

March 24, 2023

Mr. Robert Moriarty, Chair
Town of Foxboro Zoning Board of Appeals
c/o Ms. Lynne Bermudez
Town of Topsfield, Town Hall
8 West Common Street
Topsfield, MA 01986

Via: email to Lynne Bermudez lbermudez@topsfield-ma.gov
email to Matthew Cote lbermudez@topsfield-ma.gov

Re: Emerson Homes, LP (Chapter 40B Comprehensive Permit Application)
10 High Street, Topsfield MA
Update to peer review comments received

Dear Mr. Moriarty and the Members of the Zoning Board of Appeals,

On behalf of Emerson Homes, LP for the above referenced project, DeVellis Zrein Inc. (DZI) is pleased to respond to the Civil Engineering and Landscape Architectural review comments received in the **March 23, 2023** Beals + Thomas peer review letter.

For ease of review and clarity, just the un-resolved items in the "Civil Engineering" section of the Beals + Thomas comment letter is provided below. The list of waivers is forthcoming from the Applicant's counsel.

The comments are shown in *grey text*. The responses are shown in **bold black text**.

Accompanying this response letter is a revised C-2A Plan dated (rev.) March 24, 2023 showing the hydric soil delineation referenced in Comment 31 below.

Comments received from the Beals + Thomas March 23, 2023 peer review:

9. B+T Current Response: B+T acknowledges the Applicant's response regarding minimal tributary runoff; however, notes that there appears to be an inconsistency between the total area used in the existing condition hydrologic analysis and that of the proposed conditions analyses and confirm that there are not new untreated discharges in accordance with Standard 1 of the Handbook.

DZI RESPONSE: There is no inconsistency as the Area EX-1A is part of the area EX-1. DZI had prepared a separate calculation as requested for that area in the model just show how much water was going to the potential vernal pool in order to show that there is not too much or too little runoff to the potential vernal pool.

There are no new untreated discharges which is stated on page 17 (description of each Standard) and page 22 (Checklist of each standard) of the drainage report.

25. B+T Current Response: We acknowledge the incorporation of the RLA Stam. However, the license for the stamping RLA appears to have expired.

DZI RESPONSE: We have contacted the state board to update the status. It is only a registration fee issue and it will be rectified.

31. B+T Current Response: The Local 200-foot Riverfront Area has been added to Plan C-2A but not the E Series Hydric Soil wetland as requested. As the Applicant indicates that 'hydric soil/topsoil' will be removed from the construction area, we further request that the Applicant provide the Board with information as to how potential weeping of groundwater will be addressed as hydric soils are removed from the proposed limits of disturbance.

DZI RESPONSE: Plan C-2A has been updated to add the delineation.

The only areas of construction atop the hydric soils are the edges of the detention basin where there is proposed filling for the berm (no cutting into the soil). The water table is 5 feet below this grade so weeping of groundwater is not an issue.

32. B+T Current Response: The 100- and 200- foot Riverfront Areas have been added to the plan. Although we take no exception to the granting of the waiver, we strongly recommend that the Applicant consider re-naturalizing the portions of the undisturbed local Riverfront Area.

DZI RESPONSE: See Below

40. B+T Current Response: We request that the Applicant consider seeding the historically disturbed recreational areas with native species appropriate for the landscape to help prevent invasive species from establishing.

DZI RESPONSE: The project proposed to remove all fencing, structures, footings (3 baseball field backstops) and pavement (tennis court) and then loam and seed these disturbed areas with native seed mix. The remaining fields will be allowed to re-naturalize which has already begun.

One "engineering" waiver that was not referenced and mentioned in this review letter is:

R10:25-(8.) REGULATIONS: Work performed...in Buffer Zone or Riverfront Area shall be mitigated, at a ratio of at least 1:1 ... outside of the Resource Areas of the property".

Reason: The project is pushed as far away from the resource areas as is practical. The only area outside of onsite resource areas is a relatively small wooded area in the northeast corner which has mature trees against existing residential abutters.

Thank you very much for your continued assistance. If you have any questions, please do not hesitate to email me at jim@develliszrein.com or call me at 781 771 8104.

Sincerely,
DEVELLIS ZREIN INC.



James J. DeVellis, P.E.
Partner