Town of Ashland, *Office of Conservation*

DATE: March 5, 2026

Subject:
Conservation Agent Comments on 10-60 Main Street NOI Package

Addressed To:

Lucas Environmental, LLC Attn: Chris Lucas
500A Washington Street
Quincy, Massachusetts 02169

CC: Eric Dubrule (Bohler Engineering), John Kucich (Bohler Engineering), Geoff Engler (SLV Ashland, LLC), Albert Comins (MassDEP Analyst)

Dear Mr. Lucas,

Below please find my comments as Conservation Agent in response to the submitted Notice of Intent package received on February 2, 2026, and supplemental materials provided up to March 2, 2026. The below comments are organized by document and/or plan sheet. Please note that this comment letter is being provided prior to the review of certain documents in an effort to provide you with adequate time to respond to the initial major comments.

1. Narrative and Cover Letter

A. ORAD referred to approved BVW, BLSF, and Bank. BLSF was approved at the 187-foot elevation. Riverfront Area was not approved by the ORAD.

B. The Historic Mill Complex exemption from Riverfront Area may apply.

C. Section 3.0 of the project narrative refers to BLSF as ranging from 184.5 to 186-foot elevation. The ORAD approved by the Conservation Commission certified the BLSF elevation at 187 feet for the entire site. This must be used for all calculations and designs. All areas that are graded below a 187–foot elevation are considered BLSF.

D. The narrative refers to an existing retaining wall in the rear of the property along the Sudbury River, and states that it holds back flood elevation to 185 feet. The retaining wall is known to have multiple two-way pipes through the base of it, which creates a hydrologic connection to the river, and allows for flooding prior to the 185-foot elevation. Any calculations or designs based on flood waters not occurring until the wall is overtopped must be recalculated.

1. Narrative suggests that a new 4-foot vertical barrier will be placed abutting the existing wall. The new wall must be designed so as to not block or otherwise impair the existing pipes through the wall that provide hydrologic connectivity between the site and the river.
    i. Additionally, this section appears to be in the FEMA Regulatory Floodway, and a No Rise Certification must be filed for.

2. Proposal is to retrofit the existing pipes (referred to throughout the narrative as point-source discharges) with tide gate check valves. While these pipes may also present a potential point-source discharge, they also are functioning as a hydrologic connection between the river and the site, and any attempt to block "riverine intrusion" as referred to on page 7 of the narrative, would be considered to be blocking the hydrologic connection of BLSF to the river. As a result, the entire volume of the site up to the height of the wall (184.5ft), would then also be considered fill. Please remove all tide-gates, check-valves, or one-way pipes from the design.
    i. Page 8 further specifically calls out the intent of this design is to allow water to leave the site but not enter it from the river. Again, this would result in the loss of floodwater storage volume of the site during lower storm events (less than Elev. 185 ft.) up to the height of the wall to be considered as fill.

3. Unless redesigned, please recalculate all compensatory flood storage with the above comments adequately addressed.
    i. Please also note, the plans incorrectly show the BLSF line as the perimeter of the existing building. The building is considered fill in BLSF, not the perimeter of the BLSF line. Per the ORAD approved by the Conservation Commission, the BLSF is confirmed at the 187-foot elevation for the entire site.
    ii. Please provide a volume analysis of flood storage volume lost and the compensatory storage volume provided on an incremental basis from the existing ground surface to the elevation of the floodplain as part of the calculations. This needs to demonstrate there is no flood storage volume lost at any increment level within the floodplain. Provide a revised table with the elevation-by-elevation analysis.

E. The narrative suggests on page 10 that because of the existing retaining wall, the applicant should not have to calculate compensatory flood storage on an elevation-by-elevation basis. **There is no exception under 310 CMR 10.57(4)(a) for retaining walls. Retaining walls are considered as fill.** You must include the proposed retaining wall volume in your floodplain impact storage volume calculations.

F. The narrative states that "100% of the flood volume remains on-site under proposed conditions". It is unclear what the applicant intends to mean by this statement, as there is no requirement for flood volume to

be kept on-site, and in fact, the regulation requires there to be unrestricted flow to the river. Per 310 CMR 10.57(a)(1):

> *"Compensatory storage shall mean a volume not previously used for flood storage and shall be incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project.* ***Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body.*** *Further, with respect to waterways, such compensatory volume shall be provided within the same reach of the river, stream or creek."*

The applicant must demonstrate how the provided compensatory volume has an unrestricted hydraulic connection to the river **in both directions.**

G. The narrative refers to a Soil Management Plan for overseeing contaminated soils on site as a result of the 21E site status related to the Nyanza Superfund. The narrative suggests this plan will be developed post permitting during the construction document phase. As management of soil on the site for stockpiling and disposal is jurisdictional to the Conservation Commission, and particularly due to the risk of contamination entering the Sudbury River or wetlands due to poor management, this document must be reviewed and approved by the Conservation Commission prior to the issuance of an Order of Conditions. Please prepare this document to submit as supplemental to the Notice of Intent.

H. Narrative suggests that stormwater improvements are improvements to Riverfront Area. Please note that such improvements are improvements to stormwater and cannot be considered improvements to Riverfront Area. See 310 CMR 10.58(5)(a).

I. Narrative states that Riverfront Area is being improved through improvements in stormwater management. Under 310 CMR 10.58(5)(a) the applicant is required to provide an improvement in the Riverfront's ability to protect the interests of the WPA **in addition to** other applicable requirements such as the stormwater management required by 310 CMR 10.05(g)k-q. Please demonstrate what improvements are provided to Riverfront Area that are not stormwater improvements.

J. Narrative states two new stormwater discharges are proposed closer to the river. Per 310 CMR 10.58(5) **any** activity that would be closer to the MAHW than existing conditions must meet 310 CMR 10.58(f) or (g) to provide mitigation or restoration.

K. Narrative should provide a complete detail of how each performance standard for each resource area is being met, and should be itemized by performance standard.

2. Sheet C-101 comments: Cover Letter

A. Stormwater structures should be labelled with a unique identifier to facilitate review on all plan sheets

B. Submitted plans are labelled "preliminary site plan documents". All plans submitted to the Conservation Commission as part of an NOI should be final construction plans, and not preliminary plans. Please provide final plans. All further review is based on the assumption that final plans will closely resemble the submitted preliminary plans.

3. Sheet C-102 comments: General Notes and Legend

A. Under Soil Erosion and Sediment Control Plan Notes:
    1. Item 5 states erosion controls must be inspected weekly. The Commission typically requires an additional inspection after every rain event of more than 0.25 inches in a 24-hour period. The note should be revised to reflect both weekly inspection and inspection after such rain events.

4. Sheet C-201 comments: Existing Conditions/Demolition Plan

A. Plan sheet shows the 100-year floodplain as the outline of the existing building. This is inconsistent with the ORAD approved for the site, and also inconsistent with the definition of BLSF. The existing building is not the limitation of BLSF, but rather existing fill within it. The applicant can consider removal of the building area as cut for the cut and fill analysis; however, the 100-year flood plain must be shown correctly based on elevations of the ground, not based on structures which can and do hold flood water in the cavities within them. The ORAD confirmed BLSF at elevation 187 feet. The 187-foot elevation line for BLSF, should be correctly shown.
    1. Please also show the boundary of the Regulatory Floodway on the plan.

5. Sheet C-300 comments: Overall Site Plan

A. Plan sheet shows the 100-year floodplain as the outline of the existing building. This is inconsistent with the ORAD approved for the site, and also inconsistent with the definition of BLSF. The existing building is not the limitation of BLSF, but rather existing fill within it. The applicant can consider removal of the building area as cut for the cut and fill analysis; however, the 100-year flood plain must be shown correctly based on elevations of the ground, not based on structures which can and do hold flood water in the cavities within them. The ORAD confirmed BLSF at elevation 187 feet. The 187-foot elevation line for BLSF, should be correctly shown.
    1. Please also show the Regulatory Floodway on the Plan.

B. Plan shows limit of work extending beyond existing degraded area on site in multiple areas, including within Riverfront Area. Per 310 CMR 10.58(5)(c):

"Within 200-foot riverfront areas, proposed work shall not be located closer to the river than existing conditions or 100 feet, whichever is less… except in accordance with 310 CMR 10.58(5)(f) or (g)" where 310 CMR 10.58(5)(f) requires an on-site 1:1 restoration area listed as including: "*1. removal of all debris, but retaining any trees or other mature vegetation; 2. grading to a topography which reduces runoff and increases infiltration; 3. coverage by topsoil at a depth consistent with natural conditions at the site; and 4. seeding and planting with an erosion control seed mixture, followed by plantings of herbaceous and woody species appropriate to the site"* and where 310 CMR 10.58(5)(g) requires a 2:1 mitigation area which may include: *"Mitigation may include off-site restoration of riverfront areas, conservation restrictions under M.G.L. c. 184, §§ 31 through 33 to preserve undisturbed riverfront areas that could be otherwise altered under 310 CMR 10.00, the purchase of development rights within the riverfront area, the restoration of bordering vegetated wetland, projects to remedy an existing adverse impact on the interests identified in M.G.L. c. 131, § 40 for which the applicant is not legally responsible, or similar activities undertaken voluntarily by the applicant which will support a determination by the issuing authority of no significant adverse impact."*

Per the above, please provide the square footage of disturbance beyond the existing degraded area and provide either restoration or mitigation compliant with 310 CMR 10.58(5)(f) or (g) accordingly.

6. Sheet C-301 comments: Site Plan

A. See also comment 5.A.

B. Plan shows a retaining wall to be designed by others. The proposed wall appears to be located in front of the existing wall. The existing wall has multiple pipes that allow two-way flow on and off the site from the Sudbury River. Any proposed replacement wall must similarly include two-way hydrologic connection in the same locations so as to not block the existing connections in the existing wall.
    1. The wall also appears to be located in Regulatory Floodway, and a FEMA No-Rise Certificate is required.
    2. Please provide the volume of the proposed wall as it shall constitute fill in BLSF and must be reflected in the compensatory flood storage analysis.

C. Proposed snow storage is shown against the retaining wall, which is against the bank of the Sudbury River. Snow storage should be avoided in these areas due to the likelihood that 1. Snow will be pushed over the top of the wall and subsequently into the river, and 2. Due to the likelihood of damage occurring to the wall and creating instability.

D. Snow storage is also proposed on the southeast side of the site directly adjacent to the "canal" (tailrace), which still flows with water from roadway stormwater drainage. Per MassDEP's Snow Storage and Disposal Guidelines, snow storage should avoid stormwater drainage systems and wetlands.

E. Please show stormwater features overlaid with the snow storage areas. It appears snow storage is proposed on top of the proposed vegetated filter strip (stormwater feature). Per MassDEP's Snow Storage and Disposal Guidelines, snow storage should avoid stormwater drainage systems. The Commission is still reviewing if snow storage on vegetated filter strips is appropriate.

F. See also comment 5.B.

7. Sheet C-401 comments: Grading and Drainage

A. See also comment 5.A.

B. Plan shows Tideflex Checkmate Check Valves (one-way pipes) through the retaining wall. The existing retaining wall has multiple two-way pipes which provide hydrologic connection to the site. If the two-way pipes are removed or blocked, and only one-way pipes remain, then the entire site will be considered as fill in BLSF and lost floodplain storage volume for lower storm events up to the height of the wall.
    1. Additionally, as the existing wall is located within Regulatory Floodway. Any alteration within a regulatory floodway requires the submission of a No Rise Certificate.

C. Compensatory Flood Storage calculations appear to be based on the inaccurate BLSF line as discussed in Comment 5.A. A clear cut and fill map based on incremental elevations must also be provided given the complexity of the site, showing elevations as well.
    1. See previous comment 7.B. as well regarding tide gate installation and calculation of fill.
    2. See previous comment 6.B.2.
    3. Please identify all compensatory flood storage areas either on this plan sheet or a separate plan, as well as all fill areas. Cut and fill includes grading on the parking lots and entrances, as well as removal or placement of buildings that is proposed within the regulated floodplain (BLSF).
    4. Please provide a summary table of BLSF loss and compensation by 1-foot increments from elevation 179 feet to elevation (existing lowest ground level of the site) to 187 feet (approved upper elevation of BLSF).

D. Proposed CDS Water Quality Treatment Unit (RIM 181.75, INV 178.85) at the southeast side of the residential building drains to an outfall. *There is no indication of an inlet to this CDS unit, and the detail for this structure shows a frame and cover.*

E. Multiple vegetated filter strips are called out as approximate locations, but no details are provided. The plan must show the exact location of proposed strips and the outlines and sizing.
    1. Details are not provided in the plan set for the construction of filter strips and must be provided.

F. See comment 4.A. and other floodplain comments.

G. Proposed elevations are provided for the entire site except for the "courtyard" area that is bordered by the building on the south easterly side. Please clarify what is intended for this area.
    1. Please also provide a ground level plan showing the future ground level contours of the site, including within the garage and below the buildings and include the new floodplain boundary.

H. Proposal includes removal of existing hydrologic connections to the site to be replaced with tide gates. See Comment 1.D.2. This would result in all volume below the height of the existing wall to be considered as fill and compensatory flood storage must be provided. Please remove the tide gates from design and maintain the existing hydrologic connections.

8. Sheet C-501 Comments: Utility Plan

A. Plan does not show the BLSF line.
    1. State law requires utility connections to be above the flood line. Please verify.

9. Sheet C-801 Comments: Soil Erosion and Sediment Control

A. Plan does not show the BLSF line

B. Perimeter silt fence is proposed but no ECB is provided. Please provide ECB.

C. Catch Basin protection is provided on site but not in the adjacent roadway. Silt sacks must be provided for all CBs within 100-feet of the site.

D. Protection is shown at proposed new outflows for the site but not around the existing two-way flows.

E. Dewatering plan must be provided.
    1. Dewatering plan must include details for how water will be adequately treated for contaminants such as those related to the Nyanza Plume (TCE, PCE, and Mercury). Other contaminants which are associated with historic mills should similarly be addressed, including but not limited to: lead, copper, chromium, cadmium, mercury, arsenic, petroleum hydrocarbons, PFAS, and PCBs; as well as those contaminants associated with historic printing operations including, but not limited to, toluene, benzene, and methyl ethyl ketone, all of which may or may not be present within the

groundwater on the site, as well as any other contaminants which the Commission reasonably determines necessary.

i. Plan should also specify the process for holding water and removal of water in such incidents where it is determined to be contaminated or likely contaminated.

F. Size for construction entrances must be provided. Entrances must be 10ft wide and 50 feet long at minimum and consist of AASHTO No. 1 size rock with a minimum 8-inch depth. Rock must be washed or changed regularly. Vehicle wash stations should be provided at each entrance to mitigate track-out of sediment, debris, and contaminants.

10. Sheet C-802 Comments: Erosion and Sediment Control Notes and Details

A. Detail for Stabilized Construction Entrance does not provide width and length. Construction entrances must be a minimum of 10 feet in width and 50 feet in length.
   1. Detail shows rock depth of 6 inches minimum. The Conservation Commission requires an 8-inch minimum depth.
   2. Detail shows 2 ½ inch clean stone for construction entrance material. This is acceptable; however, the Commission's standard conditions require AASHTO No. 1 size stone which is 2-4 inches, and provides a wider range of stone sizes to better loosen sediment from different vehicle tire treads.

B. Detail for silt fence shows fencing both entrenched and at grade. Silt fence should be entrenched and the entrenchment backfilled.

C. Detail should be provided showing ECB against silt fence.

D. Detail or stockpiles shows a height of 35 feet and a 3:1 slope. The Conservation Commission requires that stockpiles be a maximum of 20-feet with a maximum 2:1 slope. Please revise the detail accordingly.

E. Show a detail for contaminated soil stockpiles with all mitigation methods to prevent contaminant runoff during storm events or flood events from said pile.

11. Sheet C-901 Comments: Construction Details

A. No comments at this time.

12. Sheet C-902 Comments: Construction Details

A. No comments at this time.

13. Sheet C-903 Comments: Construction Details

A. Detail for CDS1515-3-C shows structure to have a frame and cover. Structure as shown on any site layout sheet shows this CDS as an isolated unit (no inlet), with an outlet

14. Sheet C-904 comments: Construction Details

A. Detail for retaining wall is provided but earlier plan sheet stated wall to be designed by others. Please clarify if the detail is a final plan
    1. Detail shows fill between the proposed wall and the existing wall. The volume of that fill and the volume of the proposed block retaining wall must be considered as lost BLSF storage volume.

15. Sheet C-905 Comments: Construction Details

A. No comments at this time.

16. Sheet L-101 Comments: Landscape Plan

A. See also comment 5.A.
B. Plan does not specify proposed species being planted. A full planting plan must be provided. All plantings within the 200-foot riverfront area must be native and non–invasive. The Conservation Commission defines native as species occurring naturally in Massachusetts without human intervention, and not inclusive of cultivars and hybrids. Naturally occurring varieties are acceptable.
    1. Planting plan must include all species to be listed with common name and binomial name, along with sizes. Planting plan must include all trees, shrubs, and herbaceous plants or plant mixes proposed for use. Seed mixes used within the Riverfront Area must be certified to be native mixes, and the list of seeds included in proposed mixes should be provided as part of the submission. This includes the stabilizer plants used for the seed mixes.

17. Sheet L-102 Comments: Landscape Notes and Details

A. No comments at this time.

18. Sheet L-201 Comments: Lighting Plan

A. No comments at this time.

19. Sheet L-202 Comments: Lighting Notes and Details

A. No comments at this time.

21. Stormwater Checklist and Report

REVIEW STILL IN PROGRESS

22. Other Stormwater Design

REVIEW STILL IN PROGRESS

If you have any questions on the above comments, please contact me by email at bsolomon@ashlandmass.com

Sincerely,

Becca Solomon

Becca Solomon
Ashland Conservation Agent