



1285 Washington Street,
Weymouth, MA 02189
Phone: 781-335-1464

August 17, 2020

Chair, Conservation Commission
Department of Planning and Community Development
75 Middle Street
Weymouth, MA 02189

RE: 126 Wessagusset Road
DEP File #81-1254

Dear Commission Members

Hardy Man Design Group (HMDG) has been retained by the applicant to assist with the Notice of Intent application for the referenced site. We have reviewed the project filing, recent revisions and the staff comments from July 23, 2020.

Based on the staff comments, the plans have been revised to reduce the size of the rear deck, eliminate the "plunge pool" and provide the requested 10-foot separation of structural supports to the seawall. Additionally, HMDG has provided responses to staff comments below in an effort to resolve all outstanding issues related to this filing. For continuity HMDG has copied the July 23rd memo and maintained the format (initial comments and responses) and provided our comments to each in bold. We offer the following:

- a) The project is under review by the BZA. At their last meeting, they asked the applicant to provide a revised plan that addresses comments about the size of the building, etc. The Commission is reviewing the original plans reviewed by the BZA and so these plans will change. The Commission should not close the hearing until both boards have approvable plans.

I believe Eric and Phil have done the final work and as far as I know we have satisfied the BZA. I will confirm with Phil again.

WCC staff response: The BZA plans were revised (rev. date 7/7/20). Attached are Sheets A2 and A10 (which show footings/elevations for plunge pool) and S1 (footings plan, which was not revised but providing an 11 x 17 copy).

HMDG response: the applicant has indicated that the BZA hearing has been closed. However, the current proposal further reduces the overall footprint of the project and increases the setback of structural members at the rear of the property.

- b) I've asked the applicant to delineate and show on a plan the salt marsh which is located within 100 feet of the project.
- b.) The plans for the salt marsh were updated by Hoyt and submitted at the last

meeting, so there should be a copy with the salt marsh on it in your office bc they all had it at the last meeting.

WCC staff response: The plan was provided when I was on leave. I've attached a copy.

HMDG response: The proposed plans depict the location of the Salt Marsh as well as the 50-foot and 100-foot buffer.

- c) I've attached an overlay showing the existing house in red so you can compare the proposal to existing conditions. I would like the applicant to provide an analysis of existing and proposed uses within the 25-foot buffer (structures, paving, deck, pervious, etc., parking, driveway, etc.)

c.) I've asked Phil to send you the latest plan sent to Eric. This should all be on that plan.

WCC staff response: The Rockwood Design plan submitted to BZA don't include that info. The Hoyt plan dated May 6, 2020 has a general comparison of existing and proposed uses on the site, but we do not have an analysis of existing and proposed uses within the 25' no-disturb buffer (which is needed for the variance request).

The Hoyt plan showing proposed conditions compared the elements of the two proposals, including bldg height (19.7' existing vs. 34.8' proposed); bldg. coverage (29.8% existing vs. 36.4% proposed); and impervious area (74.5% existing vs. 51.9% proposed).

Please see further discussion of info needed for variance, under item "I".

HMDG response: Plans have been revised to reduce the size of the rear deck, eliminate the "plunge pool" and locate structural support greater than 10-feet from the base of the seawall. The current proposed impact within the 25-foot buffer is five sono-tubes supporting the proposed elevated deck and 2 concrete piers supporting the residence. The area under the proposed residence is to be gravel and exterior surface cover is to be landscaped. The existing 25-foot buffer has approximately 410 SF of paved surface, 10 SF of shed and 180 SF of deck in the 25-foot buffer. The proposed condition results in an approximately 31.5% reduction in impervious area in the 25-foot buffer.

- d) The existing dwelling and most of the shed are currently located outside the 25-foot buffer. The existing deck is located within the 25-foot buffer, connecting the house to the seawall. Under proposed conditions, a portion of the house, the deck, a pool and second floor balcony would be located within the 25-foot buffer.

a. *[no response required]*

HMDG response: Plans have been revised to reduce the size of the rear deck, remove the pool and locate structural support greater than 10-feet from the base of the seawall. The existing site has approximately 410 SF of paved surface, 10 SF of shed and 180 SF of deck in the 25-foot buffer. This total disturbed area equals approximately 600 SF. The proposed condition includes approximately 150 SF of elevated deck and approximately 40 SF of residence within the 25-foot buffer for a disturbed area of approximately 190 SF (a 31.5% reduction in impervious area).

- e) The proposed "plunge pool" would be located on the elevated deck within the 25-foot no disturb area. This is a new use within the no-disturb buffer. I believe this sets a difficult precedent to place a pool in this buffer. A variance would be needed. More information would be needed to show potential impacts and proposed control measures for the pool. How will chemicals be handled? How will water discharge be handled? How will filter flushing be handled?

e.) This was broached at the last meeting and is not a pool as the Chairman of the board stated, but a large hot tub. It did not seem to be an issue and believe no variance was needed. We discussed that the system is salt water. We would have the water at end of season taken out by a sewer truck. The filter will be replaceable paper filters

WCC staff response: The elevated plunge pool is located entirely within the 25-foot no-disturb buffer. Four concrete piers (minimum 4-foot depth) are proposed within the buffer to support the pool (see Rockwood Design architectural plans, sheets A2, A10 and S1). The closest pier is within 7' of the existing seawall.

I have reached out to Engineering to see if they have comments on construction of piers close to the sea wall. (An additional pier is located 3' from seawall).

See further discussion about variance under item "f".

HMDG response: the plans have been revised to reduce the size of the rear deck, eliminate the "plunge pool" and locate structural supports greater than 10-feet from the base of the seawall.

- f) There is a town catch basin located at the end of the driveway. What measures can be taken to prevent all driveway runoff from discharging directly to the catch basin and to the ocean? Can the driveway be pitched to pervious areas?

f.) As noted in the new plans the driveway will be pervious. The driveway has been changed to pavers.

WCC staff response: Pervious pavers are an improvement. However, comment on pitch of driveway needs to be answered, since driveway will still generate runoff during larger storms. Can part of the driveway pitch to pervious areas?

HMDG response: the proposed driveway is to be constructed of pervious pavers and will match the grades of the existing site. Due to the short length of driveway and the proximity to the existing travelled way and paved parking area, it is difficult to re-grade and redirect flows away from the existing catchbasin. The proposal results in an overall reduction in impervious coverage of the lot (74.5% to 51.9%). Additionally, the "impervious" building area is to be elevated with pervious gravel below. The net result of these improvements provides the desired reduction of stormwater runoff to the existing catchbasin.

- g) The narrative states that dry wells will be used to handle roof runoff. This should be shown on the plan. I am less concerned about roof runoff than I am about driveway runoff. There isn't a need for groundwater recharge here since the site is next to the ocean. Recharge will reduce the amount of water that discharges to the catch basin. It may also help alleviate flooding in smaller storm events.

g.) As noted on "f" we have changed the driveway to a pervious product, driveway pavers.

WCC staff response: Dry well location and details should be shown on final plan. See also section "f".

HMDG response: based on the reduction of impervious area, with the additional benefit of an elevated structure with gravel below, HMDG does not recommend dry wells at this site. The roof leaders will be discharged to the gravel surface below the residence which will provide a similar benefit of the previously proposed dry wells. Additionally, see HMDG response f. (above) regarding proposed reduction in stormwater flows.

- h) As stated in the narrative, areas outside the driveway and the house will be pervious. This should be noted on the plan. The narrative also incorrectly states that the paved driveway will be 2,173 sq ft. That is the entire size of the lot.

h.) I will pass this on to Rick and have him correct this narrative.

WCC staff response: See narrative submitted by email 7/21 (stamped 7/22) which says driveway to be 324 sq. ft. and will be constructed of pervious pavers.

HMDG response: we have calculated the proposed driveway to be approximately 315 SF based on the current plan. The driveway is proposed to be constructed with pervious pavers.

- i) Note trees to be removed greater than 6" dbh. There are some trees at the front of the lot.

i.) Hoyt is not available to us anymore. That company has been a very difficult to work with. Can we state this in a letter to the town that we agree to remove?

WCC staff response: Question was misinterpreted. WCC is looking for applicant to identify trees proposed for removal if within the 100-foot buffer and larger than 6" in diameter at breast height (dbh).

HMDG response: 2 trees (1@6-inch & 1@10-inch) greater than 6-inch dbh are proposed to be removed. They have been shown on the revised plan.

- j) The plans should note that the area under the house (including the parking area) will remain pervious.

j.) Same as above??? We would have to hire Hardy and again they r impossible to reach this time of year.

WCC staff response: At some point, the applicant is going to have to engage an engineer to provide final, stamped plans (for construction if not for revised permitting plans). The next plan revision should include changes required as part of the Conservation permitting process.

HMDG response: the plans have been revised to include a note that the area under the building is to be gravel/crushed stone and that other areas are to be landscaped.

- k) Contours or spot elevations should be shown on the plan.

k.) Hoyt again...we will not be able to get them to do this. Impossible Maryellen. If we had this information request back in February we would of been able to hustle them. But mid July...impossible. How can we work with you on this without using Hoyt?

WCC staff response: Conservation Commission regulations (Section 8.03, Plans) require the submittal of elevation contours. 8.03(7) requires that contours not exceed two feet and that Weymouth base be used. For this project, spot grades should be sufficient. Submittal of existing spot grades is important so that an as-built plan with final grades can be compared to existing grades. No grading changes have been proposed.

HMDG response: the existing and proposed plans depict both contours and spot grades. Proposed grades are intended to generally match the existing conditions.

- l) A variance should be requested, and the applicant should show how the project meets the standards for a variance in Section V of the regulations (will not adversely affect wetland interests; and applicant provides "clear and convincing showing ... that any proposed work, or its natural and consequential impacts and effects, will not have any adverse effect upon any of the interests protected...")

l.) [NOTE: Applicant's email did not respond to this comment.]

WCC staff response: The applicant needs to provide the analysis required to demonstrate that a variance of the regulations is warranted. See Section V of the regulations.

There are substantial activities being proposed in the 25-foot no-disturb buffer, including the installation of at least 7 concrete piers, the closest of which is proposed to be located 3' from an existing seawall (at the northwest corner of the deck).

There are existing uses within the 25-foot buffer, including impervious surface, a deck and the corner of a storage shed. The applicant needs to provide documentation for WCC review, that compares existing to proposed uses in the 25-foot no-disturb area and demonstrates no adverse impact.

HMDG response: the applicant formally requests a variance to the 25-foot no disturb buffer. The existing site has approximately 410 SF of paved surface, 10 SF of shed and 180 SF of deck in the 25-foot buffer. This total disturbed area equals approximately 600 SF. The proposed condition includes approximately 150 SF of elevated deck and approximately 40 SF of residence within the 25-foot buffer for a disturbed area of approximately 190 SF (a 31.5% reduction in impervious area). Additionally, both the deck and residence are to be elevated on structural support with pervious surface below.

Overall, the proposal results in a decrease in impervious area within the 25-foot buffer as well as an overall reduction on impervious area for the entire lot. The existing deck that was resting on the seawall is to be removed and all proposed structural supports are to be a minimum of 10-feet from the seawall. We believe that this demonstrates no adverse impacts to the buffer and, in contrast, represents an improvement over existing conditions.

Staff has contacted the Weymouth Engineering Division for their comments on the proposed location of the concrete pier footings relative to the seawall.

HMDG response: the plans have been revised to locate structural support greater than 10-feet from the base of the seawall as requested.

- m) Does the deed include rights to Mean Low Water or just to the seawall?

m.) No to seawall

WCC staff response: No further comment.

- n) More information is needed on how the project will be constructed and staged. Where is there room for staging area on the lot?

n.) The material will be stored at the back of our property. Once the house is built we will then construct deck.

WCC staff response: No further comment at this time.

HMDG has made every effort to address the remaining staff comments and concerns with this response letter and the attached plan revisions. Overall, we feel that the current proposal is an improvement over the original filing as well as the existing site conditions. The project will reduce impervious area, remove structures from an existing seawall and reduce stormwater runoff. The current proposal meets the applicable WPA performance standards because it does not affect the stability of the Coastal Bank, meets standards for construction in a flood zone, and reduces impervious area in the buffer to the other resource areas. Additionally, we have formally requested a variance to the 25-foot no-disturb buffer and have provided a narrative in support of this request. We thank you for your attention to this matter and look forward to discussing the project at the next public hearing.

Sincerely,

Shawn P. Hardy, PE
Managing Partner