

TO: Easton Zoning Board of Appeals

FROM: Town of Easton Development Review Team

**RE: Briefing Report
Winterberry Hills – Comprehensive Permit**

DATE: July 10, 2007

**CC: Easton Board of Selectmen
Easton Conservation Commission
Easton Historic Commission
Easton Housing Partnership
Easton Planning & Zoning Board
Members of Development Review Team
Ellen C. Doucette, Brackett & Lucas**

PROPOSAL SUMMARY

The project located at 23 Union Street in North Easton is being proposed by Union Street Realty LLC. It will include a mix of duplex/triplex homes totaling a maximum of 44 two bedrooms. This development on approximately 31 residentially zoned acres will emphasize clustering of the units in two areas of the site. Sixty-five percent or 20.5 acres of the site are upland. A wetlands area and “intermittent” stream bisects the site, and Town-owned conservation land, as well as residential parcels, are the primary abutters. The project is being proposed under the Town’s Local Initiative Program (LIP) housing plan which establishes a cooperative regulatory review process under MGL, Chapter 40B in granting of a Comprehensive Permit. Twenty-five (25) percent of the units are proposed as affordable. The applicant is seeking waivers for site density, use and setbacks.

Wetlands have been delineated by the applicant and the Easton Conservation Commission has accepted this boundary in an ORAD (Order of Resource Area Delineation). Approximately 35% of the site is wetlands and non-buildable.

The project will utilize public water. It appears that the flow and water pressure are favorable. The site is not located in a Zone II or Interim Wellhead Protection Area for any public wells. Water main looping will be provided wherever possible (for example, connect to the main at Union Street, loop to Marshall Road). Subsurface sewage disposal systems will conform to State (Title 5) Regulations. It is anticipated that conventional disposal systems using gravity and/or low pressure distribution will be utilized. Enhanced treatment for nitrogen removal will not be necessary since this is not a Zone II area. A single, approximately 1300 foot long two-lane access road will be provided off of Union Street. A boulevard layout has been selected to minimize the wetland crossing impact. A traffic study has been prepared and will be reviewed by the town's consultant. The proponent is working with the abutter on the west side of the proposed entrance to re-grade for acceptable site distances in both directions.

A major element of this project design is the use of "low impact design" (LID) elements for stormwater management. These features include "rain gardens" installed in the access road median, natural vegetated swales, pervious pavement in packaged areas and dry wells for roof runoff. Operation & Maintenance plans for rain gardens and other infrastructure features will be provided by the applicant.

The project is proposed to be built in two phases with the first phase (front cluster closest to Union Street) being built first up to but not including the wetland crossing. The total building time will depend on the market and actual sales.

REVIEW COMMENTS FROM TOWN DEPARTMENTS

A. Department of Planning & Community Development (Conservation Issues)

I. Impacts on Resource Area

To reach the rear portion of the property, the road will need to cross two Bordering Vegetated Wetland systems and two streams resulting in direct resource area alteration.

Over 400 feet of the proposed roadway will be constructed in a portion of the 50 foot no-disturb wetland buffer zone. A portion of Unit H will be constructed within a portion of the 50 foot no-disturb wetland buffer zone. A portion of all units will be constructed within the 100 foot buffer zone.

Under Chapter 227 (Town By-Law), the majority of the work appears to be within the 200 foot riverfront of a stream. The stream was not specifically confirmed by the Conservation Commission as intermittent when they issued the Order of Resource Area Delineation. If the stream is

determined to be perennial, the 200 foot riverfront area would apply under the State regulations also.

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The area currently provides important wildlife habitat and presumably acts as a corridor from undeveloped parcels that abut the property to the south and likely along the riparian area of Dorchester Brook north across Union Street.

Clearing of the site and the addition of impervious surface will result in an increase in the amount and rate of stormwater runoff.

II. Information Lacking for Reviewer

The area of the proposed back yards cannot be determined from the plans provided due to the scale. Therefore, the true impact to the 50 foot buffer zone cannot be determined.

The proposal is based on the streams on the property being classified as intermittent. The Conservation Commission, when it issued its Order of Resource Area Delineation did not specifically confirm the streams as intermittent. Additionally, there are portions of the bank that were not confirmed by the Commission. The plan does not show the 100 foot or 200 foot Riverfront Areas.

The plan submitted for review does not show the extent of the Zone A Flood Plain. A flood plain study was recently completed and submitted to the National Flood Insurance Program. The plan should be updated to reflect the findings of the new study.

III. Mitigation

Work within the 50 foot inner buffer zone to wetland resource areas should firstly be avoided as much as possible and then secondly minimized as much as possible.

Work within the inner 100 foot Riverfront area should be avoided.

A 2:1 replication should be made for all wetland disturbance, as well as, the disturbance within the 50 foot inner buffer zone. A vegetated buffer should be maintained around the complete perimeter of the project. This buffer should be enhanced with indigenous species plantings that will provide additional wildlife habitat.

The applicant has proposed walking paths to connect to the southerly adjoining town owned property. Currently there are no sidewalks or parking areas along Union Street that would make such paths easily accessible to the public. The applicant should be asked to provide public parking for access to the paths. It appears there is adequate space for a three-car parking area to the north of Unit A and Unit B. Additionally, the applicant should be asked to construct or provide funds to construct a sidewalk or walking path on

the south side of Union Street from the proposed walkway to the west in order to access the walking path proposed on the western portion of the property.

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The applicant should be asked to develop or provide funding to create and construct a full trail system incorporating the proposed trails into trails on the adjoining town-owned property. This plan should integrate the proposed parking area at Monty's Pond (a condition of the Order of Conditions # SE152-0857 issued by the Commission in 2001 for the Dorchester Brook Estates project). The trail system should accommodate bicycle usage. Parking for bicycles should be included in any parking areas for cars.

The applicant is proposing LID (Low Impact Development) stormwater management systems and has referenced research done by the University of New Hampshire (UNH) at their stormwater management research center. The applicant should be asked to sponsor and host a seminar/workshop for town officials responsible for reviewing and permitting stormwater management systems to educate them on the benefits and advantages of such systems, as well as, the challenges they pose.

The LID stormwater management systems should be planted with plant material that replicates the natural, indigenous plant species already existing on site.

B. Department of Planning & Community Development (Planning Issues)

I. Impacts

Public safety. Adequate Provision of Utilities. Street Lighting. Appearance of Affordable Units. Costs of Maintenance. Bonding.

II. Information Lacking for Reviewer

More information is needed on the percolation tests and analyses performed on the proposed wastewater communal discharge areas to be located in the cul-de-sacs.

It is recommended that the applicant perform a view shed analysis of site lines to the project from Union Street, abutting residences and the proposed open space trail area.

The applicant should address the question of on-site play area versus neighborhood play area to be provided as a benefit to the Town of Easton.

III. Mitigation

Based upon experience and recent planning studies, a strong argument can be made that a need exists for a traffic signal at the intersection of Union Street and Washington Street. This "friendly 40B" project will add to an already dangerous situation. Based upon a

traffic impact study to be submitted by the proponent for town peer review, it needs to be determined whether justification exists for the proponent to provide funding for a traffic

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signal at this location. Water main looping shall be provided wherever possible. Electricity should be brought to the development by way of underground service. Street lighting in the project should be specified in conjunction with the final engineering of the road and drainage systems. In designing the lighting, it should be consistent with the guidelines used by the Town of Easton in terms of the amount of lumen output. Exterior treatment of the units should not allow someone to distinguish between the affordable units and the market rate units. The cost of street lighting, common landscaping, snow removal, trash removal and road and drainage system repairs all shall be paid through a Homeowner Association fee. There should be adequate bonding to ensure the satisfactory completion of the access road and infrastructure.

C. Board of Health Department

I. Impacts

Weekly trash pickup can become a maintenance issue. Rubbish pick up on an individual level is preferred. The soils on the site are suitable for on-site septic systems. Design preference for individual septic tank ownership. Multiple condominium owners sharing one septic tank and one leaching field may set up potential maintenance issues in the future. Union Street is a very dangerous road for mixed use, pedestrian and vehicular traffic. Improvements should be made in that area.

II. Mitigation

Require the residents to use the town's preferred trash program.

Require sidewalks on Union Street. Extend them to incorporate neighboring properties.

Pro-rate the cost of condominium maintenance fees for the affordable units.

D. Fire Department

I. Impacts

Public safety.

II. Mitigation

The number of fire hydrants and their proposed locations are acceptable.

The street / development as proposed will require the installation of two (2) fire alarm pull boxes (Signal Communications User-Powered Radio Street Box). The first fire alarm box shall be installed in the vicinity of the first set of buildings as indicated on the plans at approximately the 400 foot marker of the roadway. The second fire alarm box shall be installed in the vicinity of the second set of buildings at approximately the 1434.50 marker.

If the project is approved, certified building plans will have to be submitted to the Fire Department for review. The plans shall indicate the fire protection and carbon monoxide protection systems to be installed in each unit.

E. Police Department

I. Impacts

Public safety.

II. Mitigation

Lack of sidewalks on Union Street is a concern. They are needed for pedestrians walking to Roche Bros. Plaza.

The site distance exiting from Winterberry Hills onto Union Street looking east is a concern. There is a hill which limits the view of oncoming traffic. Providing a safe site distance for this project is very important. It should be provided by the project proponent.

The increased traffic on Union Street will add to the traffic backup on Union Street at Washington Street. There already is a strong need for traffic signals at that intersection. This development will add to the existing problem.

More parking spaces need to be provided for visitors within the complex so that visitors do not park on the access road which could block fire apparatus from accessing the development.

F. Public Works Department

I. Impacts

Public safety.

II. Mitigation

The site distance of the proposed roadway onto Union Street is a concern and should be corrected. Construction of a sidewalk from the entrance of the proposed project along Union Street to Washington Street should be constructed. A need exists for a traffic signal at the intersection of Union Street and Washington Street (Route 138).

GENERAL COMMENTS FROM TOWN DEPARTMENTS

A. Building Department

The Inspector of Buildings requests that fees for building permits, electrical permits, plumbing permits and gas permits not be waived for the affordable units in this project. The costs of those permits should be included as part of the owner's pro forma.