

Town of Ashland, *Office of Conservation*

DATE: August 26, 2025

Subject:

Comments Regarding the Proposed 40B at 55 West Union Street

Addressed To:

Ashland Zoning Board of Appeals

To the Zoning Board of Appeals,

In response to your request for comment from the Conservation Commission regarding the proposed 40B development at 55 West Union Street, the Commission provides the below response.

Stormwater Management Bylaw, Chapter 247 of the Ashland Town Code: The primary difference is Article I of this bylaw requires the use of NOAA Atlas 14 Precipitation Data (2014); whereas the Massachusetts Stormwater Handbook requires use of TP40 Precipitation Data (1961). The requirement to use the NOAA Atlas 14 data, which is significantly more recent and accurate, significantly decrease the likelihood of storm damage to both the proposed development and the municipal roads and abutting properties. Further, MassDEP currently has a proposed revision to the Stormwater Handbook which would have this same requirement due to the following reason as stated by MassDEP:

“Using the older [TP40] data to design stormwater system can cause flooding, scouring of riverbanks, damage to buildings and bridges, and other problems. Using up-to-date precipitation data to design stormwater systems will help to prevent stormwater from one property from causing damage to neighboring properties”.

Wetlands Protection Bylaw: The 25-foot No Disturb Zone (NDZ) is applicable to this project. The NDZ was enacted in Ashland for the express purpose of preventing development right at the edge of the wetland, as is proposed in this development. Said wetlands are also designated as potential vernal pools, which are protected by the Ashland bylaw, but is not protected by the Massachusetts Wetlands Protection Act.



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It is the recommendation of the Conservation Commission that the ZBA not grant a waiver from either bylaw.

In addition to the aforementioned, the Conservation Commission also provides the following comments:

1. The surface basin on the northwest of the site appears to be raised with a berm around it, with a height of 12-feet. The Conservation Commission has experience with raised basins designed in this way at other locations in Ashland, and have found this design to frequently result in significant erosion and breaches. Especially given the proximity to the wetlands, and with the berm being within the 25-ft no disturb zone should it not be waived, the Conservation Commission does not recommend that this basin be designed as a raised basin, or that it be relocated away from the wetlands.
2. The surface basin also does not appear to have a forebay included in its design. The Conservation Commission recommends that the basin be required to be redesigned with a forebay.
3. The surface basin is also located above the existing sewer line. Depth to the sewer line should be confirmed, as well as the distance from the existing sewer line to the bottom of the stormwater basin. A plan should be in place to ensure there is no risk of damage to the sewer line during construction of the basin.
4. The subsurface stormwater systems on the east side of the site are labelled as and appear to be designed as drywells rather than infiltration or retention units. As the systems receive stormwater from the parking lot in addition to roof drains, and are designed as dry wells, this design does not meet the Massachusetts Stormwater Handbook requirements. In particular, see Volume 2 Chapter 2 of the Stormwater Handbook, page 84 "Dry Wells" wherein it is stated

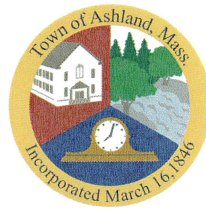
"Do not use dry wells to infiltrate any runoff that could be significantly contaminated with sediment and other pollutants. Never use dry wells to infiltrate runoff from land uses with higher potential pollutant loads, including parking lot runoff."



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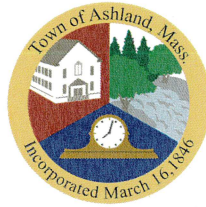
In comparison, Vol. 2 Ch. 2 Page 103 provides details on other subsurface infiltration structures, which are designed differently from drywells and would be more appropriate for the proposed use.

5. The proposed drywells also have a shared overflow structure that is directed at the intersection of Memorial Drive and West Union Street with no evident structure provided to mitigate impact to the roadway. An appropriate structure should be installed to mitigate flooding to the intersection, or the overflow should be relocated away from the road.
6. Drywell 2 is designed above the elevation of West Union Street with a pervious slope down to the road. As designed, and infiltrated water from the dry well may result in groundwater outbreak on the slop and cause flooding or icing concerns within West Union Street. The slope should be replaced with a retaining wall, or the basin should be designed to be lower than the road.
7. Stormwater calculations will be needed in order to provide further comment on stormwater and drainage.
8. Three of the four snow storage locations are located at catch basins and could result in icing, or accidental coverage of the basins. Snow storage should be located away from catch basins.
9. One of the snow storage locations is positions against Memorial Drive and is a concern for causing icing into the sidewalk.
10. One of the marked SMHs (Sewer Man Holes) on the plan is actually a DMH (Drainage Man Hole) that currently has a sewer cover on it. The plans show the drain line that inlets to the DMH as coming from the 55 West Union Property, but does not show the extent of the drain pipe on the property. The SMH should be correctly changed to DMH and the drain line should be shown in full to better understand the impact to the existing drainage system.
11. Sheet 6 of the submitted plans (Erosion Control Plan) lists a “silt sack and hay bale ring at all catch basins”, while the detail shows straw bales. Straw and hay are not the same material and the discrepancy should be corrected. Additionally, the Ashland Conservation



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12. Commission does not allow the use of hay as it contains seeds that are often invasive and can degrade a wetland system.
13. The locations shown on the plan for the “silt sack and haybale ring” are not at every catch basin, and is sometimes in areas where catch basins are not depicted. This appear it may have been taken from a layer on a previous designed plan set, and never updated. This should be corrected.
14. Silt sacks should also be placed in catch basins along Memorial Drive and West Union Street within 100-feet of the project site for the duration of construction.
15. The perimeter erosion controls show only a filter mitt and no silt fence. Especially given the site, and the size of the work area, silt fence should be installed along the perimeter with the mulch sock, and should be entrenched and backfilled consistent with best practices.
16. The perimeter barrier shown on the plan does not fully circle the site, and leaves an opening in the south side of the property along the abutting line of 59 West Union Street. While most of this section is slightly higher than the project’s proposed final grades, it is lower than the project site at existing grades, and erosion controls should be required.
17. Temporary soil and material storage stockpiles do not show any erosion or sedimentation control around them. All soil stockpiles should have an erosion and sediment barrier encircling the stockpile. Stockpiled materials besides soil which may run off such as gravel which may release fine sediments, salt piles, or other erodible materials.
18. Due to the size and slope of the site, and the need for substantial clear cutting, a phased construction plan is highly recommended including phased clearing and disturbance. Intermediate erosion controls and/ or temporary sediment basins should be planned in addition to the perimeter controls in order to mitigate runoff, flooding, and sediment deposit in West Union Street.
19. A street sweeping plan during construction should be implemented by the applicant to mitigate track out and sediment deposit.



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20. Vehicle wash stations should similarly be implemented at the construction entrance/exits to further mitigate track-out risk.
21. Tackifier or use of hoses should be considered to reduce dust kick-up during construction in drier periods.
22. Use of flocculants may be needed to reduce sediment run off during rain events.
23. A dewatering plan should be provided.

The Commission recommends the Zoning Board of Appeals request the applicant file earlier with the Conservation Commission so the impacts of the project can be accurately reviewed. The

Commission cannot provide additional comment until the project has been formally reviewed in detail.

If the ZBA has any questions regarding the Commission's comments above, please reach out to the Conservation Office.

Sincerely,

Ashland Conservation Commission

