

M E M O R A N D U M

DATE: February 26, 2018

TO: Newbury Zoning Board of Appeals

FROM: Ann M. Marton, Director of Ecological Services

RE: Working Session Recap and Summary
Byfield Estates Comprehensive Permit Application
Newbury, Massachusetts

LEC File#: ToNEW\17-300.02

The following provides a brief recap and summary of the February 15, 2018 Working Session.

Attendance:

Ann Marton, LEC Environmental Consultants, Inc.—ZBA Peer Reviewer
Robert Blanchett, W.C. Cammett Engineering, Inc.—ZBA Peer Reviewer
Mary Rimmer, Rimmer Environmental—Applicant’s Environmental Consultant
Ben Osgood, Ranger Engineering & Design, LLC—Applicant’s Engineer

Working Session:

We had a very productive working session that included the following:

1. Review and discussion of the LEC February 8, 2018 Site Plan Review Memorandum.
2. Review and discussion of the Cammett February 9, 2018 Peer Review Letter.
3. Reviewed in detail the MADEP Stormwater Management Policy with a particular focus on compliance with the set back requirements contained in Standard 6 and (see Cammett Recap for additional discussion of stormwater compliance).
4. Discussed means and methods for determining the extent of historic illegal filling on parcels R-20, Lot 75 and R-20, Lot 76 and the need for the Applicant (through Mary Rimmer) to prepare and submit to the Zoning Board of Appeals (ZBA) their findings in a formal document (versus our informal email dialogue to date) for the ZBA to review and for LEC to formally respond. The purpose of this exercise is to confirm the total amount of fill and confirm the total amount of required replication (historic fill plus that proposed as part of the Comprehensive Permit Application).

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5. Based on discussions during the Working Session, Mr. Osgood committed to relocating all stormwater Best Management Practices (stormwater basins, roof infiltration, piping, outfalls, swales, etc.) greater than 100-feet from the two Vernal Pools contained in the A-Series and D-Series Wetlands.
6. Discussed the prudence in pulling Stormwater Basin P3-2 further away from the boundary of the C-Series BVW to avoid direct wetland alteration resulting from clearing, grubbing, and grading up to the edge of the BVW. While not completely solidified in our discussions, we are expecting Ms. Rimmer to submit a written report responding to LEC Comments 7 and 8 from our February 8, 2018 Site Plan Review Memorandum.
7. We discussed the practicalities of installing modular retaining walls and the required footings. Mr. Osgood is going to review the plans, clarify the type of wall, limits of work, and footing requirements. This should address LEC Comments 10 and 11 from our February 8, 2018 Site Plan Review Memorandum.

The above commitments will require the Applicant to re-assess their stormwater design, infiltration assumptions, and produce updated plans and stormwater calculations as well as prepare and submit written documentation relative to historic wetland filling and compliance with the performance standards for work in the Buffer Zone to ensure protection of adjacent BVWs.

I hope this recap proves helpful to the ZBA as they review the proposed project and to the Applicant's Representatives as they prepare revised plans and supporting documentation. I will continue my review of the project upon receipt of updated plans and supporting information.