ACC: DRAFT 1165R Mass Ave Comment Letter
March 18, 2021
Revisions made by S. Chapnick, D. White, and D. Kaplan

TOWN OF ARLINGTON

MASSACHUSETTS

CONSERVATION COMMISSION

March 18, 2021

Zoning Board of Appeals
Town of Arlington
730 Massachusetts Avenue
Arlington, MA 02476

RE: 1165R Mass Ave – Application for Comprehensive Permit
First Set of Comments from Conservation Commission

Dear Chairman Klein and Members of the Board:

The Arlington Conservation Commission (ACC) provides this first set of comments to the ZBA to consider the wetlands and stormwater components of the 1165R Mass Ave Comprehensive Permit Application. The Conservation Commission is providing this comment letter to assist the ZBA as it moves forward with its review of the permit application, including under the Town of Arlington Wetlands Protection Bylaw (the Bylaw).

Environmental Resource Areas
Mill Brook bisects the Property and Ryder Brook flows from the Minuteman Bikeway north of the Property to Mill Brook. The Applicant filed a Request for Determination of Applicability (RDA) to determine the Resource Area jurisdictions of the property under the Wetlands Protection Act. The Commission issued a determination that Ryder Brook is not jurisdictional as a stream under the Wetlands Protection Act on 10/27/2020. However, the Commission distinguished that Ryder Brook is jurisdictional as a stream under the Arlington Bylaw for Wetlands Protection.

Due to the location of the Mill Brook and Ryder Brook, most of the jurisdictional Resource Areas within the site are the 100-ft Wetlands Buffer, the Adjacent Upland Resource Area (AURA), and the 200-ft Riverfront Area. The floodway and floodplain ~~is~~ are generally confined to the channelized Mill Brook.

In addition to reviewing the jurisdiction of Ryder Brook through the RDA~~equest for Determination of Applicability~~ process, the Conservation Commission also determined that part of the site was exempt from the Riverfront Standards of the Wetlands Protection Act and Bylaw due to the Historic Mill Complex Exemption (310 CMR, Section 10.58 (6) (k)). The limits of the Historic Mill Complex are

delineated on the plan entitled "Pre-1946 Mill Complex Footprint Exhibit" prepared by Bohler Engineering, dated August 7, 2020, revised September 21, 2020.

Pervious Area

The Property is largely impervious with hardscape and building, covering approximately 94% of the site. There is very limited open pervious and vegetated space on the site. The proposed development proposes to reduce the impervious hardscape, increase the impervious building, and overall increase the open pervious and vegetated space. The impervious cover will decrease to approximately 77% as a result of the project.

By increasing the amount of pervious surface on the site, less stormwater runoff will enter Mill Brook. Instead, more stormwater will enter the site's soil or stormwater management systems~~?~~ and recharge the groundwater table. The pervious open space is proposed to include native vegetation enhancements. We hope to see as much greening of the area as is practicable, especially along resource areas.

Stormwater Management

Not enough information has been provided on the proposed stormwater management system. Neither a stormwater report and calculations, nor stormwater system details have been provided for review. Basic statements have been provided stating that the stormwater management system will include pretreatment units and that the pipes will be sized appropriately. However, the Commission cannot comment on the stormwater management system without more information on the proposed system. During the February 23, 2021 ZBA hearing, the Applicant stated that the stormwater report would be calculated using the NOAA Atlas 14+ data. The Commission agrees ~~believes~~ that the NOAA 14+ dataset captures current impacts of severe storms and is adequate to use in designing the ~~is data is sufficient to calculate future climate change impacts and increased storm events on the~~ site~~proposed~~ stormwater management system.

The Applicant has requested a Waiver of the local Bylaw and implementing Wetlands Regulations for Ryder Brook. The Applicant refers to Ryder Brook as a man-made ditch; however, the Commission has consistently protected this brook as an intermittent stream under our local Wetlands Regulations. In 2006, the Commission supported a limited restoration including invasive plant removal and native plantings along the bank of Ryder Brook.

Stormwater alterations are proposed for Ryder Brook, including rerouting Ryder Brook from the middle of the site to the northern edge of the property. Additionally, the project proposes to increase the diameter of the conveyance pipe for Ryder Brook from 24-inches to 30-inches. Overall, these proposed changes will reduce the daylight portion of Ryder Brook by 20 linear feet, from 120 linear feet to 100 linear feet.

On March 4, 2021 at a scheduled public meeting of the Conservation Commission, ~~T~~the Commission discussed the potential effects of moving Ryder Brook on the resource area values under our protection and concluded that the proponent should first consider developing the site in a manner that improves and enhances Ryder Brook's values including but not limited to stormwater management, flood control, and habitat in its current location and footprint. Site designs could take advantage of an improved

Comment [DK1]: For discussion. There wasn't consensus at the last meeting, so I recommended putting additional burden on the applicant to demonstrate why the project will fail by designing around the resource in its current location.

condition of this linear corridor to meet alternative transportation, connectivity, and open space needs, while honoring historic flow paths.

If enhancing and leaving the stream in place puts an undue burden on the applicant, the Conservation Commission believes that ~~: the~~ the current proposal ~~rerouting and reduction in the daylight portion of Ryder Brook~~ needs additional compensatory measures. Some possibilities are~~;~~: (1) Increase the length of proposed open channel to at least the length of what is being developed, preferably more ~~daylight the western rerouted section rather than burying it~~, i.e. maximize open channel to the west as it wraps around the building to the south, and/or grade additional channel to receive flows further east than proposed; (2) improve~~d~~ the habitat value of ~~the open portion~~a longer channel with appropriate native plantings tolerant of anticipated channel shading (Shadow Study July 28, 2020),~~–~~ (3) concentrate plantings, not pathways directly adjacent to Mill Brook to enhance riverfront values. We recommend that the applicant look at what was done at the Brighams project next to the High School. ~~Perhaps Ryder Brook could even be part of the stormwater system and also provide an amenity at the site.~~ .....

Wildlife Habitat and Vegetation Removal and Replacement

Since the Property is largely impervious, it does not currently have ~~productive~~ wildlife habitat (other than that provided by Ryder Brook). There are no known endangered, threatened, or special concern species onsite. There is very limited vegetation on the site. The proposal mentions that native plantings will be added to the site; however no planting plan has been included in the application materials for review detailing vegetation removal and replacement.

The ZBA should require now, or include as a condition of approval, that the Applicant show the species, numbers, locations, and care instructions of all plants in the design. The Applicant needs to describe how these plantings will compensate for the numbers, density, species and variety of vegetation that will be removed for the Project, and how the planting plant complies with Section 24 of the Arlington Regulations for Wetlands Protection. The Commission recommends that the area directly along Mill Brook be revegetated as much as possible, and that any pathway along the brook include a vegetative buffer between the path and the brook.

Conclusion

We hope the ZBA finds the above comments helpful in providing clarity on missing information for Stormwater Management and Vegetation Removal and Replacement. The Applicant should submit more information regarding these topics. The reduction in impervious surface and the addition of more planted space will be a significant improvement to the current conditions. Please contact us should you have questions.

Very truly yours,

Susan

Susan Chapnick, Chair
Arlington Conservation Commission