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**BILLERICA PLANNING BOARD**

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TOWN CLERK  
BILLERICA

Matthew K. Battcock, *Chair*  
Gary DaSilva, *Vice Chair*  
Patricia Flemming, *Secretary*

Marti Mahoney  
Dean Santoro  
Christopher Tribou  
Kevin Heffernan

A meeting of the Billerica Planning Board was held on June 11, 2018 at 7:00 P.M. at Town Hall Room 210, 365 Boston Rd., Billerica, MA. Present were Gary DaSilva (Vice Chair), Patricia Flemming (Secretary), Christopher Tribou, Dean Santoro, Marti Mahoney and Kevin Heffernan. Matthew Battcock (Chair) was absent. Christopher Reilly Director of Planning was also present.

Gary DaSilva  
Began the meeting with the Pledge of Allegiance.

**OPEN MICROPHONE:**

There was no one signed up for the open microphone.

Introduced Kevin Heffernan as a new board member.

**ANR PLAN: 68R BALDWIN RD., ROBERT BELANGER**

Robert Belanger, Resident, 68 R Baldwin Rd.  
Looking to buy parcel off of neighbor to possibly add on a garage eventually.

Chris Reilly  
Simple movement of lot lines, plan has been properly prepared.

Marti Mahoney  
Where is the lot line going to change?

Robert Belanger  
Down driveway, on left side. Moving 100 ft. to left, belongs to 66 to Baldwin Rd.

Marti Mahoney  
Reasoning for waiver by ZBA?

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Robert Belanger  
Only have 20 ft. of frontage.

Dean Santoro  
Motion to approve the ANR Plan of 68 R Baldwin Rd.

Pat Flemming  
Second.

Gary DaSilva  
All in favor: 6  
Opposed: 0  
Absent: 1, Matthew Battcock

**DEFINITIVE SUBDIVISION: FITZPATRIC WOODS, PUBLIC HEARING**

Marti Mahoney  
Make a motion to open the public hearing and wave the reading of the notice.

Pat Flemming  
Second.

Gary DaSilva  
All in favor: 6  
Opposed: 0  
Absent: 1, Matthew Battcock

Steven Lentine, Attorney  
Representing petitioner, Cross Properties, LLC, John Metivier. Steve Dresser is the engineer. 8 lot rural residence zoned, purposing the development around 51-55 Oak Street area, 6 houses to be constructed on 50,000 sq. ft., 2 houses are already standing. All on town water and sewer. Straight forward small subdivision. Reasonably requested waivers.

Mike Hansen, Peer Review, Woodward Curran  
Reviewed site plans, storm water drainage report and waiver requests. Discussed findings, see attachment 1.

Steve Dresser, Engineer, Dresser Williams and Way  
Will work with peer reviewer and other departments with issues mentioned. Referred to map, pushed out drainage and significant buffer. Natural hole, similar to nature's detention basin, will direct drainage into that area and allows us to keep trees in the area.

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Marti Mahoney

What is the name of the street that these 2 existing houses are on?

Steve Lentine

51 & 55 Oak St.

Marti Mahoney

Legend clarification is needed.

Chris Tribou

Appears some cutting and pasting error on the project name on the O & M Plan.

Steve Dresser

Content was correct, name was wrong.

Paul Cunniff, Resident, 18 Michael Rd.

Concerned with water flow. Water from Michael Rd. goes across Sheldon and down towards Burnham. Natural retention pond will be able to handle the water?

Steve Dresser

Water from the Michael Rd. will not be an issue, likely goes thru area where Burnham is not completed. Will address the next meeting.

Dean Santoro

Make a motion to continue to July 16, 2018 at 7:02.

Pat Flemming

Second.

Gary DaSilva

All in favor: 6

Opposed: 0

Absent: 1, Matthew Battcock

**B1: PRELIMINARY SUBDIVISION, LORANGER ESTATES, PUBLIC HEARING**

Marti Mahoney

Make a motion to open the public hearing and wave the reading of the notice.

Chris Tribou

Second.

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Gary DaSilva

All in favor: 6

Opposed: 0

Absent: 1, Matthew Battcock

Steve Dresser, Engineer, Dresser Williams & Way

Representing S & R Construction Concepts. Purpose of coming before the board at this point is asking for direction on the best way to develop this property in terms of the road. Would you rather us come in with a full size road width or a reduced size road width. Requesting a reduced 20 ft. roadway width sub division with a T and no sidewalks as opposed to a standard subdivision with a 50 ft. cul-de-sac, 28 ft. wide road with 2 sidewalks. There is one existing house on the property. Property was previously subdivided, this is the area that is left. If developed to full standard, there would be more tree cutting and significant impact in the environment. No peer review at this point because this is preliminary.

Chris Reilly

Not recommending to board to grant waivers. Rules and regulations are there for a purpose to provide right of way width for public safety vehicles. Approving waivers saves the builder money but might not be in the town's best interest; several waiver requests is contrary to the intent of the regulations.

Dean Santoro

Agree with Chris, minimum standards and at least one sidewalk.

Kevin Heffernan

Same as Dean.

Pat Flemming

Sewer consideration?

Steve Dresser

Not considering sewerage. Pursuing potential easement that might allow us to get onto High St. No sewer on Alrose so there can't be gravity sewer to the development.

Nancy Braun, Resident, 20 Michael Rd.

42 yr. resident. Over the years there have been multiple issues with drainage. At one time the neighborhood was in sewer failure because it was built on wetlands. Health issues with septic system, feel it should be a requirement to hook up to town sewer. Located near Finnegan Path. Retention Pond was put in and feels it doesn't do a lot. Water on side of driveway until July every year. 2-3 inches of ice at end of driveway every winter. Water goes right down the street. Feel very serious issues.

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Amber Silly, Resident, 16 Crooked Spring Rd.

20 yr. resident. Concerned with water. Basement floods on a regular basis due to inadequate drainage. Nancy's driveway breaks apart because of the drainage and has had to have it repaved. Requesting state protection acts to help with this project. Feels the roadway needs to have the correct width and at least one sidewalk. Don't feel this is an ideal location for these homes. Water is being forced into areas where people are already having water issues, situation is getting worse with the wetlands.

Paul Cunniff, Resident, 18 Michael Rd.

28 year resident. 3<sup>rd</sup> time come before the board for the same issue. Feels this comes down to wetlands. When it rains it comes thru the wall, comes to my property and down the street. Brook comes right into catch basin. Town fixed Michael Rd. years ago which we were told was the worst road in town at that time. Concerned there is no blue print of the catch basins. 42 inch pipe down the middle of Michael Rd. Full of water, catch basins were bubbling up at last rain storm, don't feel we need more of this. Feels it will ruin the road again. Concerned retention pond will be turned into an ice skating rink by neighbors as in similar areas. Voiced concern about septic system.

Steve Dresser

2 houses purposing to be put in, not a neighborhood. Regulations will be followed for all the boards. Michael Rd. was put in decades ago when regulations were different.

Paula Grady, Resident, 12 Alrose Drive

40 yr. resident. Concerned with the water issue. High St. water and drainage pools at the end of the street. Ice build-up is problematic and town has needed to assist. Requesting sewer extension, as BOH comments suggest. No drainage on Alrose Dr.

Chris Reilly

Process for the BOH with the septic or DPW for public sewer hook-up. Applicant should visit the Conservation Commission and BOH regarding wetlands and drainage at this point.

Steve Dresser

Intending to go to the boards, soil testing will happen as well. Wants to know what size road and how many sidewalks. Concerns are valid and regulations will be followed. Previously mentioned neighborhoods were built under different regulations. Heavy regulations are now in place.

Jack Lock, Resident, 1 Alwood Dr.

At the High St. end of Alrose, end of winter the water ends up in front of the street and on Michael Rd. Sewerage for this area has been on a town list for numerous years; septic has been talked about but seems like putting in more houses could cause more water to flow down to the front yards of these abutters.

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Brian Ferraro, Resident, 8 Alrose Dr.

House next to Loranger Way. Loranger Way is higher than my property. It stays wet. Retention pond will attract mosquitos, the proposal of the pond is 50 ft. from his property. Do not want the pond. Also voiced concern about the drainage.

Chris Tribou

Don't want a waiver for sidewalks, not a fan of cul-de-sacs.

Steve Dresser

Fire code is 20 ft., not requesting to go lower. Would get fire turning radius data. There is a requirement that we cannot make the off-site problems worse, not fix them, but no make them worse. Sounds like a 24 ft. road is wanted, sidewalk at least on one side.

Gary DaSilva

Suggesting not grant any waivers and see how far we can go. Submit plan and get peer review.

Dean Santoro

Make a motion to deny preliminary plan with instruction to meet the subdivision regulations and to go to the Conservation Commission for the wetlands.

Kevin Heffernan

Second.

Gary DaSilva

All in favor: 6

Opposed: 0

Absent: 1, Matthew Battcock

**SPSP: GRAY'S PLUBMING, NAHSUA RD., PUBLIC HEARING**

Pat Flemming

Make a motion to open public hearing and wave the reading of the notice.

Kevin Heffernan

Second.

Gary DaSilva

All in favor: 6

Opposed: 0

Absent: 1, Matthew Battcock

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Jim Dangora, Jr., Attorney

The applicant is Gary See who is a Billerica resident and runs a HVAC/Sheet Metal shop in Medford and Michael Gray is Bedford resident. Bought the property last year. Site is off of Nashua Rd. identified, as lot 1A Nashua Rd. 10 1/2 acre site, 700 ft. of frontage on Nashua Rd. Sullivan Rd. backs the property. Very environmentally sensitive site. BOH has approved the project, as has the Conservation Committee. Wetland is throughout the site, flood plain and intermittent stream that runs from Sullivan Rd. and crosses under Nashua Rd. Serviced by private well which is in between where the two buildings will be and septic system. Designed with low impact techniques because of the nature of the area. Natural buffer has been left. Purposing two approximate 5,800 sq. ft., buildings, both will be a trade man shops which are permitted uses. Access is by way of culvert in order to cross the stream. 2 duplicate wetlands areas have been created. Purposed landscape plan has been submitted, which includes 45 plantings of trees and shrubs. Tree line in back of building will remain. 2 ½% of the entire property will be covered by the buildings. Very few comments have been received as there has been a lot of work with the different boards. Buildings will have a barn like appearance, and likely not seen by Nashua Rd. Low impact use of 10 ½ acres. Seeking approval this evening.

Chris Reilly

No peer review report currently available. Essentially all comments have been addressed. Landscaping with trees being taken down, should have to meet the zoning regulations. Fire Dept. will not approve design and asking board hold off on approval as they are concerned culvert will not hold their equipment. Good project for the area. Recommended to continue to July meeting.

Jim Dangora, Jr.

Fire Dept. comments, #2, bridge comment has to meet certain requirements. Applicant has no issue with complying. Comment #3, fire apparatus do not meet requirements. Requesting to input these conditions into the decision.

Steve Dresser

Comment #3 on fire comments, stamped on the plan. Typical condition could be added to the decision. Sumner Farms development has similar design, larger scale, with their culvert.

Chris Reilly

Regardless of what is typical, a public safety dept. head is recommending not to approve at this time. Project seems ready for approval except for this memo. (Referring to June 6<sup>th</sup> email). Landscaping also would need to be conditioned.

Marti Mahoney

Where is this property located in reference to the golf range?

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Steve Dresser

There is one parcel in between the golf range and which is wetlands, no house on it.

Chris Tribou

24 parking spaces, 2 handicapped. How many employees will be working; including once the new building gets rented out?

Steve Dresser

Parking is based on numbers of employees at greatest shift and building size; overestimated amount of employees for parking. More than adequate for what their needs are and also what the by law states.

Kevin Heffernan

What types of vehicles will be frequenting this sheet metal shop and plumbing supply?

Jim Dangora, Jr.

Box trucks.

Kevin Heffernan

Agree with Chris, if you could satisfy the FD comments then I am OK with this project.

Dean Santoro

Motion to close the public hearing.

Chris Tribou

Second.

Gary DaSilva

All in favor: 6

Opposed: 0

Absent: 1, Matthew Battcock

Dean Santoro

Approve site plan special permit for Gray's Plumbing with the landscape condition and FD condition.

Kevin Heffernan

Second.

Gary DaSilva

All in favor: 6

Opposed: 0

Absent: 1, Matthew Battcock



**B2: SUBDIVISION, ROCKY LEDGE LANE, CONTINUANCE OF PUBLIC HEARING**

George Medeiros, Attorney

Project has been continued several times to resolve some engineering issues involving drainage. Most of those issues are resolved. Construction details have been resolved in terms of road, terms have been agreed upon. BETA recommended BOH meeting for drainage issues; awaiting coordination with BOH Director.

Chris Reilly

This has been reviewed thoroughly in terms of the Planning Board authority. Final drainage design does belong under the BOH; B2 regulations fall under their jurisdiction.

Marti Mahoney

Communication about some drainage at 4 Rocky Ledge Lane that may or may not be contributing to this drainage issue; can we get some clarification?

Steve Dresser

That is a comment from BETA on whether it may or may not. When we were doing the required test holes, a resident said there was an underdrain on the property at 4 Rocky Ledge Lane. Don't know how deep, why or where it is. Does appear to be the outlet for one of the water problems. There is a swale out back which was running in late May and it appears there might be a pipe in those rocks from the under drain, if it is accurate what the resident relayed. No visual knowledge of this. This does not relieve us of our duty to not affect the down stream neighbors, it brought to light that there something likely there.

Rita Sullivan, Resident, 33 Fardon St.

I have attended most of these meetings because there is a problem with the drainage. It seems to get worse every year. New driveway was just put in which the water pressure ruins. Hoping due diligence has been done in this case to protect the abutters because cannot afford more water on the property.

Kevin Heffernan

Make motion to close the public hearing.

Dean Santoro

Second.

Gary DaSilva

All in favor: 6

Opposed: 0

Absent: 1, Matthew Battcock

Dean Santoro

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Dean Santoro

Make a motion to approve the B2 plan on record subject to any BOH jurisdiction revisions that may required by their process.

Pat Flemming

Second.

Gary DaSilva

All in favor: 6

Opposed: 0

Absent: 1, Matthew Battcock

**SPSP: HAWTHORN, NAHSUA RD., CONTINUANCE OF PUBLIC HEARING**

Chris Reilly

They have decided to withdraw their application. They have a procedure concern with the new board members due to the recent election and their voting capabilities to gain a proper vote. They have decided to withdraw their application without prejudice and need the board's approval. Same plan of record will be resubmitted. Will come back with plan for July meeting. Recommend to close this public hearing and accept this applicant's letter without prejudice.

Dean Santoro

Make a motion to close the public hearing.

Kevin Heffernan

Second.

Gary DaSilva

All in favor: 6

Opposed: 0

Absent: 1, Matthew Battcock

Kevin Heffernan

Make motion to accept their withdrawn application without prejudice.

Chris Tribou

Second.

Gary DaSilva

All in favor: 6

Opposed: 0

Absent: 1, Matthew Battcock

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**APPROVAL OF MINUTES**

Dean Santoro

Approve Minutes of May 14, 2018.

Pat Flemming

Second.

Gary DaSilva

All in favor: 4

Abstained: 2, Marti Mahoney (absent) and Kevin Hefferan (new member)

Absent: 1, Matthew Battcock

**SPSP: 26 COOK ST., PREMIER STORAGE, PUBLIC HEARING**

Dean Santoro

Open the public hearing and wave the reading of the notice.

Kevin Hefferan

Second.

Gary DaSilva

All in favor: 6

Opposed: 0

Absent: 1, Matthew Battcock

Earle Blatchford, Project Manager, Hayner Swanson

Property was developed in 1988, 6.5 acres, zoned as industrial, approved self-service overlay district. Substantial buffer in place. 77,000 sq. ft. high bay industrial manufacturing building. Single access from Cook St. Recess loading docks on north and south ends from previous users. Driveway around the back. Over an acre more of green space. Most of work is within the building. On town water and sewer. Underground drainage system for storm water which is a leaching system with a series of catch basins and perforated pipes. Shallow retention basins are at the back of the property. Conservation opted to review the area administratively. Purposing drive thru self-storage facility, entrance thru Cook St. Low traffic generation. Adding 1,100 sq. ft. office area with 2 employees on site. Security gate for exiting cars. Considerably less pavement on the new plan by 31,000 sq. ft. Gravel areas will be reduced and cleaned up by about 23,000 sq. ft. The extra space will be green space. Parking spaces will be lessened as there will be 2 employees and customers will be driving thru. New sewer service for the new office area. Less storm water getting into existing system. System has not been well maintained over the years; a lot of sediment in it. It will need to be cleaned out and determine if there need to be any repairs. BOH is aware.

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Rear buffer is a little thin compared to some areas, plantings will be added. Loading area is becoming lawn area. Purposing 8 ft. solid privacy fence along Bankside Drive. BOH requiring an enclosure for dumpster; will be added to the plan and will be a stockade fence on a concrete pad. DPW's comments were relating to procedures of permits. A few notes and details to be added to plan. Fire Dept. comments wants to see turning circle or a hammer head. Hydrant locations were also mentioned. Call into Fire Dept. Hydrant across the street on Bankside and Cook St. Third is about 100 ft. away, 3 hydrants in the area. Possibly making a contribution to the sidewalk fund because of right of way. As of now, it will have to be built almost all on the property. Limited value of adding sidewalk. Only would have connection to Bankside. Would be a dead end sidewalk.

Jay Tillman, Premier Storage Investors

Most of self- storage in area is older, want to convert the building to a state of the art climate controlled self- storage facility. Existing building but making more esthetically modern. Extra plantings added to buffer neighborhood. Fluted blocks need to be cleaned. Glass overhead doors will be added.

Chris Reilly

The applicant asked for a waiver for peer review, appropriate in this case as the application process has been done right. Met with all relevant dept. heads already. Recommend public hearing to be closed. Neighborhood is happy with the change of use. Recommend vote to approve subject to fire dept. comments and condition of sidewalk either way - if Town Manager's office wants it or a contribution to the fund.

Kevin Hefferan

Voiced in favor of sidewalk in front of building.

Earle Blatchford

Will do what the town prefers, but will be a dead end sidewalk.

Chris Reilly

Town's policy is to install sidewalks.

Jay Tillman

Will contribute \$20,000 towards sidewalk fund. Public walkway on private property could pose problems and rights of way. Quote was \$13,850.

Marti Mahoney

Requesting Street Monument sign with street number.

Jay Tillman

Will do.

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Kevin Heffernan  
Make a motion to close the public hearing.

Dean Santoro  
Second.

Gary DaSilva  
All in favor: 6  
Opposed: 0  
Absent: 1, Matthew Battcock

Dean Santoro  
Motion to approve special permit for Cook St. storage facility subject to final fire review approval and waiver of peer review and acceptance of \$20,000 contribution or construction of sidewalk.

Kevin Heffernan  
Second.

Gary DaSilva  
All in favor: 6  
Opposed: 0  
Absent: 1, Matthew Battcock

Next meeting scheduled for July 16, 2018.

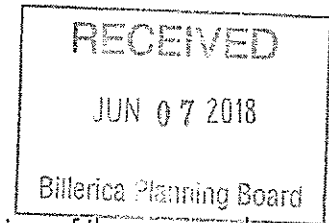
I, Patricia Flemming, Secretary of the Billerica Planning Board, do hereby certify that the foregoing is a correct and true copy of the Planning Board meeting held on June 11, 2018.

  
Patricia Flemming, Secretary

  
Mary Ann Schafer, Secretary/Clerk

June 4, 2018

Re: Peer Review, Definitive Subdivision – Fitzpatrick Woods



Dear Members of the Planning Board:

Woodard & Curran has completed our initial technical and regulatory review of the proposed Definitive Subdivision project located off Oak Street in Billerica, MA (Map 12, Parcels 98-1 and 99-0; Map 11, Parcels 70-1 and 70-4). The project is an eight (8) lot subdivision (buildable residential lots) to be accessed by approximately 1,295 feet of proposed roadway. The Applicant is proposing six (6) new homes to be constructed, as the two existing homes are to remain. The twenty-four (24) foot wide proposed roadway will be located within a fifty (50) foot wide right-of-way. Accessory features to the roadway include sidewalks, lighting, and utilities. Stormwater infrastructure includes manholes, catch basins, subsurface conveyance pipes, a with sediment forebays, and infiltration basins.

The Application was reviewed for compliance with the applicable sections of the following:

- Rules and Regulations Governing the Subdivision of Land in Billerica, Massachusetts
- Zoning By-Laws of the Town of Billerica
- Town of Billerica Board of Health Rules and Regulations
- Massachusetts Stormwater Handbook

This letter provides a summary of the documentation that was reviewed, an outline of our findings, and recommendations to address data needs and deficiencies within the submittal.

#### **DOCUMENTS REVIEWED**

The information reviewed in the preparation of this letter is as follows:

- Site Plans, entitled Fitzpatrick Woods Definitive Subdivision Plan, prepared by Dresser, Williams & Way, Inc., dated April 14, 2018.
- Form B – Application for Approval of Definitive Plan, prepared by Dresser, Williams & Way, Inc., dated April 23, 2018.
- Stormwater Drainage Report, prepared by Dresser, Williams & Way, Inc., dated April 17, 2018.

Included with the Application was a letter dated April 23, 2018, in which the Applicant has requested

waivers from the Subdivision Rules and Regulations to provide the following:

- Drainage to be laid beyond the street line or two lots to be piped less than one hundred (100) feet beyond the street line,
- Pavement width of 24 feet,
- Sidewalks on only one side of the street,
- Lots that are to be disturbed more than 70%; and
- Use of High Density Polyethylene (HDPE) pipe for drainage.

#### **FINDINGS & RECOMMENDATIONS**

##### **SUBDIVISION RULES AND REGULATIONS REVIEW**

Woodard & Curran has reviewed the aforementioned documentation for conformance with the Billerica Subdivision Rules and Regulations and offers the following comments.

##### **Section 5B: Definitive Plan**

1. Per Section 5B.6, the Applicant shall provide proof that a Determination of Applicability has been obtained from the Conservation Commission. The Applicant stated that the site has no wetlands and no Conservation Commission filing is required but has not provided documentation or cited references showing that no wetlands exist on the site.

**Recommendation: The Applicant should obtain a Determination of Applicability from the Conservation Commission.**

Section 5F: Contents

2. Per Section 5.F.4 (f), the proposed sidelines of the right-of-way are required to be included on the profile plan.

**Recommendation: The Applicant should show proposed right of way sidelines in the legend.**

3. Per Section 5.F.5 (n), a cul-de-sac grading plan is required to include a staking detail describing the means and methods for conveying design grades in the field for the construction of the cul-de-sac. The location of the stakes and the labeling of the stakes shall also be noted.

**Recommendation: The Applicant has not provided a grading plan per Section 5.F.5(n)...**

4. Per Section 5.F.6 (a), the Topographic Plan shall show the two (2) foot contour interval and ground shots in flat areas ten (10) foot beyond the property line and to the opposite side of roads and ways.

**Recommendation: The Applicant should provide contours ten (10) feet to the opposite side of Oak Street.**

5. Per Section 5.F.6 (g) and (f), the Applicant is required to show Green Engineering Flood Plain and FEMA Zone A on the topographic plan if applicable.

**Recommendation: The Applicant does not address whether the site is not within the flood plain, the Applicant should provide documentation showing whether the site is within a FEMA or Green Engineering Flood Plain. If applicable, show the flood plain(s) on the topographic plan.**

Section 6: Design Standards

6. The Applicant has not provided a narrative to describe how the proposed subdivision complies with the Planning Board's Master/Study Plan.

**Recommendation: Applicant to provide a narrative to demonstrate compliance with Section 6.A.2 (b).**

7. The Applicant has requested a waiver from Section 6.E.2 to allow drainage to be piped less than one hundred (100) feet beyond the street line at drainage areas 71, 81, 82 and 83.

**Recommendation: Woodard & Curran defers to the Board to accept/deny this waiver request.**

8. The Applicant requested a waiver from Section 6.G to allow more than 70% disturbance to each lot.

**Recommendation: Woodard & Curran defers to the Board to accept/deny this waiver request.**

Section 7: Required Improvements for an Approved Subdivision

9. The Applicant has requested a waiver from Section 7.C (1)(d), which states that storm drains shall be reinforced concrete pipe or asphalt coated corrugated steel pipe. The Applicant proposes the use of HDPE storm drains.

**Recommendation: Woodard & Curran defers to the Board to accept/deny this waiver request.**

10. The Applicant has requested a waiver from Section 7.D (1), which states that sidewalks shall be constructed on both sides of the street. The Applicant proposes sidewalks on only one side of the street.

**Recommendation: Woodard & Curran defers to the Board to accept/deny this waiver request.**

11. The Applicant has not provided cut and fill calculations in accordance with Section 7.F (3).  
**Recommendation: The Applicant should provide cut and fill calculations that comply with the earth removal requirements outlined in Section 7.F (3).**

#### ZONING BY-LAW REVIEW

Woodard & Curran has reviewed the Site Plans for conformance with the Billerica Zoning By-Law Dimensional regulations and offers the following comments.

#### Section 6 – Site Plan Approval

12. The Applicant has not provided the names of all abutters to the property as they appear in the most recent certified tax list, per Section 6.E.4.d.

**Recommendation: Per Section 6.E.4.d, the Applicant should provide an abutters list per Section 6.E.4.d.**

13. Per Section 6.E.4.t., the Applicant must provide the location of existing major site features, such as rock ridges, ledge outcroppings, wetlands, water retention or detention areas, brooks, bodies of water, waterways or canals, treelines and isolated trees to be cleared that are of a 12 inch diameter or greater.

**Recommendation: On the Topographic Plan, the Applicant should include a legend to clarify that the features shown are existing. In addition, Woodard & Curran recommends that the Applicant indicate on the Topographic Plan was provided by a licensed surveyor.**

#### Section 7 – Dimensional Regulations

14. Per Section 7.F, the proposed buildings shall not exceed a height of 2.5 stories, or 35 feet.

**Recommendation: The Applicant should provide height information to demonstrate compliance with Section 7.F.**

#### BOARD OF HEALTH RULES AND REGULATIONS

Woodard & Curran has reviewed the Site Plans for conformance with the Billerica Board of Health Rule and Regulations and offers the following comments.

#### Section 6.6.011 – Stormwater Management Plan Contents

15. Per Section 6.6.011 (2)(d), The Applicant must provide an Existing Site Plan.

**Recommendation: On the Topographic Plan, the Applicant should include a legend to clarify that the features shown are existing.**

16. Per Section 6.6.011 (2)(t), a Landscaping plan is required. The Landscaping Plan should describe the woody and herbaceous vegetative stabilization and management techniques to be used within and adjacent to the stormwater practice.

**Recommendation: The Applicant should provide a Landscaping Plan.**

17. Per Sections 6.6.011 (2)(p) iv. and v., the Applicant is required to provide structural details for all components of the proposed drainage systems and Stormwater Management facilities, including notes on drawings specifying materials to be used, construction specifications, and expected hydrology with supporting calculations.

**Recommendation: The Applicant has provided profiles of the three proposed infiltration basins. However, Woodard & Curran recommends the Applicant provide a typical**



**structural detail for proposed infiltration basins that includes notes specifying materials to be used and construction specifications.**

#### Section 6.6.012 – Operations and Maintenance Plan Content

18. Per Section 6.6.012 (2)(a), the O&M Plan shall include the name(s) of the owner(s) for all components of the system.

**Recommendation: The O&M Plan appears to have been prepared for a different project based on its date and the incorrect project site name. Applicant should revise the O&M Plan and ensure that it is prepared for the Fitzpatrick Woods subdivision.**

19. Per Section 6.6.012 (2)(b), the O&M Plan shall include a map showing the location of the systems and facilities including all structural and nonstructural stormwater best management practices (BMPs), catch basins, manholes/access lids, pipes, and other stormwater devices. The plan showing such systems and facilities to be privately maintained, including associated easements, shall be recorded with the Middlesex Northern Registry of Deeds prior to issuance of a Certificate of Compliance by the Board of Health.

**Recommendation: The Applicant should include a map in the O&M Plan, per the requirements of Section 6.6.012 (2)(b).**

20. Per Section 6.6.012 (2)(c), the Applicant is required to submit a Maintenance Agreement with the Board of Health that specifies all the items listed in Section 6.6.012 (2)(c), including:

- An Inspection and Maintenance Schedule for all stormwater management facilities including routine and non-routine maintenance tasks to be performed. Where applicable, this schedule shall refer to the Maintenance Criteria provided in the Stormwater Handbook or the E.P.A. National Menu of Stormwater Best Management Practices or equivalent. (Section 6.6.012 (2)(c) iii.)
- A list of easements with the purpose and location of each (Section 6.6.012 (2)(c) v.)
- The signature(s) of the owner(s) and all persons responsible for operation and maintenance, financing, and emergency repairs, as defined in the Maintenance Agreement, if maintenance is to be performed by an entity other than the owner. (Section 6.6.012 (2)(c) vi.)

**Recommendation: The Applicant should include in the O&M Plan a Maintenance Agreement that complies with the requirements in Per Section 6.6.012 (2)(c).**

#### Section 6.6.013 – Erosion and Sedimentation Control Plan Contents

21. Per Section 6.6.013 (1), If a project requires a Stormwater Pollution Prevention Plan (SWPPP) per the NPDES General Permit for Storm Water Discharges From Construction Activities (and as amended), then the permittee is required to submit a complete copy of the SWPPP (including the signed Notice of Intent and approval letter). If the SWPPP meets the requirements of the General Permit, it will be considered equivalent to the Erosion and Sediment Control Plan described in this section.

**Recommendation: The Applicant included proposed Erosion and Sediment Control measures on the Drawings. However, the Applicants not provided a written Erosion & Sediment Control Plan. The project is required to apply for a NPDES Construction General Permit and submit a SWPPP. The Applicant should submit a copy of the SWPPP and documentation showing approval from MassDEP to the Board of Health upon receipt, per Section 6.6.013 (1).**

#### Section 6.7 – Performance Standards: Stormwater Criteria

**Post area > pre area by ~8000 SF. These areas should equal or explain the difference in area.**

## MASSACHUSETTS STORMWATER HANDBOOK REVIEW

Woodard & Curran has reviewed the aforementioned documentation for conformance with the Massachusetts Stormwater Handbook (the Handbook) and offers the following comments.

**22. The Applicant provided an NRCS soils report that shows that approximately 45% of the site has Hydrologic Soil Group A soils. However, Applicant should submit a soils report that provides the hydrologic soil group of all the soils on the site. Also, please provide a legible NRCS soils map (Exhibit 2 of the Stormwater Report).**

### CONCLUSION

After review of the provided documents, Woodard & Curran feels that the Applicant should provide the information listed above to demonstrate conformance with the Town of Billerica Rules and Regulations as well as the Massachusetts Stormwater Policy prior to any vote for a decision. If you have any questions regarding this review, please feel free to contact our office.

Sincerely,  
WOODARD & CURRAN  
Michael Hansen, P.E.  
Technical Manager