

DEED WITHOUT WARRANTY

KNOW ALL MEN BY THESE PRESENTS: That the UNITED STATES OF AMERICA acting by and through the Secretary of Health, Education, and Welfare by the Regional Director of the Department of Health, Education, and Welfare, Region I, under and pursuant to the powers and authorities contained in the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, the Civil Rights Act of 1964, and the regulations promulgated thereunder, and the Department of Health, Education, and Welfare Statement of Organization and Delegation of Authority, Part 1, section 1E-40 A.1.a(1) (35 F.R. 11653) for and in consideration of the observance and performance by the Commonwealth of Massachusetts, of the covenants, conditions, reservations, and restrictions hereinafter contained and for other valuable consideration grants to the said Commonwealth of Massachusetts, its successors and assigns, for the use of the Massachusetts Board of Regional Community Colleges, a body politic, having its usual place of business at 141 Milk Street, Boston, Massachusetts, subject to the covenants, conditions, reservations and restrictions hereinafter set forth, a certain parcel or tract of land located in the Town of Bedford, County of Middlesex, Commonwealth of Massachusetts, being shown as Parcel "E" comprising 5 acres more or less as shown on plan entitled, "Excess Land and Buildings Declared June 1970" prepared by Veterans Administration, Bedford, Massachusetts, said plan being attached hereto. Said Parcel "E" is further bounded and described as follows:

Beginning at a point on the easterly sideline of the Town of Bedford, formerly the Boston and Maine Railroad at station 89 / 38.5, 16.5 feet from the sideline of the former Boston and Maine Railroad location running South 66° 52' 33" East 15.02 feet to a point; then South 68° 20' 15" East 119.77 feet to a point; then South 64° 50' 40" East 128.75 feet to a point; then South 54° 16' 10" East 136.04 feet to a point; then South 57° 41' 45" East 35.02 feet to the easterly sideline of Springs Road; then North along the western sideline of Springs Road 408.60 feet / to a point; then Northeasterly along the westerly sideline of Springs Road 244.80 feet to a point; then North 69° 30' 51" West about 320 feet to the easterly sideline of the former Boston and Maine Railroad; then South 20° 29' and 9" West about 525 feet to the point of beginning containing about 5.0 acres more or less.

Conveyance of said parcel is subject to the condition that any transferee is required to erect a chain link fence along the southern boundary all to the satisfaction of the Director, VA Hospital, Bedford, Massachusetts. Said fence line is further described as follows:

Beginning on the western boundary line of the VA property, Bedford, Massachusetts, 595 feet SW of the Northernmost part on this line at a point then running 15.02 ft. S 66° 52' 33" E then 119.77 ft. S 68° 20' 15" E then 128.75 ft. S 64° 50' 40" E then 136.40 ft. S 54° 16' 10" E then 35.02 ft. S 57° 41' 45" E to a point. Said point being approximately on the easterly street line of Springs Road and at the existing fence line running north and south at this location. Said fence shall be 6' high, galvanized chain link with top rail.

Said property conveyed hereby was declared surplus and was assigned to the Department of Health, Education, and Welfare for disposal for educational purposes pursuant to the provisions of the aforementioned Federal Property and Administrative Services Act of 1949 and of applicable rules, regulations and orders.

This Deed is executed and delivered to the Commonwealth of Massachusetts, its successors and assigns, without covenants or warranties by or on behalf of the UNITED STATES OF AMERICA whatsoever, either express or implied.

AND this Deed is made and accepted upon each of the following conditions subsequent which shall be binding upon and enforceable against the Commonwealth of Massachusetts, its successors and assigns, and each of them, as follows:

1. That for a period of thirty (30) years from the date of this Deed the above described property herein conveyed shall be utilized continuously in the manner and for the educational purposes set forth in the approved program and plan contained in the application of the Massachusetts Board of Regional Community Colleges dated July 15, 1971, and for no other purpose.

2. That during the aforesaid period of thirty (30) years the Commonwealth of Massachusetts will resell, lease, mortgage or encumber or otherwise dispose of the above described property, or any part thereof or interest therein only as the Department of Health, Education, and Welfare, or its successor in function, in accordance with its existing regulations, may authorize in writing.

3. That one year from the date of this Deed and annually thereafter for the aforesaid period of thirty (30) years unless the Department of Health, Education, and Welfare, or its successor in function, otherwise directs, the Commonwealth of Massachusetts will file with the Department of Health, Education, and Welfare, or its successor in function, reports on the operation and maintenance of the above described property and will furnish as requested such other pertinent data evidencing such continuous use of the property herein conveyed for the purposes specified in the above identified application.

4. That for the period during which the above described property is used for a purpose for which the Federal financial assistance is extended by the Department or for another purpose involving the provision of similar services or benefits, the Commonwealth of Massachusetts hereby agrees that it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Regulation of the Department of Health, Education, and Welfare (45 CFR Part 80) issued pursuant to that title and as in effect on the date of this Deed, to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the program and plan referred to in condition 1 above or under any other program or activity of the Commonwealth of Massachusetts, its successors or assigns, to which such Act and Regulation apply by reason of this conveyance.

In the event of breach of any of the conditions set forth above, whether caused by the legal or other inability of the Commonwealth of Massachusetts, its successors or assigns, to perform any of the obligations herein set forth, all right, title and interest in and to the above described property shall, at its option revert to and become the property of the UNITED STATES OF AMERICA, which shall have an immediate right of entry thereon, and the Commonwealth of Massachusetts, its successors and assigns, shall forfeit all right, title and interest in and to the above described property and in any and all tenements, hereditaments, and appurtenances thereunto

belongings; PROVIDED, HOWEVER, that the failure of the Department of Health, Education, and Welfare, or its successor in function, to insist in any one or more instances upon complete performance of any of said conditions shall not be considered as a waiver or a relinquishment of the future performance of any such conditions, but the obligations of the Commonwealth of Massachusetts with respect to such future performance shall continue in full force and effect; PROVIDED FURTHER, that in the event the UNITED STATES OF AMERICA fails to exercise its option to re-enter the premises for any such breach of conditions subsequent numbered 1, 2, and 3, herein within 31 years from the date of this conveyance, conditions numbered 1, 2, and 3 herein together with all rights of the United States of America to re-enter in this paragraph provided with respect to conditions numbered 1, 2, and 3 herein, shall, as of that date, terminate and be extinguished; PROVIDED FURTHER, that the expiration of conditions 1, 2, and 3, and the rights to re-enter shall not affect the obligation of the Commonwealth of Massachusetts, its successors and assigns with respect to condition numbered 4 herein or the right reserved to the United States of America to re-enter for breach of said condition.

In the event title to the above described premises is reverted to the United States of America for noncompliance or voluntarily reconveyed in lieu of reverter, the Commonwealth of Massachusetts, its successors and assigns, at the option of the Department of Health, Education, and Welfare, or its successor in function, shall be responsible and shall be required to reimburse the UNITED STATES OF AMERICA for the decreased value of the above described property not due to reasonable wear and tear, acts of God and alterations and conversions made by the Commonwealth of Massachusetts to adapt the property to the educational use for which the property was acquired. The UNITED STATES OF AMERICA, shall, in addition thereto, be reimbursed for such damages including such costs as may be incurred in recovering title to or possession of the above described property, as it may sustain as a result of the noncompliance.

The Commonwealth of Massachusetts may secure abrogation of the conditions subsequent numbered 1, 2, and 3 herein by:



a. Obtaining the consent of the Department of Health, Education, and Welfare, or its successor in function; and

b. Payment to the United States of America in accordance with the following conditions:

- (1) If abrogation is requested by the Commonwealth of Massachusetts for the purpose of making the property or a portion thereof available to serve the needs or purposes of a third party, payment shall be based upon the current fair market value, as of the date of any such requested abrogation, of the property to be released from the conditions and restrictions, less amortized credit at the rate of 3-1/3% of the public benefit allowance granted on the original sale price for each twelve (12) months during which the property has been utilized in accordance with the purposes specified in the above identified application.
- (11) If abrogation is requested by the Commonwealth of Massachusetts for the purpose of making the property available as security for financing of new construction, for acquiring substitute or better facilities, or for re-locating elsewhere, all for the purpose of further advancing or promoting the program specified in the above identified application, payment shall be based upon the public benefit allowance granted to the Commonwealth of Massachusetts, of 100% from the sale price of fifty-seven thousand dollars (\$57,000.00) as of the date of this instrument, less a credit at the rate of 3-1/3% of the public benefit allowance granted for each twelve (12) months during which the property has been utilized in accordance with the purpose specified in the above identified application; provided, however, the Commonwealth of Massachusetts shall execute such agreement, supported by surety bond or other security that may be deemed by the Department to be necessary or advisable, to assure that

the proceeds of sale obtained by the Commonwealth of Massachusetts in any disposal of any portion of the property for effectuating one or another of the aforesaid purposes for which abrogation is requested, will be devoted to the program use specified in the above identified application.

The Commonwealth of Massachusetts by acceptance of this Deed covenants and agrees for itself, its successors and assigns, and every successor in interest to the property herein conveyed or any part thereof -- which covenant shall attach to and run with the land for so long as the property herein conveyed is used for a purpose for which the Federal financial assistance is extended by the Department or for another purpose involving the provision of similar services or benefits and which covenant shall in any event, and without regard to technical classification or designation, legal or otherwise, be binding to the fullest extent permitted by law and equity, for the benefit and in favor of and enforceable by the UNITED STATES OF AMERICA and its successors against the Commonwealth of Massachusetts, its successors and assigns, and every successor in interest to the property, or any part thereof -- that it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Regulation of the Department of Health, Education, and Welfare (45 C.F.R. Part 80) issued pursuant to that title and as in effect on the date of this deed, to the end that, in accordance with Title VI of the Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the program and plan referred to in condition 1 above or under any other program or activity of the Commonwealth of Massachusetts, its successors or assigns, to which such Act and Regulation may apply by reason of this conveyance.

The Commonwealth of Massachusetts by the acceptance of this deed, covenants and agrees for itself, its successors and assigns, that in the event the property hereby conveyed is sold, leased, mortgaged, encumbered, or otherwise disposed of, or is used for purposes other than those set forth

in the above identified program and plan without the consent of the Department of Health, Education, and Welfare, all revenues or the reasonable value, as determined by the Department of Health, Education, and Welfare, of benefits to the Commonwealth of Massachusetts deriving directly or indirectly from such sale, lease, mortgage, encumbrance, disposal, or use (or the reasonable value as determined by the Department of Health, Education, and Welfare of any other unauthorized use) shall be considered to have been received and held in trust by the Commonwealth of Massachusetts for the UNITED STATES OF AMERICA and shall be subject to the direction and control of the Department of Health, Education, and Welfare.

The Commonwealth of Massachusetts by the acceptance of this Deed, further covenants and agrees for itself, its successors and assigns, that the UNITED STATES OF AMERICA shall have the right during any period of emergency declared by the President of the United States or by the Congress of the United States to the full unrestricted possession, control, and use of the property hereby conveyed, or any portion thereof, including any additions or improvements thereto made subsequent to this conveyance. Prior to the expiration or termination of the 30-year period of restricted use by the transferee, such use by the UNITED STATES OF AMERICA may be either exclusive or nonexclusive and shall not impose any obligations upon the Government to pay rent or any other fees or charges during the period of emergency, except that the Federal Government shall (i) bear the entire cost of maintenance of such portion of the property used by it exclusively or over which it may have exclusive possession or control, (ii) pay the fair share, commensurate with the use, of the cost of maintenance of such of the property as it may use nonexclusively or over which it may have nonexclusive possession or control, (iii) pay a fair rental for the use of improvements or additions to the premises made by the Commonwealth of Massachusetts without Federal Government aid and (iv) be responsible for any damage to the property caused by its use, reasonable wear and tear and acts of God and the common enemy excepted. Subsequent to the expiration or termination of the 30-year period of restricted use, the obligations of the Federal Government shall be as set forth in the preceding sentence and in addition, the Federal Government shall be obligated to pay a fair rental for all or any portion of the conveyed premises which it uses.

This instrument is intended to take effect as a sealed instrument.

IN WITNESS WHEREOF, the UNITED STATES OF AMERICA has caused these presents to be executed this 27<sup>th</sup> day of March, 1972.

UNITED STATES OF AMERICA  
Acting by and through the  
Secretary of Health, Education,  
and Welfare

BY

Harold Putnam  
Harold Putnam  
Regional Director, Region I  
Department of Health, Education,  
and Welfare

WITNESSES:

John J. Shalen  
Robert O. Banta

#### ACKNOWLEDGMENT

COMMONWEALTH OF MASSACHUSETTS )  
COUNTY OF MIDDLESEX )

DATE: March 27, 1972

Then personally appeared the above-named Harold Putnam, Regional Director, Region I, Department of Health, Education, and Welfare, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the United States of America.

Before me,

Paul Fato  
Notary Public



Sept 29, 1972  
My Commission Expires

#### ACCEPTANCE

The Commonwealth of Massachusetts by the acceptance of this Deed With its Warranty hereby accepts and agrees to all the terms, covenants, conditions, reservations, and restrictions contained in said deed.

THE COMMONWEALTH OF MASSACHUSETTS  
Acting by and through the  
Massachusetts Board of Regional  
Community Colleges

WITNESSES:

John J. Shalen  
Russell B. Mann

BY

John V. Costello  
John V. Costello  
Executive Director duly authorized  
by a resolution of the Massachusetts  
Board of Regional Community Colleges  
on July 12, 1971

BK12429 PG400

ACKNOWLEDGMENT

COMMONWEALTH OF MASSACHUSETTS)  
COUNTY OF MIDDLESEX )

DATE: March 27, 1972

Then personally appeared the above named John V. Costello,  
Executive Director of the Massachusetts Board of Community Colleges and  
acknowledged the same to be his free act and deed in his said capacity and  
free act and deed of the Commonwealth of Massachusetts.

Before me,



Frank Pate  
Notary Public

Sept 24, 1972  
My Commission Expires

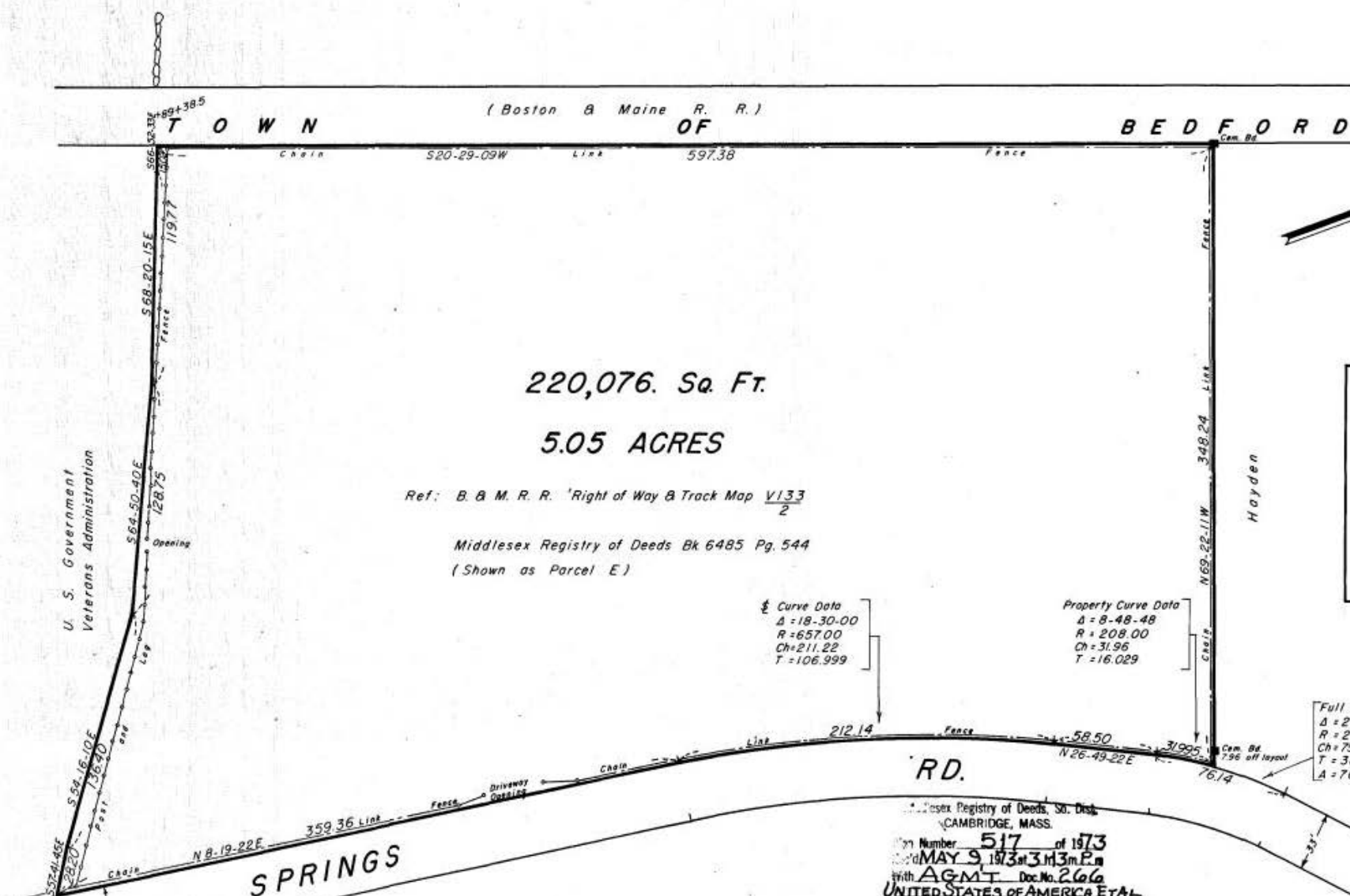
T O W N (Boston & Maine R. R.) OF BEDFORD

CHAIN S20-29-09W Link 597.38 Fence

220,076. Sq. Ft.  
5.05 ACRES

Ref: B. & M. R. R. 'Right of Way & Track Map V133  
Middlesex Registry of Deeds Bk 6485 Pg. 544  
(Shown as Parcel E)

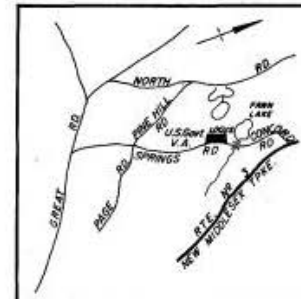
U. S. Government  
Veterans Administration



Curve Data  
Δ = 18-30-00  
R = 657.00  
Ch = 211.22  
T = 106.999

Property Curve Data  
Δ = 8-48-48  
R = 208.00  
Ch = 31.96  
T = 16.029

Full Curve Data  
Δ = 20-58-24  
R = 208.00  
Ch = 75.72  
T = 38.50  
A = 76.14



LOCUS

NOTE: I certify that this actual survey was made  
on the ground on or between Dec. 30, 1972 and  
Jan. 6, 1973.

*John L. Galvin*



I certify that this is a true plan of land.

*John L. Galvin*

FEET 100  
BY SW

Mass. Registry of Deeds, So. Dist.  
CAMBRIDGE, MASS.  
Book Number 517 of 1973  
Recorded MAY 9 1973 at 3:13 P.M.  
with AGMT Doc. No. 2666  
UNITED STATES OF AMERICA ET AL  
Recorded, Book 2429 Page 401

Attest *John F. Ziegler*  
REGISTER

PLAN OF LAND  
BEDFORD, MASS.

SCALE: 1 IN. = 40 FT. JAN. 20, 1973  
JOHN L. GALVIN SURVEYOR  
14 HILLSIDE TER., HINGHAM, MASS.



PROJECT NOTES:

1. LOCATION: 210 SPRINGS ROAD  
(PARCEL ID: 027-0061)
2. DEED: MIDDLESEX NORTH  
REGISTRY OF DEEDS  
BK 12429 PG 401  
BK 12429 PG 392
3. ZONE: RESIDENCE A (R-A)
4. USE: EDUCATIONAL INSTITUTION
5. OWNER: COMMONWEALTH OF MASSACHUSETTS  
MIDDLESEX COMMUNITY COLLEGE  
591 SPRINGS ROAD  
BEDFORD, MA 01730
6. EXISTING CONDITIONS GENERATED FROM AN AERIAL SURVEY PERFORMED BY CIVIL DESIGN CONSULTANTS, INC. OF ANDOVER, MA ON JULY 14, 2021 AS WELL AS AN ON- GROUND SURVEY PERFORMED BY SEC & ASSOCIATES, INC. ON SEPTEMBER 13, 2021.
7. PROPERTY IS NOT LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA (SURROUNDING WATERWAYS ARE IN A DESIGNATED FLOOD HAZARD AREA) - PER FLOOD INSURANCE RATE MAP NUMBER 25017C0269F EFFECTIVE DATE JULY 6, 2016
8. PLAN BEARINGS ARE BASED UPON THE MASSACHUSETTS STATE PLANE COORDINATE SYSTEM (NAD83) - MAINLAND ZONE, PER OPS OBSERVATIONS.
9. ALL ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM (NGVD 29).
10. WETLANDS WERE DELINEATED IN SEPTEMBER OF 2021 BY NORSE ENVIRONMENTAL SERVICES, INC. OF TYNGSBOROUGH MASSACHUSETTS.
11. THE PROPERTY LINE AS SHOWN IS APPROXIMATE AND WAS REPRODUCED FROM AVAILABLE RECORD PLANS. NO REPRESENTATION OR CERTIFICATION AS TO THE ACCURACY OF ANY PROPERTY LINES IS INTENDED OR IMPLIED.

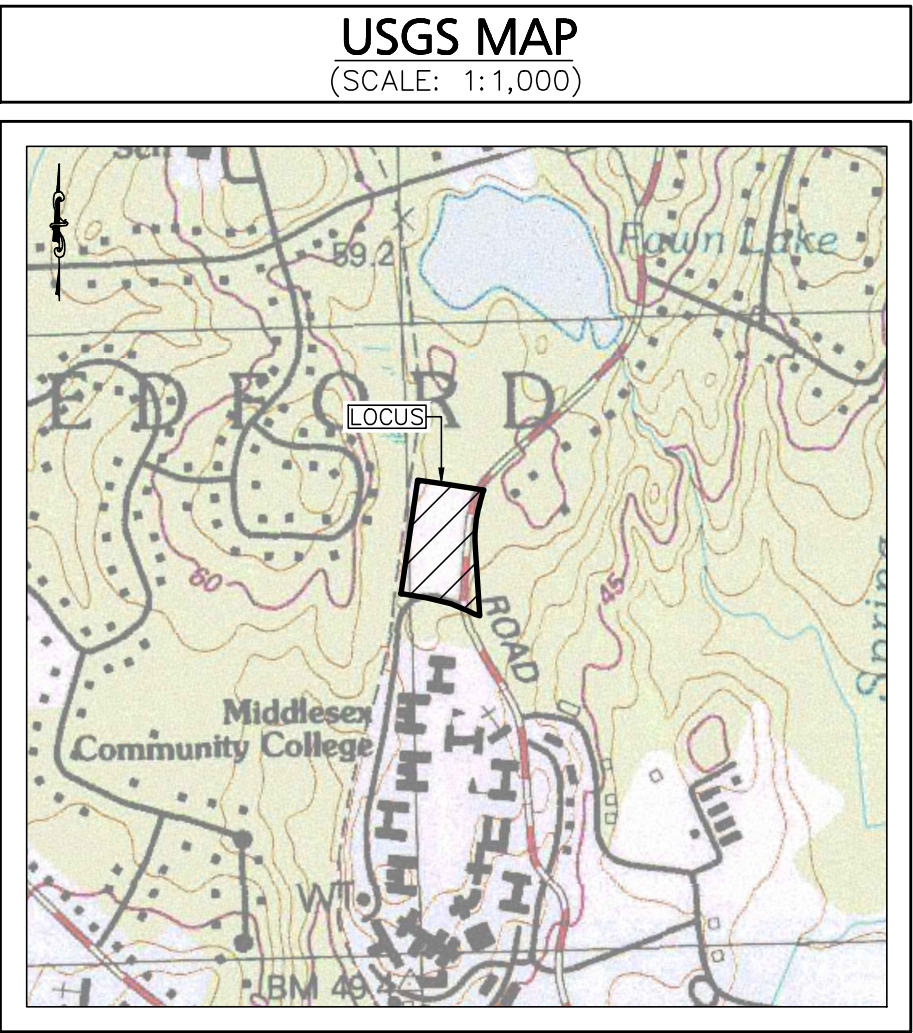
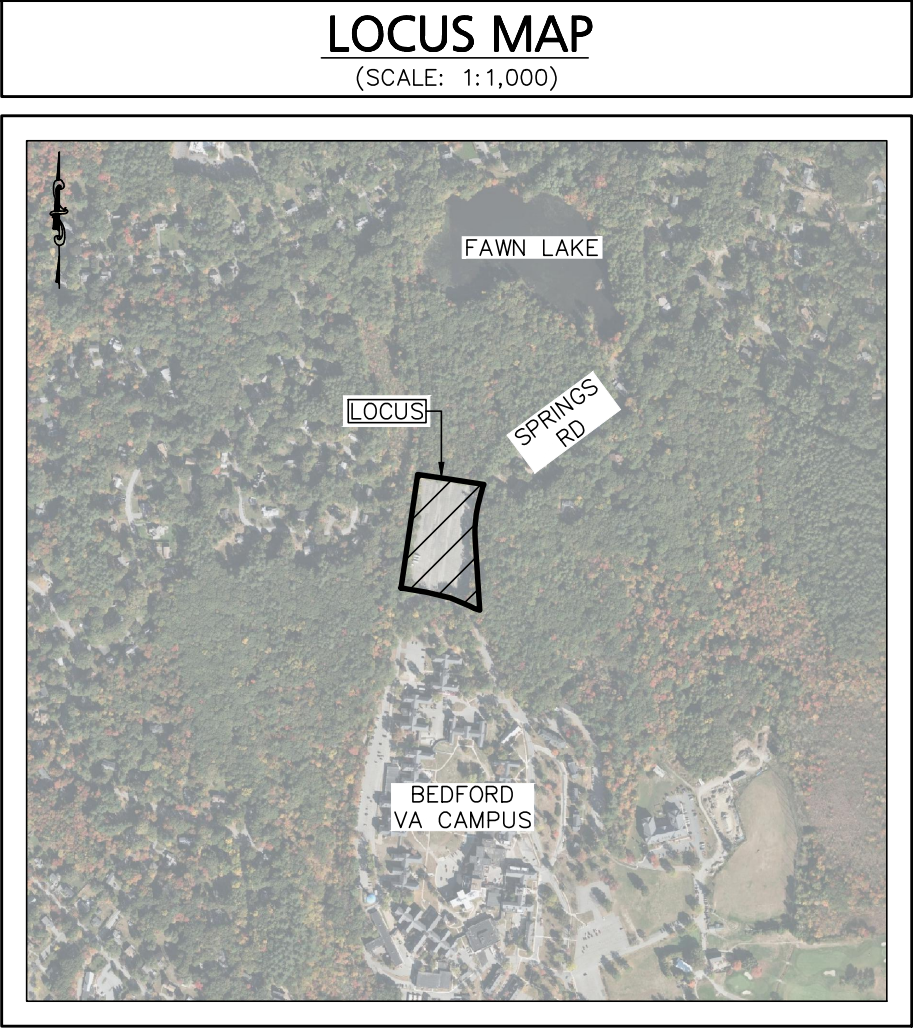
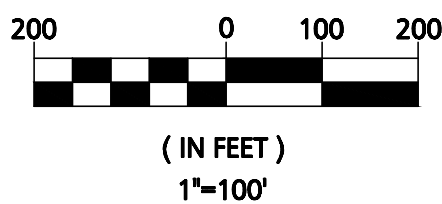
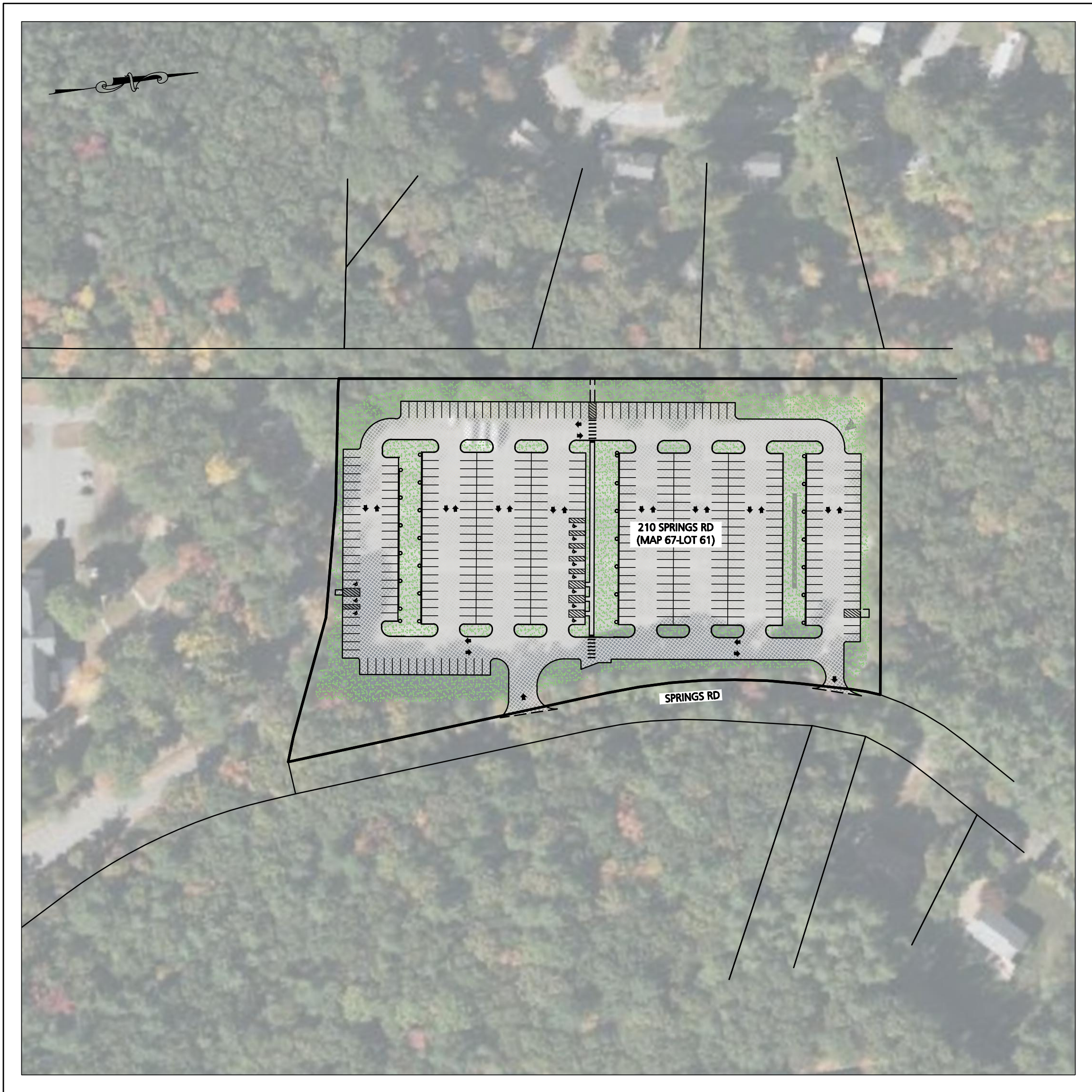
# SITE DEVELOPMENT PLANS

## FOR

# 210 SPRINGS ROAD

### (MAP 27 / LOT 61)

# BEDFORD, MASSACHUSETTS 01876



PLAN INDEX:		
TITLE	DATE ISSUED	DATE REVISED
C-1 COVER SHEET	12/28/21	02/02/22
C-2 EXISTING CONDITIONS PLAN	12/28/21	02/02/22
C-3 LAYOUT & MATERIALS PLAN	12/28/21	02/02/22
C-4 GRADING, DRAINAGE & UTILITIES PLAN	12/28/21	02/02/22
D-1 CONSTRUCTION DETAILS	12/28/21	02/02/22
D-2 CONSTRUCTION DETAILS	02/02/22	-

02/02/22	REV. PER TOWN COMMENTS
DATE	DESCRIPTION
REVISIONS	

APPLICANT:

**MIDDLESEX  
COMMUNITY COLLEGE**  
591 SPRINGS ROAD  
BEDFORD, MA 01730

PROJECT:

**PARKING LOT  
IMPROVEMENTS**  
210 SPRING ROAD  
BEDFORD, MA 01730

DATE ISSUED:	DECEMBER 28, 2021
PROJECT #:	19-10153
PREPARED BY:	MAC



PROFESSIONAL ENGINEER FOR CIVIL DESIGN  
CONSULTANTS, INC.

**CIVIL DESIGN  
Consultants, Inc.**  
SURVEY • DESIGN • PERMITTING • CONSTRUCTION ADMINISTRATION

344 North Main Street  
Andover, MA 01810  
Tel: (978) 416-0920  
Fax: (978) 416-7865

DRAWING TITLE:

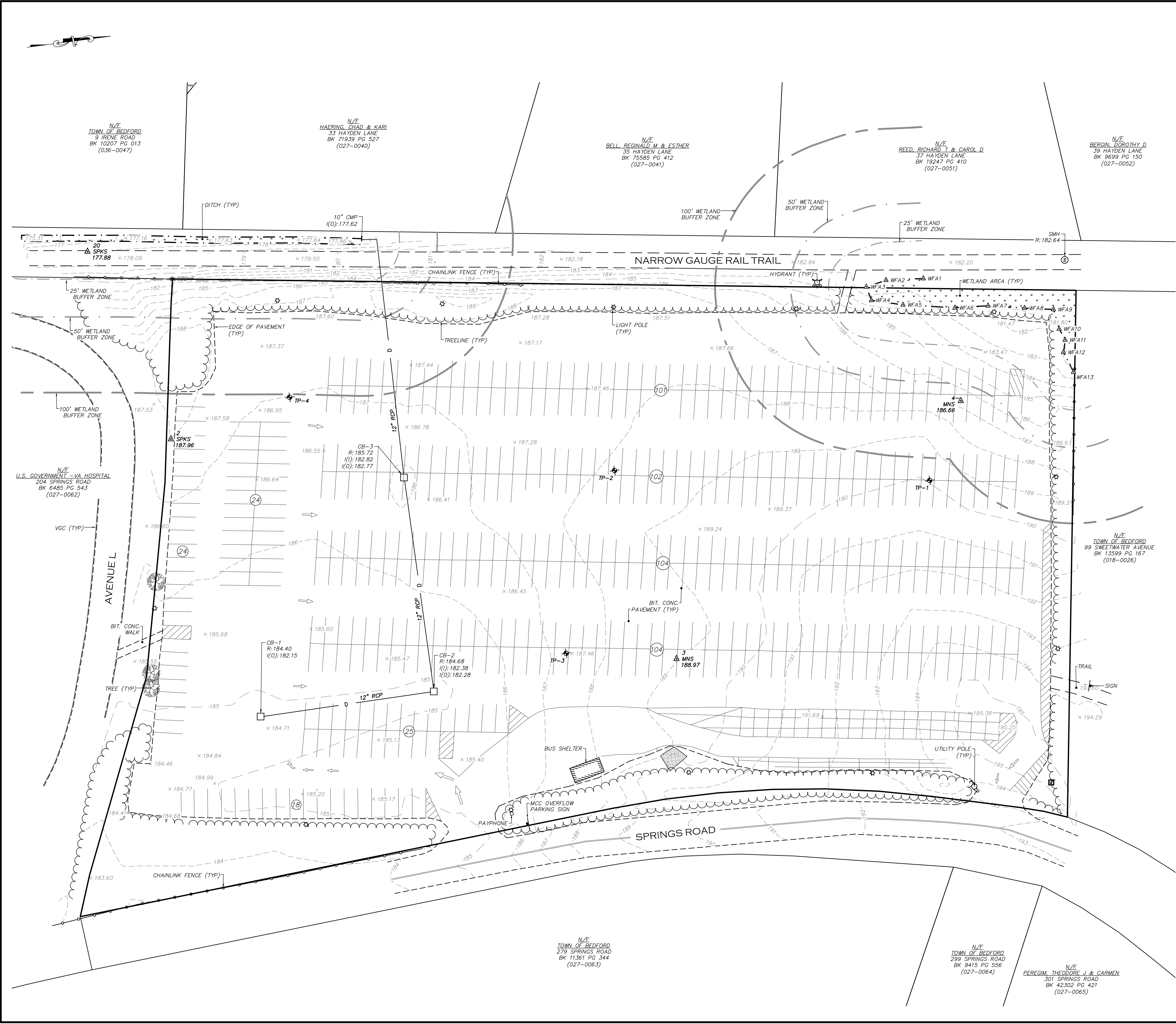
**COVER SHEET**

DRAWING #:

**C-1**

ISSUED FOR APPROVAL: FEBRUARY 2, 2022





- NOTES:
1. LOCATION: 210 SPRINGS ROAD (PARCEL ID: 027-0061)
  2. DEED: MIDDLESEX NORTH REGISTRY OF DEEDS BK 12429 PG 401 BK 12429 PG 392
  3. ZONE: RESIDENCE A (R-A)
  4. USE: EDUCATIONAL INSTITUTION
  5. OWNER: COMMONWEALTH OF MASSACHUSETTS MIDDLESEX COMMUNITY COLLEGE 591 SPRINGS ROAD BEDFORD, MA 01730
  6. EXISTING CONDITIONS GENERATED FROM AN AERIAL SURVEY PERFORMED BY CIVIL DESIGN CONSULTANTS, INC. OF ANDOVER, MA ON JULY 14, 2021 AS WELL AS AN ON GROUND SURVEY PERFORMED BY SEC & ASSOCIATES, INC. ON SEPTEMBER 13, 2021.
  7. PROPERTY IS NOT LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA - PER FLOOD INSURANCE RATE MAP NUMBER 25017C0269F EFFECTIVE DATE JULY 6, 2016
  8. PLAN BEARINGS ARE BASED UPON THE MASSACHUSETTS STATE PLANE COORDINATE SYSTEM (NAD83) - MAINLAND ZONE, PER GPS OBSERVATIONS.
  9. ALL ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM (NGVD 29).
  10. THE PROPERTY LINE AS SHOWN IS APPROXIMATE AND WAS REPRODUCED FROM AVAILABLE RECORD PLANS. NO REPRESENTATION OR CERTIFICATION AS TO THE ACCURACY OF ANY PROPERTY LINES IS INTENDED OR IMPLIED.

LEGEND	
PROPERTY LINE	_____
ABUTTERS PROPERTY LINE	_____
EXISTING EDGE OF PAVEMENT	_____
LIMIT OF BORDERING VEGETATED WETLAND (BVW)	_____
100 FT BUFFER TO BVW	_____
EXISTING CATCH BASIN	□
EXISTING SEWER MANHOLE	⊗
EXISTING CONTOUR	_____
EXISTING TREE LINE	_____
EXISTING HYDRANT	⊕
EXISTING DRAIN	_____
EXISTING DRILL HOLE	⊙
EXISTING IRON PIN	○
EXISTING SIGN	⌞
EXISTING SITE LIGHTING	☆
EXISTING PAVEMENT MARKINGS	_____

02/02/22	REV. PER TOWN COMMENTS
DATE	DESCRIPTION
REVISIONS	
PREPARED FOR:	
MIDDLESEX COMMUNITY COLLEGE	
591 SPRINGS ROAD	
BEDFORD, MA 01730	
PROJECT:	
PARKING LOT IMPROVEMENTS	
210 SPRING ROAD	
BEDFORD, MA 01730	
DATE ISSUED:	DECEMBER 28, 2021
PROJECT #:	19-10153
PREPARED BY:	TJS



PROFESSIONAL ENGINEER FOR CIVIL DESIGN CONSULTANTS, INC.

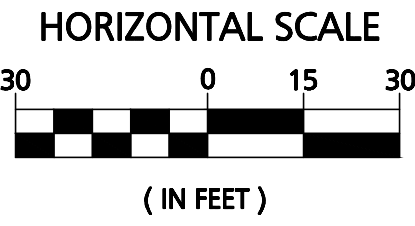
**CIVIL DESIGN**  
Consultants, Inc.

SURVEY • DESIGN • PERMITTING • CONSTRUCTION ADMINISTRATION

344 North Main Street  
Andover, MA 01810  
Tel: (978) 416-0920  
Fax: (978) 416-7865

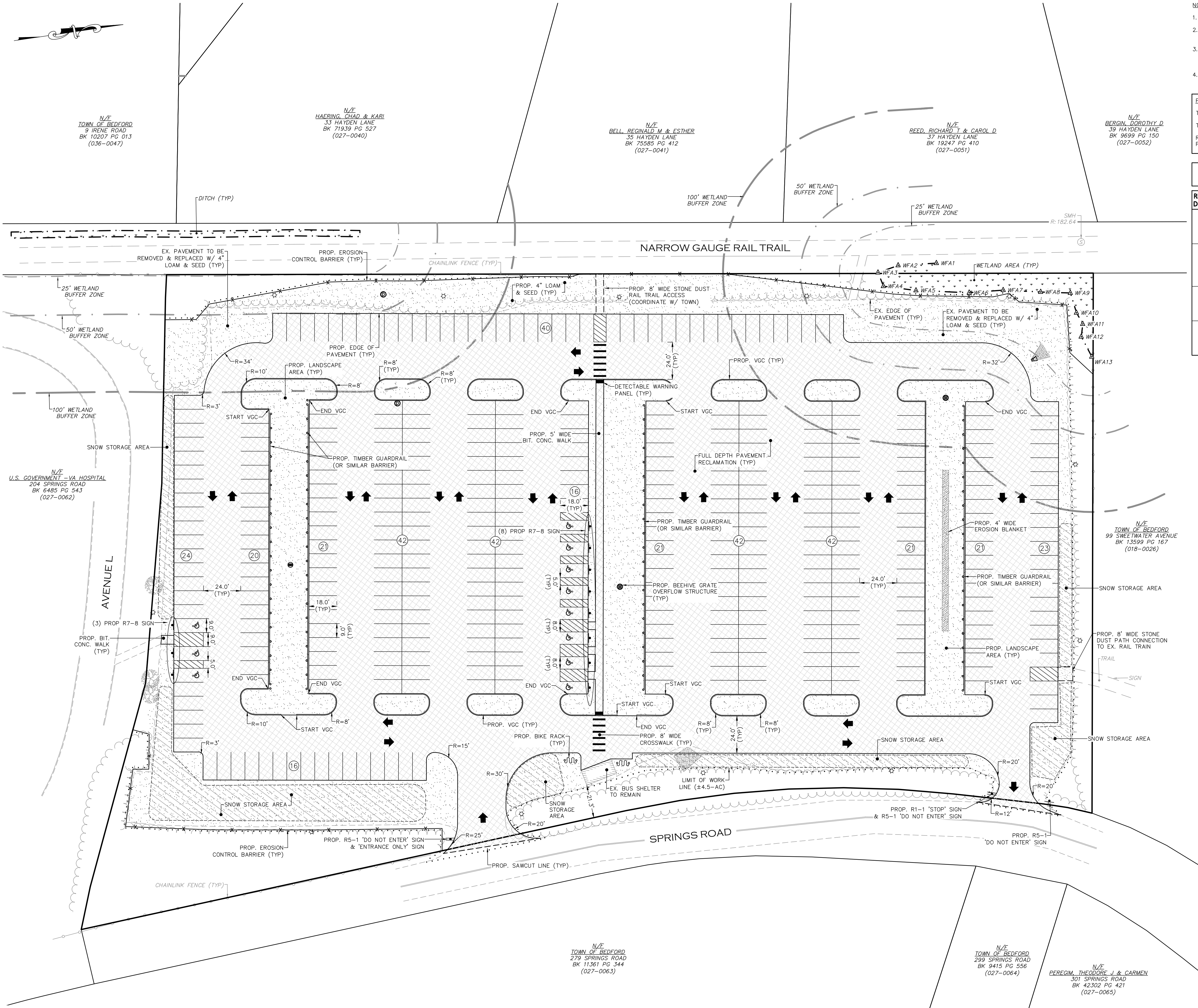
DRAWING TITLE:  
**EXISTING CONDITIONS PLAN**

DRAWING #:



C-2





- NOTES:
- SEE SHEET C-1 FOR GENERAL PROJECT NOTES.
  - ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM (NAVD88) PER GPS OBSERVATIONS.
  - PLAN BEARINGS ARE BASED UPON THE MASSACHUSETTS STATE PLANE COORDINATE SYSTEM (NAD83) - MAINLAND ZONE PER GPS OBSERVATIONS.
  - ALL CURB & PAVEMENT RADII ARE 5-FT UNLESS OTHERWISE NOTED.

PARKING CALCULATIONS:	
TOTAL EXISTING PARKING SPACES:	502-SPACES
TOTAL PROPOSED PARKING SPACES:	391-SPACES
REQUIRED ADA PARKING SPACES:	8-SPACES
PROVIDED ADA PARKING SPACES:	11-SPACES

SIGN SCHEDULE				
REGULATORY DESIGNATION	SIGN	SIZE	MOUNTING HEIGHT	QUANTITY
R1-1		30"x30"	7'-0"	1
R7-8		12"x18"	5'-0"	11
R5-1		30"x30"	7'-0"	3
N/A		18"x24"	7'-0"	1

02/02/22	REV. PER TOWN COMMENTS
DATE	DESCRIPTION
REVISIONS	

APPLICANT:  
**MIDDLESEX COMMUNITY COLLEGE**  
591 SPRINGS ROAD  
BEDFORD, MA 01730

PROJECT:  
**PARKING LOT IMPROVEMENTS**  
210 SPRING ROAD  
BEDFORD, MA 01730

DATE ISSUED:	DECEMBER 28, 2021
PROJECT #:	19-10153
PREPARED BY:	MAC

**ISSUED FOR REVIEW**  
January 2, 2022

PROFESSIONAL ENGINEER FOR CIVIL DESIGN  
CONSULTANTS, INC.

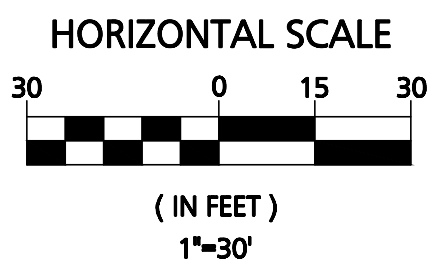
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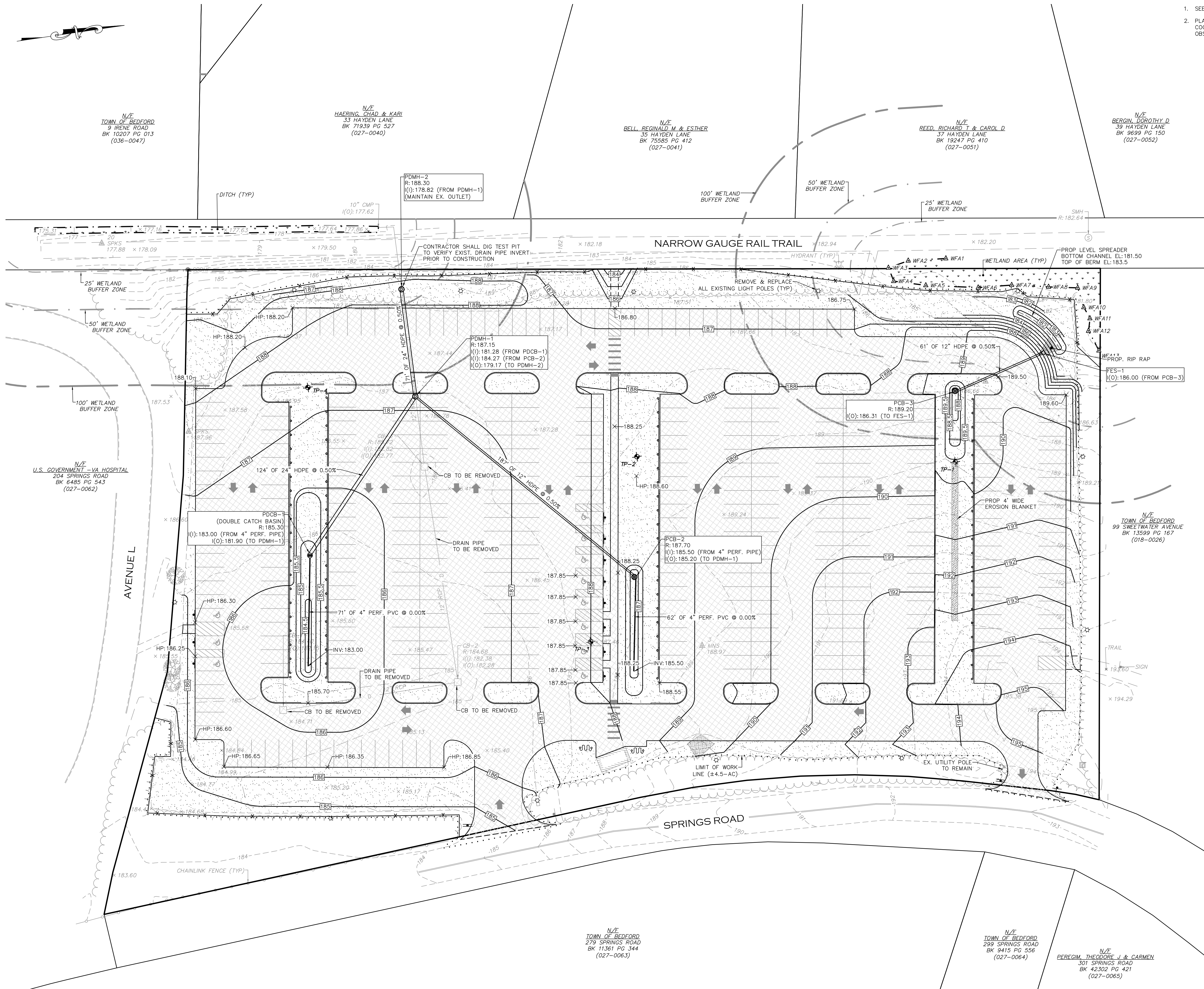
DRAWING TITLE:  
**LAYOUT & MATERIALS PLAN**

DRAWING #:

C-3







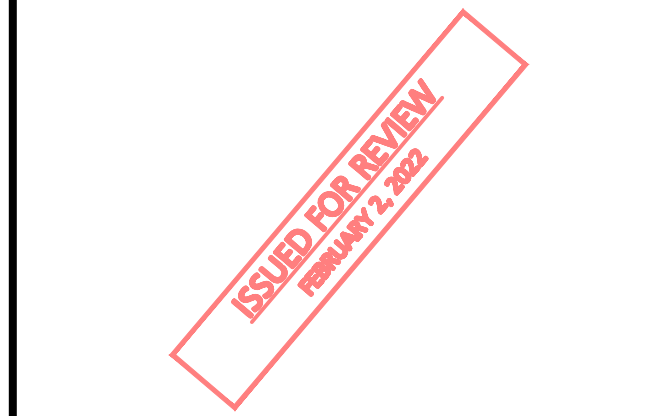
- NOTES:
1. SEE SHEET C-1 FOR COMPLETE PROJECT NOTES.
  2. PLAN BEARINGS ARE BASED UPON THE MASSACHUSETTS STATE PLANE COORDINATE SYSTEM (NAD83) - MAINLAND ZONE PER GPS OBSERVATIONS.

02/02/22	REV. PER TOWN COMMENTS
DATE	DESCRIPTION
REVISIONS	

APPLICANT:  
**MIDDLESEX  
COMMUNITY COLLEGE**  
591 SPRINGS ROAD  
BEDFORD, MA 01730

PROJECT:  
**PARKING LOT  
IMPROVEMENTS**  
210 SPRING ROAD  
BEDFORD, MA 01730

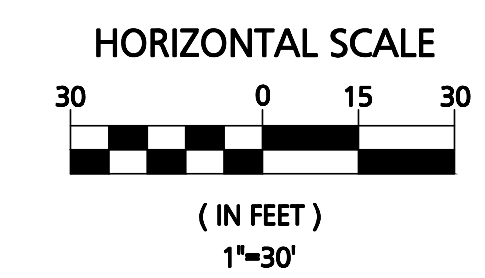
DATE ISSUED:	DECEMBER 28, 2021
PROJECT #:	19-10153
PREPARED BY:	MAC



PROFESSIONAL ENGINEER FOR CIVIL DESIGN  
CONSULTANTS, INC.  
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SURVEY • DESIGN • PERMITTING • CONSTRUCTION ADMINISTRATION  
344 North Main Street Andover, MA 01810 Tel: (978) 416-0920 Fax: (978) 416-7865

DRAWING TITLE:  
**GRADING, DRAINAGE  
& UTILITIES PLAN**

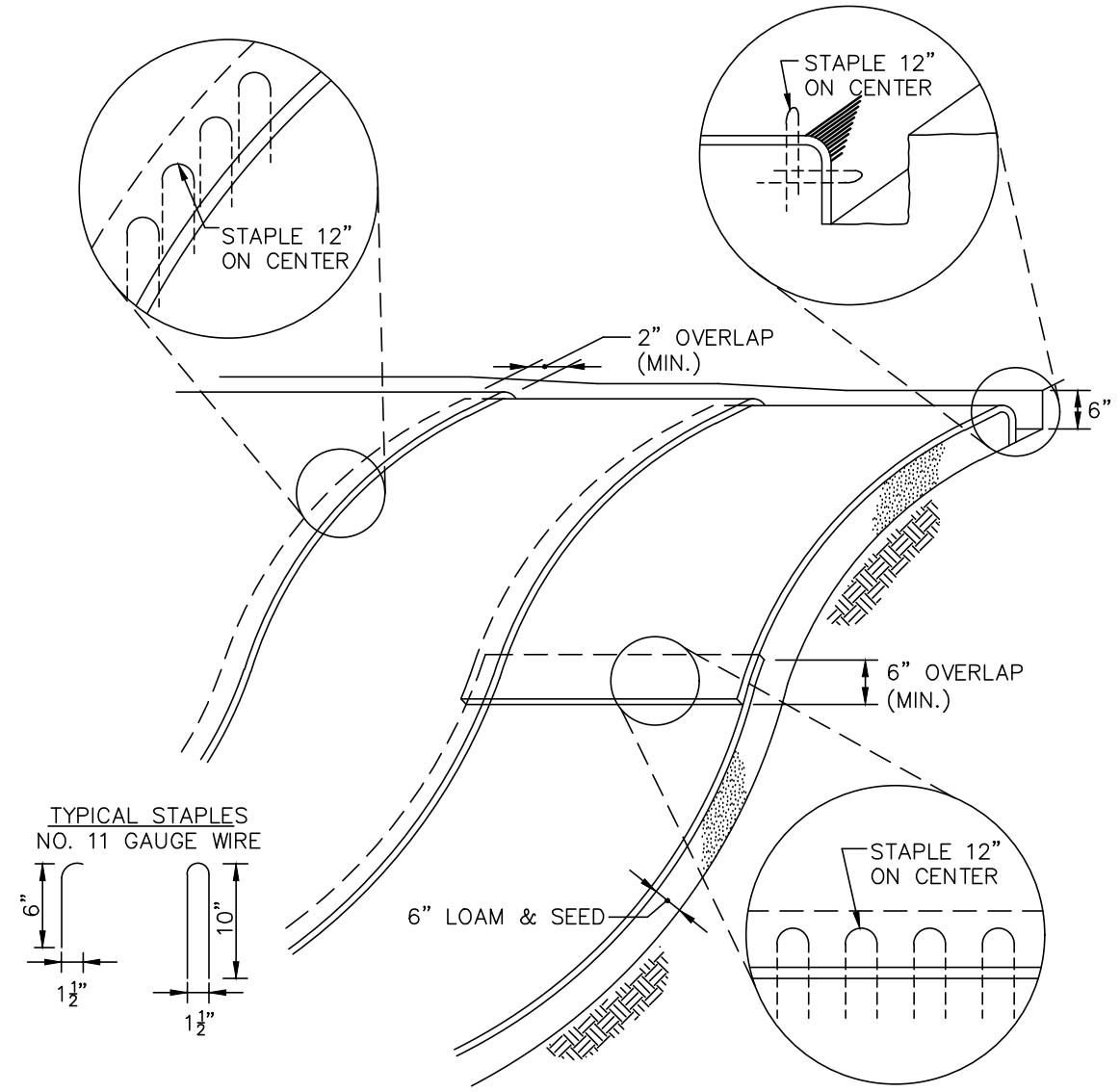
DRAWING #:  
**C-4**





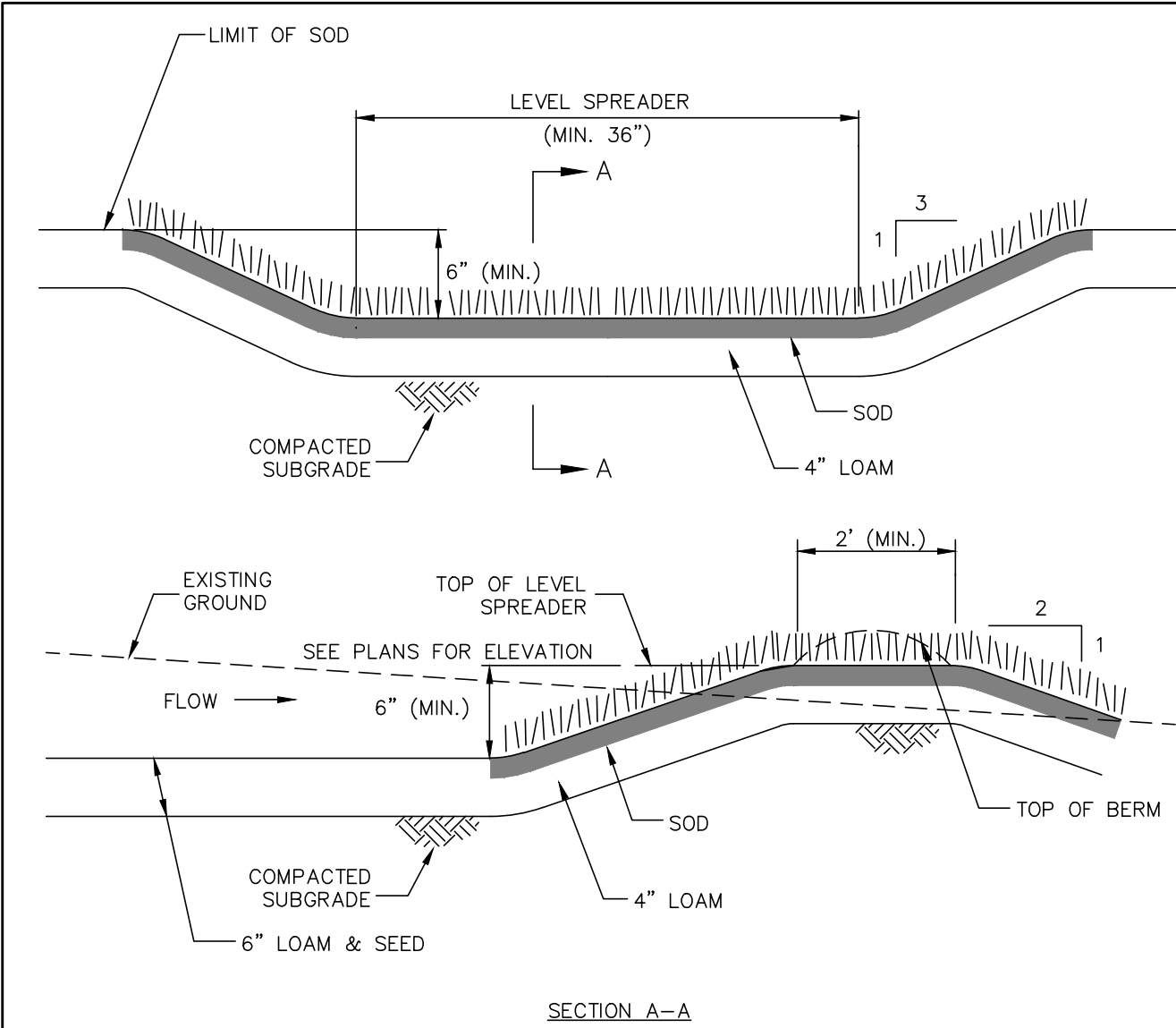




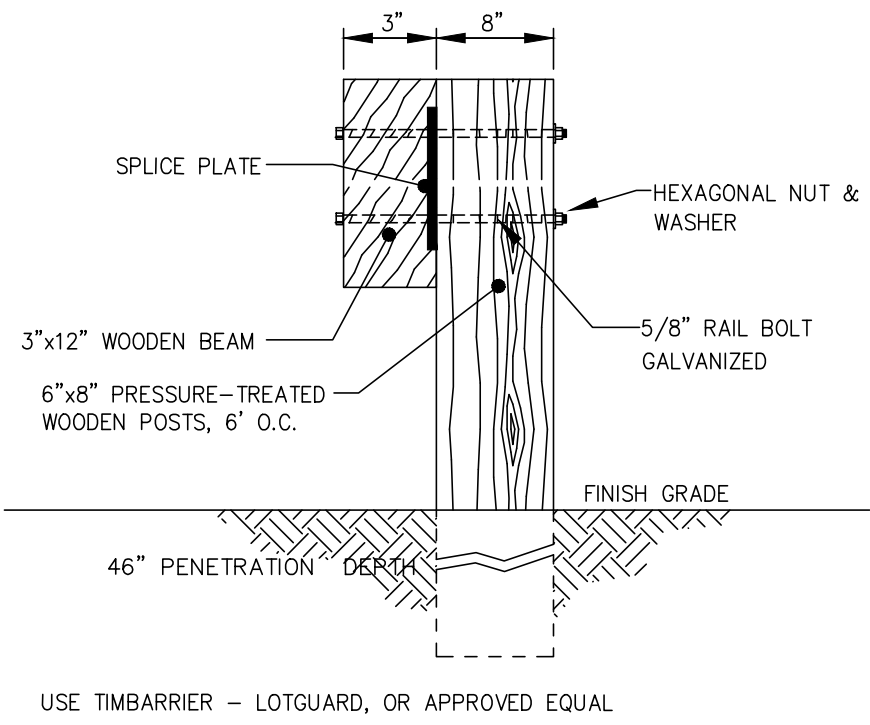


- NOTES:**
1. BEGIN AT THE TOP OF BLANKET INSTALLATION AREA BY ANCHORING BLANKET IN A 6" DEEP TRENCH BACKFILL AND COMPACT TRENCH AFTER STAPLING.
  2. ROLL THE BLANKET DOWN THE SWALE IN THE DIRECTION OF THE WATER FLOW.
  3. THE EDGES OF BLANKETS MUST BE STAPLED WITH APPROX. 4 INCH OVERLAP WHERE 2 OR MORE STRIP WIDTHS ARE REQUIRED.
  4. WHEN BLANKETS MUST BE SPICED DOWN THE SWALE, PLACE BLANKET END OVER END WITH 6 INCH (MIN.) OVERLAP AND ANCHOR DOWN SLOPE BLANKET IN A 6 INCH DEEP TRENCH.
  5. METHOD OF INSTALLATION SHALL BE AS PER MANUFACTURER'S RECOMMENDATIONS.

**EROSION CONTROL BLANKET SLOPE INSTALLATION**  
NOT TO SCALE



**LEVEL SPREADER**  
NOT TO SCALE



**TYPICAL WOOD GUARDRAIL CROSS SECTION**  
NOT TO SCALE


DATE	DESCRIPTION
REVISIONS	

APPLICANT:  
**MIDDLESEX  
COMMUNITY COLLEGE**  
591 SPRINGS ROAD  
BEDFORD, MA 01730

PROJECT:  
**PARKING LOT  
IMPROVEMENTS**  
210 SPRING ROAD  
BEDFORD, MA 01730

DATE ISSUED:	FEBRUARY 2, 2022
PROJECT #:	19-10153
PREPARED BY:	MAC



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DRAWING TITLE:  
**CONSTRUCTION  
DETAILS**

DRAWING #:  
**D-2**

on housing and the joint committee on bonding, capital expenditures and state assets on amounts awarded to municipalities for qualified projects pursuant to subsection (b), delineated by municipality and including for each qualified project, the total grant amount, a description of the project and the status of the project.

SECTION 120. Notwithstanding any general or special law, rule or regulation to the contrary, the architectural access board established in section 13A of chapter 22 of the General Laws shall determine the value of any multiple dwelling as defined in 521 CMR 5.00 that is owned, constructed or renovated by a housing authority as defined in section 1 of chapter 121B of the General Laws by setting a replacement cost that is determined by and reflected in the executive office of housing and livable communities' Capital Planning System survey and database for state-funded public housing. For such dwellings that are not included in the survey and database, the replacement cost shall be calculated by the executive office based on the replacement cost for comparable dwellings that are included in the survey and database. The executive office shall supplement the survey and database on file with the architectural access board for any such dwelling by preparing and filing documentation identifying the replacement cost for the dwelling and the method by which it was calculated.

SECTION 121. (a) As used in this section and sections 122 and 123, the following words shall have the following meanings unless the context clearly requires otherwise:

“Affordable housing purposes”, development of multi-family housing, of which either: (i) not less than 25 per cent shall be affordable to households with incomes at or below 80 per cent of the area median

income, adjusted for household size; or (ii) not less than 20 per cent shall be affordable to households with incomes at or below 50 per cent of the area median income, adjusted for household size; provided, that affordable housing purposes may include subsequent conveyance by a public agency, as defined in section 1 of chapter 7C of the General Laws, other than a state agency, with a restriction for affordable housing purposes.

“Commissioner”, the commissioner of capital asset management and maintenance.

“Housing purposes”, development of housing for use as the primary residence of the occupant including, but not limited to, market rate housing, affordable housing and public housing; provided, however, that housing purposes may include subsequent conveyance by a public agency, other than a state agency, with a restriction for housing purposes; provided further, that housing purposes shall include affordable housing purposes.

“Public agency”, as defined in section 1 of chapter 7C of the General Laws; provided, however, that “public agency” shall include the Massachusetts Department of Transportation, the Massachusetts Bay Transportation Authority and the University of Massachusetts Building Authority; provided further, that “public agency” shall not include cities, towns or counties or any boards, committees, commissions or other instrumentalities thereof, or any agency that is a state agency as defined in said section 1 of said chapter 7C.

“Public institution of higher education”, as defined in section 5 of chapter 15A of the General Laws.

“Real property”, as defined in said section 1 of chapter 7C of the General Laws.

“Real property of the commonwealth”, real property of a state agency consistent with chapter 7C of the General Laws.

“Secretary”, the secretary for administration and finance.

“State agency”, as defined in section 1 of chapter 7C of the General Laws; provided, however, that “state agency” shall not include counties.

“Surplus real property”, (i) real property of the commonwealth that has been determined by the commissioner to be surplus: (A) to the current and foreseeable needs of the commonwealth pursuant to clause (i) of paragraph (2) of subsection (b); or (B) to the current and foreseeable needs of a state agency pursuant to section 33 or 34 of chapter 7C of the General Laws; or (ii) real property of a public agency to be surplus to the current and foreseeable needs of the public agency, as determined by the public agency; provided, however, that “surplus real property” shall not include property subject to Article XCVII of the Amendments to the Constitution of the Commonwealth.

(b)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner may sell, lease for a term not to exceed 99 years, transfer or otherwise dispose of surplus real property for housing purposes.

(2)(i) The commissioner may, in consultation with the secretary and the secretary of housing and livable communities, determine whether real property of the commonwealth is surplus real property and shall be disposed of for housing purposes; provided, however, that prior to determining that the real property is surplus real property, the commissioner shall provide a suitable written notice and inquiry to the state agency with care and control of the real property with a date

certain required for any response. If no written response is timely received from the state agency specifying a current or foreseeable need for the real property, the commissioner shall declare such real property as surplus real property and dispose of such surplus real property for housing purposes. If a written response is timely received from the state agency specifying a current or foreseeable need for the real property, the commissioner shall, in consultation with the secretary, the secretary of housing and livable communities and such state agency, determine whether the real property shall be declared surplus real property and disposed of for housing purposes.

(ii) Notwithstanding sections 32 to 37, inclusive, of said chapter 7C or any other general or special law to the contrary, if any real property of the commonwealth is determined to be surplus to the current needs, but not to the foreseeable needs, of any state agency, the commissioner shall take such necessary action to ensure that any disposition of the real property is temporary and maintains the commissioner's ability to make such real property available to a state agency as needed.

(iii) Notwithstanding sections 32 to 37, inclusive, of said chapter 7C or any other general or special law to the contrary, the commissioner may, in consultation with the secretary and the secretary of housing and livable communities, make real property of the commonwealth that has been determined to be surplus to the current needs, but not the foreseeable needs, of any state agency available for a period of time not to exceed the foreseeable need of any state agency for housing and related purposes to municipalities, public agencies and nonprofit organizations for nominal consideration.

(3) The president of a public institution of higher education may, with the approval of the commissioner of higher education, determine that



property of any such public institution of higher education is surplus to the current and foreseeable needs of such institution and the commissioner may dispose of such property for housing purposes, provided that the institution's board of trustees does not disapprove of such determination within 60 days after the president's determination.

(4)(i) The governor may identify parcels of land owned or controlled by a public agency and any buildings or improvements thereon as potential surplus real property by submitting a written notice to the public agency. Not later than 30 days after receipt of the notice, the public agency shall determine whether such real property is surplus to its current and foreseeable needs. If the public agency determines that the real property is not surplus to its current and foreseeable needs, such public agency shall respond in writing not later than 30 days after receipt of a request by the governor, specifying the reason for its determination.

(ii) The commissioner may, in consultation with the secretary and the secretary of housing and livable communities, enter into agreements with a public agency to dispose of surplus real property of the public agency for housing purposes; provided, however, that the commissioner shall not be required to determine if the real property of the public agency is surplus to the current and foreseeable needs of the commonwealth and shall not be required to provide written notice and inquiry to any public agency.

(c) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner may amend a use restriction held by the commonwealth for general municipal purposes or for any other purpose, except those purposes subject to Article XCVII of the Amendments to the

Constitution of the Commonwealth, including housing purposes.

(d)(1) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, if the commissioner, in consultation with the secretary and the secretary of housing and livable communities, determines that real property is surplus real property pursuant to clause (i) of paragraph (2) of subsection (b) or the commissioner enters into an agreement with a public agency pursuant to clause (ii) of paragraph (4) of said subsection (b), the commissioner shall: (i) provide written notice, for each city or town in which the property is located, to the city manager in the case of a city under Plan E form of government, the mayor and city council in the case of all other cities, the chair of the board of selectmen or the select board in the case of a town, the county commissioners, the chair of the zoning board of appeals, the chair of the planning board, the regional planning agency and the members of the general court representing the city or town in which the property is located. The notice shall include a statement that the proposed reuse of the property is for housing purposes, with a date certain for any response which shall be not less than 30 days from the date of such notice; (ii) following the date certain set forth in the notice, declare the real property available for disposition and identify all reuse restrictions including, but not limited to, a restriction for housing purposes; and (iii) ensure that any deed, lease or other disposition agreement shall: (A) set forth all reuse restrictions including, but not limited to, a restriction for housing purposes; (B) provide for effective remedies on behalf of the commonwealth; and (C) provide, in the event of a failure to comply with the reuse restrictions by the grantee, lessee or other recipient, that title or such lesser interest that may have

been conveyed may revert to the commonwealth. The commissioner shall, in identifying reuse restrictions for such property, consider in good faith any comments presented by local officials and members of the general court representing each city or town in which the property is located.

(2) The commissioner shall, in consultation with the secretary of housing and livable communities, dispose of surplus real property: (i) by utilizing appropriate competitive processes and procedures; or (ii) through a sales-partnership agreement with the municipality wherein said real property is located; provided, however, that the sales-partnership agreement shall require the municipality to utilize appropriate competitive processes and procedures; provided further, that the sales-partnership agreement may require the municipality to utilize said competitive processes and select a developer prior to disposition of the real property; provided further, that the commissioner may transfer the real property directly to the selected developer pursuant to the sale-partnership agreement; and provided further, that the sales-partnership agreement may provide for payment to the municipality in an amount not to exceed 50 per cent of the net sales price paid to the commonwealth, as determined by the commissioner. A competitive process pursuant to clause (i) may include, but shall not be limited to, absolute auction, sealed bids and requests for price and development proposals. The commissioner may accept any consideration for surplus real property disposed of pursuant to this section deemed appropriate by the commissioner and the secretary of housing and livable communities. The commissioner shall prioritize disposition of surplus real property for affordable housing purposes.

(3) Not less than 30 days before the date of an auction or the date on which bids or proposals or other offers to purchase or lease surplus real property are due, the commissioner shall place a notice in the central register published by the state secretary pursuant to section 20A of chapter 9 of the General Laws stating the availability of such property, the nature of the competitive process and other information deemed relevant, including the time and location of the auction, the submission of bids or proposals and the opening thereof. The commissioner shall not be required to place said notice if the property is conveyed: (i) to a municipality or developer selected by a municipality in accordance with paragraph (2); or (ii) for nominal consideration in accordance with clause (i) of paragraph (2) of subsection (e).

(4) All surplus real property conveyed pursuant to this section shall be conveyed with a restriction for housing purposes. The deed or other instrument conveying the surplus real property shall provide that said real property shall be used for housing purposes.

(5) The commissioner shall place a notice in the central register identifying the municipality, public agency, individual or firm selected as party to the real property transaction, along with the amount of such transaction. If the commissioner accepts an amount below the value calculated pursuant to paragraph (1) of subsection (e), the commissioner shall include the justification therefor, specifying the difference between the calculated value and the price received.

(e)(1) The commissioner shall establish the value of surplus real property using customarily accepted appraisal methodologies. The value shall be calculated for: (i) the highest and best use of the property as may be encumbered; and (ii) subject to uses, restrictions

and encumbrances defined by the commissioner. If the commonwealth retains responsibility for maintaining the property, the terms shall not provide for payment of less than the annual maintenance costs.

(2)(i) Notwithstanding paragraph (1), the commissioner may, in consultation with the secretary and the secretary of housing and livable communities, dispose of surplus real property for nominal consideration; provided, however, that any such surplus real property shall be conveyed with a restriction for affordable housing purposes. The deed or other instrument conveying the surplus real property shall provide that the property shall be used solely for affordable housing purposes and may include a reversionary clause that stipulates that if the parcel ceases at any time to be used for affordable housing purposes, title to the parcel shall, at the election of the commonwealth, revert to the commonwealth.

(ii) Notwithstanding any time limits established in section 7 of chapter 184A of the General Laws or any general or special law to the contrary, the reversionary clause may be enforceable.

(iii) The commissioner may, in consultation with the secretary and the secretary of housing and livable communities, amend a use restriction held by the commonwealth to include housing purposes.

(f) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner may, in consultation with the secretary, the secretary of housing and livable communities and the state agency with care and control of real property, transfer care and control of real property between state agencies for housing purposes.

(g)(1) No agreement for the sale, lease, transfer or other disposition of surplus real property and no deed executed by or on behalf of the

commonwealth shall be valid unless such agreement or deed contains the following certification, signed by the commissioner:

“The undersigned certifies under penalties of perjury that I have fully complied with the Affordable Homes Act of 2024 in connection with the property described herein.”

(2) No agreement for the sale, lease, transfer or other disposition of surplus real property shall be valid unless the purchaser or lessee has executed and filed with the commissioner the statement required by section 38 of chapter 7C of the General Laws.

(h) The grantee or lessee of any surplus real property shall be responsible for all costs relating to the conveyance, including, but not limited to, appraisals, surveys, plans, recordings and any other expenses, as shall be deemed necessary by the commissioner.

(i) The commissioner shall deposit the proceeds from any disposition of real property pursuant to this section into the surplus real property disposition fund established in section 123.

(j) The commissioner may, in consultation with the secretary of housing and livable communities, promulgate regulations to implement this section.

SECTION 122. (a) Notwithstanding chapter 40A of the General Laws or any other general or special law or local zoning or municipal ordinance or by-law to the contrary, a city or town shall permit the residential use of real property conveyed by the commissioner pursuant to section 121 for housing purposes as of right, as defined in section 1A of said chapter 40A, notwithstanding any use limitations otherwise applicable in the zoning district in which the real property is located including, but not limited to, commercial, mixed-use development or industrial uses. A city or town may impose reasonable

regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space and building coverage requirements and a city or town may require site plan review; provided however, that the city or town shall permit not less than 4 units of housing per acre.

(b) Real property conveyed by the commissioner pursuant to section 121 shall include, but not be limited to, the amendment of use restrictions held by the commonwealth to allow for the use of such real property for housing purposes.

(c) The secretary of housing and livable communities may promulgate regulations to implement this section.

SECTION 123. (a) There is hereby established a Surplus Real Property Disposition Trust Fund to be administered by the secretary for administration and finance.

(b) The fund shall be credited with: (i) the proceeds realized from the disposition of surplus real property and the amendment of use restrictions pursuant to section 121; (ii) any appropriation, grant, gift or other contribution made to the fund; and (iii) any interest earned on money in the fund. Amounts credited to the fund shall not be subject to further appropriation and any money remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall be available for expenditure in the subsequent fiscal year.

(c) Amounts credited to the fund may be: (i) transferred by the secretary to the state agency that had care and control of the land conveyed pursuant to section 121 if the real property was conveyed for fair market value consideration in an amount equal to the net proceeds of the disposition; (ii) transferred by the secretary to the state agency that had care and control of the real property conveyed



## **Affordable Homes Act - Section 122 Surplus Land Guidance**

Date of Publication: June 2, 2025

The Massachusetts Affordable Homes Act (AHA) was enacted to promote housing development throughout the Commonwealth. In furtherance of this purpose, Sections 121 and 122 of AHA establishes a streamlined process for the disposition of surplus state land for housing purposes (Surplus Land).<sup>1</sup> The disposition process is administered by the Division of Capital Asset Management and Maintenance (DCAMM). AHA authorizes DCAMM, in consultation with the Secretary of Administration & Finance (ANF) and the Secretary of the Executive Office of Housing and Livable Communities (EOHLC), to determine if property of the Commonwealth should be disposed of for housing purposes.<sup>2</sup>

All state-owned land not subject to Article 97 is eligible to be declared Surplus Land and sold under Section 121. DCAMM has currently identified a subset of surplus parcels that would be appropriate for residential development and intends to identify more parcels in the future. If DCAMM identifies a parcel as being surplus state land that is suitable for residential development, then DCAMM will notify and engage the host municipality.

As part of this disposition process, Section 121 of the AHA requires DCAMM to notify municipal officials, including the chairs of the local zoning board and planning board, and elected officials before making a site available for sale. DCAMM must provide at least a 30-day comment period and consider all comments received in good faith. DCAMM will endeavor to provide as much advance notice as possible to affected municipalities. After this public comment period, DCAMM may dispose of the property using a competitive

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<sup>1</sup> Section 121 of AHA defines "Housing Purposes" as, "development of housing for use as the primary residence of the occupant including, but not limited to, market rate housing, affordable housing and public housing; provided, however, that housing purposes may include subsequent conveyance by a public agency, other than a state agency, with a restriction for housing purposes; provided further, that housing purposes shall include affordable housing purposes.

<sup>2</sup>The streamlined process also authorizes the Governor to identify public agency land as surplus for disposition for housing purposes; authorizes public institutions of higher education to determine if property is surplus and should be made available for housing purposes; and authorizes public agencies, in consultation with DCAMM, ANF, and EOHLC to determine that their land is surplus and should be made available for housing purposes.



process such as a request for proposals or an auction. Housing development may be single or multi-family, rental or owned.

Surplus Land conveyed by DCAMM pursuant to Section 121 must be valued by DCAMM and calculated for the highest and best use of the property as may be encumbered and subject to uses, restrictions and encumbrances as defined by DCAMM. As noted above, DCAMM must also provide written notice to municipalities. This written notice will include a statement about the proposed reuse of the property. When making Surplus Land available for disposition, DCAMM will also identify all reuse restrictions, and must ensure that any deed, lease or other disposition agreement will set forth such reuse restrictions.

Section 122 of the AHA limits a municipality's ability to control the permitting of housing developed on Surplus Land conveyed through DCAMM's streamlined process and provides that EOHLC may promulgate regulations to implement the section. EOHLC is planning to promulgate regulations at a later date to further assist communities and administer Section 122's implementation.

Section 122 of the AHA states in relevant part:

***Notwithstanding** chapter 40A of the General Laws or any other general or special law or local zoning or municipal ordinance or by-law to the contrary, a city or town shall permit the residential use of real property conveyed by the commissioner pursuant to section 121 for housing purposes as of right, as defined in section 1A of said chapter 40A, **notwithstanding** any use limitations otherwise applicable in the zoning district in which the real property is located including, but not limited to, commercial, mixed-use development or industrial uses. A city or town **may impose reasonable regulations** concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space and building coverage requirements and a city or town may require site plan review; provided however, that the city or town shall permit not less than 4 units of housing per acre. [emphasis added].*

#### **I. Housing Allowed by Right**

Section 122 of AHA requires municipalities to allow as-of-right the residential use of Surplus Land for housing purposes as conveyed by DCAMM. Generally, the as of right residential use requirements and zoning limitations for Surplus Land imposed by Section 122 preempt local zoning. This preemption is articulated in the statute's provision that "[n]otwithstanding [MGL c. 40A] . . . or local zoning or municipal ordinance or by-law to the contrary . . . [and] **notwithstanding** any use limitations otherwise applicable in the zoning district in which the real property is located. . . ." (emphasis added).

A municipality must, therefore, comply with the minimum provisions required by the statute. Namely, that a municipality “**shall permit the residential use of real property conveyed by the commissioner pursuant to section 121 for housing purposes as of right, as defined in section 1A of said chapter 40A . . .**” (emphasis added). As of right is defined in M.G.L. c. 40A, § 1A as “**development that may proceed under a zoning ordinance or by-law without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.**” (emphasis added).

Taken as a whole, Section 122 requires a municipality to allow residential development of Surplus Land conveyed pursuant to the streamlined process administered by DCAMM without requiring a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval, **even if** local zoning does not otherwise allow for residential use or does not allow for as of right residential development (e.g., requires a special permit) on the Surplus Land.

Any requirements imposed on the use of the Surplus Land, whether contained within a zoning bylaw, approval or a legally binding agreement, must allow for residential use as of right, at a minimum of at least 4 units of housing per acre, and conforms to any forthcoming EOHLC regulations. Any requirements imposed on Surplus Land are also limited to the five categories of allowable reasonable regulations specified in the AHA and discussed in Section II below.

Section 122 generally does not prohibit a municipality from entering into a legally binding development agreement instead of relying on zoning or approvals. Municipalities are encouraged to negotiate agreements before application for permits or other approvals are filed by the developer, and, if possible, the municipality should identify to DCAMM early on any areas that they would seek to negotiate so that DCAMM can provide that information to developers during the competitive selection process. Cooperation early in the disposition process allows the municipality to negotiate additional requirements beyond the five zoning controls under Section 122 (such as parking and affordable housing requirements), so long as the effective minimum density of 4 units per acre is permitted. This kind of cooperative approach provides the developer greater certainty over what can be built and allows both the municipality and developer to explore different incentive and grant programs to aid development, such as Community Preservation Act or Affordable Housing Trust Fund monies controlled by the municipality. EOHLC may provide additional information in forthcoming regulations.

## **II. Reasonable Regulation**

Although Section 122, at its most basic, preempts zoning that conflicts with DCAMM conveyances under Section 121 for as-of-right development of residential uses, the statute also gives municipalities the right to “impose reasonable regulations concerning” five specifically enumerated zoning powers, so long as doing so would not effectively reduce

viable development to a density of “less than 4 units of housing per acre.” Those five zoning powers are as follows:

1. Bulk and height of structures and determining yard sizes
2. Lot area
3. Setbacks
4. Open space and building coverage requirements
5. Site plan review

EOHLC is planning to promulgate regulations to more fully define “reasonable regulations,” but municipalities should note that if they wish to regulate any of the five categories of allowable reasonable regulations outside of a negotiated agreement with the developer, they must do so “as of right” as defined by M.G.L. c. 40A, §1A. This requires that the development “may proceed under a zoning ordinance or by-law . . .” and that it not require a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

One alternative approach would be for the municipality and developer to voluntarily negotiate a legally binding agreement, which would govern any permits or approvals the developer then seeks. With an agreement, a municipality would not need to adopt amendments to their zoning by laws or ordinances but would have input into dimensional and other aspects of the development including those that are otherwise not granted by the statute.

### **III. Site Plan Review**

Site plan review is expressly allowed by Section 122 of the AHA. This provides an opportunity for municipalities that have authorized site plan review to regulate additional aspects of a residential development related to the health, safety, and welfare of the residents. However, any site plan review must be done carefully so as not to impose discretionary decisions on an as of right use. This means that requirements must be clear and objective and the review conducted without discretion. One appropriate example often seen with site plan review, for example, would be in ensuring that curb cuts provide for a safe and efficient traffic flow. An example of an inappropriate use of site plan review in this context would be a general subjective requirement that the building be “aesthetically pleasing.”

It is also important that site plan review not be used to impose requirements that would otherwise not be allowed by the statute. For example, the statute does not allow a municipality to require off-street parking so site plan review may not be used to impose a parking requirement. It may, however, ensure that the parking requirements are followed regarding such things as parking stall dimensions and screening requirements to ensure

the health, safety, and general welfare of municipal residents where parking is nevertheless provided by the developer.

# **Administrative Bulletin: Commonwealth Leasing and Real Estate Activity**

**Date:** 2/17/2025

**Organization:** Executive Office for Administration and Finance

**Referenced Sources:** M.G.L c.23A. s.3A; M.G.L. c.30 s.62; M.G.L. c.149 s.26-27C; Executive Order 594

The purpose of this Bulletin is to establish policy principles and requirements for Commonwealth leasing and real estate activity.

## **Table of Contents**

- Purpose and Scope
- Guidelines
- Links
- A&F Secretary Approval and Effective Date
- Contact

## **Purpose and Scope**

Effective February 17, 2025, all state entities subject to the provisions of M.G.L. chapter 7C, sections 7 and 32-42 inclusive must comply with the following updated policy, in order to ensure that Commonwealth leasing and real estate activity is conducted in alignment with key policy goals including:

- Prioritizing the location of state investments in Gateway Cities, environmental justice areas, and other areas where they can play a role in revitalizing and stabilizing the economies of underserved communities.
- Encouraging participation by individuals and businesses from under-represented groups as vendors, developers and in the workforce.
- Advancing climate and decarbonization objectives in programming, siting, design & construction, and other real estate and property decision-making.
- Ensuring workers are protected and share in the benefits when larger public facilities are developed using public private partnerships.

## **Leasing and Real Estate Principles**

To advance the objectives outlined above, executive departments working with the Executive Office for Administration and Finance's Division of Capital Asset Management and Maintenance (DCAMM) shall consider the following principles in their real estate activities on behalf of the Commonwealth:

1. In solicitations for procurement of leased property for the Commonwealth, occupant entities and DCAMM should prioritize locations that meet the following criteria (as applicable) to the greatest extent possible consistent with the service requirements of the procurement:
  - a. Locations that are accessible to the client populations serviced by the leasing entity.
  - b. Locations within the boundaries of Gateway Municipalities as defined in M.G.L. c. 23A, s. 3A.
  - c. Locations in Environmental Justice Population neighborhoods as defined in M.G.L. c. 30, s. 62.
  - d. Locations with scores of 60 or greater on the Smart Location Index issued by the U.S. General Services Administration.
2. To reduce the Commonwealth's climate impacts, agencies and DCAMM should aim for new lease agreements or lease extensions that have no net increase in square footage beyond modest variations caused by existing architectural conditions. Where a new or extended lease agreement or lease extension increases usable square footage, agencies are encouraged to offset that increase in the future by the designation of an equal or greater amount of usable square footage of state-controlled facilities for demolition, disposition, or lease revision or termination.

## **Leasing and Real Estate Requirements**

To advance the objectives outlined above, executive departments working with DCAMM are required to implement the following guidelines in their real estate activities on behalf of the Commonwealth:

1. In the absence of an explicit and documented geographic necessity to do so, DCAMM shall not lease property located in an Environmental Justice Population neighborhood for a use that creates an Environmental Burden, as defined in M.G.L. c. 30, s. 62.
2. As set forth in Section 4.E. of Executive Order 594, all leasing procurements shall incorporate the following criteria:
  - a. Compliance with or exceeding current building energy codes;
  - b. Meeting environmental criteria and receiving applicable environmental certifications;
  - c. Compliance with municipal energy disclosure ordinances;
  - d. Compliance with state recycling requirements;

- e. Access to electric vehicle charging stations;
  - f. Siting near public transportation and accessibility for pedestrians and cyclists; and
  - g. Other elements that contribute to reduced GHG emissions and/or reduced environmental impacts.
3. When disposing of state real property assets, whether through lease or sale, solicitations should require redevelopment projects involving 20,000 or more gross square feet of renovation or construction in a single building be designed and implemented consistent with the standards for new construction and building renovation, as applicable, established for Commonwealth projects in Sections 3 and 4 of Executive Order 594.
  4. In all competitive solicitations involving real property acquisition or disposition by lease or purchase and sale, DCAMM shall include a provision that the proposer submit a written plan for how their project will create opportunities for individuals or groups from historically under-represented demographics and incorporate review of said plan as a comparative evaluation criterion.
  5. For all public facilities occupied by state entities developed in leased property or through public-private partnerships facilitated by DCAMM that involve substantial renovation or new construction, designs shall emphasize universal design principles to create inclusive environments for all occupants regardless of ability, in addition to compliance with applicable laws and regulations of the Americans with Disabilities Act and the Massachusetts Architectural Access Board.
  6. In all instances where DCAMM or any state entity working in partnership with DCAMM seeks authority from the Asset Management Board to enter into public private partnerships and/or lease terms exceeding ten years for projects that include the construction or renovation of facilities to be occupied and used by Commonwealth entities for the delivery of state government services, the construction shall be subject to the prevailing wage provisions of M.G.L. c. 149, sections 26-27C.

## **Exceptions**

Where a leasing entity presents a compelling case that they have service needs that necessitate other geographic parameters (e.g., a marine research center that requires a coastal location or a regional service center that supports a specific area of the Commonwealth) or require space beyond what they currently occupy for similar services, alternative location criteria and size parameters to those described above may be considered by DCAMM and the leasing entity.

## **Compliance Reporting**

The Commissioner of Capital Asset Management and Maintenance shall appropriately track compliance with these policy directives.

## **Links**

For more information visit the Division of Capital Asset Management and Maintenance Real Estate and Leasing websites:

<https://www.mass.gov/info-details/dcamms-office-of-real-estate-management-services>

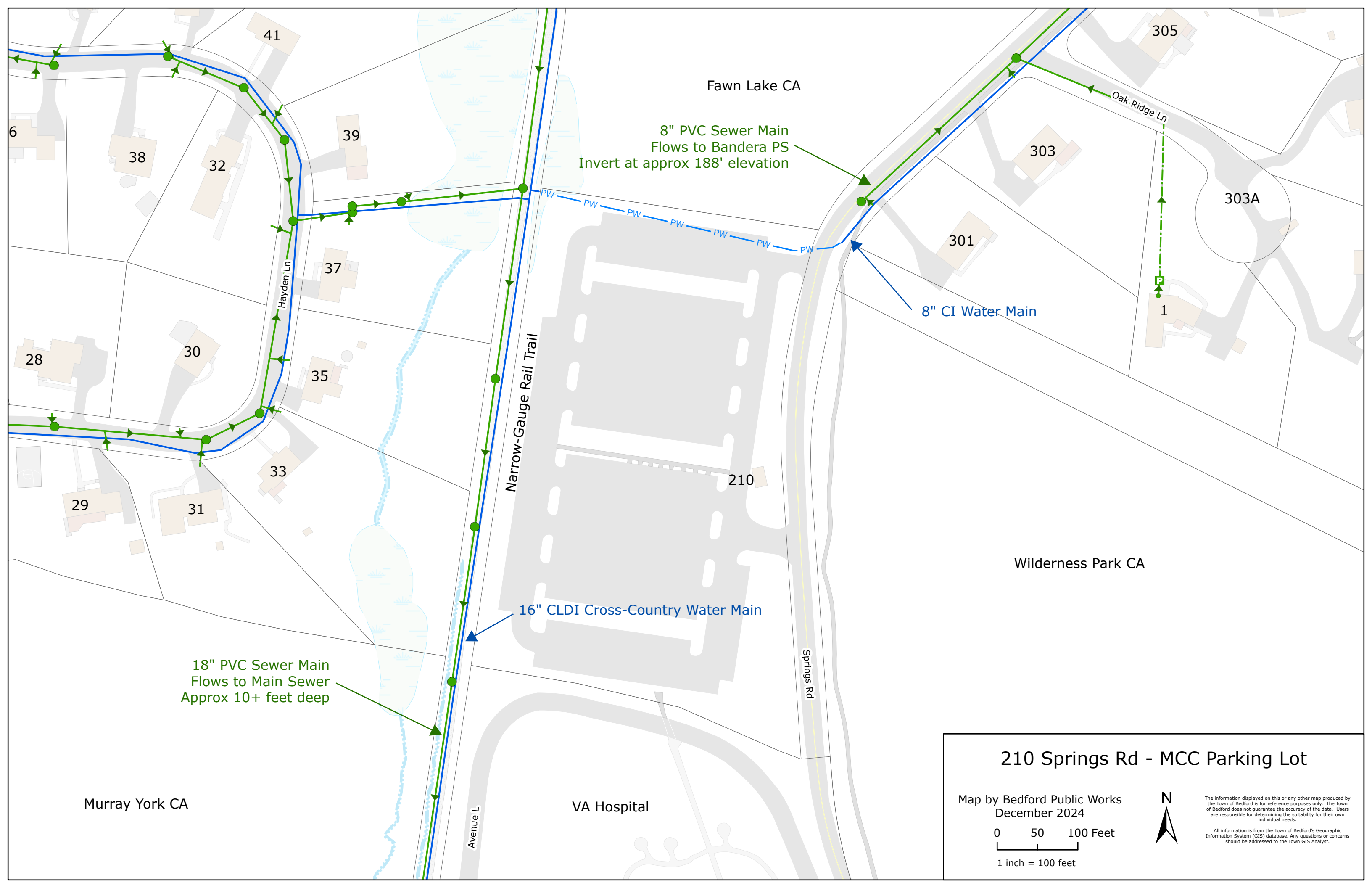
<https://www.mass.gov/info-details/dcamms-office-of-leasing-and-state-office-planning>

**A&F Secretary Approval and Effective Date**

This Administrative Bulletin published by the Executive Office for Administration and Finance shall be effective as of February 17, 2025.

Matthew Gorzkowicz, Secretary  
Effective Date February 17, 2025





Fawn Lake CA

8" PVC Sewer Main  
Flows to Bandera PS  
Invert at approx 188' elevation

8" CI Water Main

Narrow-Gauge Rail Trail

16" CLDI Cross-Country Water Main

18" PVC Sewer Main  
Flows to Main Sewer  
Approx 10+ feet deep

Wilderness Park CA

Murray York CA

VA Hospital

## 210 Springs Rd - MCC Parking Lot

Map by Bedford Public Works  
December 2024

0 50 100 Feet

1 inch = 100 feet



The information displayed on this or any other map produced by the Town of Bedford is for reference purposes only. The Town of Bedford does not guarantee the accuracy of the data. Users are responsible for determining the suitability for their own individual needs.

All information is from the Town of Bedford's Geographic Information System (GIS) database. Any questions or concerns should be addressed to the Town GIS Analyst.



MATCH LINE SHEET NO. 1  
STA. 19+68

16"X10" Tee Sta. 19+91  
10" Plug

New 16" G.V.  
Sta. 20+31

16"X6" Tee Sta. 20+12  
6" Gate Valve  
6" Pipe  
Hydrant

See Det. A

DETAIL "A"

Pass thru Box Culvert  
See detail this sheet

New 16" D.I. Water Main

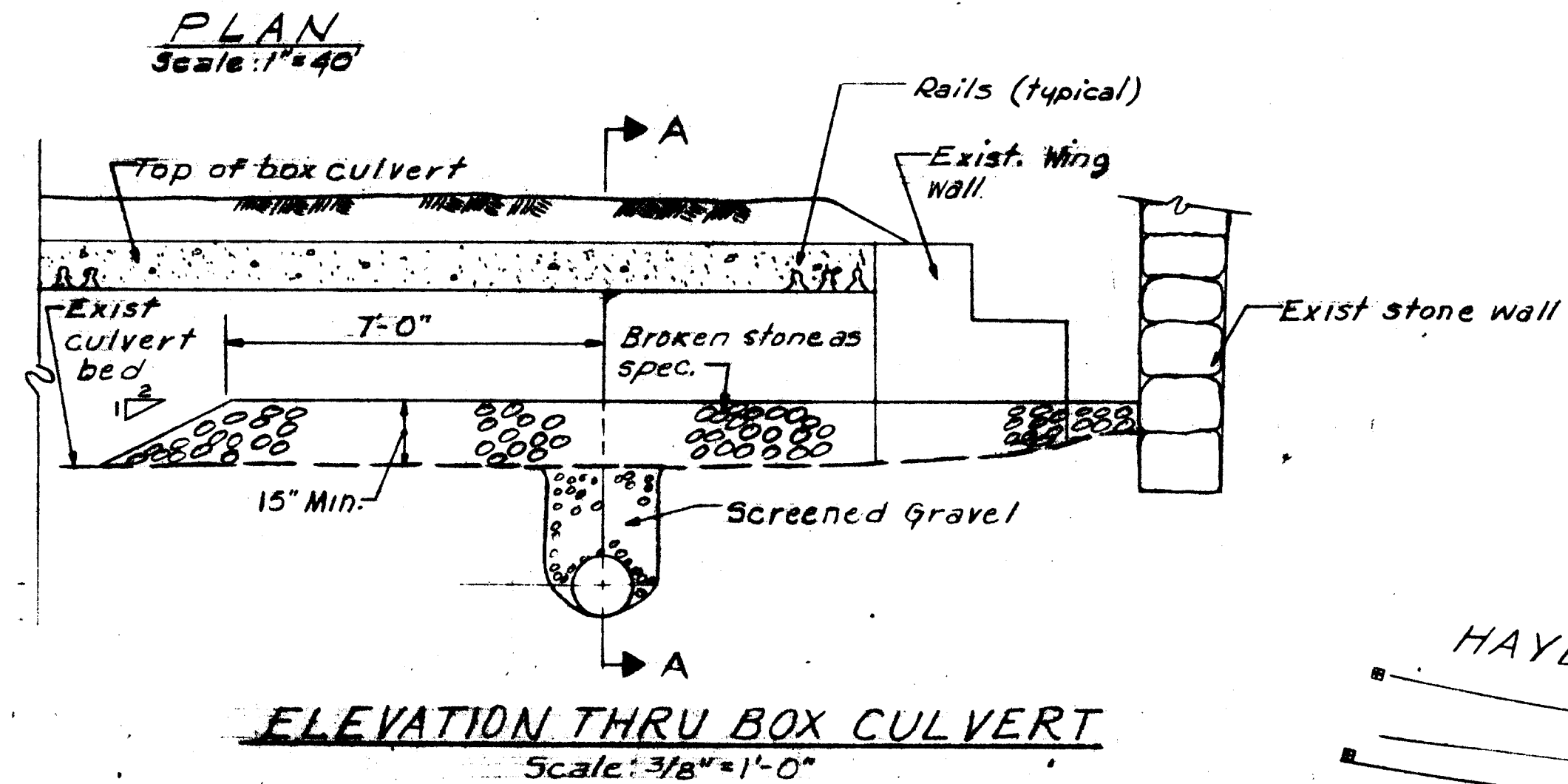
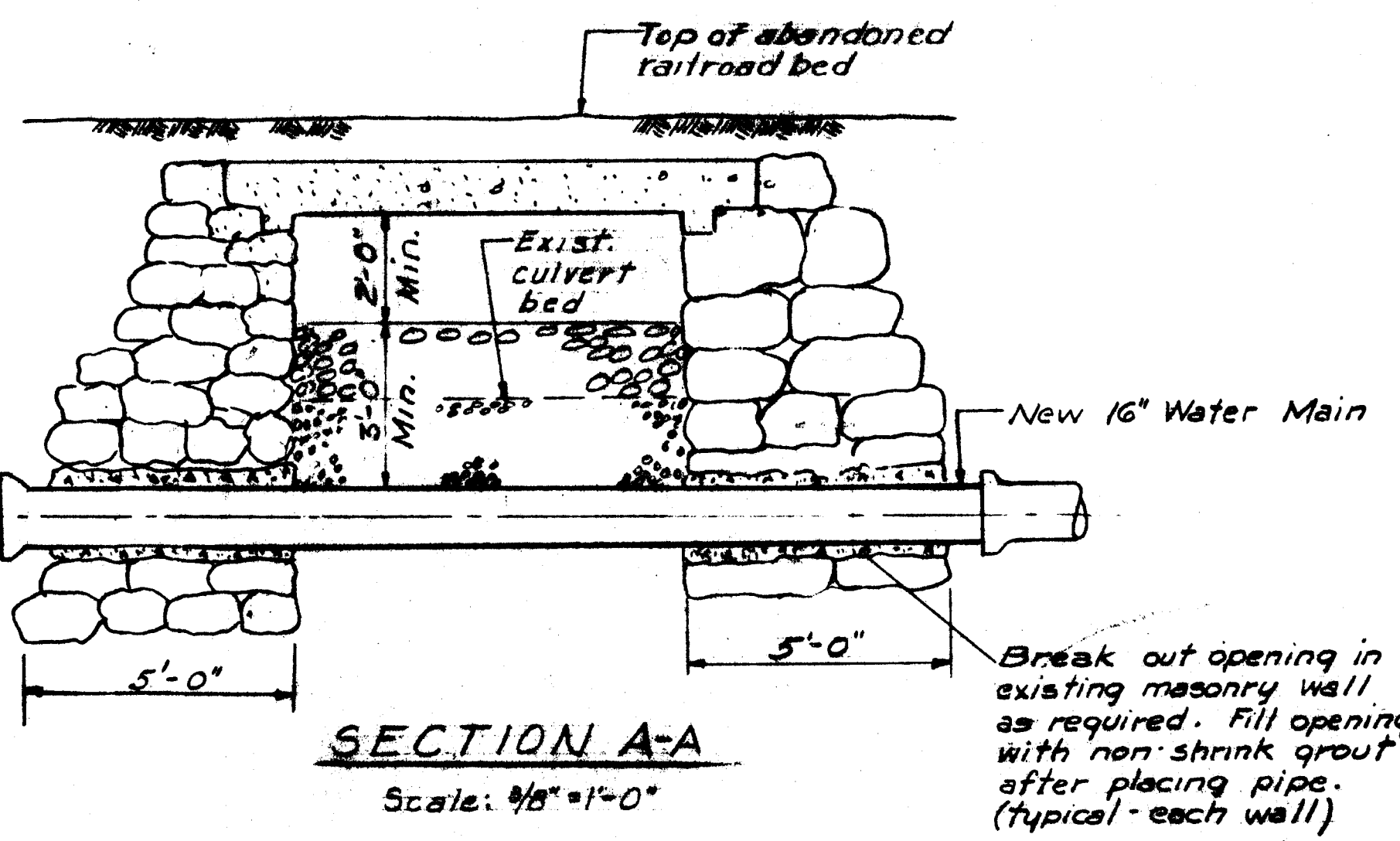
Exist. Town of Bedford  
right way.

DETAIL "C"

New 16" G.V.  
Sta. 30+21

16"X6" Tee (Sta. 30+13)  
6" Gate Valve  
6" D.I. Pipe  
Hydrant

MATCH LINE THIS SHEET  
STA. 31+55



MATCH LINE THIS SHEET  
STA. 31+55

2' Wide Ditch

Exist. Town of Bedford  
right of way

New 16" D.I. Water Main

12" C.M. Pipe  
Ink 178.52

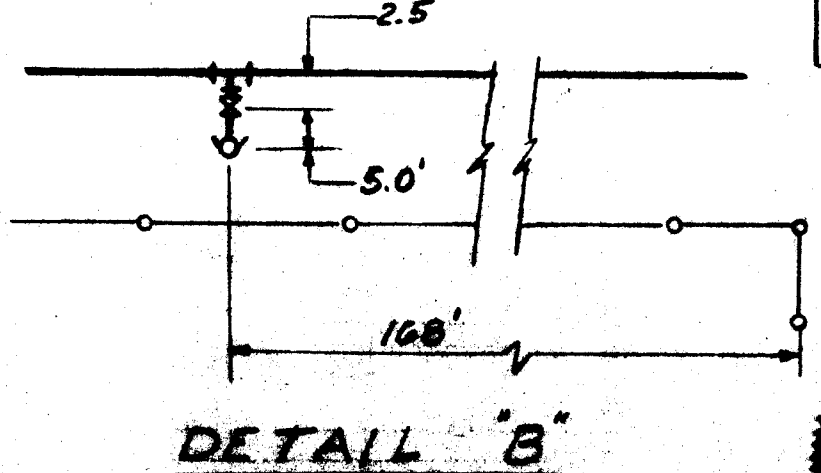
12" D.I.

Abandoned  
Railroad Bed

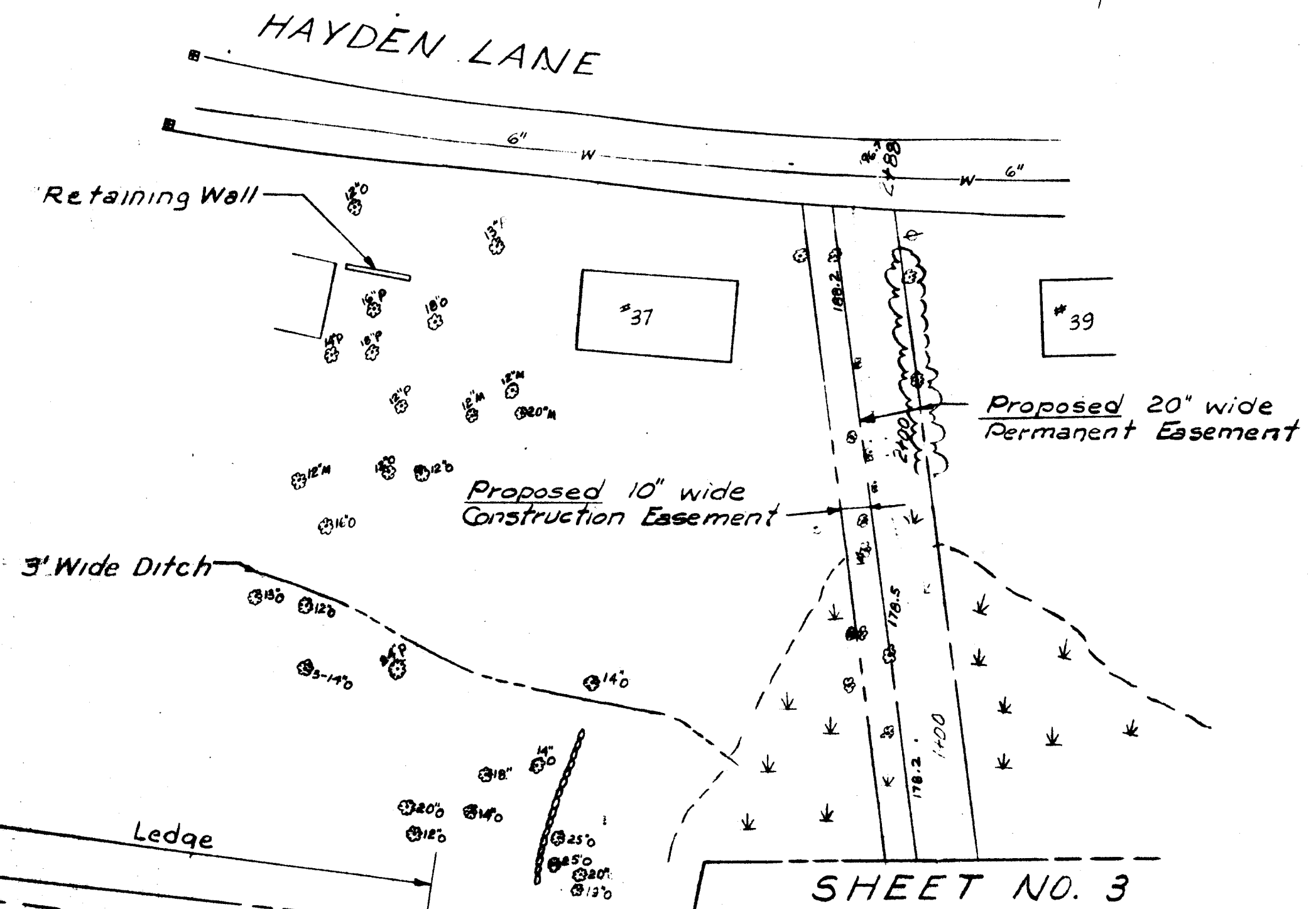
16"X6" Tee, Sta. 40+72  
6" Gate Valve  
6" D.I. Pipe  
Hydrant

See Det. "B"

PLAN  
Scale: 1" = 40'



RECORD DRAWING

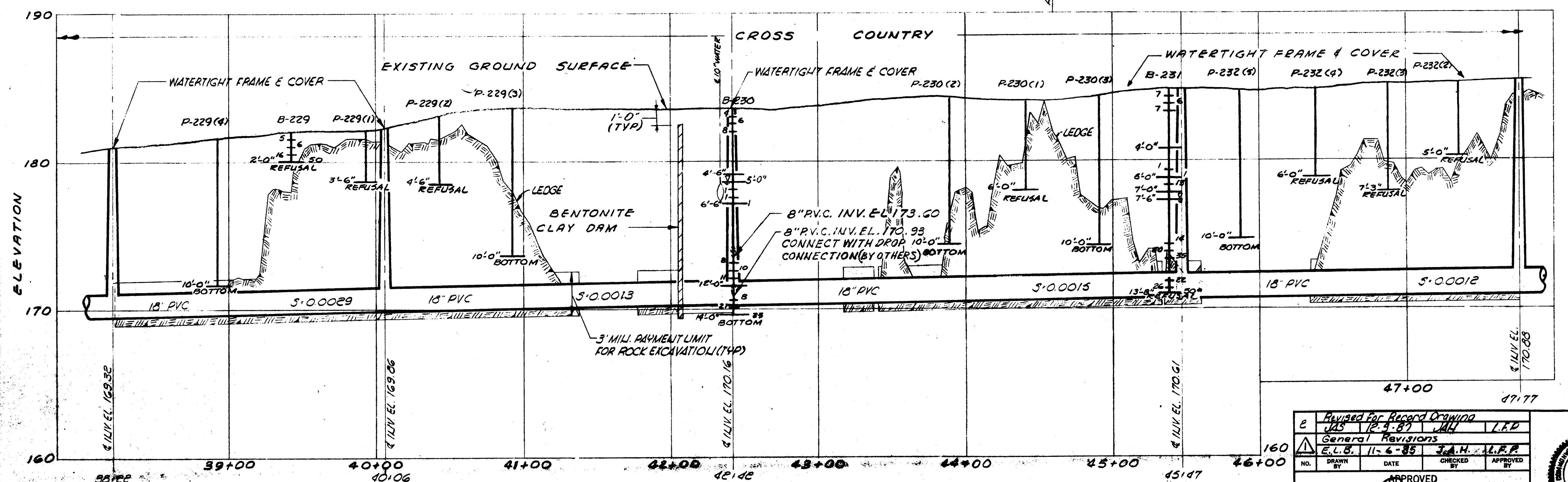
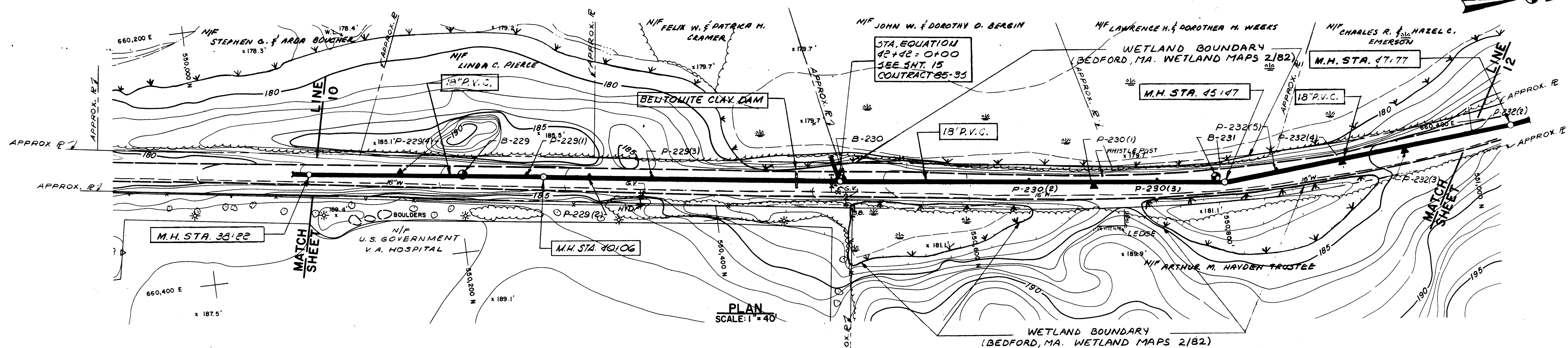
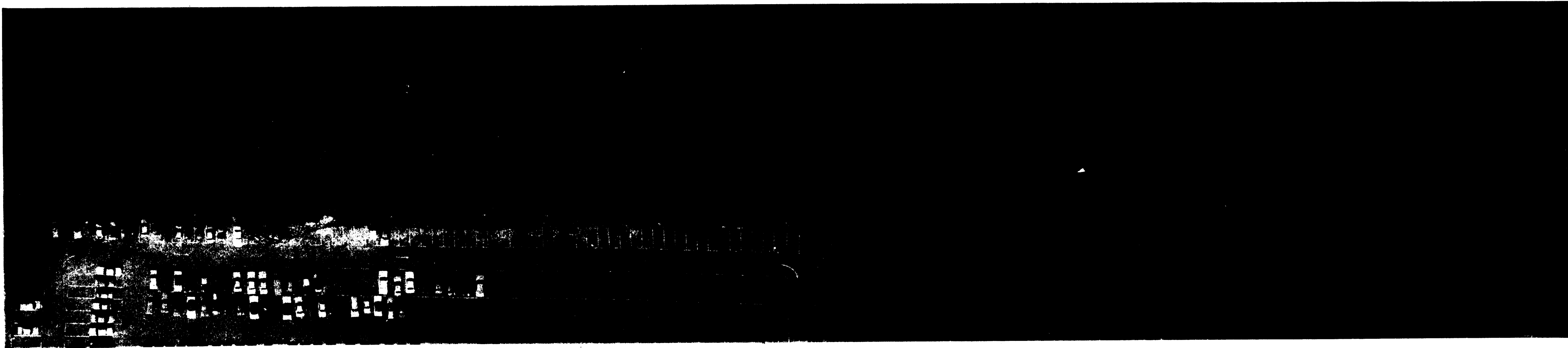


Revised by:	Date	Reason

1975	WD	Revised for Record Drawing
Date	Ch'd.	Revision
Designed by:	C.P.N.W.	
Drawn by:	J.L.	
Checked by:	J.L.	
Approved by:	C.A.P.	
Date:	May, 1975	
Scale:	1" = 40'	

TOWN OF BEDFORD, MASSACHUSETTS  
WATER WORKS IMPROVEMENTS  
1975 WATER MAINS CONTRACT NO. 3  
**CROSS COUNTRY**  
STA. 19+68 TO STA. 41+30  
CAMP DRESSER & WALKER Inc.  
Consulting Engineers  
Boston, Mass.





PROFILE  
SCALE: HORIZ. - 1" = 40'  
VERT. - 1" = 4'

# RECORD DRAWING

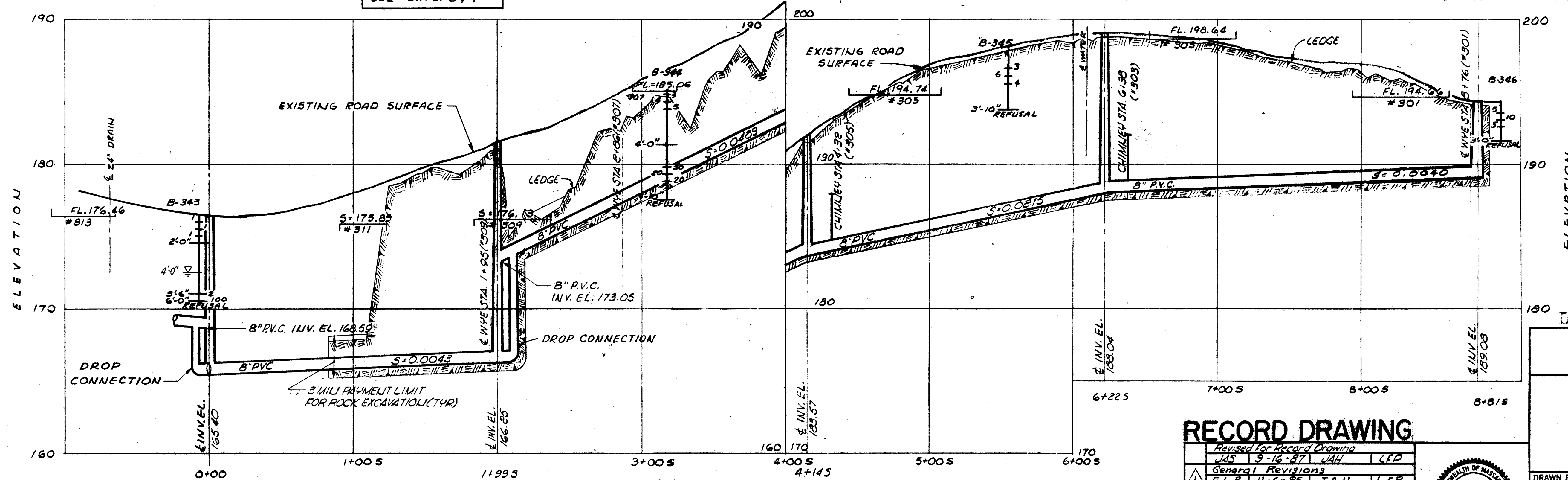
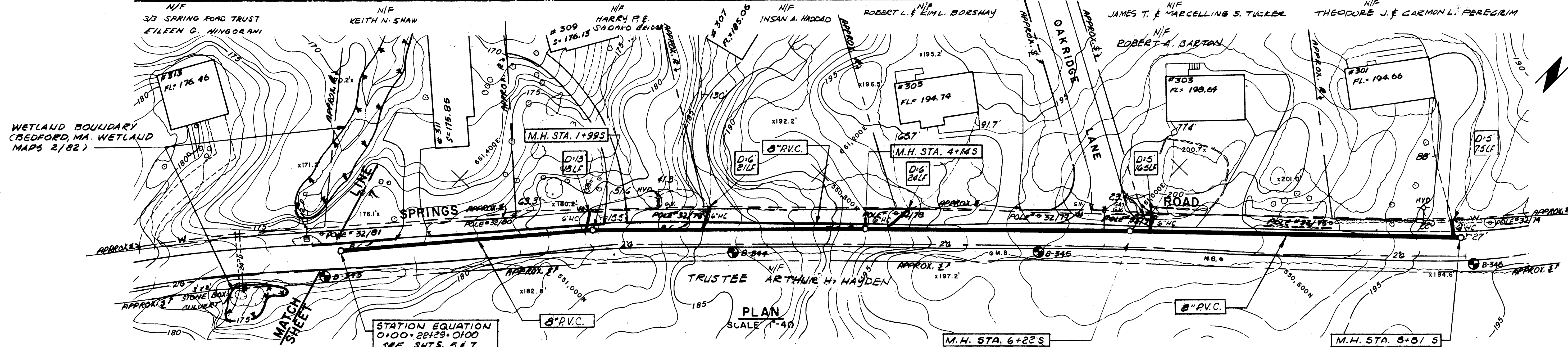
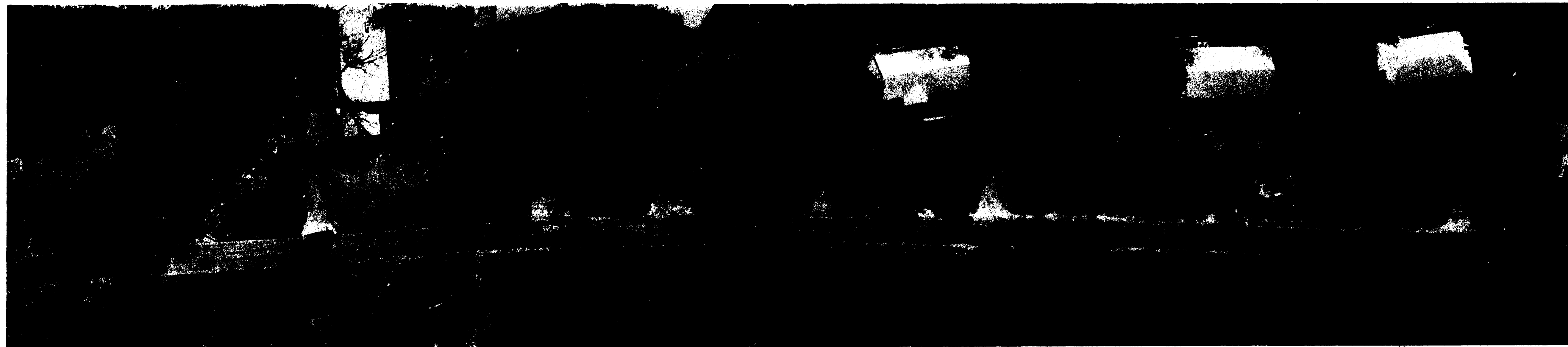
PROJECT 557-CS-114 CONTRACT 85-25

TOWN OF BEDFORD, MASSACHUSETTS BOARD OF SELECTMEN	
RAILROAD BED GEWERS RAILROAD BED INTERCEPTOR	
CROSS COUNTRY STA. 38+22 TO STA. 47+77	
DRAWN BY R.F.C.	<b>WESTON &amp; SAMPSON ENGINEERS, INC.</b> ONE PLEASURE ISLAND ROAD WAKEFIELD, MASS. 01880
CHECKED BY PWS	
APPROVED BY LFP	
SCALE: AS SHOWN SHEET: 11 OF 34 SHEETS	

Revised for Record Drawing JAS 12-3-87 LFP	
General Revisions E.L.B. 11-6-85 J.A.H. LFP	
NO.	DATE
1	12/12/85
APPROVED SAMPSON, ENGINEERS	
DATE	



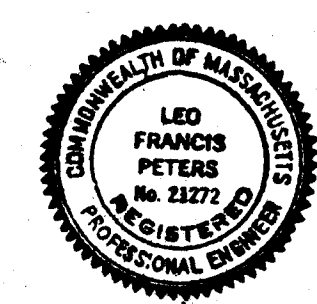




PROFILE  
SCALE: HORIZ. - 1"=40'  
VERT. - 1"=4'

### RECORD DRAWING

Revised for Record Drawing			
JAS	9-16-87	JAH	LED
General Revisions			
E.L.B.	11-6-85	J.A.H.	L.R.P.
NO.	DRAWN BY	DATE	CHECKED BY
1	JAS	9/16/87	JAH
APPROVED			
FOR WESTON & SAMPSON, ENGINEERS			
REG. PROF. ENGR.			



PROJECT 557-CS-114 CONTRACT 85-79	
TOWN OF BEDFORD, MASSACHUSETTS BOARD OF SELECTMEN	
SPRING BROOK SEWERS	
SPRINGS ROAD STA. 0+00 TO STA. 8+81S	
DRAWN BY E.L.B.	CHECKED BY P.M.S.
APPROVED BY L.R.P.	DATE 5/6/77
WESTON & SAMPSON, INC. ONE PLEASURE ISLAND ROAD WAKEFIELD, MASS. 01880	
SCALE AS SHOWN	DATE MAY 1977
SHEET 6 OF 21 SHEETS	35-84





# Bedford Housing Visioning Workshop Findings & Summary

Site: 210 Springs Rd. Bedford

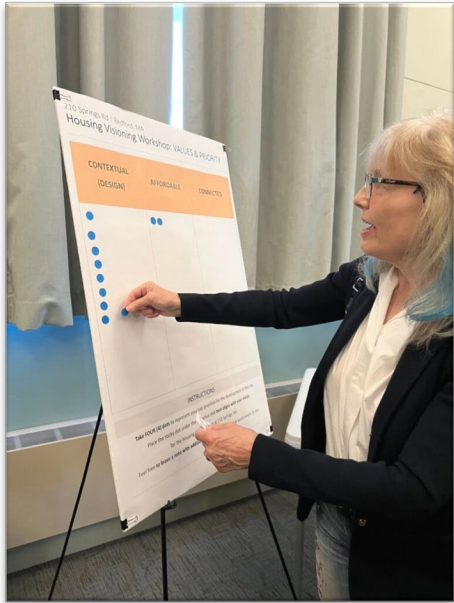
Event Date: April 30, 2025



DIVISION OF  
CAPITAL ASSET  
MANAGEMENT &  
MAINTENANCE



# Findings & Summary | Workshop Overview



Local Residents providing input at the workshop  
Source: Denise Dube - Bedford Citizen



On April 30, 2025, DCAMM and the Town of Bedford hosted an in-person housing visioning workshop at the Bedford Town Hall and opened a digital survey (concluded on May 31<sup>th</sup>).

There were approximately 30+ participants in-person and 15+ participants joining over Zoom. The digital survey received approximately 95 unique responses from community members.

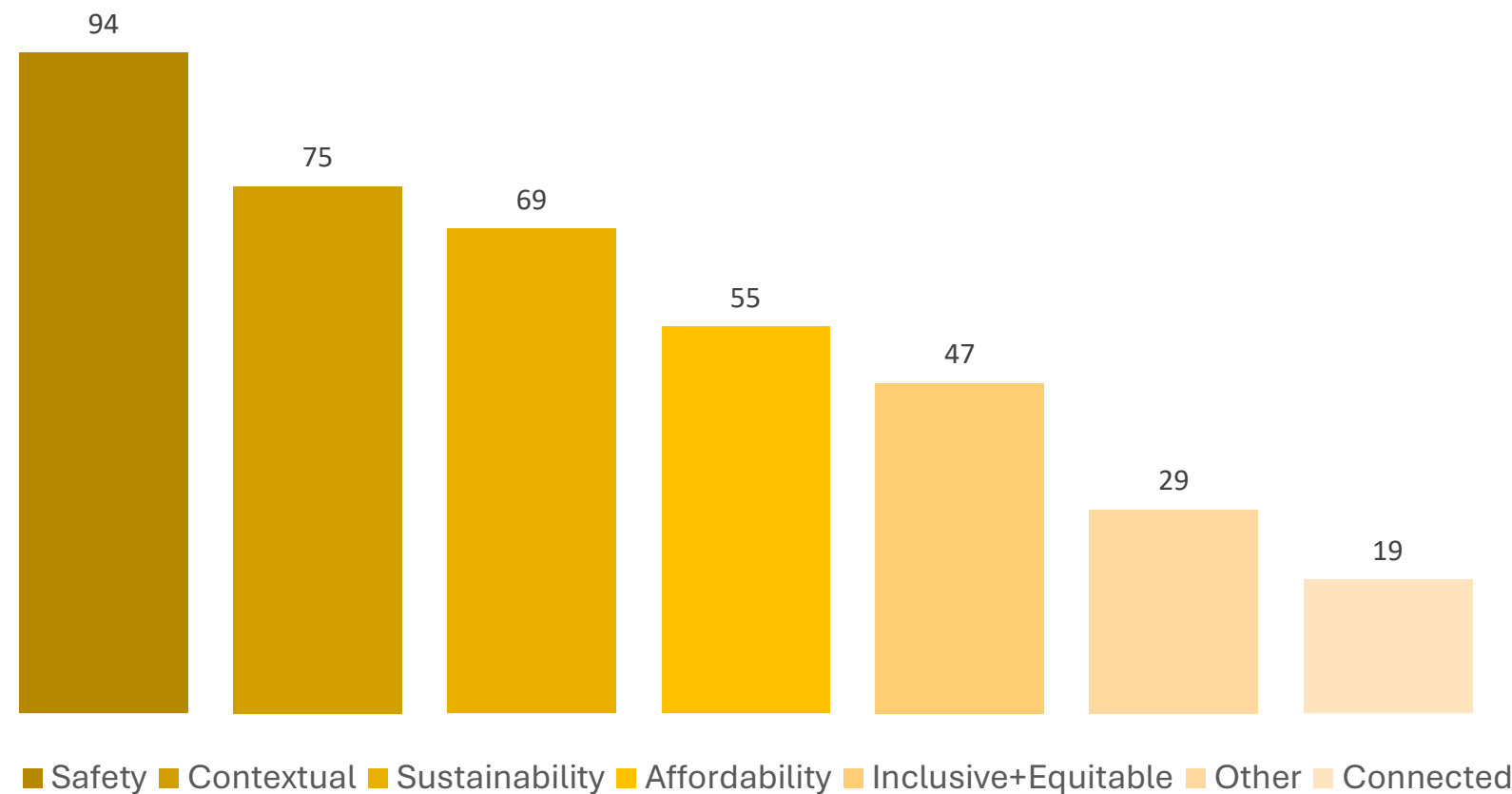
The Workshop included a DCAMM-led presentation, a brief Q&A, and activities for participants to provide input on the future redevelopment. These activities included multiple open-ended prompts; an exercise to rank individual values and priorities; and an opportunity to provide comments and impressions on various illustrative residential building scale.

The workshop goals were to 1) provide background on DCAMM, its mission, and its directive to help address the housing crisis in the Commonwealth through the Affordable Homes Act (AHA); 2) provide an overview of the disposition site, its existing uses, and adjacent amenities; 3) describe Commonwealth project goals, timeline, and process under AHA; and 4) offer ample opportunity for community input on the housing vision for the development site.



# Findings & Summary | Identify your **top 4 values to prioritize** in the future housing development

Survey Results: Values and Priorities



Mentions account for the in-person workshop and digital survey results from April 30 through May 31.

**Safety and traffic mitigation** dominates respondent’s top priority for the future development. Several respondents noted existing congestion on Springs Rd and fear this development will exacerbate traffic in this area. There was also specific reference to safety for community members that park and access the Wilderness park across the street.

Following safety and traffic congestion, **Contextual design and Sustainability** ranked closely for respondents. Most respondents prefer a housing development that respects the neighboring buildings and homes and will not detract from the natural beauty of the area.



# Findings & Summary | Values & Priorities – Quotes from Respondents

## Contextual

"I think the key value is "contextual," meaning that the new development and units fit in with Bedford's look and feel generally, and specifically with the surrounding natural and residential areas[...]so, it will be critical to think about how multi-family units can be integrated gently into this."

## Connected

"Building should fit in with their small town, bucolic surroundings. Do not build something that belongs in a city at this site. Primary concern is density. Want to build only the minimum number of units on this site."

## Safety

"Springs Road has dealt with a problematic increasing traffic problem for a number of years.

Cars fly down the road, there are numerous accidents, and nothing has ever been done by the Town to address this problem.

This project will increase this safety problem, and I fear for the safety of our children and elderly."

## Other

"I prefer to have no housing there at all."

## Sustainability

"Top priority is sustainable building with mitigated local ecological impacts."

"There is a lot of open space there today, even if it is a parking lot. One can drive by and see lots of trees. Do not remove that character from the area. Keep it natural. Keep it quiet and peaceful for abutters..."

## Affordability

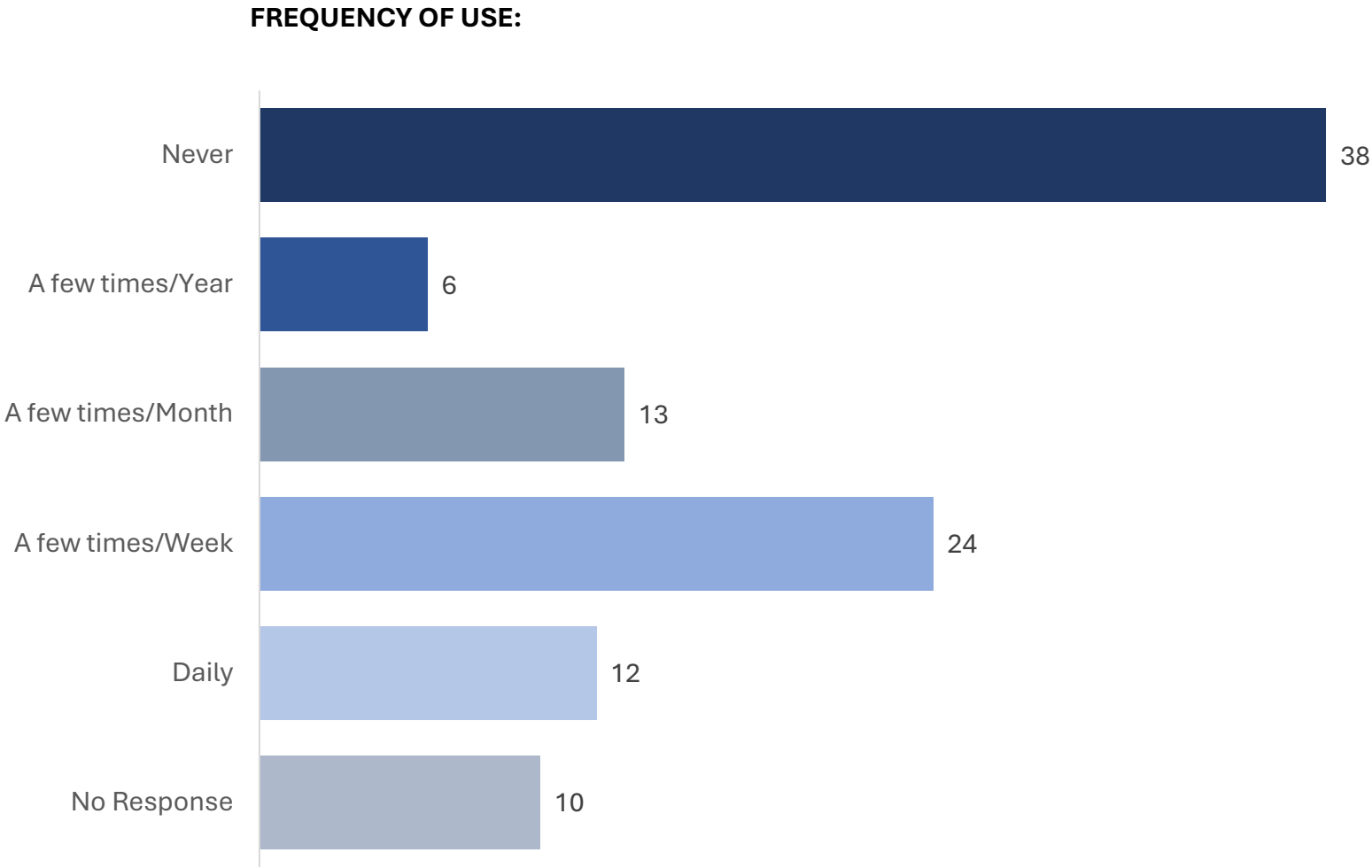
"Delicate balance to provide economical affordable housing and have community that will live there feel connected and part of existing community- important!"



# Findings & Summary | Q&A: How often do you utilize the parking lot at 210 Springs Rd.?

Respondent frequency of parking lot use varied greatly. Several respondents (Count: 38) stated they never utilize and access the lot, while others state they utilize the lot daily or weekly (Count: 12 and 24, respectively). Identified uses is also varied.

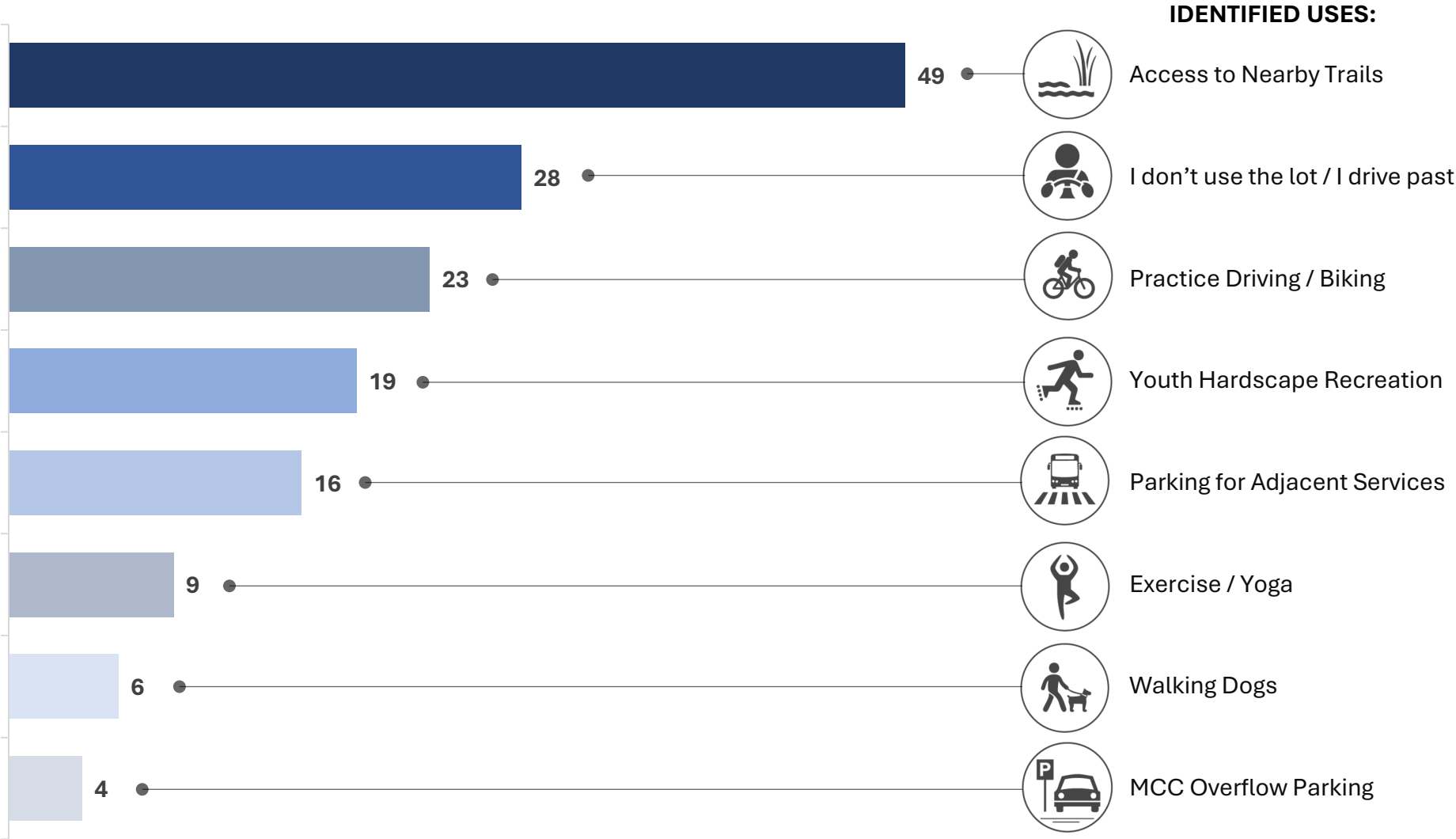
**Parking to access the adjacent trails is the primary identified use.** A smaller contingent of respondents **utilize the lot to exercise, bike and play with children, and park to access other nearby resources** (i.e. Veterans Affairs hospital, School, and Public transit).



Mentions account for the in-person workshop and digital survey results from April 30 through May 31.



# Findings & Summary | Q&A: How do you utilize the parking lot at 210 Springs Rd.?



Mentions account for the in-person workshop and digital survey results from April 30 through May 31.



# Findings & Summary | Q&A: How can the development enhance nearby community resources?

There were various recommendations to the question: How can the development enhance nearby community resources? The primary and most commented is the **preservation of publicly accessible parking**.

Additionally, respondents would like to **see increased green space** and publicly accessible playgrounds (or similar). Enhancements to the trails were also mentioned, but there were several others that noted the trail should not be touched (i.e. bike path/paving over).

**Additional improvements like lighting, EV charging, and trail signage were also popular suggestions.**





# Findings & Summary | Q&A: How can the development enhance nearby community resources?



## Trail improvements

- Add Crosswalk(s) for Safe Trail Access
- Maintain or Improve Access to Trails and Public Parking
- Lighting, Trail Signage, Trail Markers, Shrubs
- Improve Drainage / Prevent Runoff onto Trails
- Preserve Gravel Surface of Rail Trail



## Retail

- Small Business/Retail Amenities  
(e.g., café, bakery)



## Housing

- Avoid High-Density Housing
- Creating Affordable housing
- Avoid large, boxy housing developments



## Open space & Recreation

- Preserve & Enhance Green Space with Seating
- Public Playground, Pickleball Courts, Community Center, Dog Park
- Public Art

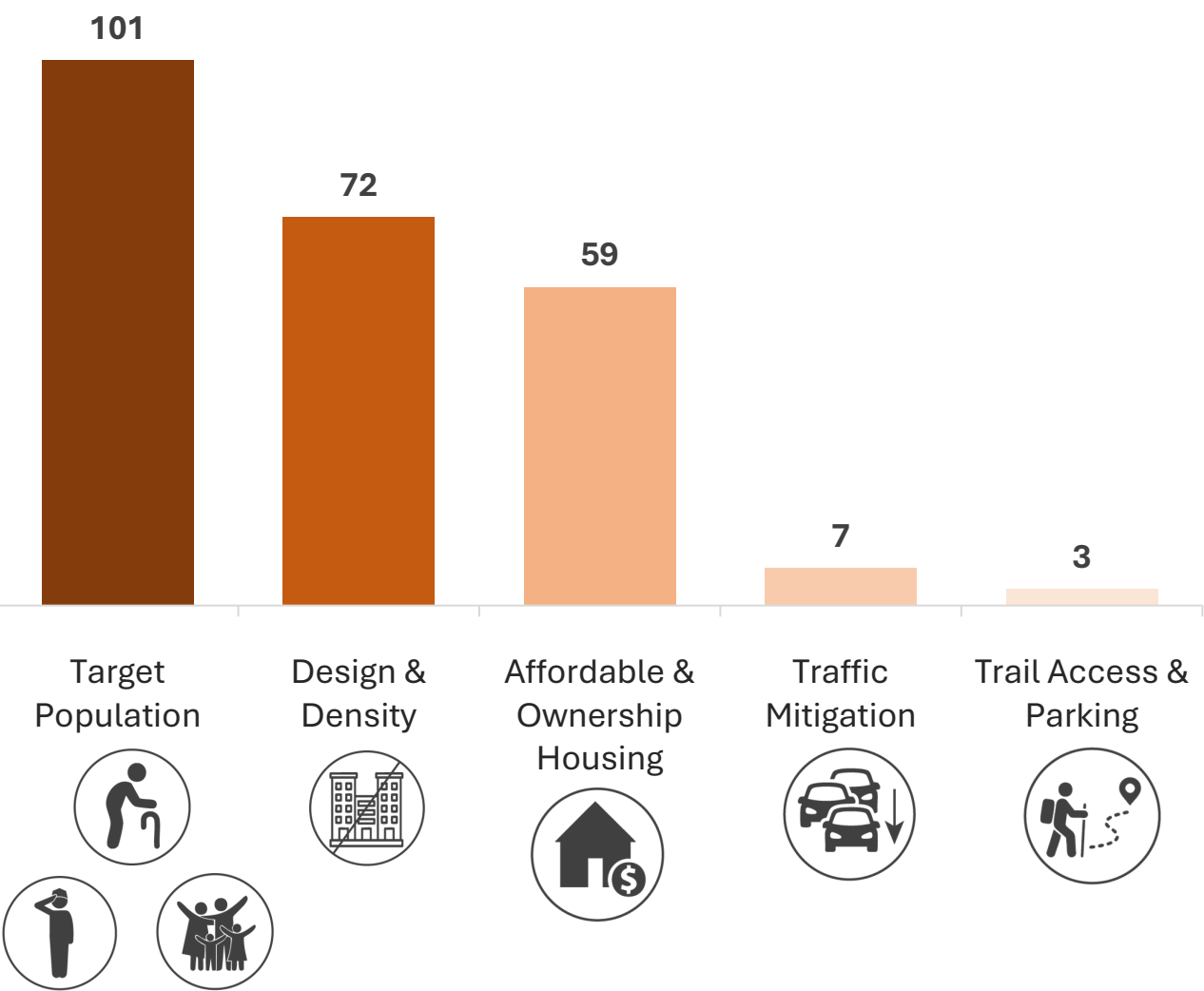


## Multi-modal transit

- Support for Bike-Friendly Infrastructure  
(e.g., bikeway connector)



# Findings & Summary | Q&A: How can the housing development best help address Bedford’s housing needs?



The most widely shared themes represented include prioritizing specific **populations for housing**; the overall **design and density** of the development; and prioritizing a **range of affordability**.

Several respondents suggests affordable ownership models that seniors, young families, and Town/Community College employees can afford. Conversely, there were several other respondents that voiced concern low-income housing will negatively change the character of the Town.

The design and density of the development address a wide range of comments and preferences; **specifically prioritizing smaller/lower height units and avoiding blocky, modern apartment buildings that may clash with the neighborhood** and Town generally.

Mentions account for the in-person workshop and digital survey results from April 30 through May 31.



# Findings & Summary | Q&A: How can the housing development best help address Bedford's housing needs?

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## Target Population

“Use it for Veterans, teachers, police or fire so they can live in this community that they work. This community is very difficult for them to live in due to the cost and their salaries.”

“Make it more veteran housing.”

## Design & Density

“Build homes that fit the current neighborhood aesthetic look and feel. No tall commercialized condos/apartments.”

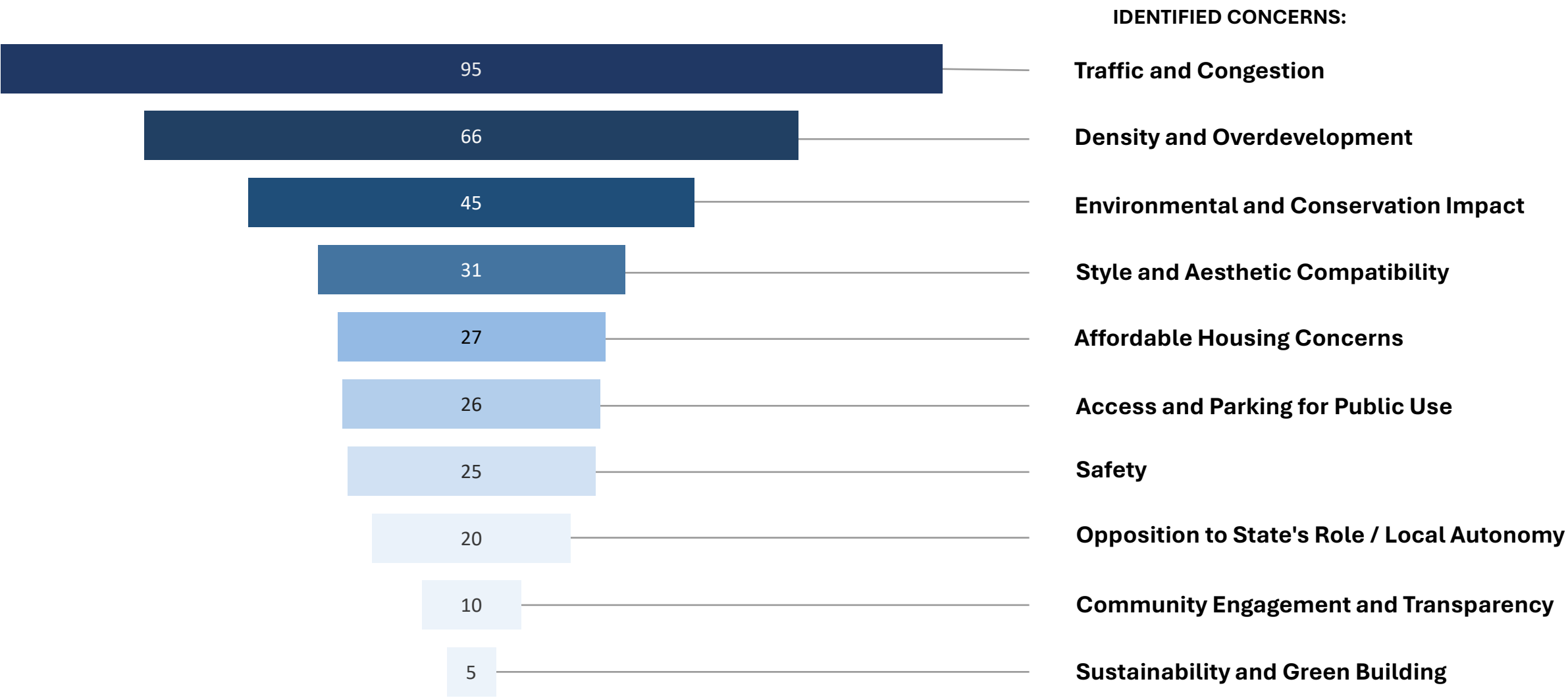
“Make an effort to have it fit into the quiet community on the Fawn Lake/ Narrow Gauge side [...] Leafy, not over-built.”

## Affordable & Ownership Housing

“Lower density entry level housing that young people can afford and begin to build legacies in the town.”

“We need more townhomes for young families. We don't want apartments.”

# Findings & Summary | Q&A: What concerns do you have about the redevelopment of 210 Springs Rd.?

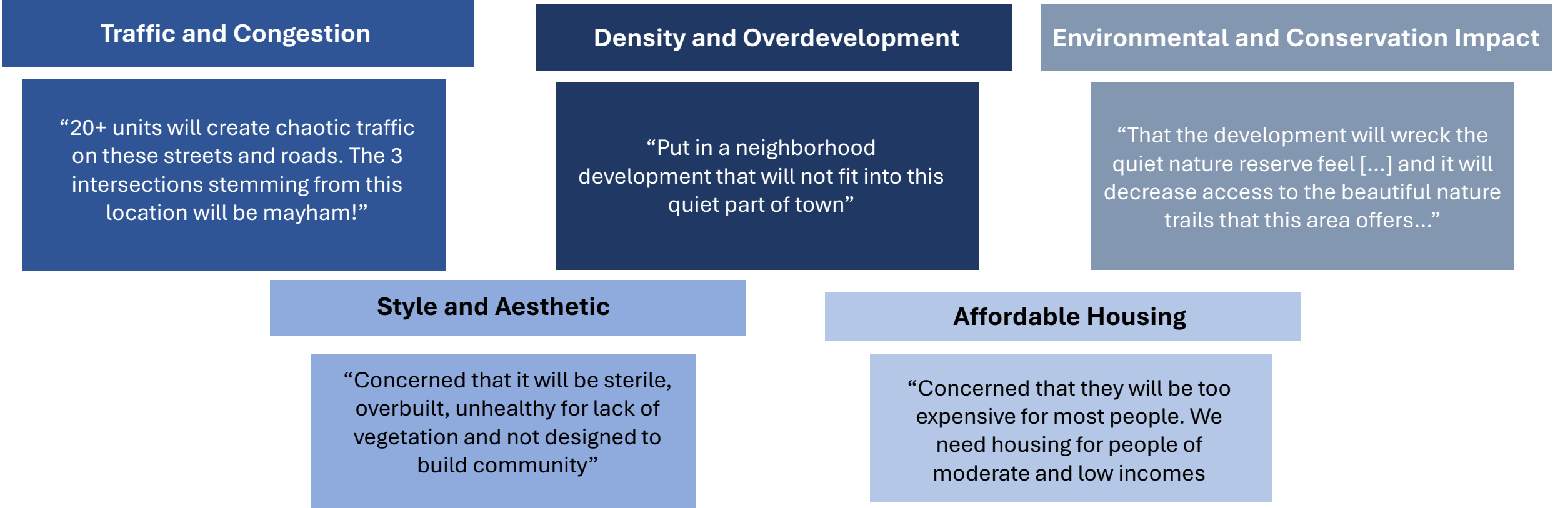


Mentions account for the in-person workshop and digital survey results from April 30 through May 31.



# Findings & Summary | Q&A: What concerns do you have about the redevelopment of 210 Springs Rd.?

The most widely shared concern for the development are **1) traffic and congestion; 2) Density of development; and 3) Environmental/Wildlife impacts**. There is a strong preference for the minimum allowable density (4 units/acre). Additionally, there is vocal concern over public participation in the approvals process.





# Residential Scale | Overview

Participants were asked to share feedback on precedent photographs corresponding to a range of housing densities.

**Option A: Single Family Homes & Cottages**  
(density: +/- 20 units)



**Option C: 3-Story Townhomes**  
(density: +/- 80 units)



**Option B: 2-Story Townhomes & Quads**  
(density: +/- 50 units)



**Option D: 4-5 –Story Apartment Building**  
(density: 100+ units)



# Findings & Summary | Residential Scale - Key Takeaways

In general, respondents preferred **lower density, 1-2 -story (+ basement) options** attributing it to the **character of the surrounding New England landscape and architecture in Bedford where single family homes are dominant**. Participants responded positively to character-defining elements such as **greenery, native plant material, and trees at the curbside**. Some participants preferred greater spacing between units, while others appreciated the efficiency of shared walls. Several participants responded negatively to the "cookie-cutter" look of both townhomes and single-family homes, as well as units with garages as the prominent feature seen from the street.

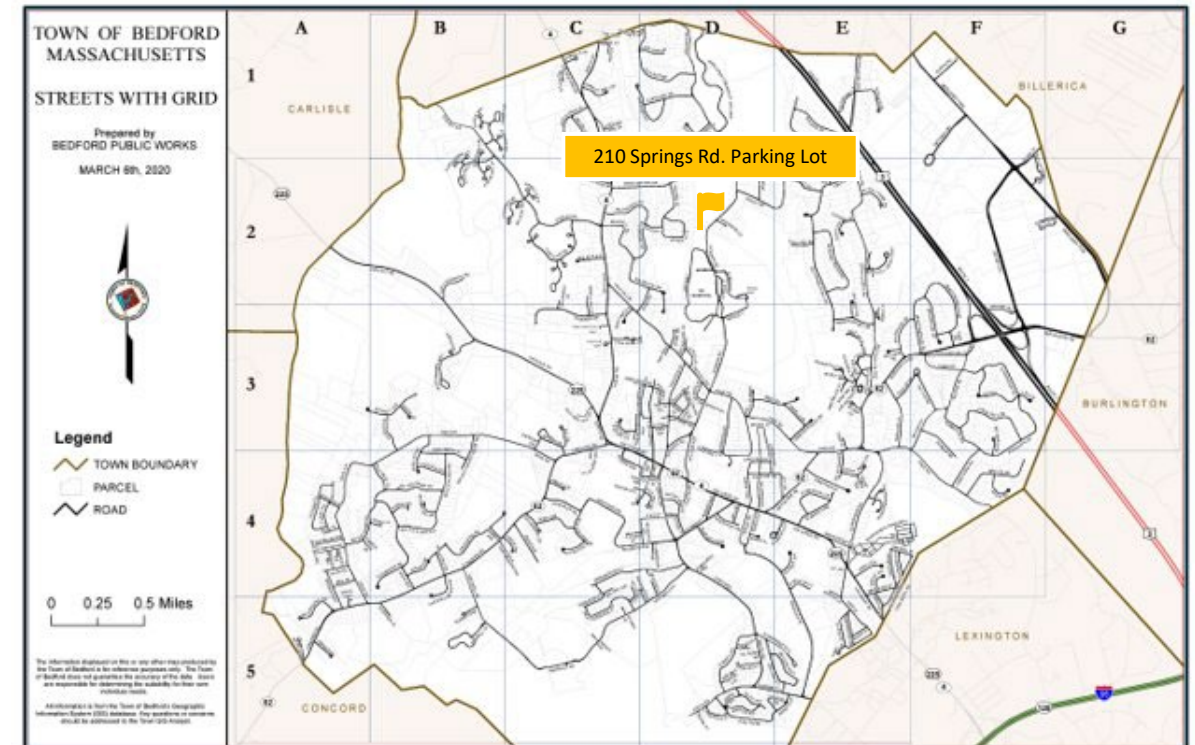
Option A (single family homes) and Option B (lower density cottages and townhomes) were the most favored images, citing the **need for single-family starter homes and better/more compact housing options for older adults and "empty-nesters."**

Many participants gave preference for **maximizing open/green space and centralizing parking over individual lawns and garages**.

Several participants shared **concerns about the scale of large building masses that were too big and too close together**.

A few participants cited affordability for ownership opportunities / starter homes was important to them. A few participants expressed a desire for shared outdoor amenities and spaces for recreation/play.

Some were concerned about contributions to traffic congestion and impact to Town services/infrastructure. Designing for maintainability was also cited.







"a single-family style unit less than 2000 square feet for each unit"

"houses need to be farther apart"



"people generally prefer traditional looking building with pitched roofs to modern designs"



Four units per acre is the greatest density that would work in this congested area



"These houses lack character and are too uniform"

"Bedford needs more affordable homes for purchase"

"Hate the massive garages in front"



A



B



“A is ambiguous; good scale on the right, 3 stories on the left. 3 stories never winds up being anything less than massive!”

“We don't need more large townhomes - we need smaller, entry level options. It looks weird to have 2 giant homes squished together - - that's not a true townhome (B and D). A and C look best.”

C: “One garage spot seems like it would be useful.”

“I enjoy the models that have more green spaces.”

“None of these design are remotely appropriate. They do not have a cozy New England feel and do not project a neighborhood that blends with the woody surrounding “



"These are too massive. The dwellings need to be free-standing"

A



"Too city-like"

"Way too tall"

"Will these homes face the street or each other?"

B



C



"These look more like a college campus/dorm buildings than neighborhood residential"

"Too big. Does not keep with the surrounding neighborhood"

D



"Incorporating solar panels is an excellent idea"

E



"I think residents will like the type where a large façade is broken up for a more human scale"

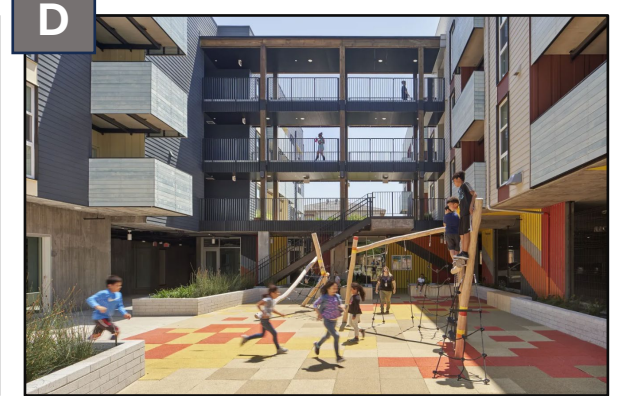
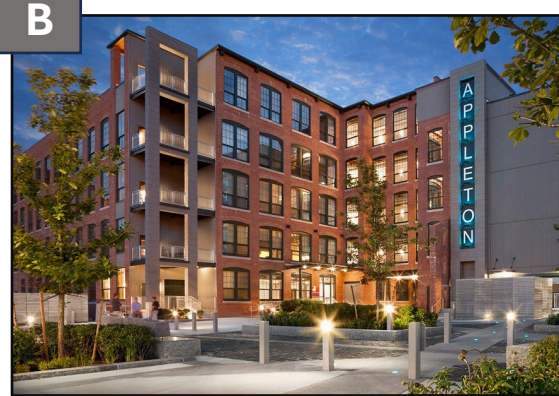
"Buildings are too close together"



“None of these units are good for this location. We need to keep the design to single family style homes.”

This scale would overwhelm Springs Rd.”

“This simply would not fit in lot and would be a detriment to the neighborhood. It does not mix with the aesthetic of the area and would be garish against the natural beauty.”



Heritage at Bedford Springs



Taylor Pond

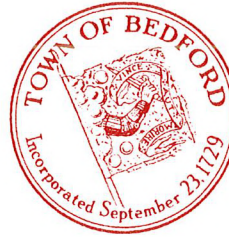
“These are fine too! More green space and trees is a good thing.”

“G is best and H would be acceptable . Bedford doesn't need a building that looks like it belongs in a major city. We are a smaller community and need to reflect that.”



# TOWN OF BEDFORD

BEDFORD, MASSACHUSETTS 01730



[www.bedfordma.gov](http://www.bedfordma.gov)

## CODE ENFORCEMENT DEPARTMENT

Christopher R. Laskey  
*Inspector of Buildings*  
*Director of Code Enforcement*

Town Hall  
10 Mudge Way  
Bedford, MA 01730-2144  
Phone 781-275-7446

Fax 781-275-1334

May 8, 2024

To: Developers and General Contractors

From: Christopher Laskey, Code Enforcement Director

Re: Implementation of MA Specialized Opt-In Stretch Energy Code

**This memo is meant for developers and contractors primarily involved with NEW construction of either residential or commercial buildings.**

**Bedford is a Stretch Code Community. At Bedford's 2023 Special Town Meeting, the town voted to adopt the Massachusetts Municipal Specialized Opt-In Energy Stretch Code to be implemented on JULY 1, 2024.**

**The information below is meant to highlight certain requirements that you need to be aware of; it is NOT meant to take the place of the Stretch Code documents themselves. Please reference these documents to make sure your project fully meets these and other minimum code requirements.**

**Massachusetts is currently enforcing the 2021 ICC International Energy Conservation Code (IECC) in conjunction with 225 CMR 22.00 (Residential Stretch Code) and 225 CMR 23.0 (Commercial Stretch Code). Within these MA documents you will find Appendix RC (Residential MA Specialized Opt-In Stretch Energy Code) and Appendix CC (Commercial MA Specialized Opt-In Energy Stretch Code).**

For new commercial projects, the developer and/or the general contractor will have little to no input as to the design of the building. These types of building will trigger Construction Control requirements and rely on registered design professionals to design a code compliant building. That said, just be aware that a new commercial building will have to comply with one of the following pathways:

***Zero Energy Pathway***

***All-Electric Pathway***

***Mixed Fuel Pathway***

For new residential projects (1&2 Family Dwellings), the developer and/or the general contractor will have to work closely with the HERS Rater/Consultant

On **July 1, 2024**, the new Maximum HERS Index Score will be either 0, 42 or 45 depending on what Pathway you select.

**(OVER)**

New dwelling units shall be what is called ***Net Zero Buildings*** and will be broken down into two categories – Dwelling Units up to 4,000 square feet and Dwelling Units over 4,000 square feet.

Dwelling units up to 4,000 sq.ft. must, among other requirements, comply with one of three pathways:

***Zero Energy Pathway***

***All-Electric Pathway***

***Mixed Fuel Pathway***

Dwelling units over 4,000 sq.ft. must, among other requirements, comply with one of two pathways:

***Zero Energy Pathway***

***All-Electric Pathway***

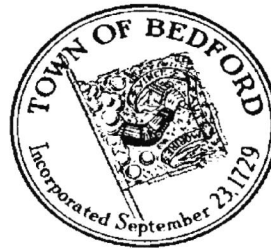
If you are not already doing this, starting on **July 1, 2024**, the following information will be **\*\*required\*\*** on all building plans for new residential construction (commercial construction will follow Construction Control requirements):

- Method of insulation (i.e. closed cell, open cell, batt, hybrid, etc.) along with R-values and U-values for windows/doors, etc.
- The Pathway that you will be designing to.
- Roof load documentation, Solar Zone Area and any other applicable requirements under **Section RC105 – Solar-Roof Zone**.
- Location of EV Ready outlet(s) and EV Ready space(s) in garage area per **Section R404.4**



TOWN OF BEDFORD  
BEDFORD, MASSACHUSETTS 01730

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TOWN MANAGER'S OFFICE  
*Matthew J. Hanson, Town Manager*

Town Hall  
10 Mudge Way  
Bedford, MA 01730-2144  
Phone 781-275-1111

July 29, 2025

Commissioner Adam Baacke  
Division of Capital Asset Management & Maintenance  
Office of Real Estate Management  
One Ashburton Place, 15<sup>th</sup> Floor, Boston, MA 02108

Dear Commissioner Baacke,

On July 28, 2025, the Select Board voted to support an optional density bonus at 210 Springs Road based on characteristics defined in CH 40Y. This was done in an effort to create housing that combines the deed restricted affordable units that will be required by DCAMM with limits on square footage that may make the homes more affordable at market rate prices (compared with other homes being constructed in Bedford) while providing enough additional units to make the proposal worthwhile for a developer.

The following specifications were endorsed by the Select Board:

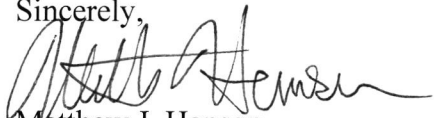
Developers are invited to take advantage of a 5 unit per acre density (5 additional units) bonus if dwellings are under 2,035 s.f. of "heated living area" (10% more than defined in CH 40Y) and a maximum of 2.5 floors. Heated living area is defined as areas in the dwelling that are heated upon completion or could reasonably be expected to be converted into living space. Garages (if part of a proposal) will not be counted as heated areas.

At least 75% of the units must have 3 bedrooms, the remainder must have 2 bedrooms.

We leave the number of affordable units required to DCAMM's discretion but certainly want to maintain the 10% requirement as previously discussed. However, we acknowledge that the bonus introduces complications since it results in 2.5 units. Regardless of how DCAMM may address this, developers are encouraged to work with the Affordable Housing Trust to explore the possibility of adding additional units or deepen affordability with the use of Affordable Housing Trust funds.

Public parking requirements for trail access, the desire to minimize the number of units per building (if not individual detached units), and the preference for ownership model, are all also maintained.

Sincerely,

  
Matthew J. Hanson  
Town Manager