



TOWN OF WAYLAND

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PRESS RELEASE **Danforth Farms Settlement**

For Immediate Release: January 19, 2005
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January 19, 2005 - Town of Wayland At its meeting last evening, the Wayland Board of Selectmen ("Selectmen") signed a settlement agreement ("Agreement") with National Development ("National") with regard to National's proposed development of 665 housing units in Framingham on a site that borders the Town of Wayland ("Town" or "Wayland"). The settlement effectively ends the Town's legal appeal of the special permit issued by Framingham's Planning Board on April 17, 2003 ("Special Permit").

In its appeal, the Town cited concerns over the proposed project's impact on the Town's traffic volume, pedestrian safety, drinking water supply, abutting conservation areas and increased public safety response responsibilities.

"The Board of Selectmen, along with many Wayland residents, were extremely concerned, and rightly so, about this planned development and the impact to both the Town of Wayland and our residents", stated Betsy Connolly, Chair of the Selectmen. "Of significant concern was the anticipated increase in traffic in Town, in general, and the West Plain Street corridor, in particular, as well as pedestrian safety both during the construction and after the development was complete. Adding the traffic volume from an additional 665 housing units in an already congested area was a real issue. Also, concerns regarding the Town's water supply, given the environmental history of the property, and the impact of the future Danforth Farms' residents on the Town's abutting conservation land needed to be addressed," said Connolly.

"Following many months of discussion and negotiation, involving many Town boards and committees as well as various interested residents, the Selectmen reached an agreement with National that will result in an approximately 20% reduction in the proposed number of housing units. In addition, National has agreed to provide the Town with \$1.45 million that will be used to pay for various projects and services that are intended to mitigate the impact of the downsized project on the Town," according to Connolly.

Under the terms of the Agreement, the planned unit development will be reduced in size from 665 to 525 housing units (at least 25% of which will be age qualified for seniors over the age of 55) and an additional 12 single-family homes may be constructed in a separate subdivision. These restrictions will remain in effect for at least 30 years, and may be extended by procedures available to the Town under Massachusetts General Laws. The reduction in the project's density will reduce the potential impact on the Town's infrastructure.

In addition, National has agreed to assist the Town with traffic mitigation. Subject to the approval of the Board of Road Commissioners, following one or more public hearings, as much as \$450,000 of the \$1.45 million may be utilized by the Town to design, permit and construct a new traffic signal and traffic calming and pedestrian safety-related improvements at and near the West Plain Street and Old Connecticut Path intersection. Another portion of National's funding will be utilized for signal upgrades, improved sidewalks and street crossings along West Plain Street and Old Connecticut Path.

Part of National's funding will support the Town's hiring of a licensed site professional ("LSP") to monitor environmental matters that may arise during the project's construction phase, and National has agreed to notify the Town immediately if any additional environmental conditions are encountered at the development site requiring notice to the Massachusetts Department of Environmental Protection in compliance with c. 21E of the Massachusetts General Laws.

A release of hazardous materials occurred on the New England Sand & Gravel property in 1986 while the U. S. Air Force ("USAF") was testing tarmac repair options. Since that time, the USAF and its LSP have been monitoring the effect of this release on the groundwater at the site of the proposed project. To ensure that this existing environmental condition will not affect the Town's drinking water supply, National has agreed to grant the Town an easement to install and maintain a monitoring well on its property, north of the Sudbury River, to test for chlorinated volatile organic compounds, the substance involved in the USAF spill. The easement will terminate when National's LSP and the Town's LSP jointly advise the Town and National that existing data support a determination that the environmental conditions at the property do not present any material risk to the quality of the Town's public water supply. During the term of the easement, National has also agreed to refrain from installing irrigation wells in certain areas of the site. In addition, the Town may, at its discretion, use a portion of the \$1.45 million to fund additional environmental testing on Town-owned land in the vicinity of the Birch Road wells should such wells be re-activated by the Town of Framingham.

National's funding will also allow the Town to develop a conservation management plan for Wayland's abutting conservation property and to maintain the conservation land for a number of years into the future.

With respect to public safety, the Fire Chiefs of both Wayland and Framingham have determined that concerns over increased volumes of ambulance and fire activity are not warranted and increases impacting Wayland, which are expected to be modest, if any, will be covered under the existing mutual aid agreements between the two towns and other surrounding towns.

Accommodations for managing the construction traffic during the development lifecycle of the project were also addressed in the Agreement.

A portion of National's \$1.45 million of funding will go towards paying the Town's approximately \$100,000 in legal and consulting fees incurred in connection with the appeal. Besides hiring Special Town Counsel, the Selectmen also engaged Neil M. Ram Ph.D., LSP, of Roux Associates as its environmental consultant and William J. Scully, PE, MS Transportation Systems, Inc. as its traffic consultant.

The total amount of funding to be provided by National pursuant to the Agreement is \$1,450,000. National has agreed to allow the Town, through the Selectmen, to exercise control over these funds, subject to certain conditions contained in the Agreement.