



TOWN OF
STONEHAM

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Public Works Department
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TO: August Niewenhous, Chairman
Planning Board

FROM: Robert Grover, Director of Public Works
Town of Stoneham

DATE: July 17, 2014

SUBJECT: Commons at Weiss Farm Comprehensive Permit Application Comments

Mr. Niewenhous,

The Town of Stoneham's Planning Board requested comments regarding the application for a Comprehensive Permit for the Commons at Weiss Farm located at 170 Franklin Street. After a careful review of the application package the Department of Public Works cannot at this time recommend approval of the Comprehensive Permit.

Weiss Farms Apartments LLC, hereafter referred to as Developer, received a letter from MassHousing dated June 23, 2014 that approved their Project Eligibility application pursuant to Massachusetts General Laws Chapter 40B. The Developer submitted a Comprehensive Permit application package for the Commons at Weiss Farm on June 30, 2014. Prior to this the Department of Public Works had not received, reviewed or provided input on any of the documents included. This action by the Developer seeks to remove the town from the process entirely and reaffirms that the Town's concerns are not being addressed.

In addition to not seeing any document in the Comprehensive Permit application package the Department of Public Works has not seen a copy of the Project Eligibility Application package or the scoring sheets prepared by MassHousing. This is of concern due to the error, omission or misrepresentation of the project by the Developer to MassHousing as evident by comments made in the June 23, 2014 Site Approval letter.

One example can be found on Site Approval letter page 15 Section 6 bullet 2 which reads "The finished floor elevations of the three larger buildings are approximately 10-12 feet lower than Franklin Street, which will have the effect of significantly reducing the visual impact of proposed building elevations when viewed from surrounding areas." The finished floor elevations of the 5 story buildings is 172 feet while the elevations of Franklin Street at the

entrance to the site is 176 feet which results in a height difference of only 4 feet. This 8 foot difference based on MassHousing's own words would have a significant visual impact.

A second example can be found on Site Approval letter page 16 Section 7 bullet 3 which reads "The Site is located immediately across the street from Stoneham High School, and is within walking distance to a daycare center, convenience store, Laundromat, and recreational facilities. An assisted living facility is currently being constructed approximately ¼ mile from the Site." The convenience store and Laundromat were demolished in the construction of the assisted living facility which puts the nearest replacement facilities over ¾ of a mile away.

Without a review of the Project Eligibility Application or scoring sheets the Department of Public Works will be unable to point out any errors, omissions or misrepresentations.

In the Site Approval letter MassHousing made 12 recommendations that the Developer should address in the Comprehensive Permit application to the town. These recommendations were not properly addressed and our Department's comments are as follows:

Recommendation 1

Recommendation 1 required the Developer to address environmental conditions including but not limited to wetlands, public water, storm water runoff, wastewater and hazardous waste.

Protection of Wetlands

The property at 170 Franklin Street is surrounded by wetlands on three sides and the Developer is seeking to perform work up to, and in limited areas within, the 25' buffer zone. As such the plans, even at 10% schematic design phase, should have incorporated more information for review than what was presented. The Site should have chain link fence around its entirety to prevent people, animals or trash from entering the wetlands. Retaining walls should have protective guardrail in addition to the chain link fence to prevent vehicles from entering sensitive wetland areas. Parking areas that naturally slope into the wetlands should contain curbing to act as a barrier against surface runoff that may contain harmful chemicals and as a vehicle stop for inattentive drivers.

The site's proximity to the wetlands warrants a ban on salts, chemicals, potable water irrigation systems and other agents that can alter the water and soil composition. Site water runoff from roofs and impervious areas should be stored for use as irrigation, a well system should not be allowed due to danger of drawing down water levels of the wetlands without proper monitoring. The snow storage area as proposed is not acceptable as it would bypass any drainage filtration system or vegetated buffer and carry the risk of transferring banned materials, deposited from vehicles that traveled on public roads into the wetland. Installation of a snow melt system should be required in order to manage the snow on the impervious surfaces of the parking lot which when melted would be processed through the drainage filtration system.

Public Water Quality

The proposed water system is a closed loop system that could result in unreliable water supply for public safety needs, pressure drops during emergencies or water quality for drinking. A secondary connection to Beacon Street, Ellen Road or Tamarock Terrace is required to insure the highest water quality, pressure and fire safety to the buildings.

Water meter pits should be installed where water mains enter the property to allow for proper water meter readings that can be used to find leaks in the system before they generate a public safety hazard.

The hydrant locations and quantities are not adequate to properly serve the residents with fire protection if the sprinkler systems malfunction. Hydrants should also be properly flushed based on a town approved program to prevent potential sediment build up or stagnant water. The system does not contain the appropriate amount of gate valves to isolate segments while ensuring water service to buildings.

Stormwater Runoff

The Comprehensive Permit application did not contain a stormwater report that analyzes the site and details compliance with Stormwater Management Standards which have also been incorporated into the Wetland Protection Act Regulations, a critical concern of this project. Key components of this report would be no new stormwater conveyance may discharge untreated stormwater directly to or cause erosion in wetland, post-development peak discharge rates can exceed pre-development peak discharge rates and 80% of Total Suspended Solids should be removed.

Stormwater infiltration chambers are shown on the drawings but without elevations, groundwater levels, and infiltration rates the Department of Public Works is unable to review how efficiently the drainage system is. The companies who manufacture and sell these systems regularly do the engineering for free, especially on a system of this size, and should be prepared for review prior to the issuance of a Comprehensive Permit.

Wastewater Treatment

Building C is the only one on-site that has an oil and sand separator which is unacceptable given the amount of units and its proximity to sensitive areas. Each sewer manhole on site should be changed to an oil and sand separator.

The sewer in the Site flows in a gravity system to a pump station onsite that dumps into Franklin Street through a 6" force main. The force main, which is located within 50' of the wetlands poses an environmental risk and should be relocated to a location away from the wetlands where it could be serviced safely if needed. The developer has failed to provide basic plans, onsite storage capacity and pump size for the station. In addition there is no sewer study to ensure the existing town system can handle the additional sewer flow in the vicinity.

Recommendation 2

Recommendation 2 required the Developer to address traffic impacts including but not limited to volumes, crash rates, safety and level of service.

Monitoring Program

The traffic study failed to address, identify or discuss a post construction monitoring plan in order to verify the anticipated results from the traffic study provided. Ensuring a commitment from the Developer to maintain or improve intersection Level of Service (LOS) are components of a detailed traffic study.

Crash Reports

The traffic study failed to include crashes below \$1,000 which underestimates the traffic impacts of the development. The addition of more than 100 vehicles to the morning rush hour increases the chances of these incidents below \$1,000 which only further delay commuters. While the severity or risk of personal injury is not high the delay and risk to public safety from clogging a major artery that leads to the Melrose Wakefield hospital is a viable concern.

Missing Report Information

The following information is missing or lacking in the traffic study report:

1. Did not include Franklin / Rustic – a major morning cut through to Colonial Park School
2. Heavy vehicle counts / percentages were not provided
3. Traffic study does not address the state's Smart Growth / Smart Energy goals in their mitigation recommendations such as reduced density, bicycle and pedestrian infrastructure, transit etc.
4. Site plan indicating the proposed "footprint" of the project relative to existing site conditions, the boundaries of all land owned by the proponent, the abutting lands uses and their owners, and all transportation facilities (including private and access roadways, sidewalks, public transit stations / stops / routes, and bicycle facilities) adjacent to the site and number of carpool, vanpool, car sharing, bicycle spaces identified.
5. Zoning map indicating the current zoning of the site and the adjacent parcels and any proposed changes in zoning.
6. Roadway network map indicating the jurisdictional responsibility for each roadway link and intersection within the study area. Included should be each study intersection's current lane configuration and traffic control device layout.

7. Multi-modal network map illustrating the site in relation to the study area's pedestrian, bicycle, transit and freight networks. Also identify major attractors such as schools, neighborhood or regional commercial facilities or employment. Identify gaps in services
8. In depth pedestrian facilities review identifying existing qualitative assessment of sidewalk conditions, width, ramps, markings, signage and lighting within the study area. A pedestrian traffic flow map with volumes should be provided.

Recommendation 3

Recommendation 3 required the Developer to address the sight distances at the entrance to the proposed developer to ensure public safety.

Parking Obstruction

The traffic study did not take into account the vehicle parking on Franklin Street that could obstruct traveling vehicles from commuters leaving the site. The overflow parking from the site would be on Franklin Street and could promote a sight distance reduction if not properly mitigated.

Recommendation 4

Recommendation 4 required the Developer to address alternate modes of transportation to and from the Site, and safe bike/pedestrian access on Franklin Street

Pedestrian Links

Traffic study does not address needs, desire lines, origins, destinations or opportunities to provide bicycle infrastructure to the degree of depth required. The Commonwealth's goals relating to the Healthy Transportation Compact and Safe Routes to School were ignored despite the Colonial School and High School located within 1/2 mile of the Site. Safe bike and pedestrian access on Franklin Street should include at a minimum an 8 foot combined use sidewalk on the proposed development side.

Public Transportation

Traffic study did not quantify impacts of transit-based mitigation but merely identified the bus line. In addition no documentation between the Developer and MBTA officials requesting a stop be placed at the development on the 131 bus route in addition to a connecting stop at Redstone shopping center. Other alternatives the town has required of developers to present correspondence and cost research for MassRIDES or private shuttle services for potential transit mitigation services. Even if a public transit option is ruled out in the future bus stop or drop off shelters should be located on site to promote carpooling and ridesharing.

Recommendation 5

Recommendation 5 required the Developer to address issues such as on-site parking and circulation, hydrant locations and sufficient emergency access.

On-Site Parking

As previously mentioned overflow parking from guests unable to find a space on the property would park on Franklin Street and potential create a sight distance hazard for vehicles and pedestrians.

Hydrant Locations / Fire Safety

As previously mentioned hydrant locations and water main construction is not adequate to insure resident safety in the event of a sprinkler failure or parking lot incident requiring fire services. Additional comments appear under Recommendation 1 subsection Public Water Quality on page 3.

Emergency Access

The Site has only one access point located on Franklin Street. As noted above and confirmed in the traffic study, Franklin Street is heavily congested at various times during the day. If there is an emergency situation at the Site the only access point could become inaccessible due to heavy traffic. A secondary entrance needs to be provided from Stevens Street, Sullivan Circle, Spring Lane, Beacon Street, Tamarock Terrace or other approved public way. The emergency access should contain removable bollards to allow town personnel access but prevent non-emergency personnel from entering the site.

Recommendation 6

Recommendation 6 required the Developer to provide a detailed Stormwater Management Plan to address seasonal flooding, erosion control and run-off on to abutting properties.

Stormwater Management Plan

The Comprehensive Permit application did not include a Stormwater Management Plan, in draft or final form, for review. At this time the Department of Public Works can't provide an opinion if the project will be in compliance with state stormwater management standards. Neighboring residents have expressed concerns regarding area flooding getting worse. The Weiss Farm site today allows for waters to rise and flood a portion of the site before they impact residents on Gerald Road. Retaining walls and site fills upwards of 6 feet will redirect waters towards residents' homes and put increase demand on the existing pump house.

Drainage System

No documentation for long term maintenance of the onsite drainage system was provided for review. Measures would include catch basin cleanings, manhole inspection, retention pond inspection and repairs. A study of the existing drainage pump system was not performed to gauge the condition, demand and long term maintenance required post construction.

Recommendation 7

Recommendation 7 required the Developer to the discuss recommendations of the Phase I/II Environmental Assessment prepared by McPhail Associates on June 13, 2013. Most notable recommendations related to removal of oil and potential hazardous materials on-site.

Hazardous soil testing

According to the Environmental Site Assessment Report prepared by McPhail Associates and dated June 13, 2013 there exists on the site staining of concrete surfaces consistent with a Recognized Environmental Condition (REC). In addition soils tested at lead and polynuclear aromatic hydrocarbons (PAH) levels that trigger additional chemical testing and characterization as required by DEP were discovered but no further information was provided. No data, test results, boring logs or other information necessary to make a review and recommendation to confirm adequacy of the report and if earth moving operations on-site possess a risk to wetland or public health.

Recommendation 8

Recommendation 8 required the Developer to the discuss implementation of appropriate noise attenuation measures through building and site design.

Noise Attenuation Measures

No information provided related to this recommendation

Recommendation 9

Recommendation 9 required the Developer to discuss the preservation of mature vegetation around the perimeter of the Site.

Mature Vegetation Protection

The Developer seeks to retain the existing vegetation around the property to act as a natural buffer between neighbors and the site. No study was conducted to investigate the presence of any invasive species that may hinder the health of native plants and wildlife the Developer seeks to retain as a buffer. Long term measures such as monitoring, removal of

invasive species, or introduction of natural predators such as Galerucella beetles may be required and should be discussed.

Recommendation 10

Recommendation 10 required the Developer to provide a landscape plan including dumpster locations, irrigation systems and long term maintenance provisions.

Irrigation

No irrigation system was shown on the plan and in the opinion of the Department of Public Works no system that utilizes potable water should be allowed. Per comments appearing under Recommendation 1 subsection Protection of Wetlands on page 2 the introduction of chlorine and other chemicals in potable water can have an adverse impact on wetlands. Massachusetts Department of Environmental Protection has begun initiatives to mitigate potential damage during hydrant flushing operations and the same principals apply here due to proximity to sensitive wetlands.

Vegetated Buffer

No vegetated buffer is shown on the plans to protect and improve water quality prior to entering the wetlands. A vegetated buffer's purpose is to filter sediments, nutrients, pesticides or pollutants that could have a negative impact on water resources. Recommendation 1 subsection Protection of Wetlands on page 2 will also apply towards the use of pesticides and fertilizers.

Long Term Maintenance

Long term maintenance was not discussed.

Dumpster Location

Dumpster is located in the back corner of the lot adjacent to the wetlands which could result in illegal dumping, overflow and improper maintenance. Dumpster should be moved to a more centralized location to better serve all residents and prevent concerns noted.

Recommendation 11

Recommendation 11 required the Developer to provide additional details about any proposed site amenities including shared community rooms, outdoor playground, and pedestrian links to nearby facilities.

Walking Trail

The walking trail as shown is lacking in size and should be extended southerly towards the Martin Wantman property on Gerald road so each lap on the trail would be approximately 1/4 of a mile and allow for more residents to use the trail with greater separation between parties.

Confining the trail to a cleared patch of land is not visually appealing to residents and can result in reduced use. Other communities provide stone dust paths through wooded areas to create a scenic trail where people can observe local wildlife without the sounds or visuals of modern society. Trees and fruit bearing shrubs should be planted in the currently cleared portion of the path to shield users of the trail from the site and sounds of local neighbors and the parking lot. A “dog waste station” should be installed at the beginning of the trail to ensure that residents and guests clean up all fecal waste on the trail.

Playground and Pedestrian Links

As previously noted the Comprehensive Permit package did not include information on pedestrian links despite referencing the Stoneham High School whose recreational facilities would be in use by the residents due to a lack of on-site options. The playground facilities at the Colonial Park School would attract residents with children under the age of 12 while the High School would attract older children and adults with facilities such as tennis courts, soccer fields, baseball diamonds and track. All previous comments regarding pedestrian links to these schools noted in Recommendation 4 Pedestrian Links on page 5 apply.

Recommendation 12

Recommendation 12 notified the Developer that any local preference plan required by the Town of Stoneham must conform to federal fair housing law.

AFHMP

The intent of this project is to provide affordable housing to residents but the Developer has not made clear its intent to provide such housing to members of the Stoneham community. The Affirmative Fair Housing Marketing and Resident Selection Plan (AFHMP), which outlines how residents are selected was not provided in draft or final condition for review by the Town. Such a plan could ensure that local preference could be applied for up to 70% of the affordable units. The plan must go before MassHousing for approval and discussions should begin immediately. No past AFHMP, selection data or Developer intent was provided to the town in the Comprehensive Permit Application package. In addition the firm or individual responsible and their qualifications for the AFHMP was not provided or discussed.

Attachment 1 – Section (d) - Market Competition

MassHousing stated “the Stoneham rental market appears to be stable, with no direct competition within Stoneham from any other newly constructed rental developments.” Another developer has been working with the Town, providing information, receiving feedback, conducting studies, and agreeing to mitigation measures for a 300 unit apartment complex located adjacent to Route 93 off of Fallon Road. It can be argued that this location, with direct access to major highways, is in a more desirable location than the proposed development on Franklin Street. Permits for this Fallon Road project are on pace to be issued before the end of the year which will make it a direct competitor of the Commons at Weiss Farm project.

The Town of Stoneham is a business friendly community that works with developers to ensure all parties benefit equally without unnecessary delays. The Developer of the Commons at Weiss Farm has not been as forth coming with information, evident by the immediate submission of a Comprehensive Permit Application package without first addressing the Town's concerns from over 6 months ago that even MassHousing stated needed to be addressed prior to approval.

Waiver Requests – Zoning

Number 5 – Deny at this time until Recommendation 3 Parking Obstruction page 5 and Recommendation 5 On-site Parking page 6 is adequately addressed.

Number 6 – Approve at this time. Minor encroachment at limited number of spaces is acceptable to the Department of Public Works. Additional review required as drawings are finalized.

Number 7 – Deny at this time until Recommendation 1 Protection of Wetlands page 2 and Recommendation 10 Vegetated Buffer page 8 is adequately addressed.

Number 8 – Approve at this time. Landscape buffer will provide the desired effect however chain link fence comments in Recommendation 1 Protection of Wetlands page 2 still apply.

Number 9 – Deny at this time until a qualified consultant is able to review.

Number 10 – Permit will not be issued at this time.

Number 12 – Approve at this time. Final style, size and shape to be reviewed and approved as drawings are finalized.

Number 13 – Deny at this time until a planting list, including sizes, are provided for review by the Town of Stoneham's tree warden.

Number 14 – Deny at this time until Recommendation 7 Hazardous Soil Testing page 7, including information on the quantity and hauling routes of imported material is supplied for review by multiple Town departments and boards.

Waiver Requests – By Laws

Number 16 – Deny at this time until bridge plans detailing extent of disturbance are made available for review by multiple Town departments and boards.

Number 17 – Permit will not be issued at this time.

Number 18 – Permit will not be issued at this time.

Number 19 – Permit will not be issued at this time; refer to notes under Waiver Requests – Zoning Number 14 page 10.

Number 20 – Deny at this time as request for waiver is confusing. Developer submitted plan as required under 760 CMR 56.05. The Department of Public Works does not agree with the layout of the utilities and should be contacted for additional input beyond that provided in Recommendation 1 Public Water Quality page 3, Recommendation 1 Stormwater Runoff page 3, Recommendation 1 Wastewater Treatment page 3, Recommendation 5 Hydrant Locations / Fire Safety page 6, Recommendation 6 Drainage System page 7 and other various notes above.

Number 22 – Deny at this time considering the amount of wetland issues surrounding the property and potential impacts of the existing soils contamination levels warrants environmental analysis and review by consultants. Recommendation 7 Hazardous Soil Testing page 7 applies.

Number 23 – Deny at this time as statement of impact on municipal facilities and services is a requirement of developments and is not an unreasonable request. The Developer needs to provide more information and conduct testing to ensure no negative impact to the Town.

Number 25 – Deny at this time until Recommendation 10 Dumpster Location page 8 is addressed.

Department of Public Works Recommendations

MassHousing Letter

A certified letter should be written to MassHousing for them to provide the town a copy of the Developer's application for Project Eligibility and all standard scoring sheets prepared by MassHousing prior to arriving at their decision for approval. After receiving copies of this information it should be reviewed for accuracy, errors or omissions of information based on the two previous examples provided which have a significant impact on the project.

Developer Letter – Number 1

Immediately following the opening of the hearing for the Comprehensive Permit Application the Board should deliver a letter to the Developer to notify them that additional information beyond what is contained in the application is required prior to making a decision. In compliance with 760 CMR 56.05 Section 3 this hearing may continue for a period up to 180 days from the date of opening presuming the Developer makes timely submissions of materials in response to the Board's request. The Department of Public Works submits the following items be requested of the Developer prior to the closing of the hearing.

1. Updated traffic study report to include / address the following:
 - a. Did not include Franklin / Rustic – a major morning cut through to Colonial Park School
 - b. Heavy vehicle counts / percentages were not provided
 - c. Traffic study does not address the state's Smart Growth / Smart Energy goals in their mitigation recommendations such as reduced density, bicycle and pedestrian infrastructure, transit etc.
 - d. Site plan indicating the proposed "footprint" of the project relative to existing site conditions, the boundaries of all land owned by the proponent, the abutting lands uses and their owners, and all transportation facilities (including private and access roadways, sidewalks, public transit stations / stops / routes, and bicycle facilities) adjacent to the site and number of carpool, vanpool, car sharing, bicycle spaces identified.
 - e. Zoning map indicating the current zoning of the site and the adjacent parcels and any proposed changes in zoning.
 - f. Roadway network map indicating the jurisdictional responsibility for each roadway link and intersection within the study area. Included should be each study intersection's current lane configuration and traffic control device layout.
 - g. Multi-modal network map illustrating the site in relation to the study area's pedestrian, bicycle, transit and freight networks. Also identify major attractors such as schools, neighborhood or regional commercial facilities or employment. Identify gaps in services
 - h. In depth pedestrian facilities review identifying existing qualitative assessment of sidewalk conditions, width, ramps, markings, signage and lighting within the study area. A pedestrian traffic flow map with volumes should be provided.

2. Sewer capacity study to address the following:
 - a. Capacity analysis of the existing system from the Site to Melrose town line manhole (SMH 1765) and from the Site to Pine Street intersection manhole (SMH 1428)
 - b. Minimum 3 week flow monitoring of the existing system from the Site to Melrose town line manhole (SMH 1765) and from the Site to Pine Street intersection manhole (SMH 1428)
 - c. Internal CCTV inspection of the pipelines if results of the capacity analysis and flow monitoring warrant.
3. Stormwater Management Plan to address the following:
 - a. Massachusetts Stormwater Regulations
4. Submit for review all geotechnical information
5. Submit soil analytical data from McPhail Associates Environmental Assessment.
6. Submit documentation of correspondence seeking alternative transportation for residents such as adding an MBTA bus stop, MassRIDES or private shuttle service.
7. Submit a draft Affirmative Fair Housing Marketing and Resident Selection Plan (AFHMP) for review.

All traffic, sewer, stormwater, geotechnical, analytical and alternative transportation requests made above are standard for a project of this size and the Fallon Road development team has complied or is in the process of complying with them all. The Commons at Weiss Farm Developer should have no issue. If the Developer seeks to save money the Board may elect to seek payment for Item 2 and 3 so the town may hire the engineer directly in order to avoid paying for an additional consultant review as authorized under CMR 760 56.05 section 5. The board should still seek consulting fee payments for traffic studies, environmental, geotechnical and others as needed.

If the Board should have any questions please feel free to contact me.

Robert Grover
Director of Public Works

RG/dl