

December 4, 2023

Town of Weymouth Conservation Commission 75 Middle Street Weymouth, MA 02189

Re: Notice of Intent Jackson Square Broad & Commercial Street Weymouth, Massachusetts MassDEP File #SE 081-1310

Members of the Weymouth Conservation Commission:

On behalf of Iraklis N. Papachristos (the Applicant & Owner) and in association with EMBARC, McKenzie Engineering Group, MDLA, and Fleming & Fleming, Lucas Environmental, LLC is pleased to submit this letter in response to the comments from the Conservation Agent, received via email on September 26, 2023, and comments from the Conservation Commission from the September 26, 2023 Public Hearing. This response is submitted as a supplement to the Notice of Intent (NOI) to the Weymouth Conservation Commission for the proposed redevelopment of Jackson Square along Broad and Commercial Streets in Weymouth, Massachusetts (MassDEP File #SE 081-1310).

Conservation Agent Comments

The following details the project team's responses (in standard format) to the Conservation Agents comments (in *italics*).

1. The local fee submitted was for commercial projects. For mixed use projects both the commercial and residential fee has been applied. Staff area recommending that the residential fee include the base fee for the three buildings within jurisdiction (750 each) and the per-unit fee for first residential floor within judication (100 each).

The Applicant will submit a check for this requested filing fee. Based upon the revised plans, there will be a total of 46 units for the first residential floor within jurisdiction, therefore, the following fee will be submitted = \$2,250.00 + \$4,600 (46 units) = \$6,850.00. The Applicant will submit the check directly to the Conservation Commission office.

2. Due to the scale of the stormwater system and report, staff is recommending a peer-review due to limited DPW capacity. Staff have reached out to CEI but have not got a response yet.

McKenzie Engineering has provided a separate response to the Conservation Commission on November 17, 2023 to address CEI's comments.





3. Light shining into the herring brook would be a concern, can a lighting plan be provided that shows the location and direction of lighting? A condition limiting light into the herring run should be expected.

Lighting plans with photometrics have been incorporated into the revised plan set submitted by McKenzie Engineering under separate response. No light will spill onto the brook with the exception of a very small area near Building B and the Broad Street Bridge with low light levels spilling from the proposed street lighting.

4. Jackson Square is identified as a heat island by the state, this has implications for folks living within the area and can heat stormwater as it enters the Herring Brook. Are building materials (roof color, material etc.) being considered that will reduce the heat island effect and reduce the temperature of stormwater discharging to the run?

The roofing will be installed using a high SRI (Solar reflectance Index) material, such as a white TPO or EPDM membrane. In addition, the Applicant is proposing a few occupied decks on Buildings A, B, and C. These areas are specifying a range of "cool" roofing materials, such as light-colored concrete roof pavers, synthetic turfs, and soft wood tones. Also, the Applicant has proposed significant landscaping improvements, particularly along the brook.

5. A time of year restriction for construction close to the herring run should be an expected condition. The exact parameters of that restriction should be discussed among the commission the applicant and the Division of Marine Fisheries.

In a letter dated October 17, 2023, the Massachusetts Division of Marine Fisheries (DMF), recommended a spring time-of-year (TOY) restriction for construction associated with the demolition and foundation work for Sites B and C from March 1st to June 30th. The Applicant has no objections to this TOY.

6. Is it anticipated that dewatering will be needed for construction?

Dewatering activities are not anticipated. If required, the Commission will be notified prior to any dewatering and a plan will be submitted for the Conservation Agent's review. LE recommends a Special Condition for this. The separation to groundwater for each Building site is noted below:

Building A:	4-5'
Building B:	2'
Building C:	6'
Building D:	6'





7. The proposed Stormceptors on the town parcel will need to be maintained regularly, would the applicant or the town be responsible for this?

The Applicant is working with the Town's attorney, Rick McLeod, on a License Agreement for the Town land, which will provide for the Town to maintain the drainage systems on the Town land. The Applicant has made changes to the requested easement/license areas to address concerns raised by Mr. McLeod and is amending the legal documents for final approval. Additional time is needed to complete the legal document; however, the Applicant does not anticipate any further amendments to the easement/license area and respectfully requests that the Conservation Commission include this agreement as a Special Condition of its approval.

8. The conversion of the town owned parking area adjacent to the middle pool will mean that the middle pool cannot be accessed for maintenance dredging. Access will like ne needed from water street using a clamshell excavator, a more expensive means of maintaining the pool. Would the applicant consider contributing to this maintenance effort?

The Applicant is amenable to contributing to the maintenance efforts. For the ease of this effort, the Applicant suggests completing the maintenance sediment removal of this area during construction. The Applicant will be responsible for the costs for this one time maintenance, and the Town would be responsible for costs associated with any future maintenance of the area.

Conservation Commission Comments

The following details the project team's responses (in standard format) to the Conservation Commission comments raised during the public hearing (in *italics*). For discussion purposes, LE has continued the numbering from the Conservation Agent's comments.

9. Erosion controls should consist of silt socks with a wire backed silt fence.

The Construction Plans will be revised to include silt socks with wire backed silt fence. The Applicant requests that the Conservation Commission include this as a Special Condition of its approval of the project.

10. *The Operation & Maintenance (O&M) Plan should limit fertilizer use within the 100-Foot Buffer Zone.*

The Applicant requests that the Conservation Commission include this as a Special Condition of its approval of the project.

11. The Applicant should confirm the structural integrity of the existing Venetian foundation wall along the brook.

The Applicant engaged to assess the structural integrity of the foundation wall along the brook and Venetian Restaurant. Based upon their review, the existing concrete foundation wall is not suitable for use as a retaining wall without proper structural modifications, which are included in the Structural Engineering Memo, prepared by MP Design Consultants, dated October 20, 2023, and attached. The proper structural modifications will occur on land and not within the brook.



12. Bob Luongo commented on the Niko's Restaurant site and any work or site improvements.

The Niko's Restaurant parcel is not part of the Jackson Square Redevelopment, nor planned for redevelopment at this time. The Applicant is amenable to performing landscaping improvements on the Town-owned land north of the Niko's parcel and east of the brook, and potentially along the western side of the Niko's lot. The Applicant is amenable to the plantings along the brook as long as no parking spots are taken from the current, existing count at the Niko's parcel. The Landscape Plans have been updated to reflect this potential landscape buffer, with the limits of the final buffer and planting design to be determined at a future date. The revised Landscape Plans were submitted with the revised Plans provided separately by McKenzie Engineering.

Resource Area Impact Assessment Revisions

Due to the project revisions, there is a slight change in the impact analysis. Compensatory storage will be provided on the site for loss of flood storage volume incrementally equal to the volume of flood displaced by the project (See attached revised Exhibit 1 - BLSF Existing Contours and Exhibit 2 - BLSF Proposed Contours). The flood storage numbers have marginally changed from the originally proposed net gain of approximately 1,881 cubic feet of additional flood storage to a net gain of approximately 1,817 cubic feet of additional storage currently proposed with the revised Plans. The work within BLSF remains compliant with the performance standards to the maximum extent practical, per Section 310 CMR 10.57(4)a. and c. of the WPA.

Additionally, the Riverfront Area calculations have also been revised. Table 5-1 has been updated and summarizes the project components with respect to development within the degraded/developed Riverfront Area.

TABLE 5-1 RIVERFRONT AREA IMPACTS ASSESSMENT						
On-Site	Existing (SF)		Proposed (SF)		Net (SF)	
	Degraded [*]	Landscaping**	Degraded [*]	Landscaping**	Improvement	
Inner Riparian	25,816	3,559	23,610	5,600	+2,041	
Outer Riparian	15,239	3,944	18,111	1,237	-2,707	
Total	41,055	7,503	41,721	6,837	-666	
	48,558		48,558			
Off-Site						
Inner Riparian	3,409	1,717	1,309	3,817	+2,100	
Outer Riparian	1,721	2,793	1,699	2,815	+22	
Total	5,130	4,510	3,008	6,632	+2,122	
	9,640		9,640			

*Degraded areas consist of impervious surfaces such as buildings, sidewalks, walls, pavement, in addition to gravel areas and areas devoid of topsoil.

**Landscaped Areas consist of developed areas within the non-degraded Riverfront Area.





The project remains compliant under Section 310 CMR 10.58(5) for redevelopment of the Riverfront Area. The off-site mitigation proposed will be greater than 3:1 (originally proposed 4:1) for the on-site impacts that are not mitigated directly on the site.

The proposed design achieves the goals of the Applicant, while being sensitive to adjacent regulated resource areas to the extent feasible. Accordingly, the Applicant respectfully requests that the Conservation Commission consider a finding that the proposed design is adequately protective of the interests identified in the Wetlands Protection Act and the Town of Weymouth Wetlands Protection Ordinance and issue an Order of Conditions approving the project as described in this Supplement, the Notice of Intent, and as shown on the revised Site Plans.

Enclosed please find one (1) original and three (3) copies of the supplement to the NOI. A link to an electronic copy of the pdf file of the NOI application and supporting documentation will be provided concurrently with this submittal. The Applicant looks forward to concluding this review at the December 19, 2023 Public Hearing.

If you have any questions, please do not hesitate to contact me at 617.405.4140 or <u>cml@lucasenviro.com</u>. Thank you for your consideration in this matter.

Sincerely, LUCAS ENVIRONMENTAL, LLC

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Christopher M. Lucas, PWS, CWS, RPSS Environmental Consultant/Wetland & Soil Scientist

Enclosures:

- 1. Structural Engineering Memo, prepared by MP Design Consultants
- 2. Exhibit 1 BLSF Existing Contours
- 3. Exhibit 2 BLSF Proposed Contours

cc: MassDEP – SERO (electronic copy) Iraklis N. Papachristos – Applicant & Owner (electronic copy) 864 Broad Street LLC – Owner (electronic copy) 909 Broad Street LLC – Owner (electronic copy) 910 Broad Street LLC – Owner (electronic copy) 1409 Commercial Street LLC – Owner (electronic copy) CMK Development Partners (electronic copy) EMBARC (electronic copy)
McKenzie Engineering Group (electronic copy)
MDLA (electronic copy)
Fleming & Fleming, P.C. (electronic copy)



October 20, 2023

CMK Development Partners Gerry Kavanaugh, CEO gerry@cmk-partners.com Cell: 202.230.1693 97 Libbey Industrial Parkway, Suite 304 Weymouth, MA 02189

Iraklis N Papachristos, Manager of 864, 909, 910 Broad St LLCs & 1409 Commercial St LLC 1 Franklin Street, Unit 2308 Boston, Ma 02110 eric.papachristos@gmail.com

Re: MP Design Consultants – Structural Engineering Memo Jackson Square, Weymouth MA

EXISTING CONDITIONS

A new commercial/residential development is being proposed at Jackson Square in Weymouth, MA. The site is bordered by Broad St and Commercial St on the north and southwestern side, Herring Run Brook on the southeast, and adjacent property on the east side. The proposed development will consist of a 5-story mixed use building with 11,505 sf of ground level parking providing a total of 76 parking spaces on the site. The new mixed-use building will consist of 2,975 sf dedicated for commercial/restaurant use and 63,535 sf dedicated for residential use. The existing site contains a 3-story wood-framed building previously occupied by Light House Realty Group and a 1 to 2 story CMU/Wood-framed building built on top of concrete foundation wall, previously occupied by The Venetian restaurant. The Light House Realty Group building is to be demolished with only the concrete foundation wall bordering the Herring Run Brook on the southern side of the building to remain. It is proposed to use the remaining concrete foundation wall a a retaining wall in the new development.

STRUCTURAL ASSESSMENT

The remaining concrete foundation wall from The Venetian building is approximately 8" thick and runs approximately 63 feet along the Heering Run Brook. No information is provided on the location and condition of steel reinforcement layout in the wall and footing, the condition of the wall underneath the soil and brook bed, and the size and condition of the footing. The difference in elevation from the top of the wall to bottom of the brook bed varies along the brook/wall border but can be safely taken as 9 feet. The existing foundation wall along the brook is stable with the existing buildings but proper structural modifications are required to ensure stability of the remaining part of the foundation wall during and after The Venetian building demolition. Considering the above unavailable information and that the original wall was designed as a foundation basement wall, the existing concrete foundation wall is not suitable for use as a retaining wall without proper structural modifications.



MP Design Consultants | Designing and Managing Your Dream™ 118 Turnpike Road, Suite 200, Southborough, MA 01772 Business +1 (617) 560-0778 | contact@mpdconsultants.com Page 1 of 2

PROPOSED STRUCTURAL MODIFICATIONS

All demolition and excavation work near the existing concrete wall of The Venetian building must be done with caution so as to not disturb the soil beneath and around the walls concrete foundation wall's footing. Excavation needs to be done during the drier months so that the water in the brook is as low as possible.

The proper construction sequence is critical to ensure stability of wall. The soil inside the footprint of The Venetian building should be excavated to the bottom of existing wall footing with existing concrete footing still in tack. The contractor shall be responsible to make sure that the existing foundation concrete wall and footing remains stable during exaction and structural modification work. The existing concrete foundation wall bordering the brook shall be cleaned from all organic material and soil before commencing structural modification work. The new retaining wall with its abutments and footing must be constructed adjacent to the existing concrete in the new retaining wall bordering the brook with engineering drawings to be provided at a later date. After concrete in the new retaining wall has gained enough strength (usually 7 days), the existing concrete foundation wall not bordering the brook can be demolished with instructions from the engineer to be provided at a later date. The proper structural modifications will occur on land and not within the subject brook.

The contractor shall notify the Design Engineer and Building Department of any design alteration, safety concerns and existing structural defects.

Very truly yours,

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John Grenier | Engineer

Marc Alencar | President





ATTACHMENT A

Site Photos







ATTACHMENT B

Existing Conditions Survey

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