



TOWN OF ARLINGTON

MASSACHUSETTS

CONSERVATION COMMISSION

August 23, 2021

Zoning Board of Appeals
Town of Arlington
730 Massachusetts Avenue
Arlington, MA 02474

**RE: Thorndike Place – Application for Comprehensive Permit
Seventh Set of Comments from Conservation Commission**

Dear Chairman Klein and Members of the Board:

The Arlington Conservation Commission (ACC) provides this seventh set of comments to the ZBA in advance of next hearing on the Thorndike Place Comprehensive Permit Application. The ACC is providing this comment letter to assist the ZBA as it moves forward with its review of the permit application, including review under the Town of Arlington Wetlands Protection Bylaw (the Bylaw). This comment letter is based on the ACC's review of the following materials:

- ***Thorndike Place List of Requested Waivers***, Arlington MA – revised through August 3, 2021, preparer not specified
- ***Waiver Request Comments***, prepared by BETA, dated August 18, 2021
- ***Response to BETA Civil / Wetland Peer Review***, prepared by BSC Group, dated August 3, 2021
- ***BETA Thorndike Place Civil Wetlands Peer Review***, prepared by BETA in response to the BSC Group August 3, 2021 letter, BETA response dated August 18, 2021

ACC Comments on Waiver Requests – Wetlands

The ACC agrees with BETA's Waiver Request Comments as presented in "Table 2 –Waiver Request Summary for Arlington's Wetlands Protection Bylaw and Regulations" of their comments.

The ACC recommends that these waivers be denied for the reasons that BETA documented.

The Applicant should consider withdrawing the Wetlands Bylaw and Wetland Regulations waivers as they pertain to the AURA, Land Subject to Flooding, and Vegetation Removal and Replacement because the project as proposed (including 2:1 compensatory flood storage, vegetation mitigation, and habitat restoration), is in compliance with these Regulations.

In reference to the ***Wetland Bylaw, Title V: Article 8, Section 11 Bond Requirements, the ACC agrees with BETA to deny this waiver request.*** Given the proximity of the project to the onsite Resource Areas and the potential for the project to impact resource area values if the proposed mitigation, compensatory flood storage, and habitat restoration is not implemented as planned, the ACC agrees with BETA's recommendation to retain the right to require a performance bond for this project.

In reference to the ***Wetland Bylaw, Title V: Article 8, Section 16.B.11 Wetland Consultant Fees, the ACC recommends to deny this waiver request*** so that we retain the funds for potential peer review needs, due to the complexity of the project and uncertainty in several aspects of the proposal (including uncertainty in groundwater elevations throughout the site as discussed further, below).

ACC Comments on BETA Thorndike Place Civil Wetlands Peer Review

The ACC agrees with BETA's comments included in their response dated August 18, 2021 with several clarifications. We have used the identical numbering system for ease of reference back to BETA's comments.

#5. Compensatory Flood Storage Area

ACC Comment: Our former agent, Emily Sullivan, performed a site visit of the proposed Compensatory Flood Storage Area in July 2021 and presented her findings to the ACC. The ACC is satisfied that the proposed Compensatory Flood Storage Area is appropriate for the 2:1 compensatory flood storage, planned vegetation mitigation and habitat improvement opportunities.

#6. Stormwater Management

ACC Comment: In addition to BETA's comment that a detail should be provided in the final plan set, ACC recommends that the sump infrastructure also be included in the Operations & Maintenance (O&M) plan.

#12. Rain Garden

ACC Comment: The proposed rain garden plans should be reviewed/approved by the ACC to ensure that it will function as intended.

#13. Groundwater Elevation

ACC Comment: The ACC agrees with BETA's response and goes further to recommend field data collection to establish seasonal high groundwater elevations at the site. Note that the ACC recommended field data collection last Spring 2021, which the Applicant did not perform. Due to the magnitude of rainfall this summer, this field program could be performed now.

The Applicant shall provide thorough documentation establishing seasonal high groundwater elevations at the site to ensure that there is a minimum of a two foot separation between the bottom of the stormwater management infiltration chambers and the seasonal high groundwater table. The design of the field data collection program, including location and number of test pits and wells, shall be submitted to the ZBA for approval. After site specific field data collection by a competent professional, the Frimpter Method or other methodology acceptable to Arlington shall be used to compare data to USGS data for nearby groundwater monitoring wells.

Conclusion

Consistent with our prior comments, the ACC continues to urge the ZBA not to grant any waivers requested by the Applicant from the Bylaw and the Town's Wetlands Regulations for the reasons specified herein and because these provide flood control, storm damage prevention, and other interests of local concern.

The ACC hopes the ZBA finds the above comments helpful in providing clarity and recommendations for the protection of our wetland resources. Please contact us should you have questions.

Very truly yours,

Susan

Susan Chapnick, Chair
Arlington Conservation Commission