



May 4, 2021

Conservation Commission  
Town of Weymouth  
Attn: Mary Ellen Schloss, Conservation Administrator  
75 Middle Street  
Weymouth, MA 02189  
Phone (781) 340-5007

**RE: Conservation Commission Meeting, May 4, 2021  
1325 Washington Street NOI**

Dear Ms. Schloss and Members of the Commission;

This letter is being submitted in response to the comments provided by the Weymouth Conservation Commission (WCC) on the draft agenda for the Weymouth Conservation hearing on May 4, 2021. Crocker Design Group, LLC (CDG) has reviewed the letter and offers the following responses to each comment below. In addition, the following supporting documents are enclosed:

Attachment 1: Resource Area and Buffer Exhibit Plan

Original comments provided by WCC indicated below in standard text with CDG's response in **bold text**.

Comment 1: This is a very large project, with 270 proposed residential units, 4,200 square feet of commercial/retail space and 8,900 SF of amenity/support space.

**CDG Response: The Project site falls within the Commercial Corridor Overlay District and is designed to fit within the parameters set forth in the CCOD. This proposal includes less residences per acre than other developments approved within the CCOD. The Project has no State/DEP jurisdictional wetland impacts, and only has buffer zone impacts. Additionally, the Applicant is proposing a number of improvements to previously disturbed resource and buffer areas on the Project site.**

Comment 2: The Conservation Commission approved the wetland delineation for this project under an Order of Resource Area Delineation, in 2020.

**CDG Response: Confirmed. The ORAD, MA DEP #81-1253 was issued on July 28, 2020 and a copy was provided with our submission as an attachment the Stormwater Report.**

Comment 3: Resource areas and buffer zones need to be shown more clearly on the plans. The 25, 50 and 100-foot buffer zones to wetlands should be shown. Vernal pool resources are protected under the Weymouth Wetlands Protection Ordinance with a 200-foot jurisdictional area. There is an inner 100-foot vernal pool resource area and an outer 100-foot vernal pool buffer area. These vernal pool areas should be shown on the proposed plans.

**CDG Response: The plans submitted include the 25-foot and-100-foot buffer zones on Sheets C-1 (Overall Layout Plan) with labels. We have also prepared the attached exhibit sheet R-1 Resource Area and Buffer Exhibit Plan for your use which identifies the resource areas delineated and approved on the ORAD, as well as the Bordering Vegetated Wetland (BVW) buffer zones. The Exhibit also shows the 100-ft vernal pool resource area. We have not included the 50-foot wetland buffer as it does not appear to apply to this multi-family, mixed-use project.**

**Based on our review of the Wetlands Protection Ordinance (WPO), the definition of Vernal Pool under Section 7-301.(c), indicates that it includes “the area within 100 feet of the mean annual boundary of such a depression...”. We were not able to locate any citations within the WPO or the Town of Weymouth Wetlands Protection Regulations (WPR) that identify an additional 100-ft “Vernal Pool Buffer Zone”. Based on our review, we have not currently included this in the attached Resource Area and Buffer Exhibit Plan.**

Comment 4: Resource area and buffer zone impacts should be quantified. How much disturbance is being requested in the 25, 50 and 100 foot buffer zones? How many mature trees are proposed to be removed?

**CDG Response: We have provided a breakdown/quantification of the proposed area of work within the 25 and 100-foot buffer zones on the attached sheet R-1 Resource Area and Buffer Exhibit Plan. It is our opinion that the 50-foot buffer zone referenced does not apply to this project and as such, we have not included in the attached Resource Area and Buffer Exhibit Plan. The existing trees within the proposed limit of work will be removed.**

Comment 5: During the ANRAD review, the Commission identified – and the ORAD plan shows – “local-only” wetland resource areas that had been filled without authorization. The submittal should include a quantification of the resource areas filled and the mitigation being proposed to compensate for this unauthorized work.

**CDG Response: A table is provided on the attached sheet R-1 Resource Area and Buffer Exhibit Plan. Locally jurisdictional IVW “H” series was previously filled. Locally jurisdictional IVW Series “G” is proposed to be filled. The Total square footage of the two locally jurisdictional IVWs is 4,437 square feet. The local bylaw and regulations require 2:1 mitigation, or a total of 8,874 square feet of mitigation required. The project includes 5,100 square feet of wetland replication and 4,800 square feet of buffer enhancement in close proximity to the locally jurisdictional vernal pool, which totals 9,900 square feet, exceeding the 2:1 mitigation required under the local bylaw and regulations by 1,206 square feet.**

Comment 6: Plans should be provided that clearly show the extent of proposed clearing. Plans should also show areas cleared prior to authorization. Wooded areas to be cleared should be quantified, in size of area and number of trees greater than 6 inches in diameter.

**CDG Response: The plans identify the proposed limit of clearing (i.e. Proposed Tree Line) on Sheet C-1 Overall Layout Plan. Sheet C-5 also identifies the limits of erosion controls proposed around the project. Sheet R-1 Resource Area and Buffer Exhibit Plan identifies the proposed tree line in a colored exhibit for clarity. Existing trees within the identified tree line are proposed to be removed.**

#### Limit of Work Relative to wetlands

Comment 7: The limit of work should be pulled back from the wetland resource areas. Much of the project limits are right at the 25-foot buffer to the wetlands. The Weymouth Wetlands Ordinance and Wetlands Protection Regulations do not grant projects an automatic “pass” for building right up to the 25-foot buffer. This might be acceptable for a single-family home but not for a project of this magnitude abutting resource areas with this significance.

**CDG Response: Based on our initial site walk with staff, we revised the plans prior to formal submission to the Commission to provide for additional buffer area adjacent to Wetland Series “E”. This was accomplished by eliminating the perpendicular parking spaces that were originally proposed facing the wetland between wetland flags E41 through E49 in addition to shifting the edge of the front building further away from the 25-foot buffer zone. In addition, the Applicant incorporated retaining walls to further limit the extents of grading along this area.**

Comment 8: This project contains commercial space and the minimum buffer is 50-feet from wetlands (again, not an “automatic pass”).

**CDG Response: Per Section 9.00 of the Weymouth Conservation Regulations, Buffer Zone Impacts to Multiple Dwelling Structures, including utility buildings and ancillary structures and devices, shall be 25-feet from the edge of a vegetated wetland. The proposed project is mixed use, and predominantly residential. There is first floor accessory commercial space, residential amenities and a leasing office proposed on the ground floor of the front building along Washington St. The primary function of this space will be to service the residential project and activate the street frontage. Above the commercial space are three floors of residential apartments. The project avoids encroachment into the 25-foot buffer zone for all surrounding Bordering Vegetated Wetlands and provides for greater than a 25-foot buffer in most locations. The project’s average buffer is greater than 45 feet along the “E” Series wetland.**

Comment 9: Work is being proposed within the 100-foot vernal pool resource area. No work is allowed in this area (unless a variance is granted for work in resource areas).

**CDG Response: The proposed work within 100 feet of the locally jurisdictional vernal pool includes a retaining wall with an approximately 78’ buffer, and portions of 13 surface parking spaces with an approximately 84 to 94-foot buffer. The 100’ buffer is previously disturbed by an existing quarry road that is approximately 40’ from the locally jurisdictional vernal pool. The Applicant is proposing to remove and revegetate the existing quarry road as part of the 1,800 square feet of Buffer Zone Enhancement, part of the 2:1 mitigation proposed for the project. The Applicant is requesting a variance not be required as the work in this area represents an improvement to the existing condition and results in an increased buffer compared to the existing conditions.**

Comment 10: In several locations, the limit of work appears to be unrealistic, in that the limit of work is shown right at the 25-foot buffer with no room to construct the parking lots and retaining walls that are shown extending right up to the 25-foot buffer. (For example, see area near wetland flag WFF2, close to Washington Street entrance).

**CDG Response: The retaining walls proposed in this location do not require tie-backs and will require only 1-2 feet behind the retaining walls to construct, since they will be constructed from the developed side of the wall.**

Comment 11: Significant grading and retaining walls are proposed, some are located very close to wetlands and are 20 feet tall.

**CDG Response:** The Applicant has proposed the use of the retaining walls, at significant expense, to minimize the proposed disturbance in the buffer zones, instead of proposing sloped grading which would further extend the limit of work. This is specifically the case at the tallest wall segment, to the east of the front building. We note that this segment of wall is set far back more than 50-feet from the wetland and could have been graded out, however the wall approach preserved additional buffer and trees in the area that the Applicant had discussed with staff at the initial site visit.

Comment 12: The adjacent large wetland area (Wetland Series "E" on the ORAD plans) is a high-quality wetland with well-protected buffer. If permanent preservation of the undeveloped woodlands around other parts of this wetland system could be provided, I would be much more amenable to the scale and density of this project. However, the property owner is proposing to subdivide the property and presumably will be proposing to develop other areas abutting Wetland E. More information would be helpful.

**CDG Response:** The Applicant is purchasing the 9.7-acre property shown in the permit plans. The project, as designed, complies with all zoning and dimensional criteria while avoiding and protecting the 25-foot buffer zone for the BVWs throughout the site. The project also includes preservation of additional buffer zone adjacent to Wetland Series E and includes further mitigation and enhancements within 100-feet to the vernal pool, including the restoration of 2,000+/- square feet of existing quarry road into enhanced buffer/habitat area. The project also proposes to go well beyond the requirement of the MA Stormwater Regulations by proposing to reduce peak rates but up to 68% in the proposed condition for the 100-year storm event and has committed to working with MassDOT to provide additional stormwater improvements within Washington Street. The Applicant cannot comment on any potential improvements on adjacent land that are beyond the scope of this project. The project provides 21% of the site as open space.

#### Wetland Resource Area Impacts

Comment 13: The mitigation plan proposes temporary impacts to wetland resource areas. These impacts need to be quantified in the Notice of Intent WPA Form 3 and in a narrative.

**CDG Response:** We originally anticipated a temporary impact may be needed, however up on further review in the field, we expect the weir wall can be constructed in place of the existing filled culvert crossing which will not require any temporary impact to the abutting wetlands. The plans will be revised and resubmitted accordingly.

### Mitigation

Comment 14: A mitigation narrative should be provided that explains the purpose and goals of the mitigation project, quantifies impacts being mitigated for, quantifies work, includes monitoring program during work and post-installation, etc.

**CDG Response: Please see Section 7 of the Stormwater Report where the “Wetland Replication and Buffer Zone Restoration and Enhancement Plan” was provided in the plan set, and which included these figures.**

### Engineering Review

Comment 15: This is a very large project and our Engineering Division does not have adequate resources to fully review this project in the detail we need. The Weymouth Wetlands Protection Ordinance (Section 7-301(i)) gives the Commission the authority to hire a peer review consultant. This is necessary for this project due to the complexity and its potential impacts on wetland resource areas and downstream areas. This would include review of the stormwater management system for compliance with the DEP Stormwater Management Standards, and a review of potential downstream flooding impacts, construction-period erosion and sediment control plans, etc. The Commission has the authority to require review for other project elements as well (e.g., wetland/buffer zone mitigation).

- I will be recommending that the Commission vote on requiring a peer review at the 5/4 hearing.
- I will reach out to the applicant asking them to provide information on project cost, which is the basis for the funds they must provide for peer review.
- I will reach out to potential peer reviewers.

**CDG Response: The Applicant will work with the Town through Mary Ellen Schloss and the Engineering Department on the selection of the third-party peer reviewer for review of compliance with the Massachusetts Stormwater Standards.**

### Stormwater

Comment 16: This project proposes to discharge stormwater to Route 53 and a tributary to the Plymouth River. Is this truly necessary? Can water be handled on-site? Analysis of potential downstream flooding impacts will likely be needed. The project would need to obtain a connection permit from MassDOT.

**CDG Response: Approximately 6 acres of the existing 10-acre site slopes down to Washington Street, which is the lowest point adjacent to the site. The MA Stormwater Regulations require**

**demonstration of no increase in peak rates of runoff at the property lines compared to existing conditions. In this case, the drainage analysis submitted provides for a reduction of peak rates into Washington Street in the 100-year storm of up to 68%. This over-attenuation is not required by regulation, but rather was proposed as mitigation to help take further pressure off the existing drainage system within Route 53 and ultimately the MassDOT outfall location into the wetlands across the street. This significant reduction in peak rates would be a major improvement to the existing condition and not a detriment to any downstream conditions. A MassDOT Stormwater Permit will be required and their requirements will govern stormwater within the state highway layout.**

Water Usage

Comment 17: This is not something we can control or necessarily weigh in on as it is out of our jurisdiction, but I note that the impact of water withdrawals on our ponds and rivers and herring run and other aquatic life is a significant concern.

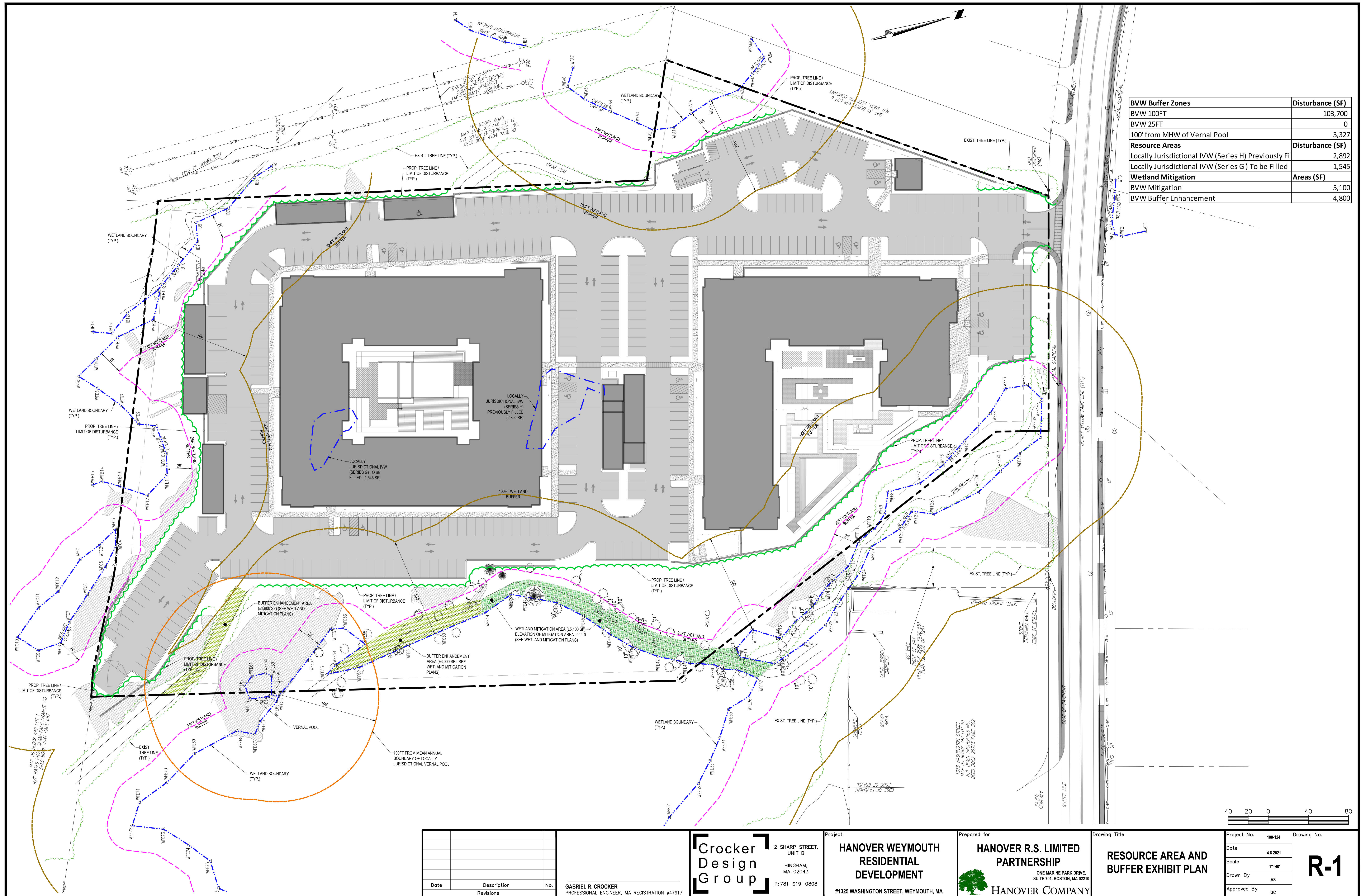
**CDG Response: This project will improve water quality discharging from the site and bring the property into compliance with the MA Stormwater Management Standards and proposes no impacts to Weymouths ponds, rivers nor the herring run. Additionally, Applicant is proposing the use of low flow plumbing fixtures, drought tolerant plantings, drip irrigation in planting beds, and the use of a private irrigation well if feasible.**

Should you have any questions or require any further information, please do not hesitate to contact Gabe Crocker, P.E. at [gabecrocker@crockerdesigngroup.com](mailto:gabecrocker@crockerdesigngroup.com) or 781-919-0808. We look forward to presenting to the Conservation Commission this evening.

Sincerely,  
Crocker Design Group LLC



Gabe Crocker P.E.  
President



BVW Buffer Zones		Disturbance (SF)
BVW 100FT		103,700
BVW 25FT		0
100' from MHW of Vernal Pool		3,327
Resource Areas		Disturbance (SF)
Locally Jurisdictional IVW (Series H) Previously Filled		2,892
Locally Jurisdictional IVW (Series G) To be Filled		1,545
Wetland Mitigation		Areas (SF)
BVW Mitigation		5,100
BVW Buffer Enhancement		4,800



Date	Description	No.

GABRIEL R. CROCKER  
 PROFESSIONAL ENGINEER, MA REGISTRATION #47917

**Crocker Design Group**  
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 HINGHAM, MA 02043  
 P: 781-919-0808

Project  
**HANOVER WEYMOUTH RESIDENTIAL DEVELOPMENT**  
 #1325 WASHINGTON STREET, WEYMOUTH, MA

Prepared for  
**HANOVER R.S. LIMITED PARTNERSHIP**  
 ONE MARINE PARK DRIVE, SUITE 701, BOSTON, MA 02210  
**HANOVER COMPANY**

Drawing Title  
**RESOURCE AREA AND BUFFER EXHIBIT PLAN**

Project No. 100-124  
 Date 4.8.2021  
 Scale 1"=40'  
 Drawn By AS  
 Approved By GC

Drawing No.  
**R-1**