

March 12, 2025

Ashland Zoning Board of Appeals  
John F, Trefethen, Chair  
101 Main Street  
Second Floor  
Ashland, MA 01721

ATTN: John F, Trefethen, Chair

**Re: Subject: 50 Main Street – Comprehensive Permit**

Dear Mr. Chairman,

Bohler Engineering is in receipt of a comment letter from the Hancock Associates, received on January 28, 2025. On behalf of Applicant SLV Ashland, LLC, Bohler offers the following responses. For clarity, the original comments are in **italics**, while our responses are directly below in **bold** type.

**Zoning Compliance:**

*Comment Z1: Applicant should add the dimensional waiver request information to the plan set. The Zoning Table on Sheet C-301 appears to be incomplete.*

**Response: Dimensional waiver information will be added to the plan set once the review process is further along. Please note the dimensional waivers were included in the overall Comprehensive Permit application submitted to the ZBA.**

*Comment Z2: The Total Lot Coverage list in the Unit summary table is listed as 49%, while the lot coverage list on the Site Plan sheet C-301 is 26.2%. Please review and revise accordingly.*

**Response: The Zoning Table has been revised to reflect the proposed updates, as shown on Sheet C-301 of the enclosed Preliminary Site Plan Documents. The total proposed lot coverage is calculated to be approximately 24%± and the total impervious coverage proposed on-site is calculated to be approximately 48%±.**

*Comment Z3: The applicant requests waivers for “the Town of Ashland Stormwater Management Bylaw (Chapter 247) and Regulations requiring a permit for any activity requiring Site Plan Review, any activity resulting in land disturbance of equal to or greater than 10,000 square feet or will increase impervious surface more than 50% of the parcel, any redevelopment project, and any activity that will alter, fill, or degrade a wetland.” The applicant should specify which sections of the Ashland Bylaws are being requested to be waived with an explanation of why said standard cannot be met for the project.*

**Response: A Waiver Request document, dated March 15, 2024, was submitted with the initial Comprehensive Permit Application which include the necessary waivers and associated reasons for same. An updated waiver list will be submitted when once the peer review process has been completed and the Applicant is able to confirm exactly what waivers are needed, as well as which waiver may no longer be required.**

*Comment Z4: The site is located in the Industrial Zoning District with Ashland Downtown District A Overlay district and Photovoltaic Installations Overlay District. Residential B Zone abuts the property to the Northeast and south. Ashland Development District C is across Main Street. The project requests a waiver from §282- 4.1.1 for front yard setback (permitted: 8' minimum, 15' maximum. requested:17.1' building and 2.5' for retaining wall), and maximum permitted height (permitted: 38'3 stories. requested: 69' 11," 6 stories). The building height includes 5 stories over 1 story of parking garage, with 60'-11" over the existing street grade.*

*The plans do not identify the setbacks provided. These should be enumerated in both the plans and waiver list. The waiver for a retaining wall along Main Street seems appropriate given the steepness of the embankment along Main Street.*

*Also, the permitted side yard listed in §282-8.5.6.1 is 12' and the permitted side yard value listed on the Site Plan is listed as 30'. Please revise.*

**Response:** **The proposed building setbacks are indicated in the Zoning Table on Sheet C-301 of the enclosed Preliminary Site Plan Documents.**

**The permitted rear yard building setback back has been revised to be 12', as shown on the enclosed Preliminary Site Plan Documents. The permitted side yard building setback in Section 282-85.6.1 appears to be a minimum of 10' and the Zoning Table has been updated to reflect same.**

*Comment Z5: Lettering will be affixed to the smokestack in the northern corner of the existing building. The ZBA to confirm that this is not considered a "roof sign." See §Ch.282-5.3.3.9. The Chapter 40B process cannot waive zoning requirements for any commercial components of the proposed project.*

**Response:** **The Applicant has not prepared a signage package as of yet due, as the project is still in schematic design. The lettering shown on the smokestack was conceptual. The Applicant would expect to need to submit a comprehensive permit modification request later on the process (post permitting) so that the ZBA can review and approve the full exterior signage package. And should any waivers be needed from zoning bylaws, they will be identified at that time.**

*Comment Z6: 386 parking spaces are provided versus 390 stated on the project plans. The parking required is stated as two per unit plus one space per 180 square feet of retail space with a shared parking reduction allowed in §282-8.5.13. The Applicant stated at the opening public hearing that the commercial space may contain a restaurant with 150 seats. The parking required for restaurants is one space per four seats. It is unclear if the restaurant will occupy the entire retail area. The Applicant should provide more information regarding the highest parking demand possible to ensure adequate parking is provided. The proximity of the proposed parking servicing the retail should also be clarified. The connectivity and availability of garage parking to the retail should be clarified.*

**Response:** **The project proposes a total of 371 parking spaces. In response to a similar comment from the MDM Traffic Peer Review (comment #8a), VAI prepared a parking demand analysis that concluded a peak parking demand of 308 when considering the retail, restaurant and residential uses.**

*Comment Z7: §282-5.4.4 stipulates that one tree per 10 spaces shall be provided with each of said trees shall not be further than 5 feet from a parking cell. There appears to be only 19 trees provided that meet this requirement while 23 trees are required. Note that §282-5.4.4.4*

*states that the Planning Board may determine that the planting requirements are impractical and may instead the parking areas may be provided with additional landscaped area that more effectively screens it from public view. The Applicant should clarify compliance here and assist the Zoning Board in their review in place of the Planning Board's discretion.*

**Response:** A minimum of 23 trees are proposed along the perimeter of the proposed parking area within five feet of a proposed parking space, as shown on the enclosed Preliminary Site Plan Documents.

*Comment Z8: §282-5.4.4.1 states that there shall not be more than 25 parking spaces per cell. Cells shall be separated by landscaped islands or buffer areas. One parking cell is 37 spaces long and should be revised to comply with this requirement or a waiver requested.*

**Response:** The Landscape Sheet has been revised accordingly.

**Site Survey:**

*Comment SS1: Existing site utilities are missing from "Existing Conditions Plan" that can be found on the "Existing conditions and Demolition Plan." Please coordinate the plans.*

**Response:** The referenced plans have been coordinated.

*Comment SS2: The survey is stamped by an engineer but includes bearings and bounds. It is required to be stamped by a Professional Land Surveyor per 250 CMR.*

**Response:** An updated survey has been provided and stamped by a Professional Land Surveyor.

*Comment SS3: Applicant should provide abutter information not provided (record owner, street addresses, and lot numbers) on Existing Conditions and Site Plans. It would be helpful to the Board if buildings on adjoining lots could be shown either on the plans or on a context plan at a smaller scale.*

**Response:** Abutter information adjacent to the subject site has been included on the Overall Site Plan of the enclosed Preliminary Site Plan Documents.

*Comment SS4: Extent of all the site property lines not shown, this could also be added to a smaller scale context plan.*

**Response:** An Overall Site Plan has been included in the enclosed Preliminary Site Plan Documents.

*Comment SS5: Street information (street width, public/private) is provided for Main Street, but not Myrtle, Pleasant and Water Streets. Please correct.*

**Response:** Additional information for Myrtle, Pleasant and Water Streets has been included in the enclosed Preliminary Site Plan Documents

*Comment SS6: The location of the discharge point for the existing stormwater pump station on site is not shown. Please correct.*

**Response:** The location of the discharge point of the existing stormwater pump station is shown on Sheet C-201 of the enclosed Preliminary Site Plan Documents.

*Comment SS7: The Applicant should provide information on the source of the 18" outlet at the raceway as well as connections from the municipal drainage system in Main Street and details on the existing raceway plug and discharge. The raceway is noted on the Demolition Plan as being removed. Hancock understands from discussions with Town Staff, municipal drainage currently enters the raceway discharging to the canal. Since the raceway should therefore remain, it should be shown on project plans, especially the Utility Plan. The Board should consider a condition requiring a full assessment of the structural condition of the raceway and full integration into the structural design of the building. Since the raceway serves as a conveyance for municipal drainage, easements should be created and granted to the town, as well as a full operation and maintenance plan moving forward.*

**Response:** It is Bohler's current understanding that the existing raceway does not receive any stormwater runoff and the intent is to remove the raceway as part of the project. Therefore, the current project is designed presuming the removal. However, the Applicant is conducting an additional assessment of the raceway to confirm the assumptions. Should the additional diligence provide new information, then the design will be updated and modified for subsequent review by the Town and its consultant.

*Comment SS8: The Existing Conditions Plan should be updated providing more grades in Main Street in the area of the project entrances. It is unclear how proposed conditions may impact the municipal drainage system.*

**Response:** A new updated survey is included with the revised plans which shows additional topography in the roadways. The proposed project is not anticipated to have any impact on the existing municipal drainage system. Proposed entrances will be graded with a ridge line on the back side of the pedestrian crosswalks in order to maintain the existing gutter flow in Main Street and direct stormwater runoff into the site for stormwater management.

*Comment SS9: Vertical datum NGVD 29 required by §343-7.6.10.6. The existing conditions plan indicates that benchmarks were set on NAVD 88 vertical datum. Please provide a note on the plans detailing the differential.*

**Response:** The Existing Conditions Survey consists of elevations referring to the NAVD88 vertical datum. A note reflecting the same has been included on the enclosed Preliminary Site Plan Documents.

### **Erosion Control:**

*Comment EC1: An Erosion and Sedimentation Control Plan was not included in the submission and should be provided per §343-7.6.10.11. It should include details on construction access, erosion controls, locations of stockpiles and staging. Specific details as to how the Sudbury River will be protected during the construction of the new retaining wall and flood gates should be provided.*

**Response:** A Soil Erosion and Sediment Control Plan and an Erosion and Sediment Control Notes and Details Sheets have been included in the Preliminary Site Plan Documents. As the existing retaining wall is proposed to remain, the proposed new retaining wall will be built on the predeveloped portion of the site and is not anticipated to impact the Sudbury River. Check valves are proposed at the proposed outlet discharge points, as indicated on Sheet C-401 of the enclosed Preliminary Site Plan Documents.

*Comment EC2: Existing soil contamination may preclude the use of construction sediment basins, an alternative to sediment basins should be provided on the Erosion and Sedimentation Control Plan. Given the existence of contamination on site coupled with high groundwater levels, a note should be added to provide a preliminary indication of how dewatering will occur.*

**Response:**

**Dewatering options during the construction of the project are being analyzed and a final strategy will be developed later in the process. There are several options available, but a final dewatering strategy has not been established at this time, but will be finalized post permitting.**

*Comment EC3: A preliminary construction sequencing schedule should be added to the Erosion and Sedimentation Control Plan.*

**Response:**

**A construction sequencing schedule will be developed in close coordination with the general contractor. A GC selection will not occur until post permitting when a final set of Construction Documents has been completed and can be bid.**

**Site Plans:**

*Comment L1: The plans do not depict snow storage areas. Runoff and snowmelt from the proposed site flows to the Sudbury River. No snow should be stockpile upstream of the flood gates or over stormwater BMPs such as sediment basins or filter strips. The Applicant should demonstrate that adequate area for snow storage is provided with consultation with the Conservation Commission.*

**Response:**

**Proposed snow storage areas have been included on Sheet C-301 of the enclosed Preliminary Site Plan Documents. Snow storage will be stored in available areas on site and have been indicated on the site plans. Any excess snow that cannot be stored on site will be removed in accordance with state and local regulations. Snow shall be stored and managed such that it does not block nor impact the functionality of the outlet pipes or check valves. The stormwater Operation and Maintenance Plan and Long-Term Pollution Prevention Plans have been revised to clarify that snow shall not be stored over stormwater BMPs. Areas of snow storage will be reviewed with the Conservation Commission during the Notice of Intent process.**

*Comment L2: Approximately 15,000 sf of retail space is proposed. The applicant should address how the retail space is supported with loading, dumpsters, etc.*

**Response:**

**Notation indicating the locations of the proposed loading and dumpster in support of the proposed non-residential uses, as shown on Sheet C-301 of the enclosed Preliminary Site Plan Documents.**

*Comment L3: The Utility plan is missing proposed drainage pipes that are on the Grading Plan. Please coordinate the plans.*

**Response:**

**The proposed drainage pipes have been included on the Utility Plan, as shown on Sheet C-501 of the enclosed Preliminary Site Plan Documents.**

*Comment L4: Provide size slope and material of all sewer and drain pipes.*

**Response:** Notation of the anticipated size, slope and materials of the proposed sewer and drain lines has been included on the enclosed Preliminary Site Plan Documents.

*Comment L5: Water lines should be cement lined ductile iron per §344-23(A).*

**Response:** The material of the proposed water lines has been revised to be cement lined ductile iron, as shown on Sheet C-501 of the enclosed Preliminary Site Plan Documents.

*Comment L6: The stormwater report mentions sediment basins and vegetated filter strips under the water quality section. However, neither are called out on the plans. Likewise, the operation and maintenance plan include a water quality device which is not called out on the utility plan.*

**Response:** The Stormwater Report has been revised to remove sediment basins to reflect the enclosed Preliminary Site Plan Documents. Notation indicating the locations of the proposed vegetated filter strips and the proposed water quality unit has been indicated on Sheet C-401 of the enclosed Preliminary Site Plan Documents.

*Comment L7: Provide a site details plan in accordance with standard engineering practice per §343-7.6.11. Also include the following details:*

- 1. Proposed retaining wall that will replace the existing wall between the project site and the Sudbury River.*
- 2. Tide gate detail*
- 3. Stormwater pump station*
- 4. Underground Stormwater Storage Chambers Detail. Including information on how infiltration into groundwater will be prevented and depth to groundwater §343-7.6.16.*

**Response:** 1. A graphical detail of the proposed retaining wall has been included in the enclosed Preliminary Site Plan Documents.

2. A check valve detail has been added to the plan set. Final details and specifications for the valve can be coordinated with the Town's peer reviewer prior to construction.

3 & 4. The stormwater pump station and underground tank are intended to help minimize ponding of stormwater in the rear parking area as well as the adjacent parking garage. Stormwater inlets are set at an elevation above the discharge pipes in the wall and when stormwater rises above these inlets, runoff will be collected and conveyed into the tank for additional storage then pumped via the pump station. This is not anticipated to occur under normal operations but in conditions where an increase in the height of the river may impact flows.

Construction level details for both the stormwater pump station and underground tank have not yet been developed as much of the design remains at a schematic level as is customary during a Comprehensive Permit public hearing process. However, a preliminary detail of the tank has been added to the plan to indicate the general intent of the design. Formal design of the pump station and tank can be coordinated between the Applicant, their designer and the Town's peer reviewer prior to the start of construction and after comments have been received during the Notice of Intent process. We would expect this additional review to be included as a condition to the Comprehensive Permit.

*Comment L8: Provide area of wetlands and floodplain in total sf and percent of lot area per §343-7.6.10.2.*

**Response:** The areas of the wetland and floodplain and the percentage of the lot area for same has been included in the Zoning Table, as shown on Sheet C-301 of the enclosed Preliminary Site Plan Documents.

*Comment L9: Show the locations of test pits and observation wells.*

**Response:** Existing monitoring wells have been added to the Site Plan Set on the various design sheets.

### **Site Grading:**

*Comment G1: This project will include earthwork involving contaminated soils. The Applicant should provide the Board with an estimated quantity of total earthwork as well as import and/or export anticipated. The Project LSP will have to generate a Soil Management Plan. Preliminary details of this plan should be provided to the Board.*

**Response:** A RAM Plan has been prepared and previously submitted to the Town of Ashland. The RAM Plan discusses current site conditions and future plans for the management of soils on site. The Project LSP, in coordination with the Geo-Technical Engineering Team and the General Contractor, will prepare a Soil Management Plan once the Site Development Plans and Building Plans are developed post permitting, when the project has entered into the Construction Document stage.

*Comment G2: The retaining wall between the project site and the Sudbury River is to be rebuilt. To mitigate the risk of flood gate failure, the new wall should be designed to be capable of containing the lateral forces of floodwater on either side. A preliminary design of the wall should be provided to assist the Board in understanding the scope of the work.*

**Response:** A graphical detail of the proposed retaining wall has been included in the enclosed Preliminary Site Plan Documents.

*Comment G3: The existing conditions depicts a retaining wall and two 12" drainpipes that allow floodwater to pass in either direction between the site and the Sudbury River. The proposed project rebuilds the retaining wall and replaces the twelve-inch drain pipes with three twelve inch pipes equipped with tide gates preventing flow from the river side to the site. The applicant should explain the reasoning behind the use of the tide gates and impact on existing flood storage currently provided on site. The applicant should provide preliminary compensatory flood storage calculations in accordance with §310 CMR 10.57(4)(a)1.*

**Response:** The existing site features a unique condition where the flood elevations enter over the wall with the existing outlet pipes being the only means of discharging stormwater runoff from the site. It is also noted that the site has an existing pump house that historically collected and pumped stormwater runoff from the site over the wall and into the river. The pipes act as a hydraulic restriction of free flow of flood waters between the river and the site; therefore, we do not believe that the pipes, nor the check valves, impact the site's ability to provide flood storage. This is consistent with DEPs requirement that there be no restrictions between areas used for compensatory storage when providing for floodplain mitigation.

**Check valves are being provided to prevent potential nuisance impacts to the site's ability to drain when the height of the river may impact flows.**

**Compensatory flood storage calculations are provided in the supplemental stormwater information submitted with this response.**

*Comment G4: Given the location of proposed parking within an area prone to flooding, the Applicant should provide a Preliminary Emergency Response Plan for Flood Events per §343.7.6.15. The response plan should include instructions for residents during a flood, location where cars should be moved, operation of the tide gates, and protocol for the stormwater pump station. Cars left within flood prone area can pose a risk to the environment.*

**Response: The project will be professional managed by a 3<sup>rd</sup> party management company with experience with similar/flood plain situations. The Applicant would expect as a condition within the Comprehensive Permit that the Applicant will need to submit a "Flood Event Plan" to the Building Department for its review and approval as a condition to receiving an occupancy permit.**

*Comment G5: The Proposed Grading Plan depicts what appears to be an infiltration basin with a base elevation of 179 and an outlet through the rear retaining wall of 180.3. Stormwater between 179 and 180.3 will have to infiltrate into the ground. This is counter to the directives contained in the Site's Activity and Use Limitation (AUL). There is also no information provided verifying the required offset to seasonal high groundwater.*

**Response: The depressed areas on the site near the outlet pipes have been removed from the plan and stormwater runoff will flow overland from the parking areas to the outlet pipes. Infiltration of stormwater runoff is not proposed for this site consistent with the AUL.**

### **Utilities:**

*The project proposes connection to the municipal sewer and water systems in Main Street and Myrtle Street via gravity lines.*

*Comment U1: The Applicant should provide sewer design flow and water demand and comment on the capacities of the municipal systems to service the project.*

**Response: The applicant anticipates similar comments from Haley Ward as part of their specific water and sewer peer review. This information will be provided as a consolidated response to their anticipated future peer review letter.**

*Comment U2: The proposed development features elevation changes from the street surface of Main Street to five stories above the ground surface. The Applicant should perform flow testing proximate to the site and determine the sufficiency of the existing municipal system to supply adequate volume and pressure for fire suppression systems. The Applicant should consult with the Ashland Water Department in this preliminary review.*

**Response: The applicant is in coordination with Ashland Water Department. There is a winter moratorium in place restricting the ability to perform a hydrant flow test. The applicant will perform the test prior to issuance of a building permit and is hopeful this test may be able to be scheduled prior to April 15<sup>th</sup> 2025.**

*Comment U3: No elevation information is provided for the existing and proposed sewer. It is unclear if pumping will be required, which would necessitate an emergency generator. Garage drains will also be required to be connected to the municipal sewer system in accordance with Massachusetts State Plumbing Code. The Applicant should provide preliminary information for these items to define the scope of the project and possible impacts to the municipal infrastructure.*

**Response:** Existing and proposed sewer information has been included on the enclosed Preliminary Site Plan Documents and the Existing Conditions Plan. It is currently anticipated that a sewer pump will be required for the proposed garage and the proposed retail / restaurant building while the proposed residential building is proposed to connect via gravity. However the proposed design will be confirmed later in the process once the architectural plans have been developed with adequate construction details.

### **Lighting:**

*Comment LT1: Light levels to the rear of the retail building appear to be very low. The Applicant should review the sufficiency of lighting along pedestrian pathways in and from the parking lot.*

**Response:** The Lighting Plan has been revised to increase luminance at the rear of the proposed retail building, as shown on Sheet L-201 of the enclosed Preliminary Site Plan Documents.

*Comment LT2: It is unclear if proposed parking lot lighting and wall packs will be shielded and "Dark Sky" compliant.*

**Response:** The proposed light fixtures are intended to be fully shielded, as indicated on Sheet L-201 of the enclosed Preliminary Site Plan Documents.

### **Stormwater:**

*The proposed stormwater system includes a variety of BMPs throughout the site, including underground detention systems, stormwater pump station, and tide gates. Treatment is provided through sediment basins and filter strips. The applicant considers this site as a redevelopment.*

*The applicant requests waivers from the Town of Ashland Stormwater Management Bylaw (Chapter 247) and Regulations requiring a permit for any activity requiring Site Plan Review, any activity resulting in land disturbance of equal to or greater than 10,000 square feet or will increase impervious surface more than 50% of the parcel, any redevelopment project, and any activity that will alter, fill, or degrade a wetland. As requested in Comment Z2, the applicant should specify which sections of the Stormwater Management Bylaw should be waived with an explanation of why each standard cannot be met for the project.*

*Comment SW1: A simplistic rational design calculation is provided as a preliminary stormwater report. This is insufficient in determining his project's stormwater characteristics given the environmental sensitivity of the site and hydraulic complexity of the downstream retaining wall, flood gates and stormwater pump station. The Applicant should provide preliminary hydrologic and hydraulic design calculations outlined in the MassDEP stormwater standards and 343-7.6.16(c). Calculations should include the impact of the wall outlets and flood gates, the proposed pump stations, and the proposed Stormwater storage chambers. The existing stormwater raceway and the Sudbury River should be modeled as separate design points as they are separate resource areas.*

**Response:** As noted in the initial submission, the project is naturally reducing flows to the river due to the decrease in the impervious area on site. The site is directly adjacent to the Sudbury River which has a massive watershed and any change in the number of discharge pipes is inconsequential to the flow that the river is carrying. In addition, due to the sites proximity to the river, we want to allow the stormwater runoff to discharge from the site prior to the peak elevations of the river occurring.

The stormwater pump system is not intended for peak rate mitigation. As noted above, it is intended to help minimize ponding of stormwater in the rear parking area as well as the adjacent parking garage when the height of the river may impact flows. Stormwater inlets are set at an elevation above the discharge pipes in the wall and when stormwater rises above these inlets, runoff will be collected and conveyed into the tank for additional storage then pumped via the pump station. Formal design of the pump station and tank can be coordinated between the Applicant, their designer and the Town's peer reviewer prior to the start of construction and after comments have been received during the Notice of Intent process.

A waiver from Chapter 343 – Stormwater Management of the Town regulations is requested as part of the Comprehensive permit application. The stormwater management system will be designed in accordance with DEP regulations.

As noted above, it is Bohler's current understanding that the existing raceway does not receive any stormwater runoff and is intended to be removed as part of the project. Therefore, the current project is designed presuming its removal and single design point. As previously mentioned, we are conducting additional diligence on the raceway and will provide additional information as soon as available. Should our initial assumptions change, we will provide an updated design for review.

*Comment SW2: Green roofs are proposed in open areas above the garage parking. Green roofs can be beneficial to a project, including reducing heat island effect, provide water quality volume, and possibly reduce peak rates due to the stormwater volume provided. However, green roofs are not considered pervious area because no infiltration can occur and stormwater needs to be captured in a system under the green areas and conveyed to a discharge point. It appears the Applicant has counted the green roof area toward the pervious area onsite for both peak rate calculation and the status of the project as a redevelopment. The Applicant should provide calculations for both the total impervious and stormwater design considering these roofs as impervious.*

**Response:** Green roofs are not proposed as part of the project. An updated impervious area calculation is provided in the supplemental stormwater information.

*Comment SW3: Provide a MassDEP stormwater checklist.*

**Response:** A completed stormwater checklist is provided along with the supplemental stormwater information included with these responses.

*Comment SW4: Provide Pre- and post-development watershed plans per §343-7.6.16(11).*

**Response:** Pre- and post-development watershed maps are not needed for this site as they do not change under post-development conditions. A waiver from Chapter 343 – Stormwater Management of the Town regulations is requested as part of the Comprehensive permit application.

*Comment SW5: Provide volume of runoff calculation per §344-14(E).*

**Response:** This project is not a subdivision nor is it proposing to be a subdivision. As such, no subdivision regulations apply. The Applicant does not intend to request a waiver from Chapter 344 – Subdivision of Land of the Town regulations as it is unnecessary as the proposed project is not a subdivision.

*Comment SW6: Provide Rational pipe design per §344-14(B).*

**Response:** Please see previous response. It is however noted that the pipe systems will be sized based upon the rational method and this information will be reviewed with the Conservation Commission during the Notice of Intent process.

*Comment SW7: Stormwater recharge is not provided due to onsite soil contamination. However, the stormwater report mentions sediment basins onsite. The Applicant should provide how the sedimentation basins will be utilized to limit contaminated soil impacts. It appears these areas will be excavated below current surfaces.*

**Response:** Sediment basins have been removed from the proposed design.

*Comment SW8: The Applicant should provide TSS Removal Worksheets for each treatment chain (each outlet). Also Provide Water Quality Volume or Water quality flow rate calculations for all water quality BMPs. The Town of Ashland requirement for water quality is 80% TSS, 40% Total Phosphorus, and 30% Total Nitrogen removal 343-8.1.6. This requirement can certainly be met for the conventional pipe and manhole stormwater system on the southwest side of the site. The Applicant's Stormwater Report claims the reduction in impervious inherently increased stormwater treatment. This approach does not meet the intent of the regulatory requirement of improving site conditions to the maximum extent practicable. In accordance with Massachusetts DEP Stormwater Handbook Volume 3, the Applicant is required to complete computations to determine whether proposed structural BMPs fully meet the requirements of Standards 2 through 6. At a minimum, the Applicant is required to demonstrate that proposed stormwater management system meets Standards 2, 3, and the structural BMP requirements of Standards 4, and, if applicable, 5 and 6 to the maximum extent practicable and demonstrate that measures have also been proposed to improve existing conditions. The Applicant should provide a completed "Redevelopment Checklist" set forth in Volume 2 Chapter 3 given the environmental sensitivity of the site.*

**Response:** The project is providing stormwater improvements to the maximum extent practicable due to the floodplain requirements and AUL limitations both of which limit the feasibility of stormwater management. Refer to the enclosed supplemental stormwater information for a description of the water quality treatment, compliance with redevelopment standards, and a completed Redevelopment Checklist. As noted above a waiver from Chapter 343 – Stormwater Management of the Town regulations is requested as part of the Comprehensive permit application. The stormwater management system will be designed in accordance with DEP regulations.

**Traffic Assessment and Fire Access:**

*The Applicant has provided a Traffic Impact Assessment in accordance with the Massachusetts Department of Transportation (MassDOT) Guidelines for traffic impact assessments and the standards of the Traffic Engineering and Transportation Planning professions for the preparation of such reports. The report presents information regarding anticipated trip generation, historic crash data and some evaluation of intersection safety regarding safe sight distances.*

**Comment T1:** *We defer to the Professional Traffic Operations Engineer engaged to review the report by the Board.*

**Response:** **Response not required.**

**Comment T2:** *A swept path analysis has been provided showing the movements of an emergency vehicle through the site. The Board should seek input from the Ashland Fire Department regarding this analysis.*

**Response:** **Swept path exhibits for the modified site layout have been provided utilizing Ashland's Fire Truck.**

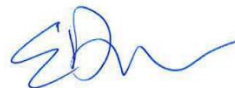
We trust the above as well as the attached information are sufficient for your continued review of the project. Should you have any questions or require additional information, please do not hesitate to contact us at (508) 480-9900.

Sincerely,

**Bohler, LLC**



John Kucich, PE



Eric G. Dubrule, PE