shall be maintained with all necessary diligence and attention and supplied adequate watering and fertilizer. Where vegetation establishment is poor, there shall be prompt preparation for reseeding and prompt reseeding of the prepared area.

*Silt Fence:* Silt fences shall be inspected regularly for undercutting where the fence meets the ground, overtopping, and tears along the length of the fence. Deficiencies shall be repaired immediately. Accumulated sediments from the fence base shall be removed when the sediment reaches one-half the fence height. During final stabilization, any sediment that has accumulated on the silt fence shall be promptly disposed of. Alternative BMPs (e.g. wattles, run off controls, etc.) shall be installed in any areas where silt fence continually fails.

*Composite Filter Sock:* Sock barriers should be inspected frequently for damage, decomposition, undercutting, end runs and movement. Sediment should be removed and the barrier restored to its original condition when sediment has accumulated to two-thirds the barrier height. Removed sediment shall be properly disposed of.

*Catch Basin and Inlet Filters:* Inlet filters shall be inspected for proper filtering. If filter bags are used, sediment shall be removed from the filter bags when 50% of the storage volume has

been filled, unless otherwise instructed by the manufacturer. Trash and debris shall be removed whenever encountered. Accumulated material in the filters shall be disposed of properly. Holes shall not be punctured in filters if ponding occurs.

Mulching: Mulched areas shall be inspected periodically to check for erosion. Where erosion is observed, additional mulch shall be applied. If washouts or breakage occur, netting shall be installed after repairing damage to the slope.

Inspections: Pulte shall provide a qualified person as defined in the SWPPP who will be responsible for conducting site inspections in compliance with the CGP. Within 24 hours after each inspection, a Site Inspection Report (SIR) will be prepared by the person who performed the inspection. The inspection reports will be maintained on site as part of the SWPPP.

At a minimum, Pulte must conduct a site inspection at least once every seven (7) calendar days.

Corrective Actions: When a corrective action is noted in a SIR Pulte will immediately take all reasonable temporary steps to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational, including cleaning up any contaminated surfaces so that the material will not discharge in subsequent storm events.

In this context, the term "immediately" means on the same day a condition requiring corrective action is found. However, if the problem is identified at a time in the work day when it is too late to initiate corrective action, the initiation of corrective action must begin on the following work day.

For any of the following conditions on site, Pulte must install a new or modified control and make it operational, or complete the repair, by no later than seven (7) calendar days from the time of discovery. If it is infeasible to complete the installation or repair within seven (7) calendar days, Pulte must document to the Conservation Commission why it is infeasible to complete the installation or repair within the seven (7) calendar day timeframe and document the schedule for installing the storm water control(s) and making it operational as soon as practicable:

- A required storm water control was never installed, was installed incorrectly, or is not performing in accordance with the requirements of the SWPPP.
- Pulte becomes aware that the storm water controls which it installed and is maintaining are not effective enough for discharges to meet applicable water quality standards or applicable requirements in Part 3.1 of the CGP. In this case, Pulte must notify the EPA Regional Office by the end of the next work day.
- One of the prohibited discharges in Part 2.3.1 of the CGP is occurring or has occurred.

Contractor Compliance: Pursuant to their individual contracts with Pulte, contractors at the project site are responsible for compliance with the Special Permit, this CMP, the CGP, the SWPPP, and all other water quality rules and regulations applicable to their activities.

Specifically, all contractors must abide by the SWPPP and must implement and maintain the BMPs relevant to their activities as directed by Pulte. A goal shall be to eliminate all pollutant discharges to receiving waters or otherwise.

Delivery/Trucking: Delivery traffic for the project will enter the site from Unquity Road.

Signage shall specifically prohibit construction trucks or equipment from accessing the site from Governor Stoughton Lane. Limited access to the site from Governor Stoughton Lane shall be necessary until the site access from Unquity Road is established. Pulte shall create site access from Unquity Road as soon as possible.

Site Signage: Appropriate temporary signage necessary for construction activities shall be installed inside the project limits. Signage on Unquity Road shall identify the construction entrance. Signage may identify the construction headquarters and any potential job site hazards (i.e. hard hats required). Signs containing the DEP file number and CGP tracking number will be posted. When necessary, DCR or Milton Sign Committee approval shall be secured.

Record Keeping: The CGP requires that records be retained as part of the SWPPP. The records shall include inter alia the dates of major grading activities, cessation and initiation of construction activities, and initiation of stabilization measures.

Spill Prevention and Response Manufacturer's recommended methods for spill clean-up shall be available and site personnel shall be made aware of the procedures and the location of the information and clean-up supplies. Materials and equipment necessary for spill clean-up should be kept in the material storage area on site. The material storage area (and spill clean-up kit) shall be clearly identified by signage affixed in a conspicuous location. Equipment and materials shall include, but are not limited to:

- First aid kit;
- Emergency handbook;
- Spill emergency contact information;
- Spill documentation forms;
- Disposable respirator/dust mask;
- Rake;
- Broom;
- Dust pan;
- Mop;
- Flat blade shovel;
- 5 Gallon bucket;
- Rags;
- Goggles;
- Protective clothing (i.e. arm guards, Tyvek® suit, or other means to protect personnel during spill clean-up);
- Hand wipes;

- Cat litter;
- Sand;
- Sawdust;
- Oil/Fuel Spill Kit (manufactured by New Pig or equivalent);
  - 50 Gallon plastic and/or metal trash containers (drums) specifically for this purpose (labeled "Spills Only");
  - 2 Bags of universal granular absorbent;
  - 4 Sorbent Socks;
  - 10 Oil-absorbent sheets/pads (diapers);
  - 4 Disposal bags with ties;
  - 4 Pairs of rubber gloves;
  - 4 Pairs of nitrile gloves;
- Proper signage for identification of the spill kit storage location and the location of the spill.

Discharges of a hazardous substance or oil caused by a spill (e.g., a spill of oil into a separate storm sewer or Waters of the State) are not authorized by the CGP. If a spill occurs, spill response procedures shall be followed as outlined herein and in the SWPPP. The construction site shall have the capacity to control, contain, and remove spills, if they occur. Spills shall be cleaned up immediately (after discovery) in accordance with MSDS and shall not be buried on site or washed into storm sewer drainage inlets, drainage-ways, or Waters of the State.

Spills in excess of Federal Reportable Quantities (as established under 40 CFR Parts 110, 117, or 302), shall be reported to the National Response Center by calling (800) 424-8802. MSDS often include information on Federal Reportable Quantities for materials. Spills of toxic or hazardous materials shall be reported to the appropriate state or local government agency, as required. When cleaning up a spill, the area shall be kept well ventilated and appropriate personal protective equipment shall be used to minimize injury from contact with a hazardous substance.

In addition to the management practices discussed in the previous sections of this CMP, the following practices shall be followed to reduce the risk of spills:

- On-site vehicles should be monitored for leaks and should receive regular preventative maintenance to reduce the chance of leakage. Maintenance should occur off-site whenever practical.
- Petroleum products shall be stored in tightly sealed and clearly labeled containers.

Contractors shall follow the manufacturer's recommendations for proper use, storage, and disposal of materials. Excess materials shall be disposed of according to the manufacturer's instructions or state and local regulations, and shall not be discharged to the storm sewer or water body.

As required by the conditions of the CGP, all spills shall be recorded and documented within the SWPPP. Detailed reports including the date and time of the incident, location, volume and contents of the spill, weather conditions, response procedures, parties notified, recommended revisions to the proposed storm water pollution prevention controls, operating procedures, and/or equipment needed to prevent recurrence shall be maintained.

#### Emergency Contacts

For Land Development Related Issues:

Pulte Homes of New England LLC

John Engdahl

115 Flanders Road, Suite 200

Westborough, MA 01581

Daytime: (o) 508-621-0864

After Hours: (c) 508-962-9700

[John.engdahl@pulte.com](mailto:John.engdahl@pulte.com)

For Building Construction Related Issues:

Pulte Homes of New England LLC

Jeff Johnston

115 Flanders Road, Suite 200

Westborough, MA 01581

Daytime: (c) 508-509-7182

After Hours: (c) 508-509-7182

[jeff.johnston@pulte.com](mailto:jeff.johnston@pulte.com)

Exhibit to Construction Management Plan:

"Proposed Haul Route" Page D 21

Reference Material:

"Facts about Blasting for Massachusetts Property Owner" prepared by the Division of Fire Safety of the Massachusetts Department of Fire Safety

[www.mass.gov/dfs](http://www.mass.gov/dfs).





**EXHIBIT E**

**ADDENDUM OF ADDITIONAL PROVISIONS**

## Exhibit E to Special Permit Addendum of Additional Provisions

A. The Drainage system designed by Applicant was subject to peer review by Lisa Eggleston of Eggleston Environmental. On account of a family emergency the record of Ms. Eggleston's review is incomplete and her conclusion on November 8, 2016 that "the November 4<sup>th</sup> revised submittal....generally look[s] good" does not address the sheets in the Site Plan which are dated November 9, 2016 and last revised on January 18, 2017 excepting Sheet 12 ("Grading and Drainage Plan") which was last revised on February 15, 2107. Approval by the peer reviewer of the adequacy and completeness of the drainage provisions actually set out in the Site Plan is a requirement of this Special Permit. Alternatively, the Town Engineer on the basis of his independent review may approve the adequacy and completeness of the drainage provisions set out in the Site Plan. Whichever review occurs, adequate documentation of the review and of any further drainage requirements necessary for adequacy or completeness shall be a part of or attached to the Town Engineer's memorandum described in Paragraph 10 of this Special Permit.

B. Temporary Drainage measures taken during construction and before installation of the permanent drainage system shall be described in all material detail in the Stormwater Pollution Prevention Plan to be approved by the Conservation Commission and the DPW. These temporary drainage measures shall be adequate to manage drainage properly and effectively during construction.

C. In the event that the Town accepts Road A as a public street the following systems will be owned and operated by the Town:

- Roadway and Sidewalks
- Water Distribution System
- Sewer Collection System
- Drainage System in the roadway
- Street Lighting

Ownership and maintenance of the stormwater collection (drainage) system will be shared between the Town of Milton and the Homeowner's Association (HOA) as follows:

- All catch basins, manholes, water quality units and piping within the right-of-way will be owned and maintained by the Town.
- All catch basins, manholes, water quality units and piping outside of the right-of-way will be owned and maintained by the HOA.
- All infiltration and Detention basins will be owned and maintained by the HOA with the exception of Detention Basin #1, which is located on DCR land.
- Bio-retention and rain garden areas will be owned and maintained by the HOA.
- Roof recharge systems will be the responsibility of the homeowners.

D. With respect to the requirements for "Dwelling Designs" specified in Paragraph 19 of the Special Permit the Following additional requirements set out in Paragraph 10 of the Purchase and Sale Agreement shall be applicable: (a) The homes shall be designed utilizing classic New England architecture to complement the historic nature of the premises; and (b) The homes shall be constructed using state of the art construction techniques and materials.

**E. Applicant and the Town's DPW shall reach agreement on the street lights, their type, installation, and operation. The street lights shall be installed in the locations shown on the Site Plan. Notice of agreement shall be given to the Planning Board in writing.**