

January 23, 2023

Electronic Delivery (pfeldman@davismalm.com)

Attorney Paul L. Feldman
Davis Malm
One Boston Place, 37th Floor
Boston, MA 02108

**Re: Response to Comments
Comprehensive Permit Application
1021 and 1025 Massachusetts Avenue
Parcel IDs: 55-2-19 and 55-2-20
Arlington, Massachusetts**

[LEC File #: TMC0\21-334.02]

Dear Mr. Feldman:

On behalf of the Applicant, MAJ Investment, LLC (Matthew P. Maggiore, Contact), LEC Environmental Consultants, Inc., (LEC) has prepared the following responses to project review comments by Tetra Tech provided in their January 6, 2023 *Tetra Tech Comment Letter 1*, and by the Arlington Conservation Commission, as provided in their November 4, 2022 *First Set of Comments from Conservation Commission*. Below are our responses to the numbered comments.

LEC Responses to 1/6/2023 Tetra Tech Comments:

LEC Impact Analysis of the Natural and Built Environment (Tab 15)

49. and 50. To be addressed by project engineer Mike Novak as part of Stormwater Response.

LEC Bylaw Notice of Intent Application (Tab 19)

75. No response required.

76. Revised Landscape Plans prepared by Kyle Zick Landscape Architecture include relocating the proposed stone dust walkway through the restoration area outside of the 100-foot Buffer Zone/AURA. Remaining work is limited to restorative efforts for Riverfront Area mitigation, replacement of a fence along the property boundary, and the addition of a mulch path extending from the Mill Brook Condominium property to the stone dust walkway for emergency access.

77. To be addressed by project engineer Mike Novak.

LEC Environmental Consultants, Inc.

www.lecenvironmental.com

12 Resnik Road
Suite 1
Plymouth, MA 02360
508.746.9491

380 Lowell Street
Suite 101
Wakefield, MA 01880
781.245.2500

100 Grove Street
Suite 302
Worcester, MA 01605
508.753.3077

P.O. Box 590
Rindge, NH 03461
603.899.6726

680 Warren Avenue
Suite 3
East Providence, RI 02914
401.685.3109

PLYMOUTH, MA

WAKEFIELD, MA

WORCESTER, MA

RINDGE, NH

EAST PROVIDENCE, RI



LEC Responses to 11/4/2022 Conservation Commission Comments:

Environmental Resource Area

Revised Landscape Plans prepared by Kyle Zick Landscape Architecture include relocating the proposed walkway through the restoration area outside of the 100-foot Buffer Zone/AURA. Remaining work is limited to restorative efforts for Riverfront Area mitigation, replacement of a fence along the property boundary, and the addition of a mulch path extending from the Mill Brook Condominium property to the stone dust walkway for emergency access. The Bylaw NOI Application will be revised once stormwater management issues have been reconciled per the recommendation of Tetra Tech.

Proposed Project Impacts to Resource Area

The Existing Conditions Plans submitted with the Comprehensive Permit Application only depicted trees to be removed as part of the project infrastructure, and have been revised to indicate the total number of trees to be removed – including those associated with the Riverfront mitigation area.

Waivers to the Arlington Bylaw and Wetland Regulations

Information relative to the quantities and sizes of the proposed restoration sapling trees and shrubs is included on the Revised Planting Plans prepared by Kyle Zick Landscape Architecture.

Stormwater Management

To be addressed by project engineer Mike Novak.

Wildlife Habitat, Vegetation, and Riverfront Area

The Applicant is open to a Special Condition as part of a Comprehensive Permit requiring soil testing for contaminants and subsoil suitability for planting within the Riverfront restoration area. The revised Landscape Plans prepared by Kyle Zick Landscape Architecture include a topsoil specification for the meadow and Riverfront restoration area.

Public access to the Riverfront Restoration will be addressed by project attorney Paul Feldman.

The Applicant is open to a Special Condition as part a Comprehensive Permit requiring invasive species management and restoration plant management in perpetuity for the on-site Riverfront restoration area. Off-site Riverfront restoration will be monitored and managed by the Applicant for two (2) growing seasons following installation. LEC and/or Kyle Zick Landscape Architecture will prepare an Invasive Species Management Plan to be incorporated into the Association Documents.

Further coordination with the Mill Brook Condo Association as it relates to off-site Riverfront restoration along Mill Brook is underway, and upon reaching an agreement, LEC and/or Kyle Zick Landscape Architecture will prepare a detailed restoration/enhancement plan for a portion of land immediately adjacent to Mill Brook. While this restoration/enhancement effort will include additional sapling trees and shrubs, LEC does not anticipate meeting the Vegetation Replacement Standards of Arlington's Wetlands Protection Regulations. Accordingly, a waiver from this section of the Arlington Wetlands Protection Regulations is required, as noted in the Comprehensive Permit Application.



Climate Change Resiliency

No response required.

Thank you for your consideration of our responses. Should you have any questions, please do not hesitate to contact me in our Wakefield office at 781-245-2500 or at rkirby@lecenvironmental.com.

Sincerely,

LEC Environmental Consultants, Inc.

A handwritten signature in black ink, appearing to read "Richard Kirby", is written over a horizontal line.

Richard A. Kirby

Senior Wetland Scientist

cc: MAJ Investment, LLC
Patriot Engineering

rak: projects\21-334.02\CompPermit\LEC Responses to ZBA Review Comments.doc