



October 29, 2008

Mr. Walter Mirrione, Chairman
Easton Board of Appeals
Town of Easton
136 Elm Street
Easton, MA 02356

Re: Environmental Peer Review Services – Summary of Issues
for The Village at Shovel Shop Square 40B Comprehensive Permit Application

Chairman Mirrione & Board Members,

In preparation for the Public Hearing which has been continued to October 29, 2008 on the proposed Village at Shovel Shop Square 40B Comprehensive Permit Application, we have prepared the following summary information for the Board's consideration. A separate letter detailing the status of the 39 individual issues outlined in Woodard & Curran's August 20, 2008 letter is attached for your reference, however this letter is intended to provide a summary of the civil and environmental issues for the Board's consideration moving forward.

For convenience in review, we have categorized our comments.

Large Context Issues

- A. The Applicant's engineer has described the "geometric exercise" required to balance the needs of the site with the intended density and use. It is important for the Board to understand that the Applicant's plan maintains a constant density at 182 dwelling units and 35,000 square feet of office space while pursuing relief from the Board on number of on site parking spaces, size of parking spaces, and method of parking space calculation. If any or all of these waivers are not granted by the Board, and the Applicant intends to maintain the proposed density (182 dwelling units and 35,000 square feet of office space), additional parking / impervious area will be necessary to provide adequate parking.
- B. The number, location, and layout of parking spaces remain a concern for the project. Traffic management on site and in the immediate areas is closely linked to these parking issues.
- C. The Applicant has asserted that the Massachusetts Department of Environmental Protection (MADEP) is the sole permitting authority for the Wastewater Treatment Facility and the Groundwater Discharge Permit. There is a professional difference of opinion between consultants as to this assumption. Woodard & Curran asserts that given the Towns Aquifer Protection Bylaw and the fact that the site is within the Zone II of a public drinking water well, as well as the fact that wastewater discharges and compliance issues are applicable to the jurisdiction of the Easton Board of Health. There is nothing preemptive in the Statutes of the State of Massachusetts to allow only the MADEP to have authority over these issues.

Site and Environmental Items for which the Applicant is Seeking Relief:

- D. Number of on site parking spaces
- E. Parking setback from Sidewalk
- F. Size of parking space to be less than 200 s.f.



Site and Environmental Items for which the Applicant requests to be included as a Condition in the Board's Approval:

- G. Creation of a Traffic Management Plan.
- H. Soil Management Plan During Construction.
- I. Snow Removal Plan
- J. Operations and Maintenance Plan for Wastewater Treatment Facility

Site and Environmental Issues for which the Applicant indicated that are/will be approved by other Boards or Town Departments:

- K. Approval of Structures within the 100-year flood plain by the Code Enforcement Officer.
- L. Approval of ADA access & egress compliance for each building by the Code Enforcement Officer.
- M. Approval of an occupied control structure on top of wastewater process tanks that may be Class 1, Division 1 rated by the Code Enforcement Officer.
- N. Approval of the available Fire Flow capacity at the site by the Fire Chief.
- O. Approval of the Emergency Access Plan, and the specific access challenges between Building A and the adjacent Office Building #2, by the Fire Chief.
- P. Approval of compliance with the Massachusetts Stormwater Management Policy by the Conservation Commission.
- Q. Approval of compensatory flood storage volume within the 100-year flood plain by the Conservation Commission

Site and Environmental Issues that the Applicant indicates that will be part of future design details when project advances:

- R. Traffic Management Plan
- S. Low Impact Development (LID) Techniques to the degree possible as required by the Massachusetts Housing Finance Agency in their April 29, 2008 letter to the Applicant. W&C recommends the Board condition the creation of these design elements.
- T. Creation of the Massachusetts Stormwater Management Form and the Operation and Maintenance Plan
- U. Sedimentation and Erosion Control Plan
- V. Monitoring of site remediation in the form of either an Activity and Use Limitation (AUL) or remediation and closure with the DEP

Site and Environmental Issues for which these are a professional differing of opinions between the Board's consultant and the Applicant's engineer:

- W. The applicant has not demonstrated the adequacy of the proposed parking.
- X. W&C feels that the proposed parking areas are heavily distributed towards the northern third of the project site and is not proximate to the buildings. The Applicants engineers respectfully disagree.



This letter should be reviewed with W&C's October 24, 2008 detailed review comments as an attachment. We are available to discuss comments with the Board members following review of the letter. We appreciate this opportunity to continue our support of the Town of Easton in its review of the proposals for Shovel Shop Square and we are available for any questions and comments.

Sincerely,

WOODARD & CURRAN INC.

A handwritten signature in cursive script that reads "Joseph D. Shea".

Joseph D. Shea, P.E.
Vice President

JDS/

Attachment: W&C Letter dated October 24, 2008 on Record of Comments to Date on ZBA Peer Review

cc: Kenneth Carlson, P.E., Woodard & Curran
Daniel Garson, AICP, Woodard & Curran
David A. White, Jr., P.E., Woodard & Curran