

MAY 3, 2021

40B^s { 40-42 ENDICOTT
40 OAK ST.



City of Peabody
Zoning Board of Appeals

City Hall • 24 Lowell Street • Peabody, Massachusetts 01960 • Tel. 978-538-5900

CITY OF PEABODY
2021 APR 23 AM 10:48
CITY CLERK

MAY 3, 2021 ZBA AGENDA
LEGAL NOTICE

NOTICE IS HEREBY GIVEN THAT THERE WILL BE A REMOTE PARTICIPATION MEETING
OF THE ZONING BOARD OF APPEALS ON
MONDAY, MAY 3, 2021, AT 7:00 PM

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. c. 30A § 18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Peabody Zoning Board will be conducted via remote participation to the greatest extent possible. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public adequately access the proceedings in real time, via technological means. Individuals may participate remotely in the meeting via a participation platform called Zoom.

Members of the public and/or parties with a right and/or requirement to attend this meeting may access the remote participation through any one of the following ways:

- Enter this link into your web browser to join the meeting: [https://us02web.zoom.us/j/813 9456 7997](https://us02web.zoom.us/j/81394567997)
- Enter this link into your web browser to open the Zoom website: <https://zoom.us/join>. Enter the meeting/webinar ID# 813 9456 7997 as directed on the webpage and click "Join". Follow the on-screen instructions to join the meeting.
- Participants can dial a toll-free number +1 312 626 6799 to join the meeting. When prompted, enter meeting/webinar ID# 813 9456 7997 and follow the instructions to join the meeting.

THE AGENDA FOR THIS MEETING IS POSTED ON THE CITY PEABODY WEBSITE AND LISTED BELOW.

PEABODY ACCESS TELEVISION WILL BE AIRING THIS MEETING LIVE ON COMCAST 9 - RCN 15/614/1161

IF YOU WISH TO REVIEW ANY PLANS OR DOCUMENTS RELATED TO ITEMS ON THIS AGENDA PLEASE CONTACT CARLA MCGRATH

ZONING BOARD OF APPEALS
CARLA MCGRATH, CLERK
LOWELL STREET
PEABODY, MA 01960
carla.mcgrath@peabody-ma.gov
978-538-5792

MAY 3, 2021 AGENDA

CITY OF PEABODY

2021 APR 23 AM 10:58

SPECIAL ZBA MEETING

1. Continued application of **40 Oak Street Development, LLC**, for a **Chapter 40B Comprehensive Permit Application** as it applies to the premise known as **40 Oak Street, Peabody, MA, Map 095, Lot 089X**. Petitioner seeks to construct 80 rental units. The property is located in an **R4 Zoning District**.
2. Application of **The Residence at Endicott, LLC c/o Attorney Jason Panos**, for a **Chapter 40B Comprehensive Permit** as it applies to the premise known as **40-42 Endicott St., Peabody, MA, Map 075, Lots 004 and 005**. Petitioner seeks to construct 68 units. The property is located in an **R1A Zoning District**.

BUSINESS MEETING

Acceptance of Meeting Minutes

APPOINTMENTS/CORRESPONDENCE

REPORTS

Carla D. McGrath, Clerk



CITY OF PEABODY

2021 JUN 23 PM 12:05

CITY CLERK

May 3, 2021 SPECIAL ZBA MEETING MINUTES

A meeting of the Peabody Zoning Board of Appeals was virtually held on Monday, May 3, 2021 at 7:00 p.m. remotely via Zoom platform.

MEMBERS PRESENT	MEMBERS ABSENT
Frances Bisazza-Gallugi, Chairperson	
Stephen Zolotas, Vice-Chairperson	
Julie Picardi	
Dan Sencabaugh	
Barry Osborne	
Ed Colbert	
	Keith Slattery

Also in attendance...

- Will Paulitz - City Engineer
- Curt Bellavance - Director Community Development
- Lawrence Beals - 40B Consultant 40 Oak St.
- Alan Cloutier - World Tech
- Janet Bernardo - Horsley Witten

Also in attendance for 40-42 Endicott...

- Attorney Panos
- Anthony Cappachietti - Hayes Engineering
- David Siebert - BKA Architects
- Pat Todisco - Principal

Also in attendance for 40 Oak St...

- Attorney Smolak
- Patrick Larkin - Principal
- Michael Larkin - Principal
- Joe Peznola - Hancock - Project Engineer
- Scott Thorton - Vanasse - Traffic Engineer

(Ms. Gallugi read the opening statement made part of these minutes)

SPECIAL MEETING:

1. Continued application of **40 Oak Street Development, LLC**, for a **Chapter 40B Comprehensive Permit Application** as it applies to the premise known as **40 Oak Street, Peabody, MA, Map 095, Lot 089X**.

Petitioner seeks to construct 80 rental units. The property is located in an **R4 Zoning District**.

Dan Sencabaugh: Motion to accept the following correspondence

4.6.21 Hancock response to Mr. Beals memo

4.6.21 Hancock revised site plan

4.21 Hancock stormwater

4.27.21 Will Paulitz memo

4.30.21 Hancock response to Will Paulitz memo

4.30.21 Pete McGinn memo and photos

Stephen Zolotas: Second

Fran Gallugi: All in favor. Any opposed? Correspondence accepted (5,0)
(correspondence was made part of these minutes)

Attorney Smolak: Attorney for 40 Oak St. gave an overview of what has transpired since the last meeting on March 21, 2021. The project team has met with the City and Board's peer review consultants to cover any outstanding issues. We have received and submitted the correspondence accepted into the record this evening. New test pit information was gathered on March 26, 2021.

Joe Peznola: Gave a summary of the latest responses. Team has been working closely with City Engineer, Will Paulitz and Janet Bernardo of Horsley Witten, and Scott Thorton from Vanasse has been working with WorldTech Engineering to address all the prior comments. With respect to Stormwater System it was originally thought that because city drainage runs through the property it should be separated creating on-site drainage and run a dedicated city line. This was determined not possible and an integrated system is needed. Additionally, in the larger storms and smaller flood events, the parking lot floods. The city drainage system on Oak Street relies on that flooding. It acts like a detention area. The design required incorporation of equal amount of storage into that ponding because to have that ponding is unacceptable on a new residential project. Mr. Peznola then shared the screen to show the revised site plan showing the above-mentioned proposal.

(Site Plan is made part of these minutes) Additional soil testing was performed and witnessed by Mr. Paulitz. An infiltration system was in the back and front. In the back it was found to have unsuitable soil and the infiltration system was removed. In exchange for the removal of the infiltration system in the back Mr. Paulitz is asking for front system to be expanded. We agree to this. We are close to wrapping up stormwater. The next issue is flood plain which is throughout the site at elevation 27. There is a requirement that we cannot take up any additional flood storage within the site. There is one incremental elevation between elevation 20 and 21 where there are some questions as to whether or not we are providing equal volume. There has also been some discussion on identifying a location for the residents to relocate their cars in the case there is a significant

flooding event. Mr. Paulitz has provided 7 or 8 dates in history where flooding has occurred. A forecasted rainfall amount producing a significant flood event would warrant a plan to move cars through a resident outreach program. Dumpster would also be removed from the site should this occur. We have committed to that. We have not heard feedback from the Fire Department on the emergency response plan that was submitted last March. Our plan is to stage the fire truck on Oak St just up the hill from the site outside the flood plain and provided exhibits where the ladder can be swung to the front to the patio at the front of the building. We've rearranged the internals on the building itself for that ladder to be used for an evacuation. Originally, the Fire Chief had said yes, the residents could shelter in place because the residents are above the flood plain and we could move the cars but what happens if during a flood event, a medical evacuation occurs? We've come up with that plan in a manner that everything can be done outside of flood waters, so we are not asking any emergency vehicles or emergency personnel to go into the flood waters. We are on top of the flood plain issues we are supposed to abide by. In regard to infrastructure we are calling for some replacements of some water main on Oak St. Mr. Paulitz is looking for a different location and the amount of water pipe. We are happy to comply with that and provide that modified infrastructure. In regard to sewer we are all set with understanding flows. Mr. Paulitz is looking for a little help – there had been some pipe run inspections on Oak St. a while back to understand the inflow that might be going into that system. He would like us to do manhole inspections. We are happy to do that. He is in agreement that that could be a condition on approval prior to the start of the project. We will pay INI fees that would be applied to a project of this size. With regard to WorldTech correspondence and the commitments that we have made to intersection improvements and pedestrian improvements along Oak Street, I would like to turn it over to Scott Thornton

Scott Thornton: Vanasse. Prepared traffic study and subsequent memorandums, responses to WorldTech and Department of Public Services. We are in receipt of Will Paulitz April 27, 2021 memo. Gave highlights and explained commitment as to where they stand. We are trying to resolve issues. The peer review process makes the project better. We've narrowed the list of outstanding items to just a few as noted in the DPS letter. **(DPS memo is made part of these minutes)** The applicant is proposing to address improvements at a number of locations including providing \$5000 towards signage and striping at the intersection of Oak St and Winter St. Applicant is also willing to contribute \$65,000 to the mill and overlay of Oak St. to address the pavement conditions there. The applicant initially proposed \$20,000 for sidewalk upgrades along Oak St, for curb extensions at the end of Washington St and Oak St as well as the purchase of bus shelters on Washington St. DPS and WorldTech have requested a larger sum something closer to \$50,000. We are proposing to meet in the middle at \$35,000. There is also a request from DPS to have the applicant join the North Shore Transportation Management Association for a five to ten year commitment and Our concern is that the North Shore TMA may not provide resources for the residents of the project in the time frame that we need them for and in addition the applicant has already pledged to implement certain measures including posting of public transportation schedules, letting people know about the car and vanpool resources as well as providing the provision for the bus shelters on Washington Street which are all very strong encouragements to use other forms of transportation besides personal vehicles therefore we are of the opinion that that membership in the North Shore TMA which is a considerable amount of funds. It's not something that's necessary for this project or items related to like snow storage and dumpster locations. I'll let Joe touch on some of those in more detail if necessary, but we're proposing to implement a snow removal management program which will put it on us to contract with private contractors to remove the snow when it gets to be a certain point and similarly trash removal is going to be by a private contractor and we expect to develop that plan in the very near future.

Joe Peznola: WorldTech did comment on the parking and we are proposing 22 tandem spaces and there have been comments with that regard. If we count those tandem spaces, we're at a 1.58 parking ratio. If we do not it's at a 1.27. WorldTech concluded that on the average peak demand is 1.23. So, even if we don't count the tandem spaces, they believe that we are good to go there. The way that we're going to administer the phantom spaces is obviously the tandem spaces will be assigned and they'll be assigned to two people in the same unit so that they can work out on some similar to husband and wife moving their cars in a driveway which is very common scenario. With regards to the snow storage there was a question as to the sufficiency of the space that

we're providing for the snow. We've identified those areas on the plan and what we would propose to do is come up with a comprehensive snow management plan, working with the ultimate manager of the property and the snow removal contractor... work all of those details out with regards to making sure everybody understands where it's okay to plow snow, how not to impact the parking spaces and also at what point we would need to get to have to remove snow from the site and dispose of it properly. So, we would look for that to be a condition of any approval putting that comprehensive snow management plan together with those parties once they're in place, contractually to detail the plan to a sufficiency that everyone can review prior to starting construction. Mr. Paulitz had mentioned the wetlands on the adjoining property which is owned by the Peabody Historical Commission. We have shown that wetland from historical mapping that goes back five or six years and the call was made to refresh that delineation we'd originally said well would we need to do that as part of filing with the conservation commission because we are going to be working within the buffer zone of that wetland and we thought we had to we would have to flag those wetlands before that process but he believes that it's prudent to do that now while we're still in this process and we will be dispatching a wetland scientist out to the site. We're securing the necessary permission from the Historical Society. We'll get out there and do that and then update the plan prior to the to the next meeting. We will look to Mr. Paulitz and Ms. Bernardo and WorldTech to obviously review not only this correspondence that we submitted today but subsequent. We have committed to within this correspondence providing additional information some tweaks to the plans and information that they feel is still needed to finish up their comprehensive technical reviews. We'll do all that get that all done and buttoned up in advance of the next meeting. Happy to answer any questions.

Will Paulitz: For the record William Paulitz, City Engineer for the Department of Public Services. I think Mr. Peznola and Mr. Thornton pretty much summed it up. I think since the last time we met with the board on this project we were reviewing the applicant's submittal and waiting for soil testing to be completed which was completed as Joe had mentioned and due to the conditions of the soil Hancock revised the set of plans. So, we conducted a second review on that. That's where we stand. We've reviewed the recent set of plans and they've provided their comments this evening back to us. I do believe they're getting closer so, I think we at this point will wait to get the latest set of plans and provide our feedback.

Alan Cloutier: WorldTech Engineering. We provided the review of the traffic components and I think they actually did a pretty good summary of where we are and where we've come for this project the only and most of these items we've reviewed we've you know we had comments. They've been addressed a couple of the really what's outstanding the parking but not so much exactly directly the parking you know we did have a little concern about the tandem spaces because you know who wants to be blocked in even if it is you know your wife and you have to work that out we thought one good way of really. I mean ultimately trying to have this development not be completely dependent on two vehicles per unit or what have you is to really try to make it convenient for people to get to public transportation. So, that kind of lends itself towards the mitigation that was kind of described about making sure people... the sidewalk along Washington along Oak Street to get to Washington Street the bus shelters so I think we kind of were focusing more on not so much directly the parking but minimize the need for parking by doing the mitigation and then I think right now it's in that negotiation stage. Essentially we had one comment about the driveway detail that I think they were planning on addressing the entrance driveway needed a little bit modifications nothing major but besides that I think you know that's where we are we're basically talking mitigation in a driveway.

Manet Bernardo: Horsley Whitton Group and we've reviewed the stormwater management of the project and from a stormwater point of view in the existing site is a large parking lot so it's impervious so the applicant is kind of required to meet the maximum extent practicable from that point. So, the stormwater itself is not...they work through most of the comments as Joe had kind of gone through. It made sense what he said and the main

concern I think becomes the flooding and that this existing parking lot does flood and how that will be managed in the future with residents living there so that they do have cars and that people go away on weekends and understanding how to manage the cars and the residents in the event that a flood happens so from the stormwater point of view I think that they have done a relatively good job there is a blue roof so that the large building will be storing storm water on the rooftop itself so that will in essence take some of the flooding off of the parking lot that is there now so and they are proposing a large subsurface chambers that Joe went through so there is a good potential that they're going to improve the existing situation but it still is a large parking lot that floods so as long as that's not kind of lost along the way the stormwater should work itself.

Lawrence Beals: City 40B Consultant. I don't have any prepared comments. I second what Janet said that we should not lose sight of the fact that this project is within a hundred year floodplain and it should be designed to protect the residents and it sounds like there's additional revisions that need to be made to the plans. My suggestion to the board would be to set up a schedule such that there's sufficient time for the applicant to make the changes deliver the information to the town and the city and the peer reviewers give everyone sufficient time to look at it and respond back to the applicant so that I think we could come to these meetings with better analyzed and a more comprehensive review of if there's sufficient time to have the exchange of information back and forth.

Fran Gallugi: Mr. Smolak do you have anything to say at this point?

Attorney Smolak: Not at this time. That concluded our presentation for this evening which was basically an update. We have a fair amount of work to do to update our plans. We also owe the Board an updated waiver list as well. We should deliver that as well.

Fran Gallugi: Do you think you will like to ask for an extension?

Attorney Smolak: Yes. We have this additional information to provide to the Board. So, what date is the board considering for a continuance?

Fran Gallugi: Mr. Paulitz do you think May 24th is doable and all the other board members? I know I'm asking a lot. We can make the meeting start at 7:30pm. Will, what do you think?

Will Paulitz: My questions would be back to Joe. Joe, when do you actually think we're going to receive plans from you guys?

Joe Thornton: We will say no later than Tuesday the 11th.

Fran Gallugi: Will, what do you think?

Will Paulitz: I think Alan...I think you guys probably, I don't want to speak for you, but I think your review is going to be pretty minimal at this point.

Alan Cloutier: Mine is very minimal.

Will Paulitz: So, mine definitely won't be the concern. Water and wastewater are pretty much resolved at this point so that leaves us with storm water and floodplain management and I think the 21E stuff is something we're looking for condition from the board. So, that shouldn't take any time. So, Janet what do you think?

Janet Bernardo: Yeah. I think the stormwater piece is straightforward. That won't take any time. It's really how clear the calculations are for the floodplain. So, if they come back very straightforward and easy to

follow, I wouldn't have a problem.

Will Paulitz: The other thing I would add is in order to minimize the back and forth maximize to the fullest extent possible the front infiltration area.

Joe Peznola: That's what we're gonna do. I think that's really the biggest change we have to make. Right now is just tweaking that.

Larry Beals: What I like about the schedule is it allows them to get the information and it ensures that the peer review and the city has adequate review time and inevitably there's going to be another revision or something that's going to have to get done. So, it probably accommodates that time as well.

Stephen Zolotas: Motion to continue to May 24, 2021 at 7:30pm via Zoom.

Dan Sencabaugh: Second

Fran Gallugi: All in favor. Any opposed. Motion to continue to May 24, 2021 at 7:30pm (5,0) approved

Fran Gallugi: All right. So, now we have the presentation for 40-42 Endicott Street. But, but before that we have some correspondence to accept.

(All correspondence is made part of these minutes)

(Secretary gave a brief overview of the correspondence by stating the name and address of each abutters)

Stephen Zolotas: Motion to accept correspondence

Julie Picardi: Second

Fran Gallugi: All in favor. Any opposed (5,0) correspondence accepted

2. The Residence at Endicott, LLC c/o Attorney Jason Panos, for a Chapter 40B Comprehensive Permit as it applies to the premise known as 40-42 Endicott St., Peabody, MA, Map 075, Lots 004 and 005.

Petitioner seeks to construct 68 units. The property is located in an **R1A Zoning District.**

(Secretary read Legal Ad)

Fran Gallugi: Okay. Now we are ready for Attorney Panos's presentation.

Attorney Panos: Attorney representing the Residence at Endicott, LLC. The matter before this board is an application for a comprehensive permit under general laws 40b sections 21-23 and supporting regulations at 760 CMR56 proposing 68 rental apartment dwelling units at 40 to 42 Endicott Street which is located in the R1A zoning district. The application was filed with the City Clerk on March 26, 2021. The submission was compliant with the City of Peabody comprehensive permit rules and regulations as completed the proposed development under the applications deemed consistent with local needs pursuant to the determination of project eligibility by Massachusetts Housing by its letter of March 24, 2021 and that would be an appendix a of your application submittal compliant with the provisions of 760 CMR56.04 was concluded in favor of the proposed development.

(Attorney Panos introduced the project team)

Mr. Pat Todisco – manager and through Todisco Properties LLC., is the proposed developer consultant and contractor who is expected to help see the development through completion.

Tony Cappachietti – Hayes Engineering - project manager for project plans, storm water management, conservation and traffic.

Dave Siebert – BKA Architects – project architect for development design elements

Dean Harrison - who is not here with us tonight. Prepared the development pro forma

Attorney Panos: Gave a brief overview of MGL Chapter 40B and gave a brief project overview
(Overview is made part of these minutes)

Attorney Panos: I want to take a very brief moment to discuss the LEC comments or the revised letter from Ann Martin submitted to Lucia Del Negro the Conservation Agent. Basically, the letter provided to you neglected to mention the local jurisdiction under the wetlands ordinance. City of Peabody wetlands ordinance within 200 feet of a riverway. That is local jurisdiction not DEP wetlands jurisdiction under the wetlands protection act. So, we clean that up by providing a fresh letter from LEC and I believe that Miss DelNegro was satisfied with the analysis. I just if I may through the Chair. Before Dave Siebert begins his architectural presentation, I just want to highlight something very important Tony said. It's this notion that what we propose is a vast improvement over the existing condition particularly with regard to how we handle storm water. Right now there is no storm water treatment on site and given the topography of the property the water literally seeps off from Endicott Street. To the back of the site we're going to be treating that storm water on site and that's going to help those folks who are somewhat adjacent to the property on the Berry Street side where they are the recipients of that cheating effect not only from this property but others. So, just from that alone and then of course we have the landscaping attributes. Those two things alone create a market improvement over the existing condition and I think that in that it's important enough to highlight that at this moment.

Fony Capachietti: Gave an engineering technical presentation.

Mr. Siebert: Gave a design presentation.
(Presentation is made part of these minutes)

Fran Gallugi: Does anyone on the Board have any questions?

Barry Osborne: I guess not a question...I know the existing right now is existing as an industrial use but it was a very limited industrial use. I think they had maybe four or five employees at the most. They made those things that you fix your tires with... I missed how you said it.... could decrease during the peak hours from a use that had four employees to 68 units. I don't understand that math. So, did I miss something or could you just explain that to me again.

Attorney Panos: So, it's based off of the land use type. They have an existing non-conforming use. The use hasn't expired. They could go open tomorrow with a general light industry use and generate that much traffic. The most recent use was a moving company is that correct? Company in the box company yeah. So, those were fairly light uses, however, uses prior to that we're more along the general light industry and that's what you would use for the basis of the I would disagree that you would use what's existing today as opposed to what's going to exist. If we approve that that when we approve the development...I mean I think it's good to compare apples to apples and we have apples right now. We don't know oranges aren't going to come to that building it's non-conforming. He'd be forwarding his right to move some other tenants in there. However, right now given that there was a previous development proposed and the current development that's the basis for. It's an industrial zoned project and that's how you would come up with the....we understand that there are some traffic issues out there so we provided the basic requirement from the ZBA which is an existing and proposed

trip generation study. We assume that the board's going to want to send us out to prepare review and the peer review consultant usually specifies exactly what they want studied whether it's the warrants intersection or one of the other intersections. So, rather than jump the gun we kind of rely on some of the institutional knowledge of DPS as well as the peer review consultant to specify exactly what they would like to study okay because I really don't think...speaking to some of the residents here I don't think they're really against anything that's affordable housing. It's just maybe the size or whatever traffic or whatever something that we can reduce down but that's for later discussions. But I do have a question through the chair to Curt Bellavance, what percentage are we at now did we get the recent numbers in yet

Curt Bellavance: Director of Community Development. Yes. We actually submitted, once the Farm Ave. project got approved... we submitted that and we're at actually 10.1 percent right now.

Fran Gallugi: So, what I would like to do right now is schedule the second meeting and that point have all the abutters that would like to speak, also invite the City Officials. um i'm looking at and this is for

Attorney Panos: A couple of things housekeeping in nature. If I could have the permission of the board to obtain copies of the letters that you accepted into the record through your clerk Carla McGrath.

Fran Gallugi: She will send them right now. she'll send it right now to you awesome

Attorney Panos: The second thing is authorization to proceed with peer review and work with Will Paulitz so that by June 14th we'll have an agreement between DPS and the applicant and hopefully have all of our peer review consultants lined up on this with escrow payments made and gosh if lightning strikes maybe even a couple of comments back but I'm not holding my breath for that.

Fran Gallugi: Yes. That is in the works as we speak. You could probably call Will tomorrow or Curt Bellavance if you need any details.

Stephen Zolotas: Motion to continue to June 14, 2021

Barry Osborne: Second.

Fran Gallugi: All in favor. Any opposed? (5,0) Motion to continue is approved

Meeting Adjourned

cdm

**HANCOCK
ASSOCIATES**

Surveyors | Engineers | Scientists

City of Peabody
Department of Public Services
50 Farm Avenue
Peabody, MA 01960

April 6, 2021

Attn: William Paulitz, P.E.

RE: The Residences at O'Shea Field – Responses to Beals Associates Inc. Comments
40 Oak Street
Peabody, MA 01960

Dear Mr. Paulitz

We are in receipt of a letter from Beals Associates Inc. that detail their comments on the site plans for The Residences at O'Shea Field project at 40 Oak Street in Peabody, MA. Pursuant to the comments, we offer the following responses. It is important to note that we did not understand Mr. Beal's role on the project to be technical review. The last interaction we had with Mr. Beals was at a meeting at City Hall on December 19, 2019. His letter is qualified as an initial review and seems to fail to recognize the work the project team has accomplished over the past 15 months with Mr. William Paulitz, City Engineer and the Zoning Board's four engineering peer review consultants: WorldTECH Engineering, Inc., Horsley Whitten Group, Weston & Sampson, Inc. and Tighe and Bond. Each engineering firm has presented reports to the Zoning Board and City Engineer. Our team has provided responses, revised plans, reports, and calculations over the course of the last 15 months.

Beals Letter

Comment 1: Missing Plan. The Title Sheet (Sheet 1) includes a Sheet Index that identifies Sheet 2 as an Existing Conditions Plan (By Others). The plan set should be made complete and resubmitted with all of the sheets listed in the sheet index. Furthermore, an existing conditions plan is essential when comparing pre-development (existing) conditions and post-development (proposed) conditions. In addition, it appears that existing conditions information is included in the background on the Layout and Materials, Grading and Utility, and Landscaping and Lighting Plans, but the information is faded and for the most part, impossible to read. The plan set as submitted, with the missing Existing Conditions Plan and the faded existing conditions information on the other plans, is difficult to evaluate. Resubmit the plan set with complete and legible information prior to any additional review.

Response: Prior submissions included the Existing Conditions Plan. This submission was part of a comprehensive review of the civil engineering by Janet Bernardo or Horsley Whitten and William Paulitz City Engineer that included several submissions and a meeting to discuss existing drainage issue with the city system and options to mitigate. The purpose of this submission was focused on the revisions to the drainage system. We therefore were only submitting the revised sheets. Attached is an updated set of plans that includes the site survey. None of the four engineering companies and Mr. Paulitz have mentioned trouble reviewing the plans.

Comment 2: Flood Plain Elevation. A critical component of any plan review for the proposed project is the fact that the property exists entirely within a 100-year flood plain as determined by FEMA. The 100-year

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flood elevation is elevation 27 and essentially all of the proposed grading and utility elevations are below elevation 27 indicating that if the project is constructed as shown on the plans, the entire site will be flooded. Therefore, all of the utilities, sewer manholes, stormwater management components, and pavement will be significantly below the 100-year flood elevation. There is no indication in the plans set that the entire site is within a 100-year flood plain nor is there any reference to the flood elevation on the plans. The plan set does not indicate the datum that was used as the basis for the design nor does it indicate the relationship of the proposed elevations to the datum upon which FEMA based its flood study. Recommendation: resubmit the plan set with sufficient information to allow a proper evaluation of the impact of a 100-year storm event on the proposed design. Resubmit the plan set with sufficient information to allow a proper evaluation of the impact of a 100-year storm event on the proposed design. **Response: The floodplain has been a major focus of the project from the start of the ongoing comprehensive peer review by the engineers involved. The 100-year flood plain elevation is listed on Sheet 1 of the plan set and is at elevation 27.0 (NAVD 88). There are no elevations on site above this elevation and therefore the 100-year flood elevation envelops the entire site, therefore it is not possible to show the extents in the body of the plan. Compensatory Flood Volume Calculations were performed for the development that includes plans that show the extent of flooding at each flood stage and submitted during the previous round of peer review response submission.**

Comment 3: Wetlands. There is a note on the plan that the approximate wetland boundary was determined in March 2014. The Wetland Protection Act specifies that an approved wetland boundary is valid for 3 years with a possible 3-year extension. At this point, the wetland boundary shown on the plan was mapped 7 years ago. Recommendation: the applicant should perform the work necessary to confirm the current wetland boundary. The applicant should perform the work necessary to confirm the current wetland boundary.

Response: 40B requires only preliminary plans. We would welcome a condition of any approval requiring that the offsite wetland boundary be reestablished prior to the necessary submission of a Notice of Intent to the Peabody Conservation Commission. The Massachusetts Wetlands Protection Regulations (310 CMR 10.00) requires all permits to be secured prior to submission of a Notice of Intent to a Conservation Commission. A recent Massachusetts Superior Court case Decision directly dealt with this issue (Lise Revers & others v. MassDEP). This project is a redevelopment project which reduces the total impervious removing pavement proximate to the wetland on the abutting parcel. We do therefore do not see a need to provide an updated delineation ahead of preparing the Notice of Intent. Our drainage model includes the wetland which is a neighborhood depression receiving flows from other surrounding lands. The subject parcel does not discharge stormwater to this wetland in existing conditions or proposed conditions.

Comment 4: Plan Contents. There is a note on the plan stating: "14. This plan set in intended to support the request for a comprehensive permit, and is preliminary only." The proposal is for a very dense development to be located within a 100-year flood plain and the plans should be much more fully developed to determine if they satisfy good engineering practice and if the proposed design sufficiently protects public health and safety. Recommendation: Resubmit the plans with substantially more information to allow the Zoning Board of Appeals to properly evaluate the proposed design

Response: 760 CMR 56.00 specifically requires the submission of preliminary plans. Despite this requirement, the provided revised plans are substantially complete and close to construction document

level plans having evolved through rounds of engineering peer review. The note "This plan set is intended to support the request for a comprehensive permit and is preliminary only." is included to indicate that the plans are going through the approval process and are likely to change do to the various permitting agencies' comments.

Comment 5: Soil Information. The plan set includes only two test pit logs and both test pits indicate that ground water is present at about 4 feet below grade. The existing grade elevations at the test pit locations appear to be about elevation 23 and therefore the groundwater elevation, as determined by the test pits, is at elevation 19. Based on this information, the proposed infiltration and below-grade stormwater management structures are either at or below the ground water table. However, no test pits have been performed within the area proposed for underground stormwater management. Furthermore, the Stormtech Chamber detail on Sheet 6 specifies a minimum separation of 4 feet between the lowest elevation of the stone and the estimated seasonal high ground water. Recommendation: Multiple test pits should be performed in each area proposed for underground stormwater management to fully assess the suitability of the soil and ground water conditions for the proposed stormwater management systems. **Response: Several rounds of soil testing have been done over the course of the project. In accordance with a specific request from Mr. Paulitz in a letter to the Zoning Board dated March 8, 2021, additional test pits were performed on Friday, March 26, 2021 in the areas of two proposed infiltration systems. The test pit at the location of infiltration system S1 indicated suitable soils and groundwater elevation for infiltration. The test pit at the location of infiltration system S2 contained peat and organics which are soils unsuitable for infiltration. Therefore, infiltration system S2 has been eliminated. Again, this is a redevelopment project with floodplain constraints. MassDEP Stormwater Regulations require compliance to the extent practicable. This has been thoroughly discussed with Ms. Janet Bernardo, P.E., the Zoning Board's Civil Engineering peer reviewer and Mr. Paulitz. The new test pit locations and logs are shown on the Grading and Utility Plan.**

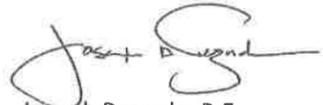
Comment 6: Stormwater Report. Absent more extensive soil information for the property, it was not possible to effectively review the Stormwater Report to determine if there is sufficient infiltration and sufficient separation from the groundwater table to ascertain if the design would function as proposed. Recommendation: The Stormwater Report should be revised and reissued once more soil information is obtained. The Stormwater Report should be revised and reissued once more soil information is obtained. **Response: Again, 760 CMR 56.00 requires only preliminary information submitted as part of a Comprehensive Permit application. Despite this, our Stormwater Report is comprehensive and through and has now been reviewed by the Zoning Board's Civil Engineering peer reviewer, Janet Bernardo, P.E. and Mr. William Paulitz, P.E., City Engineer, along with a meeting to discuss stormwater with Hancock providing responses and revisions to the report and plans. The stormwater report has been further updated to reflect the changes to the site plans resulting from the additional soil testing.**

Comment 7: Plan Dates. Some of the plans are dated 2/8/20 and some are dated 2/8/21. For document control purposes, the next plan set submitted to the Zoning Board of Appeals should have current revision dates. This will help to track and organize the submissions.

Response: The dates on the site plans and Stormwater Report have been updated to track revisions.

Attached is an updated Civil Plan Set and Stormwater Report. Please do not hesitate to contact our office should you have any questions or concerns. I can be reached at 508.460.111 or jpeznola@hancockassociates.com.

Regards,
Hancock Associates



Joseph Peznola, P.E.
Project Manager, Director or Engineering

Cc: Michael and Patrick Larkin
Atty. John Smolak
Lawrence Beals, Beals Associates
Janet Bernardo, Horsley Whitten Group



CITY ENGINEER
MUNICIPAL GARAGE
SOLID WASTE

City of Peabody CITY OF PEABODY
DEPARTMENT OF PUBLIC SERVICES
50 FARM AVENUE
PEABODY, MASSACHUSETTS 01960-3902

TELEPHONE (978) 536-0600 • FAX (978) 535-3754

WATER SUPPLY
SANITARY SEWERS
STREETS & DRAINAGE

MEMO TO: Peabody Zoning Board of Appeals

FROM: William Paulitz, P.E., City Engineer *William Paulitz 4/27/21*

SUBJECT: 40 Oak Street

DATE: April 27, 2021

cc: Robert LaBossiere, Director (via email)
Curt Bellavance, Community Development Director (via email)
Captain Scott Richards, Peabody Police Department (via email)
Councilor Peter McGinn, Ward Councilor (via email)
Lucia DelNegro, Peabody Conservation Agent (via email)
Alan Cloutier, P.E., PTOE, Director of Transportation, WorldTECH Engineering (via email)
Janet Bernardo, P.E., Horsley Witten Group (via email)
Lawrence Beals, Beals Associates, Inc. (via email)
Joseph Peznola, P.E., Hancock Associates (via email)
Scott Thornton, P.E., Senior Associate, Vanasse & Associates, Inc. (via email)
John Smolak, Esquire, Smolak & Vaughan LLP (via email)
Michael Larkin (via email)

The Department of Public Services is in receipt of the following documents for 40 Oak Street:

- 1) Chapter 40B Comprehensive Permit Application for 40 Oak Street dated May 22, 2019
- 2) Eastern Land Survey Associates, Inc. Site Development Permit Plan dated June 13, 2016
- 3) The MZO Group Architectural Plans dated August 10, 2016
- 4) Vanasse & Associates, Inc. Transportation Impact Assessment dated July 2018
- 5) Hancock Associates, Inc. Permit Site Plan dated March 3, 2020
- 6) Hancock Associates, Inc. Permit Site Plan, Sheets 1, 5, 6 and 7 dated February 8, 2020, Sheets 3 and 4 dated February 8, 2021 (Sheet 2 was not provided)
- 7) Hancock Associates, Inc. Permit Site Plan dated March 3, 2020 revised through April 6, 2021, Sheet 2 Eastern Land Survey Associates dated December 5, 2013
- 8) Hancock Associates, Inc. Stormwater Report dated March 2020
- 9) Hancock Associates, Inc. Stormwater Report dated February 2021
- 10) Hancock Associates, Inc. Stormwater Report dated March 2020, revised April 2021
- 11) Weston & Sampson Water Service Peer Review dated February 27, 2020
- 12) Tighe & Bond Wastewater Peer Review dated March 10, 2020
- 13) WorldTECH Engineering Traffic Impact Peer Review dated February 21, 2020
- 14) Vanasse & Associates, Inc. Traffic Impact Response Letter (WorldTECH) dated August 19, 2020

- 15) Vanasse & Associates, Inc. Traffic Impact Response Letter (Peabody) dated August 19, 2020
- 16) WorldTECH Engineering Traffic Impact Response Letter dated August 27, 2020
- 17) Vanasse & Associates, Inc. Traffic Impact Response Letter (WorldTECH) dated March 10, 2021
- 18) Vanasse & Associates, Inc. Traffic Impact Response Letter (Peabody) dated March 10, 2021
- 19) WorldTECH Engineering Traffic Impact Response Letter dated April 21, 2021
- 20) Horsley Whitten Group Stormwater/Environmental Peer Review dated August 31, 2020
- 21) Hancock Associates Letter to Zoning Board of Appeals dated March 10, 2021
- 22) Beals Associates, Inc. Memorandum dated March 18, 2021
- 23) Hancock Associates Letter to Department of Public Services dated April 6, 2021
- 24) Hancock Associates Compensatory Flood Plain Analysis Memorandum dated March 11, 2021
- 25) Horsley Whitten Group Stormwater/Environmental Peer Review dated April 19, 2021

Be advised our Department's September 8, 2020 review comments are listed below along with our new comments in ***bold italics***.

Traffic/Pedestrian Access

1. The applicant shall determine the existing site distances at the following intersections:
 - a. Oak Street at Winter Street
 - b. Oak Street at Sanborn Street
 - c. Oak Street at Foster Street
 - d. Washington Street at Oak Street
 - e. Washington Street at Aborn Street

The applicant has adequately addressed this item in the Vanasse & Associates, Inc. Traffic Impact Response Letter (Peabody) dated March 10, 2021.

2. Due to the increase in vehicle traffic, the applicant shall address improvements at the Oak Street/Winter Street intersection.

The applicant is proposing to contribute \$5,000 towards improving signage and striping at the intersection of Oak Street/Winter Street.

Our Department recommends that any decision issued by the Board for this project shall reflect the requirement of the applicant to contribute \$5,000 towards improving signage and striping at the intersection of Oak Street/Winter Street

3. Due to the increase in pedestrian, bicycle and vehicle volumes created by this project, the applicant shall provide mitigation along the entire Oak Street corridor (to include the intersections of Washington Street, Sanborn Street, Winter Street and Foster Street) in respect to:
 - a. Sidewalks
 - b. Pavement Condition

- c. Pavement Markings
- d. Signage

The applicant has proposed to contribute \$65,000 to mill and overlay Oak Street.

Our Department recommends that any decision issued by the Board for this project shall reflect the requirement of the applicant to contribute \$65,000 to mill and overlay Oak Street.

- 4. The applicant shall provide mitigation for the increase in pedestrian traffic by installing new ADA compliant ramps and curb extensions (listed as priority #6 in the City's 2017 Complete Street Prioritization Plan) at the following intersections:
 - a. Washington Street and Aborn Street
 - b. Washington Street and Oak Street

The applicant has proposed to contribute \$10,000 for the installation of curb extensions at the intersection of Washington Street/Oak Street and \$10,000 for the installation of bus shelters on Washington Street.

Our Department recommends that any decision issued by the Board for this project shall reflect the requirement of the applicant to:

- a. *Contribute \$35,000 for the purposes of sidewalk upgrades along Oak Street and at the intersection of Washington Street/Oak Street.*
- b. *Contribute \$15,000 for the purchase and installation of bus shelters on Washington Street.*

- 2. Due to the increase in pedestrian and bicycle volumes created by this project, the applicant shall address the lack of pedestrian and bicycle accommodations along Elliott Place, Spring Street and Little's Lane.

The applicant has adequately addressed this item in the Vanasse & Associates, Inc. Traffic Impact Response Letter (Peabody) dated March 10, 2021.

- 3. There does not appear to be a way for the residents to access the sidewalk on Oak Street from the main building without having to walk through the parking lot. The applicant shall address this lack of onsite pedestrian access.

The applicant has adequately addressed this item in the Vanasse & Associates, Inc. Traffic Impact Response Letter (Peabody) dated March 10, 2021.

4. The applicant states they are providing a parking ratio of 1.58 parking spots per unit, but this is utilizing 20 tandem spots. Without the use of these tandem parking spots their parking ratio is down to 1.32 just above the average parking demand of 1.31 spots per unit. It should be pointed out the 1.31 spots per unit is an average ratio based upon 73 case studies that the parking demands ranged from 0.75- 2.03 spots per unit. The applicant should justify the 20 tandem parking spots being proposed as part of their proposal. The reduction of onsite parking may force overflow parking into the neighboring streets.

In addition, the applicant should state what the average parking ratio is for the 8 townhouse units per the Institute of Transportation Engineers Parking Generation Manual 5th edition. This ratio may be higher than that of 1.31 for a multifamily mid-rise building.

The Board should recognize that this project requires the use of tandem parking spaces to achieve a parking ratio of 1.58.

5. The applicant shall address the lack of snow storage on the site by identifying the designated snow storage areas on the property. Snow cannot be stored in designated parking areas as this will force people to park on the local streets during the winter months.

The proposed snow storage areas depicted on the site plans appear to be inadequate for the purposes of snow storage. Once the designated onsite snow storage areas have become full, the development will be in jeopardy of losing onsite parking. The applicant needs to address this concern.

6. The applicant shall address the lack of dumpsters on the property.

The site plans have been revised to show a proposed dumpster location. The property's flood evacuation plan should include removal of the onsite dumpster prior to large scale rain events. This will reduce the chances of the dumpster floating away during a flood.

7. Curb cut and sidewalk details need to be submitted for the project.

The applicant has not addressed this comment. Be advised all curbing within the public right-of-way shall be straight faced granite and the City's sidewalk shall be constructed of concrete. The driveway entrance/exit as currently designed do not appear to be ADA compliant, the applicant shall address this.

Additional Traffic/Pedestrian Access Comments:

8. ***The Board should consider having the applicant join the North Shore Transportation Management Association (NSTMA) for a 5-10 year commitment. Joining the NSTMA may help in reducing the resident's dependence on automobiles and reduce the concern of residents utilizing on street parking.***
9. ***The applicant shall address any outstanding comments with the attached WorldTECH Engineering's peer review letter dated April 21, 2021.***

Wastewater

1. The applicant's project is expected to increase their sewer loading from 300 GPD (current use) to 15,400 GPD (140-bedrooms), an increase of 15,100 GPD. The applicant will be subject to removing 200% (30,200 GPD) of these additional flows through either an inflow/infiltration (I/I) project assigned by the City or through a monetary payment into the City's I/I removal fund.

The applicant has acknowledged the requirement to complete an assigned Inflow/Infiltration removal project that will remove 30,200 GPD from the City's wastewater system or through a payment of \$151,000 into the City's I/I removal fund.

2. The applicant will be responsible for having a certified Manhole Assessment Certification Program (MACP) contractor perform inspections on the 9 sewer manholes associated with the Oak Street sewer main. These inspections shall comply with NASSCO's Manhole Assessment (MACP) level 2 protocols. These sewer manhole inspections shall be coordinated with the Public Services Department.

The applicant has acknowledged the requirement to perform the above-mentioned work.

Water/Fire Protection

In discussions with the City's water consultant Weston & Sampson and the Peabody Fire Prevention Office, it was determined that the following needs to be done for the building to receive adequate water pressure and fire flows:

1. The project's proponent will be required to install a new 12-inch water main to replace the existing 6-inch water main on Oak Street from the intersection of Washington Street to a new hydrant at their driveway entrance way.

The site plan has been revised to include a new 12-inch water main from Washington Street to a proposed fire hydrant on Oak Street (in front of their building). In discussions with the Fire Department, it was determined that the fire hydrant shall be relocated 45-feet further down

Oak Street (toward Sanborn Street) and the new 12-inch main shall be extended to this relocated hydrant.

In addition, the applicant shall install 2 additional 12-inch gates on the watermain at their tie in point.

2. The applicant will need to loop an 8-inch water main through their property as previously shown on the Eastern Land Survey Associates plan. This water main is to connect to the new 12-inch watermain on Oak Street and loop through to the existing water main on Little's Lane.

The applicant has provided the requested 8-inch water main loop from the new 12-inch main on Oak Street to Little's Lane. The applicant needs to add 2 additional gates on the existing water main in Little's Lane at their tie in point.

3. The applicant will need to install a total of 3 fire hydrants for the project.
 - a. The first hydrant will be at the project's entrance off the 12-inch watermain on Oak Street. This hydrant is to be positioned so that the Fire Department can connect to the hydrant as they pull into the site.

The proposed fire hydrant shall be relocated 45-feet further down Oak Street (toward Sanborn Street) and the new 12-inch main shall be extended to this relocated hydrant.

- b. The second hydrant will need to be installed within a set distance established by the Peabody Fire Prevention Office to the building's sprinkler room. This hydrant will need to be off of the 8-inch watermain.

An additional fire hydrant has been added to the plans, it is recommended that the Fire Department provide an opinion on its location.

- c. The third hydrant will be in the rear of the property by the Little's Lane access way. This hydrant will also be off of the 8-inch watermain that the proponent is proposing to loop through their property.

An additional fire hydrant has been added to the plans, it is recommended that the Fire Department provide an opinion on its location.

- d. The Peabody Fire Department may require additional fire hydrants to be installed as part of this project. All future hydrant locations need to be approved by this Department.

This comment still stands.

Stormwater/Environmental

In addition to the items listed in the attached Horsley Whitten Group Stormwater/Environmental Peer Review dated August 31, 2020 we offer the following comments:

1. Partner Engineering and Science, Inc.'s 2016 Phase I Environmental Site Assessment Report Elk's Lodge #1409 dated June 21, 2016 recommends *a limited subsurface investigation should be conducted in order to determine the presence or absence of former USTs, subsurface collection systems, and soil and/or groundwater contamination due to the former use of the subject property as an auto garage and auto repair facility (from about 1914 to at least 1949).*

Our Department recommends that any decision issued by the Board for this project, require a subsurface investigation be conducted prior to construction to determine the presence or absence of former USTs, subsurface collection systems, and soil and/or groundwater contamination due to the former use of the subject property as an auto garage and auto repair facility (from about 1914 to at least 1949) per the recommendation of the applicant's Environmental firm Partner Engineering and Science, Inc.

2. The wetland flags with their associated numbers shall be shown on the site plans.

The applicant is proposing to delineate the existing wetland prior to filing a Notice of Intent with the Conservation Commission. It should be noted that the rear building is to be constructed approximately 7-feet off the wetland line. In addition, the overall project limits are within 3-feet of the wetland. It is important that the line be established at this time so the Board can make an informed decision on this project.

3. The site is located within the FEMA 1% Annual Chance Flood Plain (100-year Flood Plain), which is designated at elevation 27. The lowest part of the applicant's property is at elevation 19.9.

This comment still stands.

4. The site plans call for the main building's parking area to be between elevations 20.6 – 23.0. With a flood plain elevation of 27, every year there is a 1% chance the main building could be surrounded with up to 6.4-feet of flood water.

It is strongly recommended that the Board reach out to the Fire Department and Police Department in respect to the applicant's proposed evacuation plan.

The applicant should install permanent signage stating that the property is located within the flood plain and that no cars should be parked onsite during large storm events. In addition, the onsite dumpster should be removed prior to any large storm event that is predicted to cause onsite flooding.

5. The applicant will need to submit calculations showing that there is no loss to the 1% Annual Chance Flood Plain as a result of this project.

The applicant shall provide additional detail on why they are filing between elevations 20 -21 but are not providing compensatory flood storage at this elevation.

6. All proposed retaining walls shall be designed to prevent ponding on the applicant's and/or abutter's property.

The project may require the use of a swale to prevent ponding behind the southerly retaining wall. The applicant shall further investigate this issue.

7. This project shall minimize the amount of impervious area to the greatest extent possible and maximize the amount of stormwater infiltration on the site.

The applicant has removed the rear infiltration area that was being proposed. As such, the front infiltration area shall be increased in size to accommodate additional onsite infiltration.

8. No additional stormwater will be allowed to enter the municipal drainage system on Oak Street,

Downtown Peabody has suffered at least 8 major flooding events in the past 25-years: October 1996, June 1998, April 2004, May 2006, March 2010, March 2010, October 2011 and December 2014. Three of these storms were declared Federal Disasters. The May 2006 and the two March 2010 storms resulted in a total of \$15,000,000 in damages.

Before this Department will entertain a privately owned drainage system tying into the City's drainage system, the applicant will need to increase the amount of infiltration being proposed on their property.

9. The applicant's stormwater calculations shall include all contributing areas to the existing and proposed sub-catchment areas (i.e. abutting properties).

The applicant has adequately addressed this item.

10. The applicant shall provide stormwater calculations for pre and post runoff rates for the 100-year storm event.

The applicant needs to provide pre runoff rates for the 100-year storm event.

11. The applicant shall provide stormwater calculations that show pre and post runoff volumes in ac-feet for the 2-year, 10-year, 25-year and 100-year storm events.

The applicant needs to provide pre runoff volumes for the 100-year storm event.

12. Total suspended solids shall be mitigated onsite and not allowed to enter the municipal drainage system. The applicant shall provide documentation that the pretreatment structure being proposed will provide the required TSS removal. Per DEP guidelines the Stormceptor 450i will not achieve the 80% TSS removal requirements.

The applicant has updated the plan to include Stormceptor STC 900 units. In order to achieve 80% TSS removal for the stormwater system drain manhole DMH A4 needs to be converted over to a Stormceptor.

13. The applicant needs to provide details on their proposed blue roof.

Our Department recommends that any decision issued by the Board for this project shall require the installation of a blue roof for the main building's roof as indicated in the Hancock Associates letter to the Zoning Board of Appeals dated March 10, 2021.

14. A separate reinforced concrete (or ductile iron) drain line and associated 30-foot wide easement shall be provided from Elliot Place/Little's Lane to Oak Street as part of this development. The proposed drain easement shall be clear of privately-owned utilities, including drainage structures not owned by the City.

The applicant's approach to detain both municipal stormwater and parking lot runoff in underground storage structures is acceptable.

15. The applicant will be responsible for conducting and documenting an inspection of the municipal drain line and associated downstream piping system that they are planning to tie into. The inspection report shall include a copy of the closed television inspection video (in DVD format) conducted on the associated piping.

Our Department recommends that any decision issued by the Board for this project shall require a video inspection of the drain line prior to applying for a building permit.

16. All stormwater piping (private or public) located in the City's right-of-way shall be reinforced concrete pipe.

This comment still stands and needs to be addressed at this time.

17. The reinforced concrete pipe shown on the site plan that runs from a catch basin on the applicant's property and terminates within the Peabody Historical Society property shall be field located and its invert determined.

The applicant is proposing to further investigate the buried pipe during the Notice of Intent process with the Conservation Commission. This is an acceptable approach.

18. Both stormwater infiltration system 1 and 2 appear to be within groundwater. Soil testing needs to be conducted at both infiltration systems by a Massachusetts licensed soil evaluator and witnessed by this Department.

Our Department recommends that any decision issued by the Board for this project shall require additional subsurface investigation of the front infiltration area be conducted prior to applying for a building permit. This investigation shall be done by a Massachusetts licensed soil evaluator and witnessed by this Department.

19. The applicant will need to provide groundwater mounding analysis for both infiltration systems.

The applicant's position of not being able to raise the site to increase the separation between the bottom of the infiltration and the seasonal high groundwater table is understood.

Our Department recommends that any decision issued by the Board for this project require additional subsurface investigation in the area of the front infiltration area be conducted prior to applying for a building permit. This investigation shall be done by a Massachusetts licensed soil evaluator and witnessed by this Department.

20. The applicant needs to address how stormwater is being handled under the proposed apartment building.

Be advised, it is our Department's stance that the stormwater being detained under the proposed building will not be allowed to tie into the City's municipal sewer system. This Department will entertain the stormwater system under the building to be tied into the developer's private onsite drainage system and ultimately into the City's municipal stormwater system located within Oak Street with the following requirements:

- a. The applicant will need to increase the amount of infiltration being proposed on their property.*
- b. The site be graded to ensure stormwater is pitched away from the building at a minimum of a 3% slope for 20-feet.*
- c. The site plan shall be updated to include the proposed infrastructure needed to collect the stormwater under the building.*
- d. A MDC trap is to be installed as shown on the site plan.*
- e. The applicant will need to obtain written permission from the City's Plumbing Inspector's Office waiving the requirement that the stormwater be plumbed into the municipal sewer system.*

21. The applicant shall provide a construction plan that shows the proposed erosion control, stockpiling, construction entrance and how the proposed infiltration areas will be protected during construction.

The applicant is requesting to delay providing this information until they file with the Conservation Commission. Since the construction entrance and the infiltration system is outside the 100-foot wetland buffer it is recommended that this comment be addressed at this time.

22. The Operation and Maintenance Plan shall be revised to provide a telephone number and mailing address for 40 Oak Street Development LLC. In addition the O&M shall direct the property owner/responsible party to mail proof of inspections and cleaning of the stormwater system to the Public Services Department c/o Environmental Engineer, 50 Farm Avenue, Peabody, MA 01960 by October 31st of every year and to retain a copy for themselves.

The applicant is proposing to further refine the stormwater O&M during the Notice of Intent process with the Conservation Commission. This is an acceptable approach.

Additional Environmental/Stormwater Comments

23. *The site plan calls for drain manhole C6 to be installed within Oak Street. This drain manhole appears to provide no purpose, what is the reason for this drain manhole?*
24. *There are 3 existing catch basins at the intersection of Elliot Place and Littles Lane. The site plan calls for the invert of one of these catch basins to be raised 6-inches and to be pitched at 0.65%. If the applicant is going to raise the invert of this catch basin then the following items are required:*
- f. The pipe should be pitched at a minimum of a 1% slope.*
 - g. The outlet pipe of the other 2 catch basins at this intersection shall be shown on the site plan.*
10. *The applicant shall provide closed drainage pipe calculations utilizing the rational method for the catch basin network within the proposed site as well as the replacement pipe. The watershed area of Elliot Place shall be considered in the drainage calculations for the replacement pipe. (per the Horsley Witten Group peer review letters 8/31/20 and 4/19/21)*
11. *The site plan calls for a Stormtrap detention system to be installed approximately 3-feet or less off the abutting property. The following items need to be addressed:*
- a. The site plan shall show dimensions from the edge of the Stormtrap system to the property line.*
 - b. There appear to be trees and a concrete privacy wall on the abutting property adjacent to the proposed Stormtrap system. How does the applicant propose to excavate approximately 3-feet off the property line to a depth of 6-feet while protecting the abutters' property?*
 - c. Any trees, fences, walls, sheds or other items within 10-feet of the proposed Stormtrap system should be field located and shown on the site plan.*
 - d. The applicant shall clarify if the Stormtrap footprint shown includes the 1-foot overhang for the concrete slab.*

- e. The Stormtrap detail has a call out to see sheet 2.1 for details on the poured concrete slab. Where is sheet 2.1?*
- f. The Stormtrap detail has a call out to see sheet 4.0 for details on the backfill specifications. Where is sheet 4.0?*
- g. A note shall be added to the plan stating that the Stormtrap shall be tested for watertightness in the presence of the Department of Public Services prior to it coming online.*

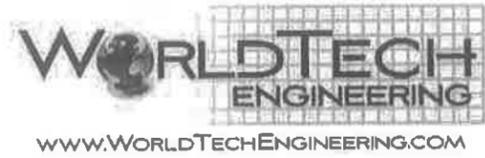
12. The applicant shall address any outstanding comments with the attached Horsley Witten Group peer review letter dated April 19, 2021.

13. The existing conditions sheet is blurry and not to scale.

Be advised the following documents are attached to this memorandum:

- 1) WorldTECH Engineering Traffic Peer Review Letter dated 4/21/2021
- 2) Horsley Witten Group Stormwater & Environmental Peer Review Letter dated 4/19/2021

We look forward to presenting our findings at your May 3, 2021 Board meeting. Should you have any questions and/or comments in the meantime please feel free to contact me at 978-536-7126.



April 21, 2021

Mr. William G. Paulitz, P.E.
City Engineer
City of Peabody
Department of Public Services
50 Farm Avenue
Peabody, MA 01960

Reference: Proposed Residential Development – (40 Oak Street) - Peer Review of Traffic Impact Assessment – WorldTech Response

Dear Mr. Paulitz:

On behalf of the City of Peabody, we have reviewed the updated Response to Comments from Vanasse and Associates Inc (VAI), issued on March 10, 2021 for the Traffic Impact Assessment for the proposed residential development at 40 Oak Street.

At this stage, many of the original comments have been resolved, with no need for additional discussion. The comments that are still worth discussion are limited to Mitigation, Parking and Site Plan. Our latest response is provided in Bold. For brevity, we have condensed some of the original comments.

MITIGATION

VAI Response

With regard to mitigation, the Applicant is willing to address the Project's impacts on city streets through monetary donations to a City Infrastructure Fund. Funds are intended to be directed towards existing deficiencies noted in the City Engineer and Peer Review letters, as well as addressing pedestrian improvements. The following funds are proposed:

<i>Pavement Markings and Road Signage -</i>	<i>\$5,000</i>
<i>Oak Street Pavement Mill and Overlay -</i>	<i>\$65,000</i>
<i>Washington Street/Oak Street Curb Extensions -</i>	<i>\$10,000</i>
<i>Washington Street Bus Shelters -</i>	<i>\$10,000</i>
<i>TOTAL -</i>	<i>\$90,000</i>

The following off-site mitigation is proposed:

The Applicant will provide a \$5,000 allowance to the City for the use of improving signage and striping on Oak Street.

The Applicant will provide a \$65,000 allowance to the City for the use milling and overlaying Oak Street between Sanborn Street and Washington Street.

In addition, the Applicant will provide a \$10,000 allowance to the City for installation of bus shelters at the bus stops on Washington Street located south of the intersection with Aborn Street.

Lastly, the Applicant will provide a \$10,000 allowance for curb extensions at the intersection of Washington Street with Oak Street.

Comments related to the site plan are being addressed by Hancock Associates in their plan submittal provided under separate cover.

WorldTech Comment:

The costs were reviewed for the pavement marking and road signs and Oak Street pavement mill and overlay are adequate and reflect an approximate cost of the identified improvements.

We recommend modifying the Washington Street/ Oak Street curb extension item to also include sidewalk improvements on Oak Street. We recommend increasing the mitigation contribution to \$35,000.

We recommend increasing the mitigation contribution for the bus shelters to \$15,000.

PARKING

VAI Response

As WorldTech states in their original comment, the Institute of Transportation Engineers (ITE) 2 Parking Generation 4th edition shows an average peak-parking demand of 1.23 vehicles per unit for low/mid-rise apartments, however the average bedroom count was 1.7 rooms per unit. For this project, 1.75 rooms per unit is proposed. If the average peak parking demand is increased by the percentage difference between 1.7 and 1.75 (or 2.9 percent), then the average peak-parking demand is 1.27 vehicles per unit. The Project is proposing a rate of 1.58 spaces per unit which is considerably higher than the average. However, it should be noted that the increased ITE average peak-parking demand of 1.27 is still lower than the rate of 1.325 if the 20 tandem spaces are excluded. This analysis is based on bedrooms while previous analyses were based on dwelling units; however, adequate parking is shown to exist using either metric.

WorldTech Comment

Without counting the tandem spaces, the parking supply will be very close to the estimated parking demand. Therefore, it will be important to manage the parking needs of the development to avoid parking deficiencies. Providing ongoing TDM measures and providing good pedestrian access and access to transit will help attract residents with fewer cars.

Mr. William Paulitz, P.E.
April 21, 2021

Page 3

SITE PLAN

WorldTech Comment

We have reviewed the site plans revised on 4/6/2021 based on our previous comments. Outstanding comments are as follows.

- The proposed buildings at the rear of the property are within the 100-foot wetland buffer.
- The driveways have two different styles. The entrance will be a driveway style curb cut, with a continuous sidewalk. The exit has a roadway style curb cut. If a roadway style curb cut is used, a crosswalk should be installed.
- There does not appear to be any space for snow storage. What will happen following snowstorms.

If you have any questions or require additional information, please feel free to contact me directly at any time.

Sincerely,

WORLDTECH ENGINEERING, LLC



Alan T. Cloutier, P.E., PTOE



Horsley Witten Group

Sustainable Environmental Solutions

112 Water Street • 6th Floor • Boston, MA 02109
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April 19, 2021

Mr. William G. Paulitz
City of Peabody
Department of Public Services
50 Farm Avenue
Peabody, MA 01960

Re: Second Engineering Peer Review - Updated
Residences at O'Shea Field: 40 Oak Street, Peabody, MA

Dear Mr. Paulitz:

The Horsley Witten Group, Inc. (HW) is pleased to provide the Peabody Zoning Board of Appeals with this letter report summarizing our second peer review for the residential development proposed at 40 Oak Street, Peabody, MA. The plans were prepared for 40 Oak Street Development, LLC (Applicant) by Hancock Associates. The Project Site is on a 1.6±-acre parcel accessed from Oak Street with a secondary access to Little Lane. Currently, the site is greater than 80% impervious, consisting of an existing building and large paved parking lot. The site is generally flat. The proposed project includes construction of a 74-unit apartment building, 8-units of townhouses, paved vehicular and pedestrian access, parking areas, landscaping, utilities, and improved stormwater management.

The site is within the 100-year flood plain (Zone AE, elevation 27) according to the FEMA flood mapping. There are wetlands just to the east of the site on the Peabody Historical Society property. Approximately 19,500 square feet (SF) of the site is located within the 100-foot buffer zone of the wetlands. The proposed redevelopment project is within the jurisdiction of the Peabody Conservation Commission.

The following additional documents were received by HW:

- Memorandum regarding Compensatory Flood Plain Analysis – The Residences at O'Shea Field, 40 Oak Street, Peabody, MA 01960, prepared by Hancock Associates, dated March 11, 2021 (5 pages).
- Letter to Peabody Zoning Board of Appeals, regarding 40 Oak Street – Response to Comments, prepared by Hancock Associates, dated March 10, 2021 (16 pages).
- Memorandum to City of Peabody Zoning Board of Appeals, regarding 40 Oak Street – Preliminary Review, prepared by Beals Associates Inc., dated March 18, 2021 (3 pages).
- Letter to City of Peabody Department of Public Services, regarding responses to Beals Associates Inc. Comments, prepared by Hancock Associates, dated April 6, 2021 (4 pages).
- Stormwater Report in Support of Comprehensive Permit Filing, for 40 Oak Street Development, LLC, prepared by Hancock Associates, revised April 2021 (134 pages).
- Memorandum to Peabody Zoning Board of Appeals, from Peabody Department of Public Services, regarding 40 Oak Street, dated September 8, 2020 (19 pages).

- Permit Site Plan, The Residences at O'Shea Field, 40 Oak Street, Peabody, Massachusetts, prepared by Hancock Associates, revised through April 6, 2021, which includes:
 - Title Sheet 1 of 7
 - Existing Conditions Plan (Eastern Land Survey Assoc., Inc.) 2 of 7
 - Layout & Materials Plan 3 of 7
 - Grading and Utility Plan 4 of 7
 - Landscaping & Lighting Plan 5 of 7
 - Site Details 1 6 of 7
 - Site Details 7 of 7

Site Visit

HW staff conducted a site visit of the property at 40 Oak Street on Friday August 28, 2020 to confirm the existing site conditions and verify field assumptions reported in the Applicant's submission package.

Environmental Due Diligence Review: ASTM Phase I Report

HW conducted a peer review of the report titled *Phase I-Environmental Site Assessment, Elk's Lodge #1409*, prepared by Partner Engineering and Science, Inc. and dated June 21, 2016 (the "2016 Phase I Report"). This peer review focused on determining the completeness of the 2016 Phase I Report regarding Recognized Environmental Conditions (RECs), Historical Recognized Conditions (HRECs) and Controlled Recognized Conditions (CRECs). ASTM E 1527-13 defines these as follows:

- REC: "the presence, or likely presence of any hazardous substances or petroleum products in, on or at a property: (1) due to release to the environment, (2) under conditions indicative of a release to the environment, or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions."
- HREC: "a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls)."
- CREC: "a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls)."

The 2016 Phase I Report identified the following:

- At the time of reconnaissance (June 16, 2016), the 1.61-acre property was occupied by an Elk's Lodge (the "Subject Property") which consisted of a lounge/bar, a function hall and a small kitchen. The property has been occupied by the Elk's Lodge since approximately 1966. Prior to 1966, the property was utilized for auto repair between 1914 and 1949.
- A 330-gallon above ground storage tank (AST) containing fuel oil is located in the basement.

The tank was installed in 2001 and did not have secondary containment. According to the 2016 Phase I Report "No staining, leaks or spills were noted in the vicinity AST."

- A release of approximately 125-gallons of fuel oil occurred at an abutting residence to the southeast (42 Oak Street). Groundwater was determined to flow to the northwest and is located approximately four to eight feet below grade. Testing of soil and groundwater between the property and release site did not identify total petroleum hydrocarbons (TPH) above the laboratory reporting limit.
- The 2016 Phase I Report concluded that the historic use of the Subject Property for auto repair was considered a REC and that a limited subsurface investigation should be conducted to determine the "presence or absence of former USTs, subsurface collection systems, and soil and/or groundwater contamination due to the former use of the subject property as an auto garage and auto repair facility." No HRECS or CRECs were identified.

HW concurs with the conclusion of the 2016 Phase I Report indicating that a limited subsurface investigation should be completed to determine if a release of oil and/or hazardous material (OHM) has occurred at the Subject Property. HW was not provided with a copy of the limited subsurface investigation report.

Stormwater Review

HW has reviewed the proposed stormwater management design as per the standards of the Massachusetts Stormwater Handbook (MSH) dated February 2008 and the Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40). This site is considered "redevelopment" under the Massachusetts Department of Environmental Protection (MassDEP) standards and therefore is subject to the MassDEP Stormwater Standards 2 through 7 to the maximum extent practicable. Below are comments relating to the standards as presented in the MSH.

The following comments correlate to the HW August 31, 2020 initial peer review letter. Based on the materials submitted to date, HW has provided additional comments in **bold font**.

1. *Standard 1 states that no new stormwater conveyances (e.g. outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth.*
 - a. The Applicant has reduced impervious area, reduced the rate of discharge to the municipal system and does not appear to be discharging stormwater via a conveyance into the adjacent wetland.

The Applicant complies with Standard 1.

HW (04/19/21): No further comment required.
2. *Standard 2 requires that post-development runoff does not exceed pre-development runoff off-site.*
 - a. The Applicant included an Existing Drainage Area Figure and a Proposed Drainage Area Figure which indicate that the catchment areas are contained within the property boundaries. During HW's site visit on August 28, 2020 it was observed that the parking lot is lower than several of the abutting properties. HW recommends that the Applicant revisit the subcatchment areas and verify that the proposed stormwater management design includes the runoff from the abutting parcels.

HW (04/19/21): The Applicant has revised the drainage maps and HydroCAD modelling to include the contributing drainage areas from the abutting properties. No further comment.

- b. HW recommends that the Applicant clarify the design for the blue roof. The HydroCAD model indicates that the blue roof will provide 6 inches of storage over the entirety of the large apartment building. It is not clear from the plan set how this storage will be constructed. HW recommends that the Applicant include additional details or notes on the plan set.

HW (04/19/21): The Applicant has added a detail of a Zern Roof Drain to Sheet 7 of 7. The detail indicates that the drain is equivalent to a 2-inch orifice and that four roof drains will be required. The HydroCAD model includes four 2-inch orifices as the outlet device for the blue roof on Building 1. The Applicant has noted that the building structural design can accommodate the storage of snow or water on the roof. HW recommends that any decision issued for this project clearly indicate that Building 1 will be constructed with a blue roof.

- c. The Applicant has indicated that there is less than 2 feet of separation between the proposed infiltration chambers and the estimated seasonal high groundwater (ESHGW). The estimated ground water elevation of the test pits conducted in January 2020 is not clear. HW recommends that the Applicant add the elevation at the surface and the elevation of the seasonal high ground water to the test pit logs provided on Sheet 4 of 6.

HW (04/19/21): The Applicant has not included the surface elevations or the elevations of the ESHGW to the test pit logs provided on Sheet 4 of 7 as requested. The Applicant has requested that the ZBA condition any approval on requiring soil testing prior to submission of Final Plans.

HW has estimated that ESHGW for Test Pit 4, located within the footprint of Infiltration System S1, is at approximately elevation 18.8. The bottom of the proposed infiltration chambers is set at 19.87. The Applicant has eliminated Infiltration System S2 from the proposed design. HW recommends that prior to installation the ESHGW below Infiltration System S1 be confirmed.

- d. The Applicant is required to comply with Standard 2 to the maximum extent practicable. It appears that the proposed design is an improvement over existing conditions however if the ESHGW elevation is above the bottom of the infiltration systems they will not function as designed. HW recommends that the Applicant confirm that the infiltration systems are not located within groundwater.

HW (04/19/21): The Applicant has not provided documentation confirming that the infiltration systems are not located within groundwater. However, based on the infiltration chamber design elevations and the test pit logs it appears that the proposed infiltration system is probably above the ESHGW. The Applicant has stated in the stormwater report that the StormTrap chambers are not above the groundwater elevation, but the design allows the chambers to function below groundwater as they are watertight.

HW has estimated that ESHGW is between elevations 18.5 and 20.0 for the entire site. The bottom of the detention StormTrap system is set at elevation 17.76. The HydroCAD model does not include infiltration for the StormTrap system which is appropriate. HW recommends that any decision issued for this project require that the StormTrap system be fully lined / watertight to avoid groundwater from entering the proposed detention system and consequently flowing out the municipal system.

- e. The Applicant has included a blue roof on the largest building, HW recommends that the Applicant consider creating blue roofs on the two smaller buildings as well. Furthermore, HW

recommends that the Applicant confirm that the cost of constructing the building with a blue roof is not overly excessive and therefore may be eliminated when construction drawings are developed. The Applicant may choose to investigate whether stormwater can be detained in pipes located under the parking lot.

HW (04/19/21): The Applicant has noted that the construction of the back buildings precludes blue roofs and has provided additional stormwater storage under the parking lot in the StormTrap chambers. No further comment.

3. *Standard 3 requires that the annual recharge from post-development shall approximate annual recharge from pre-development conditions.*

- a. The Applicant has noted that the proposed site contains hydrologic soil group (HSG) A with an associated infiltration rate of 2.41 in/hr. HW finds this classification and value to be acceptable.

HW (04/19/21): No further comment required.

- b. As noted above the Applicant is required to comply with Standard 3 to the maximum extent practicable. It appears that the proposed design is an improvement over existing conditions however if the ESHGW elevation is above the bottom of the infiltration systems they will not function as designed and will not provide the recharge as calculated by the Applicant. HW recommends that the Applicant confirm that the infiltration systems are not located within groundwater.

HW (04/19/21): See response 2.d. above. No further comment required.

4. *Standard 4 requires that the stormwater system be designed to remove 80% Total Suspended Solids (TSS) and to treat 1.0-inch of volume from the impervious area for water quality.*

- a. The Applicant has included three Stormceptors for pretreatment and has assigned them a TSS removal rate of 80%. HW recommends that the Applicant include the vendor's documentation illustrating that the chosen size of the structures will provide the suggested TSS removal.

HW (04/19/21): HW recommends that the Applicant provide documentation from the vendor that confirms that the size of the Stormceptors proposed (STC 900) provides the 80% TSS removal listed in the TSS Removal worksheet. HW notes that the Stormceptor 900 will likely meet the TSS removal credit listed however for documentation purposes the vendor's documentation should be provided.

- b. HW further notes that MassDEP has stated that it is its practice to assign the Stormceptor 450i with a TSS removal rate of 25% as it acts similarly to a catch basin. HW recommends that the Applicant relocate the Stormceptor 450i proposed at CB B2 to DMH B3.

HW (04/19/21): The Applicant has replaced the Stormceptor 450i units to Stormceptor STC 900 units as well as removed the Stormceptor 450i from CB B2. No further comment.

5. *Standard 5 is related to projects with a Land Use of Higher Potential Pollutant Loads (LUHPPL).*

- a. The site is not considered a LUHPPL, therefore Standard 5 is not applicable.

HW (04/19/21): No further comment required.

6. *Standard 6 is related to projects with stormwater discharging into a critical area, a Zone II or an Interim Wellhead Protection Area of a public water supply.*

- a. The site is not within a critical area, therefore Standard 6 is not applicable.

HW (04/19/21): No further comment required.

7. *Standard 7 is related to projects considered Redevelopment. A redevelopment project is required to meet the following Stormwater Management Standards only to the maximum extent practicable: Standard 2, Standard 3, and the pretreatment and structural best management practice requirements of Standards 4, 5, and 6. Existing stormwater discharges shall comply with Standard 1 only to the maximum extent practicable. A redevelopment project shall also comply with all other requirements of the Stormwater Management Standards and improve existing conditions.*

- a. The proposed project as designed will reduce impervious area and therefore is considered redevelopment, the Applicant is required to meet the Stormwater Management Standards only to the maximum extent practicable.

HW (04/19/21): No further comment required.

- b. It is HW's opinion that the Applicant has improved the existing conditions of the site by decreasing impervious area, proposing water quality treatment and on-site attenuation to site runoff before discharging into the municipal drain line.

HW (04/19/21): No further comment required.

8. *Standard 8 requires a plan to control construction related impacts including erosion, sedimentation or other pollutant sources.*

- a. HW recommends that the locations and details of the erosion and sedimentation control measures proposed in the Erosion and Sediment Control Plan be indicated on the design plans, including construction entrance, soil stockpiles, staked straw wattles, siltation fence, inlet protection, and dewatering.

HW (04/19/21): The Applicant has stated that the requested details will be provided to the Conservation Commission during the Notice of Intent approval process.

- b. HW recommends that any stockpiling areas be located outside the 100-foot buffer zone of the neighboring wetlands.

HW (04/19/21): The Applicant would accept this requirement as a condition of approval.

- c. HW recommends adding a provision that inlet protection be installed in all new catch basins immediately after they have been constructed.

HW (04/19/21): The Applicant would accept this requirement as a condition of approval.

- d. HW recommends that the Applicant note if any trees will be removed, or specific trees protected during construction. A tree protection detail should be provided if applicable.

HW (04/19/21): The Applicant would accept this requirement as a condition of approval.

9. *Standard 9 requires a Long-Term Operation and Maintenance (O & M) Plan be provided.*

- a. The Applicant has provided a Long-Term O&M Plan. HW recommends that the Applicant provide a simple plan, separate from the design plans that is drawn to scale and labels the location of all stormwater practices associated with the site.

HW (04/19/21): The Applicant would accept this requirement as a condition of approval.

10. Standard 10 requires an Illicit Discharge Compliance Statement to be provided.

- a. The Applicant has stated that there are no known illicit discharges from the site currently or proposed and will provide a signed Illicit Discharge Compliance Statement prior to the discharge of any stormwater to post-construction best management practices (BMPs). HW recommends that this be included as a condition for any permits issued for this project.

HW (04/19/21): The Applicant would accept this requirement as a condition of approval.

11. Additional Comments:

- a. HW recommends that the Applicant provide closed drainage pipe calculations utilizing the rational method for the catch basin network within the proposed site as well as the replacement pipe. HW recommends that the watershed area of Elliot Place be considered in the drainage calculations for the replacement pipe.

HW (04/19/21): The Applicant has not included the closed drainage pipe calculations and has requested that the ZBA require receipt of the calculations as a condition of approval. HW has no objection to this condition if the reviewing authority, possibly the DPW, has the capacity to review the calculations.

- b. The Applicant has indicated that the entire site is located within the 100-year flood plain. HW recommends that the Applicant provide compensatory storage calculations to ensure that the proposed development does not negatively impact the existing flood plain. The calculations should clearly indicate the storage of flood water beneath the buildings. HW further recommends that elevations of the buildings be provided to verify that flood waters can flow under the buildings without any restrictions.

HW (04/19/21): The Applicant has provided compensatory storage calculations dated March 11, 2021.

- **HW was not able to replicate the proposed area for the 21-foot contour elevation.**
- **There are a few spot grades associated with the drainage structures and walls that should be reviewed by the Applicant along the southeast curb line. Specifically in the vicinity of CB 1A.**
- **It appears that north of Building 1 there should be a 22-foot contour between Building 1 and the driveway.**

HW recommends that the Applicant provide additional clarification for the proposed 21-foot contour and review the areas noted above. The Applicant has noted that the flood storage between elevation 20 and 21 will be reduced. HW understands that the drain in Oak Street is too high to allow the proposed surface elevation to be any lower. The Applicant has proposed subsurface detention along the northwest property boundary utilizing 56 StormTrap chambers that are lined and therefore do not intercept the groundwater. The chambers may accommodate the flood storage below elevation 21 a large portion of which is coming from offsite through the municipal drainage system that intersects the sites stormwater system. HW recommends that the Applicant clarify if the chambers will provide the flood storage that will be lost

between elevation 20 and 21.

- c. HW further recommends that signage be placed in prominent areas of the parking lot and building entrance notifying the residents that the parking lot is within a flood plain and during severe rain events there is a potential for the parking lot to flood and that cars will need to be relocated. Alarms may be considered inside the building sounding when the water level reaches a certain elevation.
- d. The ZBA may choose to require the Applicant to secure a location that the residents can move vehicles to during a severe rain event. As noted by the Applicant the 100-year flood plain is at elevation 27. The lowest catch basin within the proposed parking lot is at elevation 20.9, and the parking elevation beneath the largest building is at elevation 21.75.
- e. The proposed dumpster is set just below elevation 23. HW recommends that the Applicant consider actions associated with the dumpster that must be performed prior to severe rain events, including removal of any trash, and securing or relocating the dumpster until flood waters recede.

Conclusions

HW recommends that the Zoning Board of Appeals requires the Applicant to provide a written response to address the remaining outstanding comments as part of the Comprehensive Permit review process. The Applicant is advised that provision of these comments does not relieve him/her of the responsibility to comply with all Commonwealth of Massachusetts laws, and federal regulations as applicable to this project. Please contact Janet Bernardo at 857-263-8193 or at jbernardo@horsleywitten.com if you have any questions regarding these comments.

Sincerely,

HORSLEY WITTEN GROUP, INC.



Janet Carter Bernardo, P.E.
Associate Principal

CITY OF PEABODY
2021 MAY -3 PM 2: 23
CITY CLERK

April 30, 2021

City of Peabody
Zoning Board of Appeals
24 Lowell Street
Peabody, MA 01960
ATTN: Mr. William Paulitz, P.E., City Engineer

Subject: 40 Oak Street – Response to Comments

Dear Mr. Paulitz,

On behalf of the applicant 40 Oak Street Development, LLC, Hancock Associates has prepared a response to comments letter regarding the review of the application for Comprehensive Permit for property located at 40 Oak Street in Peabody, MA. This letter is in response to the following correspondence:

- (a) Memo to Peabody Zoning Board of Appeals from City of Peabody Department of Public Services (DPS), William Paulitz, P.E., City Engineer dated April 27, 2021.
- (b) Letter to William Paulitz, P.E., City Engineer from Alan T. Cloutier, P.E., PTOE, Word Tech Engineering, dated April 21, 2021
- (c) Letter to William Paulitz, P.E., City Engineer from Janet Bernardo, P.E., Horsely Witten Group, dated April 19, 2021

Hancock is in the process of revising the “Permit Site Plan: The Residences at O’Shea Field” and the associated Stormwater Report that was submitted to the you and the Zoning Board of Appeals on April 6, 2021.

The comment and response thread is reproduced below, with the comment in *italics*, the Applicant’s response in **bold**:

DPS Comments

Traffic/Pedestrian Access

1. The applicant shall determine the existing site distances at the following intersections:
 - a. Oak Street at Winter Street
 - b. Oak Street at Sanborn Street
 - c. Oak Street at Foster Street

ssociates.com

- d. Washington Street at Oak Street
- e. Washington Street at Aborn Street

The applicant has adequately addressed this item in the Vanasse & Associates, Inc. Traffic Impact Response Letter (Peabody) dated March 10, 2021.

Response: No further comment required.

- 2. Due to the increase in vehicle traffic, the applicant shall address improvements at the Oak Street/Winter Street intersection.

The applicant is proposing to contribute \$5,000 towards improving signage and striping at the intersection of Oak Street/Winter Street.

Our Department recommends that any decision issued by the Board for this project shall reflect the requirement of the applicant to contribute \$5,000 towards improving signage and striping at the intersection of Oak Street/Winter Street

Response: No further comment required.

- 3. Due to the increase in pedestrian, bicycle and vehicle volumes created by this project, the applicant shall provide mitigation along the entire Oak Street corridor (to include the intersections of Washington Street, Sanborn Street, Winter Street and Foster Street) in respect to:
 - a. Sidewalks
 - b. Pavement Condition
 - c. Pavement Markings
 - d. Signage

The applicant has proposed to contribute \$65,000 to mill and overlay Oak Street.

Our Department recommends that any decision issued by the Board for this project shall reflect the requirement of the applicant to contribute \$65,000 to mill and overlay Oak Street.

Response: No further comment required.

- 4. The applicant shall provide mitigation for the increase in pedestrian traffic by installing new ADA compliant ramps and curb extensions (listed as priority #6 in the City's 2017 Complete Street Prioritization Plan) at the following intersections:
 - a. Washington Street and Aborn Street
 - b. Washington Street and Oak Street

The applicant has proposed to contribute \$10,000 for the installation of curb extensions at the intersection of Washington Street/Oak Street and \$10,000 for the installation of bus shelters on Washington Street.

Our Department recommends that any decision issued by the Board for this project shall reflect the requirement of the applicant to:

- a. Contribute \$35,000 for the purposes of sidewalk upgrades along Oak Street and at the intersection of Washington Street/Oak Street.*
- b. Contribute \$15,000 for the purchase and installation of bus shelters on Washington Street.*

Response: The Applicant believes the original contribution to be sufficient for the intended purposes, however, is willing to increase the contribution for these two items to \$35,000.00 (splitting the difference).

2. Due to the increase in pedestrian and bicycle volumes created by this project, the applicant shall address the lack of pedestrian and bicycle accommodations along Elliott Place, Spring Street and Little's Lane.

The applicant has adequately addressed this item in the Vanasse & Associates, Inc. Traffic Impact Response Letter (Peabody) dated March 10, 2021.

Response: No further comment required.

3. There does not appear to be a way for the residents to access the sidewalk on Oak Street from the main building without having to walk through the parking lot. The applicant shall address this lack of onsite pedestrian access.

The applicant has adequately addressed this item in the Vanasse & Associates, Inc. Traffic Impact Response Letter (Peabody) dated March 10, 2021.

Response: No further comment required.

4. The applicant states they are providing a parking ratio of 1.58 parking spots per unit, but this is utilizing 20 tandem spots. Without the use of these tandem parking spots their parking ratio is down to 1.32 just above the average parking demand of 1.31 spots per unit. It should be pointed out the 1.31 spots per unit is an average ratio based upon 73 case studies that the parking demands ranged from 0.75- 2.03 spots per unit. The applicant should justify the 20 tandem parking spots being proposed as part of their proposal. The reduction of onsite parking may force overflow parking into the neighboring streets.