

Sherborn Conservation Commission



19 WASHINGTON STREET
SHERBORN, MASSACHUSETTS 01770

MEMO

TO: Sherborn Zoning Board of Appeals (ZBA)

FROM: Sherborn Conservation Commission

DATE: April 11, 2021

RE: Coolidge Crossing comments and request for possible comprehensive permit conditions related to wetlands

The Conservation Commission ("Commission") has reviewed the Comprehensive Permit Application prepared by Civil Design Group LLC on behalf of Baystate Sherborn LLC. The property where the proposed project is sited contains wetland resource areas and their associated buffer zones as defined under the Massachusetts Wetlands Protection Act, (m.g.l. c. 131 §40, or the "WPA") and the Sherborn General Wetlands Bylaw, Chapter 17. The Site Plans for the project propose substantial temporary and permanent disturbance within the 100-foot buffer zone of bordering vegetated wetlands. Permanent structures and roadways will be built within the outer (50-100 foot) portion of those buffer zones. Significant alterations will be made in the inner (0-50 foot) buffer zone, defined as a "no alteration zone" (NAZ) in the Sherborn Wetland Regulations with permanent changes to the NAZ from grading, vegetation removal and the installation of stormwater management components (e.g., detention basin). Under the Sherborn Wetland Regulations, alterations in the NAZ are presumed to have a significant adverse impact on wetland resources unless credible evidence is presented to show that performance standards have been met and thus, that the presumption of adverse impacts has been overcome.

The Commission's role in the comprehensive permit process is to provide the ZBA with comments for general consideration and possible use in wetland-related conditions written into the comprehensive permit. These comments are not restricted to performance standards under the WPA because it is the ZBA's role during the permitting process to determine which elements of a municipality's local bylaws and regulations should be waived and which should remain. In this memo we articulate three areas of comment/concern for the ZBA to consider. We also recommend the ZBA use either their peer reviewer or another outside consultant to help draft conditions that will lessen, mitigate and/or provide other enhancements to help offset the loss of buffer zone functionality and the adverse impacts to wetland resource areas that could result.

The Commission believes that engaging the peer reviewer to help with crafting conditions related to the comments expressed below is the most expedient path. We state this even though we recognize that the scope of the peer reviewer's work on this application has, to date, been more limited than what would be required for helping create conditions around wetland protection related to the areas discussed below. The Commission is prepared to work with the peer reviewer on these issues, and to help develop permit conditions with the aim of protecting wetlands functions and values on site.

Lastly, the comments below do not reflect a complete overall review of the project, which will occur during the permitting under a Notice of Intent filing with the Commission at a later date.

1. Stormwater Management

The proposed stormwater management plan should be evaluated for any options/approaches that will lessen the impact on wetlands, with suggested focus to at least include the following:

- a. Options to reduce the amount and area of buffer zone alteration (especially in the NAZ), such as reducing impervious areas through smaller parking areas, use of pervious asphalt, etc. This, in turn, could lead to smaller detention basins (especially the one located in the NAZ).
- b. Given proximity to wetland resources and the alteration of buffer zones in the project, consideration should be given as to whether standards for keeping the resulting quality of the infiltrating water (e.g., presence of metals, particulates, organics, etc.) from any BMPs should be more stringent in order to lessen the pollution control and water quality burdens on buffer zone and resource areas.
- c. Given the infiltration of stormwater into the buffer zones and adjacent resource areas, conditions should be crafted to ensure that pre and post development hydrology (total and seasonal volume) is not significantly altered with regard to each of the two different major wetland areas, as alterations can adversely impact wetland functionality.
- d. Consider whether rainwater collection for irrigation to reduce the stormwater system scale in the buffer zone should be required.

2. Wildlife Habitat Impacts and Mitigation

The buildings and impervious surfaces of the project are sited between the two primary wetland areas on site, creating barriers to smaller wildlife such as amphibians, turtles, insects, etc. With 120 units, one can expect many vehicles driving on the roads daily, which can pose significant hazard and disturbance to small and large wildlife moving between resource areas. Given the overall significant alteration of the buffer zone and the critical role of buffer zones for wildlife habitat, develop potential mitigation options with consideration of:

- a. Modify the project to lessen habitat fragmentation. Corridors for wildlife passage or other measures should be considered.
- b. Include conditions in the exterior lighting plan such as dimming and lighting reductions to help minimize adverse impacts on wildlife and wildlife behavior.
- c. Consider other areas on the project site where wetland resource area or buffer zone restoration and/or enhancement can serve as mitigation for the loss of buffer zone functionality related to wildlife within the limit of work.
- d. See landscape plan below for more recommendations related to wildlife.

3. Landscape Plan for Jurisdictional/Buffer Zone Areas

Given the extensive alterations proposed in the buffer zone, the Commission recommends that the applicant provide a detailed Landscape Plan before the comprehensive permit is granted. With respect to wetland and buffer zone issues, this plan should focus at least on the following:

- a. Buffer zone landscaping should maximize protection of wetland functions and values. These include pollution prevention, wildlife habitat, water quality and others. For example, buffer zones serve to filter pollutants. Plantings and proposed maintenance should focus on preserving this and other functions. All four layers of buffer zone vegetation should be considered: herbaceous, shrub, understory and canopy.
- b. Conditions set forth for buffer zone landscaping to protect wetland functions and values should be particularly stringent in the NAZ.
- c. As stated in the wildlife habitat section above, other areas on the site should be considered for mitigation work at the landscaping level, where improvement to buffer zone should be required where practicable to offset adverse impacts to buffer zones within the limit of work.

Finally, the Commission suggests that should the ZBA determine that some of the conditions discussed above are beyond the scope of its permitting process, that the ZBA craft one or more conditions stating that all of the above concerns must be addressed and conditioned to the Commission's satisfaction in the Notice of Intent Application that the applicant will file with the Commission in the future.