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EXHIBIT 34

May 20, 2019

Mr. Robert Hassinger, Chair
Planning Board
c/o Mr. Joseph Laydon, Town Planner
Municipal Building
30 Providence Road
Grafton, Massachusetts 01519

Ms. Sandra Brock, Chair
Conservation Commission
c/o Ms. Leah Cameron, Conservation Assistant
Municipal Building
30 Providence Road
Grafton, Massachusetts 01519

Via: Hand Delivery

Reference: Special Permit & Site Plan Approval
Notice of Intent, Wetlands Protection Bylaw Permit & Stormwater Management Bylaw Permit
Applications (DEP File #164-0970)
"Brigati Village"
41 Church Street & 14 West Street
Grafton, Massachusetts
WDA JN-1046.05

Dear Mr. Hassinger, Ms. Brock and Members of the Board and Commission:

On behalf of the Applicant, Brigati Village, LLC, we are submitting our response to the Peer Review Comments of *"Brigati Village- Proposed Multi-Family Development prepared by Graves Engineering, Inc. dated March 16, 2019, Peer Review Findings and Recommendations prepared by EcoTec, Inc dated April 2, 2019 and MDM Transportation Consultants, Inc, Transportation Peer Review Comments dated March 28, 2019.* In addition to our responses to the peer review comments, we have offered responses to those concerns raised by the Planning Board and Conservation Commission. In response to comments raised by abutters at the Planning Board meetings and Planning Board re: providing additional screening along the properties most visually impacted by the development and conversely most visible by the residents of the new community, we have performed a site visit resulting in the enhancement of the screening as reflected in the revised site plans. We have updated the plans and Stormwater Report based on the comments to date. Following our meeting with the Con Com on April 2nd, we discussed the request of the Commission to provide a Low Impact Development (LID) component to better comply with the requirements of their regulations. The request of the Commission has been honored as we have redesigned Infiltration/ Detention Basin #3 to a LID stormwater Gravel Wetland. This redesign is reflected on the revised Site Plans and Stormwater Report enclosed herewith. For the Board and Commission's convenience, we have included the GEI, EcoTec and Town comments in *"Italics"* and the WDA responses in standard font:

We have enclosed the following:

1. Five (5) copies of Plans (24x36) entitled "Special Permit/ Site Plan Approval, for "Brigati Village, Grafton, Massachusetts", prepared by WDA Design Group, Inc., dated February 7, 2019 and revised April 10, 2019;
2. Seven (7) copies of Plans (11x17) entitled "Special Permit/ Site Plan Approval, for "Brigati Village, Grafton, Massachusetts", prepared by WDA Design Group, Inc., dated February 7, 2019 and revised April 10, 2019;

3. Two (2) Copies- Stormwater Management Report for "Brigati Village, Grafton, Massachusetts", prepared by WDA Design Group, Inc., dated February 7, 2019 and revised April 10, 2019;
4. One (1) USB containing all forms and narratives/ documents of this issuance.

Graves Engineering, Inc Peer Review

Zoning By-Law

1. *The plans must include calculations for percentage of lot coverage by pavement.*

Sheet GN1.01 has been revised to address this comment.

2. *Traffic signs and a "Brigati Village" sign are shown on the Layout and Materials Plan. A construction detail must be provided for the traffic signs. GEI understands the "Brigati Village" sign will be reviewed by the Planning Board and its staff. (§1 .3.3.3.d.23)*

Detail Sheets have been revised to address this comment.

3. *No solid waste disposal area is shown on the plans. The design engineer should confirm that each unit will have an individual waste container. (§1 .3.3.3.d.24)*

Consistent with the developer's sister Multi-Family Development in town, each unit will have its own roll-out waste tote for curb side pick-up.

4. *The By-Law requires "Adjacent to, and for the length of each side and rear lot line, there shall be a fifteen (15) foot wide area of landscaping." The plans propose tree clearing essentially to the side and rear lot lines near Buildings 8, 9 and 10 without any proposed plantings. (§5.2.2.3)*

WDA believes that the landscape requirement is met in the design based on the following excerpt from Section 5.2.2.3 of the ZBL which states ".....These unpaved areas shall have appropriate landscaping of grass, shrubbery, trees, flowers, or suitable ground cover indigenous to the area. Adjacent to, and for the length of each exterior wall of each principal building, there shall be a three (3) foot wide area of landscaping. Adjacent to, and for the length of each side and rear lot line, there shall be a fifteen (15) foot wide area of landscaping....." Other than that referenced in the excerpt, there is no clear definition in the Bylaws as to what constitutes landscaping.

As discussed with the Board and reflected in the revised site plans, increased vegetative enhancement is proposed along select areas around the property based on our field observations where existing lower lying vegetation requires enhancement, and comments from the abutters and the Planning Board. As the developer has indicated to the Board and abutters, such a vegetative screening is beneficial to both the abutters and the residents of Brigati Village. The plans have been revised to address this concern. At the request of the Planning Board, WDA presented cross sections at the last meeting to clearly illustrate the vertical and horizontal relationship at various growth stages at those areas of concern discussed with the Board.

5. *The Zoning Bylaw states "The construction of drainage, utilities and roadways [for Multi-Family Dwellings] shall be performed in accordance with the design and construction standards of the Rules and Regulations Governing the Subdivision of Land in the Town of Grafton. The special permit granting authority shall have the right to waive any of such special requirements" (s5.2.2.10). Considering the anticipated (reduced) vehicle speeds, the "traffic calming" layout and existing topography, GEI does not have an issue with the proposed horizontal or vertical road layouts. However, for the record waivers should be requested for design and/or construction elements that do not comply with the Subdivision Rules and Regulations. GEI offers the following:*

As discussed by GEI, the primary intent of the design of the vertical and horizontal alignments is to regulate the speed of vehicles in the community with these traffic calming measures. In addition, and as discussed with the Board, The high point of the loop road was established with the intent of minimizing the vehicle headlight shining onto the neighboring Bruce Hollow community. This alignment also is a projection of the existing vertical alignment in West Street which has resulted in a fairly balanced site in terms of earthwork imports/exports. Waivers are being respectfully requested to those requirements cited below. A list of waivers is presented herein following the responses to comments.

- a. The minimum centerline radius of a minor street must be 100 feet. The centerline radii of Drive "A" at Station &5+00 and Drive "B" at Station 0+50 are 75 feet. (SRR s4.1.3.2)*
 - b. The tangent length at Station 0+75+/- is less than 150 feet. (SRR s4.1.3.3)*
 - c. The maximum centerline grade for streets must not exceed 4%. Approximately 400 feet of roadway is proposed with a grade of 7%. (SRR 94.1.5.2)*
 - d. A minimum K-value of 28 must be used for crest curves and 35 for sag curves. The plans propose a crest K-value of 14 and a sag K-value of 33. (SRR s4.1.5.3)*
 - e. Dead end streets may not be longer than 500 feet. The proposed roadways extend 800 feet into the site from an existing dead-end street. (SRR §4.1.6.3)*
 - f. Dead end streets must have a circular turnaround with a radius of 100 feet. (SRR s4.1.6.7)*
6. *On Sheet C5.05, the "Typical Roadway Section" construction detail needs to be revised to propose 2-314" of binder asphalt instead of 2". GEI understands that waiver requests for roadway material thicknesses are not typically approved. (SRR s5.2.2.2.b)*

The Detail has been revised to address this comment.

7. *The outlet pipe from the subsurface detention system at the northwest corner of the site will create a concentrated stormwater discharge onto the abutter's property and toward a garage (the garage isn't shown on the plans) located on that property where no such concentrated discharge exists. An alternative discharge point needs to be chosen. Unless another discharge point is available, it may be warranted to connect to the drainage system in Church Street if this is acceptable to the Grafton Highway Department. (SRR s4.6.1)*

An Enlargement and Section of this area has been added to the Details to better illustrate the level spreader proposed which is designed to alleviate this concern by converting a concentrated flow condition to a broad crested weir sheet flow condition through a proposed boulder placed farmer's wall on the locus side of the property line, simulating the existing hydrologic conditions.

Grafton Regulations Governing Stormwater Management

8. *GEI has no issues relative to compliance with the Grafton Stormwater Management Regulations except as noted in the following comment.*
9. *The 18" diameter outlet pipe (D-25) of Basin 1 is proposed too steep at a slope of 20.3%. The pipe slope needs to be revised (drop manholes may be needed) to limit the water velocity to ten feet per second. Likewise, the slopes of pipes D-13 and D-30 are too steep. (S6.B.3.d)*

The Site Plans and Stormwater Report (Hydraulics Calculations) have been revised to address this comment.

Grafton Wetland Regulations

10. *GEI has no issues relative to compliance with the Grafton Wetland Regulations except as noted in the following two comments.*
11. *Fences are not proposed at the open stormwater basins. (§V.B.5.(h)3)*

We understand from our initial meeting with the Conservation Commission that this is no longer a requirement as a recent amendment to the local regulations.

12. *The plans do not identify where proprietary stormwater treatment units are proposed. The Stormwater Management Report indicates that proprietary treatment units are proposed in the treatment trains containing infiltration BMPs. Eighty percent TSS removal must be achieved before stormwater enters the infiltration BMPs. (§V.B.5.(h)10)*

The Site Plans and Stormwater Report (Hydraulics Calculations) have been revised to address this comment.

Hydrology & MassDEP Stormwater Management Review

13. *GEI reviewed the hydrology computations and found them to be in order except as noted in the following five comments.*
14. *The time of concentration path for sub catchment EDA-101 has a length of 119 feet in the HydroCAD model but has a scaled length of 700 feet. The information must be consistent.*

The Site Plans and Stormwater Report (Hydraulics Calculations) have been revised to address this comment.

15. *The HydroCAD model of Basin 1 includes a 10' wide weir at elevation 452.0, but the plans indicate the weir elevation is 452.6 with a scaled width of less than 10 feet. The information must be consistent. The weir information for Basin 2 is also inconsistent.*

The Site Plans and Stormwater Report (Hydraulics Calculations) have been revised to address this comment.

16. *The outlet pipe of OCS-2 is identified as 449.90 on the construction detail, but it is modelled at elevation 452.0. The information must be consistent.*

The Site Plans and Stormwater Report (Hydraulics Calculations) have been revised to address this comment.

17. *The HydroCAD model of Pond DB-4 includes an extra foot of drain stone over the top of the stone envelope of the StormTech chambers. It is not apparent that this extra stone is specified on the plans or construction details. It appears this layer of stone is necessary for containing the 100-year storm. The information must be consistent.*

The Site Plans and Stormwater Report (Hydraulics Calculations) have been revised to address this comment.

18. *The HydroCAD model of Pond DB-4 includes three outlet orifices. There is only one outlet pipe shown from this system on the plans. The lowest outlet orifice is 0.5 feet below the bottom of the stone envelope. The information must be consistent.*

The Site Plans and Stormwater Report (Hydraulics Calculations) have been revised to address this comment.

19. *Compliance with MassDEP Stormwater Handbook is reasonable.*

20. *The scale of the post-development hydrology plan is mislabeled as 1"=40' and should be corrected to 1"=100'.*

The plan has been revised to address this comment.

21. *The rim and invert elevations for structures DMH-11 and DMH-14 are not listed on the Structure Tables on profile Sheet C3.04, and their connecting pipes are also not listed. These structures and pipes must be listed, and it would be helpful if the plan viewports on the profiles could be expanded to include them.*

The plan has been revised to address this comment.

22. *On the Erosion and Sediment Control Plan, there is an "ECB" note and leader south of the loam stockpile that don't point to any proposed ECBs; the note and leader should be moved or deleted.*

The plan has been revised to address this comment.

23. *The plans appear to show a proposed water connection at the intersection of West Street and Church Street, but this is not evident on the profile; proposed water utilities begin at Station 0+00 which is k310 feet from the*

intersection. The location of the water main connection needs to be clarified. Whereas the existing water main is only six-inch diameter, it would be prudent to upgrade to a larger diameter water main.

The Site Plans have been revised to address this comment providing clarification that the 6" water main is proposed to be replaced with an 8" water main and connected to the existing 8" main in Church Street.

24. *Top-of-wall and bottom-of-wall elevations should be provided for the retaining walls proposed in the eastern basin and west of Building 4.*

The Site Plans have been revised to address this comment.

25. *Subsurface stormwater systems DB-4, INF-1 (A) and INF-1 (B) need to be labeled on Sheet C3.02.*

The Site Plans have been revised to address this comment.

26. *Pipe invert elevations need to be provided on the plans for the stormwater basins' discharge pipes (i.e. FES-5, FES-6 and FES-7).*

The Site Plans have been revised to address this comment.

27. *The drainage pipe is identified as HDPE on the profile sheets, but Utility Note 6 on the General Notes and Legend Sheet states that all drainage pipe must be RCP (reinforced concrete pipe). The information must be consistent.*

The note has been revised to address this comment.

28. *Catch basin 5 must be shown on the profiles.*

The Site Plans have been revised to address this comment.

29. *On Sheet C3.02, drafting of the proposed and former emergency spillway's riprap swale needs to be finalized. A leader note and breaks in the proposed topographic contours are associated with the former swale location.*

The Site Plans have been revised to address this comment.

30. *The Planting Plan does not identify the trees labelled "QP" in the Plant Schedule.*

The Planting Plan has been revised to address this comment.

31. *The construction detail of the spillway specifies a channel width of "10' or 30"; but the scaled dimensions of the channels on the plans are 5 feet. The information must be consistent.*

The Site Plans have been revised to address this comment.

32. *For durability, the two courses of bituminous pavement on the sidewalk construction detail should be increased from 1" to 1-1/2".*

The Detail has been revised to address this comment.

33. *A construction detail was provided for a mortared fieldstone retaining wall. The location of this type of wall is not apparent on the plans; only CMU walls and a free-standing field stone wall are shown.*

The Site Plans have been revised to address this comment.

General Comments

34. *A Traffic Study was included with this submission. GEI understands that this study will be reviewed by others.*

Acknowledged.

35. *There is only one fire hydrant proposed on site at the end of Drive "B" and one existing hydrant near the project entrance. It would be prudent to also propose a hydrant on Drive "A" near the intersection of Drive "B". GEI understands the Grafton Fire Department will review the plans relative to fire protection.*

The Site Plans show hydrant at Sta. 4+55±(left) which appears to have been obscured by the lack of a label and a conflict with the gas main. The Site Plans have been revised to address this comment and provide clarification. During the design development stage of the project, WDA met with the Fire Department to determine the location of hydrants throughout the proposed community.

36. *GEI understands that the Grafton Water District will review proposed water utilities and the Grafton Sewer Department will review proposed sewer utilities.*

Acknowledged.

EcoTec Peer Review

Findings:

1. *I found the delineations of Bordering Vegetated Wetland to be accurate on the ground and as depicted on the site plan. I noted wood frogs and spring peeper frogs chorusing within the wetland, but the breeding pool(s) appears to be at least 100-feet inside the wetland, to the east and southeast of flag 102. The project should have no impact to Vernal Pool Habitat.*

Acknowledged.

2. *The proponent is proposing erosion and sediment control including an overall plan along with detailed construction sequence notes. Due to the amount of grading proposed on slopes, the site will need to be*

closely monitored and stabilized as quickly as possible. I recommend having the developer provide their SWPPP inspection reports to the Commission, within 7 days of each inspection.

Acknowledged.

MDM Peer Review

The Traffic Consultant for the proponent, Tetra Tech, Inc. has addressed the peer review comments raised by MDM with the exception of portions of Comment 13 which is being addressed by WDA herein.

13a – 1: "Applicant should confirm design treatment of the...curb transitions at the grass pavers terminus; MDM recommends that this be sloped granite edging for durability with curb reveal (typically 3") to the specifications acceptable to the Fire Department to ensure reasonable emergency vehicle egress. Appropriate sidewalk grading in this area should be provided to match proposed curb reveal dimensions."

The plans have been revised to address this comment.

13a – 2: "of proposed bollards at terminus of the grass paver section may need to be modified to ensure the swept path of the vehicle is reasonable accommodated (this path appears to possibly impact the proposed bollard locations."

Further review of the location of the bollards illustrate that the locations of the bollards as originally designed provide the clearance necessary to accommodate the vehicles body including overhangs of the Town of Grafton ladder truck do not Comment to be addressed by site civil consultant.

13b: "West Street provides the sole means of access to the Site. Any potential blockage of the street or impediment to travel by emergency apparatus should be carefully considered and addressed through such potential measures as parking restrictions along West Street and regular maintenance including snow removal during winter months to ensure unencumbered 2-way traffic flow of sufficient width to accommodate Grafton emergency apparatus."

We understand from the DPW that they are not in favor of restricting parking along West Street. Though the town currently maintains West Street during winter conditions, the developer has stated that his snow maintenance crew will maintain the road should the town not have gotten to it. The road will be maintained for the full pavement width to ensure safe pedestrian and vehicular traffic.

Planning Board Comments

- 1. A member or two of the Board expressed a preference for a paved looped road in lieu of the grass paver "greener" alternative discussed and approved by the Fire Department. The grass paver alternative would require a waiver.*

As discussed with the Board, the developer and WDA appreciate the Board's concerns and we defer to the Board for their direction as to the final design. We will incorporate the Board's preference into the final plans.

- 2. Landscaped screening was brought up by the abutters and discussed with the Board and developer. The Board suggested that cross sections be provided to illustrate visual impacts between select locations along the project perimeter and abutting properties. They suggested that perhaps shrub screening (i.e.; Rhododendrons, etc.) be provided to close the gap between the ground level and the lower lying branches of the nearby tree canopy.*

WDA agrees with the suggestion of the Board and reviewed the areas to address the concern and has incorporated the comments into the revised plans.

- 3. The Town Planner and Board suggested that the existing improvements (i.e.; houses, drives, etc.) be shown on the site plans to better address some of the concerns raised by the abutters.*

WDA agrees with the suggestion and has added the requested information to the plans.

Conservation Commission Comments

- 1. The Commission stated that the stormwater management system was not as "green" as the Commission's regulations require. After a brief discussion of the soils and slopes, they were in agreement that some LID measures could not be employed though other measures such as a Gravel Wetland would provide great benefits to the receiving resource area down gradient of Basin #3. They suggested that the applicant re-visit the design and incorporate LID BMP's to better comply with their requirements.*

WDA agrees with the suggestion of the Commission and redesigned a portion Stormwater Basin #3 to serve as a Gravel Wetland. This redesign resulted in a minor loss of the groundwater recharge component of the former basin, however, with the soils on site, the design complies with the state's stormwater regulations to the greatest extent practicable. As stated in *Massachusetts Stormwater Handbook Volume I Chapter I, Standard 3*; "MassDEP recognizes that it may be difficult to infiltrate the required recharge volume on certain sites because of soil conditions⁸. For sites comprised solely of C and D soils and bedrock at the land surface, proponents are required to infiltrate the required recharge volume only to the maximum extent practicable".

- 2. The Commission stated that they are not receptive to granting a waiver to the one-foot proposed contour requirement as grading around the units cannot be properly perform utilizing a plan with two-foot contours.*

WDA has made modifications to the Site Plans to address this concern thus no longer requiring the waiver.

- 3. The Commission discussed their experience and concerns of projects clearing and grubbing sites of five acres or more. The Con Com suggested that the project be constructed in multiple phases.*

WDA agrees with the suggestion of the Commission and have made edits to the Site Plans to develop the site in two phases of more than 3.5 acres per phase.

4. *Following the last meeting with the Conservation Commission, Conservation Assistant, Leah Cameron was contacted by Tom Wilson who resides at 13 West Street. Mr. Wilson expressed his concerns about existing flooding concerns on his property, specifically, at the 10" pipe culvert inlet on his property.*

Mr. Brossi contacted Mr. Wilson to discuss the concerns. While the development is not increasing the peak rate of runoff to the inlet, Mr. Brossi has asked WDA to evaluate the situation to see if there is anything that can be done to lessen the severity of the current condition. The plans have been revised to reflect the proposed improvements to address the issue. Due to the required work proposed within the 25' No Disturb Zone, a waiver to the Wetlands Regulations has been respectfully requested of the Conservation Commission.

Requests for Waivers pursuant to Section 5.2.2.10 of the Town of Grafton Zoning Bylaws

Subdivision Rules & Regulations Section 4.1.3.2

The minimum centerline radius of a minor street must be 100 feet.

The centerline radii of Drive "A" at Station 5+00 is 74" and Drive "B" at Station 0+50 is 75 feet. We respectfully request that The Planning Board grant a waiver to this requirement due to the reasons stated in the WDA Response #5 to the GEI Peer Review Letter.

Subdivision Rules & Regulations Section 4.1.3.3

A tangent at least one hundred and fifty feet (150') in length shall separate all reverse curves on all streets except where at least one (1) radius is five hundred feet (500') or more or where the radius of curvature of both the curves is in excess of two (2) times the minimum specified in Section 4.1.3.2

The tangent length at Station 0+75+/- is 75'. We respectfully request that The Planning Board grant a waiver to this requirement due to the reasons stated in the WDA Response #5 to the GEI Peer Review Letter. Granting of the waiver would also provide for a slightly more curvilinear alignment such that the street view from the Church/ West Street intersection would be broken up with a slight horizontal shift complimented by the framed view provided by the proposed street trees.

Subdivision Rules & Regulations Section 4.1.5.2

The maximum centerline grade for streets must not exceed 4%.

Approximately 400 feet of roadway is proposed with a grade of 7%. We respectfully request that The Planning Board grant a waiver to this requirement due to the reasons stated in the WDA Response #5 to the GEI Peer Review Letter.

Subdivision Rules & Regulations Section 4.1.5.3

A minimum K-value of 28 must be used for crest curves and 35 for sag curves.

The plans propose a crest K-value of 14 and a sag K-value of 33. We respectfully request that The Planning Board grant a waiver to this requirement due to the reasons stated in the WDA Response #5 to the GEI Peer Review Letter.

Subdivision Rules & Regulations Section 4.1.6.3

Dead end streets may not be longer than 500 feet.

The proposed roadways extend 800 feet into the site from an existing dead-end street. As presented to the Planning Board the distance from the centerline intersection of Church/West Street to the centerline intersection with the loop drive measures less than 500' (498'). We respectfully request that The Planning Board grant a waiver to this requirement due to the reasons stated here and in the WDA Response #5 to the GEI Peer Review Letter.

Subdivision Rules & Regulations Section 4.1.6.7

Dead end streets must have a circular turnaround with a radius of 100 feet.

Consistent with the Hillview Estates Multi-Family development and others throughout town, The Brigati Village community is designed without a large circular turnaround. This alternative design for which a waiver is being sought had been discussed and approved by the Fire Department and as illustrated on the EX 1.02 (Truck Turning Exhibit) the fire apparatus successfully maneuvers throughout all areas of the site. In addition, this type of design results in less pavement, this less stormwater runoff. We respectfully request that The Planning Board grant a waiver to this requirement due to the reasons stated here and in the WDA Response #5 to the GEI Peer Review Letter.

In closing, we trust that you will find these responses to the GEI and EcoTec Peer Review Comments and those of the Planning Board and Conservation Commission acceptable and we look forward to meeting with you both at the next scheduled hearing date.

We thank you in advance of your review of the enclosed information and your consideration of an affirmative vote for all requested Permits and Order.

Sincerely,

WDA DESIGN GROUP, INC.



Wayne M. Belec
Associate

cc. Mr. Jeffrey Walsh, PE, Graves Engineering , Inc. (w/ encl.)
Mr. Art Allen, Senior Environmental Scientist, EcoTec, Inc. (via email)
Ms. Courtney Jones, PE, Tetra Tech, Inc. (via email)
Mr. David W, Brossi, Brigati Village, LLC (via email)

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