



May 5, 2021

Martha L. Taylor, Town Planner  
Town of Newbury  
12 Kent Way  
Byfield, MA 01922

Re: 105 High Road OSRD  
Special Permit Application Review

115 GLASTONBURY BLVD  
GLASTONBURY CT 06033  
860.659.1416

120 MIDDLESEX AVENUE  
SUITE 20  
SOMERVILLE, MA 02145  
617.776.3350

6 CHESTNUT ST  
AMESBURY MA 01913  
978.388.2157

197 LOUDON RD  
SUITE 310  
CONCORD NH 03301  
603.856.7854

317 IRON HORSE WAY  
SUITE 100  
PROVIDENCE RI 02908  
401.383.6530

Dear Ms. Taylor and Members of the Planning Board:

Design Consultants Inc. has received the OSRD plan package review letter by Joseph J. Serwatka, P.E. dated April 20, 2021, and offer the following comments.

Sheet C-3, Yield Plan

***DCI Response:** As discussed during the April 21, 2021 Planning Board meeting, the members of the Planning Board had reviewed and entertained extensive discussion regarding the ten (10) unit Yield Plan and agreed that the Plan as provided satisfied the requirements of §112-5(A)(1) and established the Basic Minimum Number of Dwelling Units at ten (10). Notwithstanding the Board's acceptance, DCI provides the additional responses.*

1. The primary septic field on lot 1 is depicted about 14 feet off the dwelling and about 7 feet off the property line, where 20 and 10 feet are typically required. The engineer should also verify that the dwelling meets the 20 foot minimum offset to the street.

***DCI Response:** The dwelling and primary leach field on Lot 1 can accommodate the required setback areas. The Yield Plan has been amended to demonstrate compliance.*

2. The engineer should verify that the dwelling depicted on lot 5 meets the 20 foot minimum offset to the street.

***DCI Response:** The dwelling proposed for Lot 5 as well as each of the dwellings shown on the Yield Plan can be adjusted to demonstrate full compliance with the required 20' front setback requirement. The Yield Plan has been amended to include a building envelope for each lot.*

3. Four of the five “contiguous upland” areas are within 100 square feet of the required 48,000 square feet minimum. The board may want a registered land surveyor’s stamp added to the plan, as would be typical, for the lot areas.

***DCI Response:** The Board has accepted the Yield Plan for the purpose of compliance with the requirements of the §112-5(A)(1) and §97-5.C.. Notwithstanding, the engineer has stamped the yield plan as containing accurate information and properly measuring all areas, dimensions, and setbacks.*

4. A single “stormwater infiltration basin” is depicted for the entire project. As noted in the application 44% pretreatment of runoff would be required prior to infiltration, which may involve swales, drainage structures, separators, etc. Also, the proposed driveways for lots 2 and 4 are 20 feet wide by 310 and 520 feet long, respectively, which adds nearly one half acre of impervious cover that will typically be treated. The board may want the engineer to show/discuss how treatment would be provided.

***DCI Response:** The Yield Plan as presented meets the design requirements of requirements §97-5(C) and §112-5(A)(1), which require the identification of locations for stormwater management systems but not details of the design of the systems.*

*The long driveways for lots 2 and 4 are being proposed as having a pervious surface, most likely crushed/pea stone surface. In any event the Property has more than sufficient open area with ideal soil conditions that will ensure adequate and suitable areas to address drainage mitigation.*

*A full storm water report in compliance with all local, state and federal requirements will be submitted along with the Condominium Site Plan, subject to the Board granting a special permit for the OSRD, as requested.*

#### Sheet C104.A, OSRD Concept Sketch Plan Grading/Stormwater

1. Page 2 of the April 6, 2021 Mann & Mann letter states that “the development will include the construction of sidewalks”, but the plans do not depict sidewalks, and a waiver is requested for no sidewalks. Given the density of the proposed 10 dwelling development, families are likely to be walking throughout the site, and perhaps to school buses at High Road. The proposed swales on each side of the roadway will leave only the roadway as a walking surface. The Board may want the applicant to consider a sidewalk on one side of the roadway to allow for “on-site pedestrian and bicycle circulation”, as required by the OSRD bylaw.

***DCI Response:** The Applicant prefers that the proposed condominium development be approved without sidewalks. However, if the Board prefers to have a sidewalk on one side of the access drive, the Applicant is able to accommodate the installation of a sidewalk.*

2. The application refers to infiltration chambers for new home roof areas, but none are depicted on the plan. The board may want the engineer to depict typical roof infiltration systems.

***DCI Response:** See the above response regarding storm water management. Subject to the Board granting Applicant’s request for an OSRD Special Permit, DCI will prepare a full stormwater*

*management report to be submitted with the final and detailed Condominium Site Plans. DCI has designed a proof plan of the storm water management system and based on the proof plan; it is anticipated that infiltration chambers will be provided.*

3. The plan labels a 30' and 60' diameter dimension on the cul-de-sac. It appears these should be labelled as "radius" rather than diameter.

**DCI Response:** *This typographical has been corrected on the final Special Permit plan set.*

4. The board may want the existing driveway and stable depicted along the northern property line for lot 48. It appears these existing features will be within feet of proposed dwellings 1-4. The board may want the engineer to address whether fencing or landscape screens will be proposed, and whether light intrusion will be an issue.

**DCI Response:** *The stable is shown on the sheet C105 and existing driveway can be added based upon the latest aerial photography whereas the applicant is not allowed on the abutting property. All landscape details will be provided in the detailed Site Plan submission following the OSDR Special Permit process.*

5. Without seeing proposed hydrologic calculations, it is impossible to determine whether the proposed drainage outfall onto the open space will be a continual source of wet ground conditions. This could affect the proposed use of the area for soccer, football, Frisbee, etc., as discussed in the application. The board may want the engineer to discuss this issue.

**DCI Response:** *See the above responses regarding the submission of a full stormwater management report, calculations and design. Subject to the Board granting the OSRD Special Permit, the Applicant will submit a Condominium Site Plan that will include grading details, and a full stormwater analysis and design that will be integrated with any open space area to ensure its future utility.*

Sheet C104.B, OSRD Concept Sketch Plan Water, Sewer

1. The existing 12" watermain in High Road should be depicted on the plan, as would be typical.

**DCI Response:** *The Applicant will provide a detailed set of plans, including a utility design, subject to the Board granting the OSRD Special Permit. We have confirmed with flow test noted in the narrative there is adequate water supply for the proposed development.*

2. The proposed pump chamber will require an electrical connection and location for the visible/audible alarm. The engineer should discuss how these items will be addressed.

**DCI Response:** *The Applicant will provide a detailed set of plans, including a septic design, subject to the Board granting the OSRD Special Permit and approving the Condominium Site Plan. The Special Permit and Site Plan Approval will be conditioned upon the Applicant securing a number of permits for its development, including but not limited to Septic Design Approval, MassDOT street opening permit, and a water connection permit. Detailed designs for utilities will be presented during the Site Plan*

*Approval Process, however permits and approvals for installations and connections will be applied for and obtained after the approvals but prior to construction.*

3. The plan does not address whether street lights are proposed. The board may want the engineer to address this issue.

**DCI Response:** *The Applicant will provide a detailed set of plans, including a lighting plan, subject to the Board granting the OSRD Special Permit and approving the Condominium Site Plan. With light pollution concerns small developments have been moving away from standard street lights. Applicant intends to propose post mounted lights at each home to provide any required lighting.*

4. The board may want the engineer to address whether each dwelling site will be separately irrigated, or whether the entire site will be irrigated by a common sprinkler system connected to municipal water or a drilled well.

**DCI Response:** *The Applicant will provide a detailed set of plans, including a landscape plan, subject to the Board granting the OSRD Special Permit and approving the Condominium Site Plan. Where this is proposed as a condominium the sprinkler system will be common*

Sheet C105, OSRD Concept Sketch Land Area Plan

1. The plan calls for the Costonis barn to be relocated to proposed lot 1, but other plans depict a new dwelling on this lot.

**DCI Response:** *The Applicant is proposing to relocate the barn, however that will require a willing buyer. Accordingly, the plans reflect a more generic approach.*

2. The plan appears to show the proposed 40' public access easement on top of the existing 7' wide easement adjacent to the Costonis house. The board may want the engineer to address whether this can occur, or whether the 40' easement needs to be relocated off of the existing 7' easement.

**DCI Response:** *The Owner of the Property owns the area that is within the 7' wide easement and has the right to use it in common with the owner of 103 High Road. As shown on the Plan, the Applicant is not proposing any improvements to the area that would impede access by the holder of the easement.*

3. The waiver requests lists 50' as the required right-of-way, but the Yield Plan shows 53'. The engineer may need to revise the request.

**DCI Response:** *As discussed with the Board during the April 21<sup>st</sup> meeting, the Applicant is not proposing a definitive subdivision of the Property will involve the creation of a right of way and individual lots but rather is proposing a condominium project that will involve the creation of an access way (for which the Applicant will issue an easement to the Town) and unit locations. Accordingly, the entire development area will remain under one ownership.*

4. A 40' public access easement is proposed without provisions for a sidewalk. A waiver is requested to allow no sidewalk. As noted previously, the OSRD bylaw design standards require provisions for "on-site pedestrian and bicycle circulation". The board may want to consider whether a sidewalk should be provided.

***DCI Response:** Because this is not a definitive subdivision, waivers from the right of way design standards are not required. For a more detailed discuss see the above responses.*

5. The plan requests a waiver from a required center line radius of 200ft. but the Regulations appear to require a minimum 100' center line radius for cul-de-sac streets. The engineer should review this.

***DCI Response:** Because this is not a definitive subdivision, waivers from the right of way design standards are not required. For a more detailed discuss see the above response.*

If you have any questions or concerns, please let me know. Our goal is to have the hearing closed at the next planning board meeting on May 19, 2021.

Sincerely,

*Stephen Sawyer*

Stephen Sawyer, P.E.

*Letter to J. Doe, 00/00/0000*