

Conservation Commission Requests for Information #3



Re: Arlington High School Expansion

SCI File #17211.00

RE: Conservation Requests May 21, 2020 Item #3 Riverfront Analysis

310CMR 10.58.5

(5) Redevelopment Within Previously Developed Riverfront Areas; Restoration and Mitigation. Notwithstanding the provisions of 310 CMR 10.58(4)(c) and (d), the issuing authority may allow work to redevelop a previously developed riverfront area, provided the proposed work improves existing conditions. Redevelopment means replacement, rehabilitation or expansion of existing structures, improvement of existing roads, or reuse of degraded or previously developed areas. A previously developed riverfront area contains areas degraded prior to August 7, 1996 by impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds. Work to redevelop previously developed riverfront areas shall conform to the following criteria:

(a) At a minimum, proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in M.G.L. c. 131 § 40. When a lot is previously developed but no portion of the riverfront area is degraded, the requirements of 310 CMR 10.58(4) shall be met.

Response: The proposed riverfront area on the east side of the site is currently a paved parking lot with degraded landscaped islands, which lacks topsoil and its surface is compacted gravel from vehicle traffic. Previously disturbed areas behind the existing curb to the top of bank of the Mill Brook consists of low vegetation and poison ivy. A single existing catch basin conveys stormwater run-off from this section of parking to Mill Brook.

Under the proposed conditions, this area will be replaced with a new paved parking lot with vertical granite curbed islands that will be planted with native trees and grasses. The area behind the curb to the top of bank will be selectively cleared and re-planted. Stormwater from the parking lot will sheet flow to a new water quality inlet that will treat the stormwater to current standards before being released into Mill Brook.

Therefore 10.58.5 (a) is met.

(b) Stormwater management is provided according to standards established by the Department.

Response: Stormwater controls have been established in accordance to the DEP Stormwater Standards.

Therefore 10.58.5 (b) is met.

(c) Within 200 foot riverfront areas, proposed work shall not be located closer to the river than existing conditions or 100 feet, whichever is less, or not closer than existing conditions within 25 foot riverfront areas, except in accordance with 310 CMR 10.58(5) (f) or (g).

Response: Under existing conditions the back of curb is approximately 7.5' from the top of bank. Under proposed conditions the curb will be moved back to measure approximately 15' from the top of bank.

Therefore 10.58.5 (c) is met.

Samiotes Consultants, Inc.
Civil Engineers + Land Surveyors

20 A Street
Framingham, MA 01701-4102

T 508.877.6688
F 508.877.8349

www.samiotes.com

(d) Proposed work, including expansion of existing structures, shall be located outside the riverfront area or toward the riverfront area boundary and away from the river, except in accordance with 310 CMR 10.58(5)(f) or (g).

Response: Under the proposed conditions the new curb will be moved back 7.5' from the top of bank. Under the proposed conditions, the impervious area will be equal to the existing impervious but will be improved.

Therefore 10.58.5 (d) is met. See response for 10.58.5 (f)(g)

(e) The area of proposed work shall not exceed the amount of degraded area, provided that the proposed work may alter up to 10% if the degraded area is less than 10% of the riverfront area, except in accordance with 310 CMR 10.58(5)(f) or (g).

Response: Under proposed conditions the proposed work will alter approximately 7% of the riverfront area and improve much of the existing degraded areas.

Therefore 10.58.5 (e) is met. See response for 10.58.5 (f)(g)

(f) When an applicant proposes restoration on-site of degraded riverfront area, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), and (e) at a ratio in square feet of at least 1:1 of restored area to area of alteration not conforming to the criteria. Areas immediately along the river shall be selected for restoration. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Restoration shall include: 1. removal of all debris, but retaining any trees or other mature vegetation; 2. grading to a topography which reduces runoff and increases infiltration; 3. coverage by topsoil at a depth consistent with natural conditions at the site; and 4. seeding and planting with an erosion control seed mixture, followed by plantings of herbaceous and woody species appropriate to the site;

Response: All restoration will conform to items 1-4 above.

Therefore 10.58.5 (f) is met. See response for 10.58.5 (d)(e)(g)

(g) When an applicant proposes mitigation either on-site or in the riverfront area within the same general area of the river basin, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), or (e) at a ratio in square feet of at least 2:1 of mitigation area to area of alteration not conforming to the criteria or an equivalent level of environmental protection where square footage is not a relevant measure. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Mitigation may include off-site restoration of riverfront areas, conservation restrictions under M.G.L. c. 184, §§ 31 through 33 to preserve undisturbed riverfront areas that could be otherwise altered under 310 CMR 10.00, the purchase of development rights within the riverfront area, the restoration of bordering vegetated wetland, projects to remedy an existing adverse impact on the interests identified in M.G.L. c. 131, § 40 for which the applicant is not legally responsible, or similar activities undertaken voluntarily by the applicant which will support a determination by the issuing authority of no significant adverse impact. Preference shall be given to potential mitigation projects, if any, identified in a River Basin Plan approved by the Secretary of the Executive Office of Energy and Environmental Affairs.

Response: The project is not proposing any mitigation on-site just restoration of the Riverfront area as detailed in 10.58.5 (f) response.

Therefore 10.58.5 (g) is met. See response for 10.58.5 (d)(e)(f)

(h) The issuing authority shall include a continuing condition in the Certificate of Compliance for projects under 310 CMR 10.58(5)(f) or (g) prohibiting further alteration within the restoration or mitigation area, except as may be required to maintain the area in its restored or mitigated condition. Prior to requesting the issuance of the Certificate of Compliance, the applicant shall demonstrate the restoration or mitigation has been successfully completed for at least two growing seasons.

Response: The applicant understands the qualifications 10.58.5 (h)