

Letter of Response

December 5, 2024
Via Electronic Mail

Newton Conservation Commission
Planning & Development Department
1000 Commonwealth Avenue
Newton, MA 02459

Attention: Jennifer Steel, Ellen Menounos and Members of the Newton Conservation Commission

**RE: Attachments for Response to
Comments Letter
Wetland and Engineer Peer Review
528 Boylston Street
Newton, Massachusetts**

Dear Jennifer Steel, Ellen Menounos and Members of the Newton Conservation Commission:

The following materials have been included as attachments to address the peer review letter, dated December 3, 2024, prepared by BSC Group, Inc. (BSC), and Staff Notes, dated November 21, 2024, prepared by Newton Conservation Commission staff for the above referenced project. Supporting documents, including revised Site Plans and Drainage Report have been included in this submission package. A summary of the revisions and additional response materials includes:

- Revised plans that address BSC's comments: (1) *BSC recommends using only one sheet flow segment in all time to concentration calculations.* (2) *BSC recommends raising system 4Pb or digging an additional confirmatory test pit.* (3) *BSC recommends adding the snow storage plan sheets to the Long Term Pollution Prevention Plan, installing signs about "no snow storage" and providing a pet waste station.*
- Revised plans that address the issue of disparate elevations, are clearly attributed, and are internally consistent.
- A narrative describing how the proposed work in BVW meets the standards.
- Preliminary plans and narrative for work on the Rt 9 culvert headwall area and adjacent slope.
- Revised ESC plans indicating where erosion control mats may be necessary, limiting other ESC, using silt fence only in the interior during wetland mitigation work.
- Revised mitigation plans softening the stream bank slope near Route 9.
- Revised mitigation plans with only native species in the Riverfront Area.
- Revised landscape plans clarifying the addition of topsoil as needed to replace low quality soil that is removed.
- Additional notes and direction have been added to the Phasing Plans to clearly indicate temporary sediment basins and swales shall not be located within any of the proposed permanent infiltration basin areas.
- All plan sheets with a new revision date.

In addition to the modifications noted above, two additional questions were recently raised by Staff and the questions and responses are included below:

- (Provide) A narrative regarding public access to the pathway connecting Rt 9 and Hagen Road. Public access should be assured somehow.
 - **Bohler Response – As part of the Comprehensive Permit process with the Zoning Board of Appeals, this pathway extension was requested by the City and provided by the Applicant specifically as a publicly accessible path. No formal easement is proposed as part of this Condition, however in the public record it is expressly stated that this path is open to public travel.**
- Revised plans that show the 45-ft wide City Easement associated with the 12-inch City water main that traverses the property from north to south – and that ensure there is no encroachment.
 - **Bohler Response – Also, as part of the Comprehensive Permit process the potential 45-foot easement was raised and dismissed during that process. The Title search and ALTA survey did not show record of an existing easement on this parcel. However, survey efforts were undertaken to understand the constructed location of the City's water main and the Project has been thoughtfully designed to respect its location. The Applicant is also open to working with the City to establish a proper easement around the water main to formalize the City's ability to maintain their infrastructure.**

We look forward to discussing these materials at the next upcoming Conservation Commission hearing. Upon your review of the above, please do not hesitate to contact me directly with any questions.

Sincerely,

BOHLER ENGINEERING MA, LLC



Timothy Hayes, P.E.



Stephen Martorano, P.E.