



*Peer review of Comprehensive Permit Plan for*  
***Sherborn Village***  
***59 North Main Street***

***Sherborn, Massachusetts***

***March 20, 2018***

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**Engineer/Surveyor**

Engineering Design Consultants, Inc  
32 Turnpike Road  
Southborough, MA 01772

**Owner/Applicant**

Heritage Properties  
490-B Boston Post Road  
Sudbury, MA 01776

**Zoning Districts**

Residence-A (RA)

**Plans Dated**

July 25, 2017, revised November 27,  
2017, January 30, 2018 and February  
12, 2018

**Assessors' Reference**

Map 10, Lot 45

**Content**

Comprehensive Permit  
Application

**Location**

59 North Main Street, north of  
the intersection with Hunting  
Lane



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## **SECTION I: INTRODUCTION**

### **PLANS, DOCUMENTS, AND EXHIBITS**

In undertaking the engineering peer review of this project, Professional Services Corporation (PSC) conducted a field reconnaissance of the project site and reviewed the plans, calculations, documentation and exhibits provided by the Project Development Team which included the following materials:

1. Plans entitled *Sherborn Village in Sherborn, Massachusetts (Middlesex County)*' dated July 25, 2017, revised November 27, 2017 and January 20, 2018 prepared by Engineering Design Consultants, Inc., Southborough, Massachusetts. Supplemental Landscape design plans revised February 12, 2018 were prepared by Cosmos Associates.
2. Calculations including *Stormwater Calculations for Sherborn Village, a Residential Development located at 59 North Main Street Sherborn, Massachusetts 01772* including *Drainage Summary, Checklist for Stormwater Report, TR-20/TR-55 Hydrologic Calculations, TSS Removal Calculations, Hydrodynamic Separator Specifications, NRCS Web Soils Survey, FIRM Mapping and Construction Period Pollution Prevention and Sedimentation Control Narrative*, dated July 25, 2017 and prepared by Engineering Design Consultants, Inc.
3. Exhibits, including a letter from Town of Sherborn Town Administrator, dated July 6, 2017 to MassHousing, a letter from Town of Sherborn Town Planner to the Town Administrator, dated December 14, 2016, a Memorandum from the Board of Health to the Board of Selectmen dated December 30, 2016, a Memorandum from The Conservation Commission to the Board of Selectmen, dated December 21, 2016, correspondence from the Sherborn Fire/Rescue Department to the Town Administrator, dated December 4, 2016, correspondence from the Sherborn Police Department to the Town Administrator, dated December 12, 2016, two letters from Heritage Properties to the Board of Appeals, dated May 12, 2017 and May 15, 2017 and a letter from Engineering Design Consultants to the Board of Appeals, dated May 11, 2017.

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4. List of requested variances, waivers and exemptions from Engineering Design Consultants, Inc, addressed to the Zoning Board of Appeals, dated February 10, 2018.
5. Comprehensive Site Approval letter from Massachusetts Housing Finance Agency addressed to Vin Gately, 59 N. Main Street Village, Inc., dated February 21, 2017.
6. Response Letter to Board of Appeals from Engineering Design Consultants regarding Sherborn Village, dated November 27, 2017, and second Letter regarding same, dated February 9, 2018.
7. Response Letter to Board of Appeals from Vin Gately, Heritage Properties regarding Sherborn Village, dated November 27, 2017, and revised February 14, 2018.

In conducting this peer review, additional information was obtained from the following:

1. 760 CMR 31.00: Housing Appeals Committee: Criteria For Decisions Under MGL c.40B, §§20-23.
2. 760 CMR 56.00: Department of Housing and Community Development.
3. *Massachusetts Department of Housing & Community Development Guidelines G.L.c40B Comprehensive Permit Projects.*
4. *Chapter 40B Handbook for Zoning Boards of Appeal, March 2017.*
5. Review of Flood Insurance Rate Map (FIRM), Map Number 25017C00538F, Middlesex County Massachusetts, effective date July 7<sup>th</sup>, 2014.
6. *Sherborn Zoning Map* as updated April 17, 2002.
7. *Zoning By-Laws of the Town of Sherborn* as amended ATM 2015.
8. *Sherborn Planning Board Subdivision Rules and Regulations* approved February 9, 2011 (for certain drainage, design, and construction details/ standards only).
9. *United States Department of Agriculture; Natural Resources Conservation Service Soil Survey of Middlesex County, Massachusetts*
10. *Massachusetts Natural Heritage Atlas, 14<sup>th</sup> Edition*

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*11. Massachusetts Environmental Policy Act Office, 301 CMR 11.00 MEPA Regulations*

*12. A site reconnaissance performed by PSC.*

## **PROJECT DESCRIPTION**

The Project is based upon the Comprehensive Permit Application Submitted by Heritage Properties of Sudbury, Massachusetts to construct a residential development off North Main Street in Sherborn, Massachusetts consisting of twelve (12) single-family units on a total land area of approximately 6.346 acres. The site is found within the Residence-A (RA) district and was previously occupied by a single-family home with a detached barn structure, both of which were razed in May, 2016. Much of the 4.388-acre upland was cleared under the prior use.

The project will be served by a single access, interior looped roadway, which will connect the project to North Main Street. Approximately 680 LF of proposed total roadway will be constructed to serve the 12 units. The bituminous roadway construction will include a cape cod berm and an interior gravel-pave reinforced shoulder along the interior of the loop. The project water is proposed via two private on-site wells, each serving six units. Septic flows will be treated using a pressure-dosed system that will discharge to a shared soil absorption system proposed within the roadway loop.

Surface stormwater would be collected in a closed stormdrain system and directed to six subsurface stormwater management galley systems.

The following sections of this report identify revised and supplemental information necessary to accurately compute Statutory Minima and satisfactorily complete the minimum Contents of the Application.

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## **SECTION II – STATUTORY THRESHOLDS**

The application includes calculations of statutory minima as they relate to consistency with local needs. Issues relating to the computation of statutory thresholds are summarized as follows:

### **COMPUTATION OF STATUTORY MINIMA**

1. The application includes a computation of the existing 40B Housing Inventory. The Housing Inventory based upon DHCD counts as of February, 2017 indicates that Sherborn has 34 subsidized housing inventory units (2.3% of its housing inventory), which are 114 units shy of the 10% SHI threshold. The applicant's contribution of three units would increase the Town's SHI from 2.3% to 2.5%.

*EDC Response: No response by EDC required.*

**PSC: OK. – Closed Item.**

2. A computation for General Land Area Minimum should be provided to indicate acreage added by the project to the existing Town Low and Moderate Income Housing areas. To meet the threshold, the Land Area Minimum Standard requires that 1.5% of the total Town land area be held for affordable Chapter 40B housing. For Sherborn, 1.5% is equivalent to no more than 153.6 acres (likely less when subtracting wetlands and unbuildable areas). The application does not document existing Chapter 40B land areas toward the statutory minimum.

*EDC Response: No response by EDC required.*

**PSC: Agreed. OK. – Closed Item.**

## **SECTION III – CONTENTS OF THE APPLICATION**

### **PROJECT ELIGIBILITY LETTER**

3. The project Comprehensive Permit application contains correspondence from Massachusetts Housing Finance Agency dated February 21, 2017 regarding the *59 North Main Street Village*,

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*Sherborn Project Eligibility/Site Approval Project #895. The description of the project in the letter appears consistent with the Sherborn Village plans. **OK***

*EDC Response: No response by EDC required.*

**PSC: Agreed. OK. – Closed Item.**

4. The project eligibility letter acknowledges the Town's concern with stormwater management and alterations to the wetland buffer zone and riverfront impacts. MassHousing requires that the applicant discuss during the public hearing, resolution of all environmental conditions per laws, regulations and standards applicable to existing conditions and to the proposed use, including but not limited to compliance with all applicable regulatory restrictions relating to floodplain management, the protection of wetlands (WPA), river and wildlife habitats, conservation areas as well as state environmental protection requirements relating to the protection of the public water supply stormwater runoff and hazardous waste safety, and further that the Applicant should provide evidence of such compliance prior to the issuance of a building permit for the project.

*EDC Response: No response by EDC required.*

*Heritage Response: Owner/applicant has addressed all of the Town's concerns outlined in the project Eligibility Letter through written responses and/or information provided during public hearings with the ZBA. Any further Town concerns not already resolved will be resolved prior to issuance of Building permits.*

**PSC: Agreed. OK. – Closed Item.**

5. The project eligibility letter acknowledges the Town's concern with the project's water supply & wastewater management and requires that the Applicant must comply with Title V regulations regarding the design and construction of individual wells and septic systems, and further that the Applicant should provide evidence of such compliance prior to the issuance of a building permit for the project.

*EDC Response: The soil absorption system plans as well as the site plans will be submitted to the Board of Health and these documents have been designed according to Title V and to the maximum extent possible the local Town of Sherborn's regulations.*

*Heritage Response: The Owner/Applicant understands that the soil absorption system (SAS) must comply with the Title V regulations and will be designed and submitted to BOH for review*

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*on or before December 1, 2017. The project's water supply will consist of two individual wells. The Owner Applicant has installed both wells and plans to continue with system design and testing so that the water system is approved prior to issuance of building permits. Under 40-B regulations, the SAS system and water system are not required to be designed or approved prior to issuance of the Comprehensive Permit. The Applicant has agreed to begin the design process for both the SAS and water system prior to the issuance of the Comprehensive Permit.*

***EDC Response: The soil absorption system plans as well as the site plans have been on file with the Board of Health since November and these documents were designed according to Title V and to the maximum extent possible the Town of Sherborn's regulations. Additional soil testing was completed within the SAS limits and this testing corroborated the original soil testing completed by EDC and testing completed by other certified soil evaluators.***

***PSC: Both the Soil Absorption System and water design are subject to Board of Health review and approval under Title V regulations. – We concur that both designs should be underway and ideally completed before issuance of the Permit.***

6. The project eligibility letter acknowledges the Town's concern with general operation concerns such as the impact of the project on traffic and local roads and further requires the Applicant to provide a detailed traffic study assessing potential impacts of the Project on area roadways, including traffic volumes, crash rates and the safety and level of service (LOS) of area intersections, identifying appropriate traffic mitigation in compliance with all applicable state and local requirements governing site design. The letter also requires the traffic study to review on-site parking and circulation to ensure compliance with industry standards.

***EDC Response: EDC discussed traffic during the public hearing process and formally requested a waiver from supplying any additional information.***

***Heritage Response: The Project Engineer, Peter Bemis (EDC, Inc.), submitted the attached letter (EXHIBIT 1), dated 5/11/17 to the ZBA requesting, for the reasons stated, that a formal traffic study not be required. The Owner/Applicant and Project Engineer discussed this letter with the ZBA during a hearing and we believe that the ZBA was in agreement that, for the reasons stated in the attached letter, a formal traffic study would not be required.***

***Response: We continue to believe that no further traffic review is needed for this project and look to the ZBA to close out this item.***

***PSC: Waiver request acknowledged. On-site traffic management remains the primary remaining concern with the project.***

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7. The project eligibility letter acknowledges the Town's concern with wastewater management and water use and requires the Applicant to be prepared to provide detailed information relative to proposed water and sewer use, potential impacts on existing capacity, and appropriate mitigation. The shared wastewater design is schematic and calculations were not provided in the application.

*EDC Response: No response by EDC required.*

**PSC: Agreed. OK. – Closed Item.**

## **EVIDENCE OF SITE CONTROL**

8. Evidence of Site Control – The applicant has provided a copy of the Quitclaim Deed for the parcel conveying the property to HP Sherborn, LLC (June 23, 2015 for \$1,275,000). (DB 65811, pp 274-275).

*EDC Response: No response by EDC required.*

**PSC: Noted. – Closed Item.**

9. A copy of the Purchase and Sale Agreement, dated November 1, 2016 from HP Sherborn, LLC to 59 Main Street Village, Inc., was provided (for \$1,950,000).

*EDC Response: No response by EDC required.*

**PSC: Noted. – Closed Item**

10. Any easement rights held by others (if any) should be added to the plan.

*EDC Response: Any and all easement identified at Middlesex Registry of Deeds are identified.*

**PSC: OK. – Closed Item.**

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## EXISTING SITE CONDITIONS

11. As set forth in the Department of Housing and Community Development's Guidelines for Local Review of Comprehensive Permits, the Applicant is required to submit a narrative detailing "alternative site uses under existing zoning." An endorsed Site Plan was supplied, showing development of the project in conformance with existing Zoning dimensional requirements for RA. **OK.**

*EDC Response: No response by EDC required.*

**PSC: Requirement fulfilled. OK. – Closed Item.**

12. Several large trees, between 24-inches and 48-inches in diameter have been identified on the plan for preservation. Proposed grade changes and the proximity of construction near the project entrance and Unit 12 make it unlikely that three large trees (30-inch, 36-inch and 48-inch) deciduous specimens will be maintained. Specific construction-stage and permanent measures to provide for tree protection should be specified.

*EDC Response: Landscape Architect Steve Cosmos will respond [and] has determined that the trees cannot be maintained and shall be removed.*

**PSC: The three referenced trees near the entrance and Unit 12 will be removed. – Closed Item.**

13. Inspection of the of Flood Insurance Rate Map (FIRM), Map Number 25017C00538F, Middlesex County Massachusetts, effective date July 7<sup>th</sup>, 2014 indicates that the entirety of the site falls outside the 100-year jurisdictional floodplain of the perennial stream. The site is located outside the Zone X, with less than 0.2% chance of annual flooding (500-year floodplain).

*EDC Response: A note has been added to the Existing Conditions Plan.*

**PSC: OK. – Closed Item.**

14. The wetlands and resource areas indicated on the drawings should be referenced by date and the delineator. An Order of Resource Area Delineation (ORAD) was issued by the Sherborn Commission (DEP #283-0361) on December 23, 2014 and it should be referenced on the drawing. If requested by the applicant, the Sherborn Conservation Commission would need to extend the ORAD prior to its three-year expiry date on December 23, 2017.

*EDC Response: A note has been added to the Existing Conditions Plan.*

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**PSC: OK. – *Closed Item.***

15. All abutting parcels (including any registered Land Court parcels) should be clearly designated on the drawings.

*EDC Response: All abutting parcels are designated on the drawings.*

**PSC: OK. – *Closed Item.***

16. Both existing well and septic soil absorption areas are located for the adjacent properties at #55 and #61 North Main Street. Well locations for properties across North Main Street (#58 and #60) have been provided as well. Well setback radii have been provided, consistent with Section 10.1 in the Board of Health Regulations. **OK.**

*EDC Response: No response by EDC required.*

**PSC: Agreed. – *Closed Item.***

## **EXISTING SITE CONDITIONS REPORT**

17. A first level Environmental Assessment in accordance with MGL Ch. 21E should be furnished if available.

*EDC Response: Project proponent Vin Gately to respond:*

*Heritage Response: The Owner/Applicant's lender did not require any type of Environmental Assessment on this property upon purchase, so nothing is available. We don't intend to do any type of assessment.*

**PSC: A 21E is not available for the property. No further comment.**

18. The narrative does not address methods or extent of investigation for any features of historic or archeological significance, but indicates that none are currently known.

*EDC Response: The dwelling that was located on the site was listed by the Massachusetts Historical Commission and has since been razed with permission from local approving authorities, no other listing is provided for this address.*

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**PSC: OK. – *Closed Item.***

## **PROPOSED SITE DEVELOPMENT PLANS**

### ***Site Planning***

19. The project proposes 28 bedrooms on the 6.04 acre site which would result in 3,080 GPD of sewage flows. As on-site wells are proposed for potable water, the project is subject to nitrogen loading limitations as defined under 310 CMR 15.214(2) and would be subject to effluent limitations of 440 GPD/acre under a conventional design (or 550 GPD/acre for recirculating sand filter).

*EDC Response: The site development program is based upon 24 bedrooms, which would result in 2,640 gpd, or 437 gpd/acre under a conventional design, however the units are restricted to 55 years or older and therefore designated as elderly housing under MassDEP guidelines which in turn results in 150 gallons per day per 2-bedroom unit, thus with 12 2-bedroom units the total daily flow for the project is 1,800 gpd or 298 gpd/acre well below any limiting thresholds.*

*Heritage Response: The original Project Eligibility submittal to MassHousing included preliminary draft floor plans. There was one unit floor plan that was a 3 bedroom unit. All preliminary draft plans were later superseded during the ZBA hearing process by the final units floor plans (See attached PDF file – “Sherborn – 4 Floor Plans 10-1-17” 17 pages). This project consists of a total of 24 bedrooms (12 units x 2 bedrooms ea.). It should be noted that the 11/27/17 revised Site Plan only shows Unit #1 with the correct footprint as what will be built in that location. Unit #’s 2 through #12 on the Site plan are shown with the footprint of the “C-Chatham” unit. The Project Engineer did this to be conservative with drainage calculations. Affordable units (Units #2, #4 and #12) are designated to be Floor Plan type “D-Danbury” which has a smaller footprint. The other Unit # locations (#3, #5, #6, #7, #8, #9, #10 and #11) will have unit types based on buyer demand. Buyers can select either Floor Plan type “A,” “C,” or “D” in any of these 8 unit locations.*

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**PSC: OK. – *Closed Item.***

20. The architectural drawings indicate an optional loft space that should be construed as a third bedroom for each 2-BR unit. For age 55 and over units, sewer generation increases from 150 GPD for two-bedroom to 330 GPD for three-bedroom units. The sewer generation flows would increase to 3,960 GPD (for the third bedroom). The locus does not have sufficient land area to support excess nitrogen loading from a third bedroom for all twelve units.

*EDC Response: The site development plan is based upon 24 bedrooms, or 12 single unit dwellings containing 2-bedroom each.*

*Heritage Response: The Owner/Applicant disagrees that the loft area on the 2 construed as a third bedroom. The loft area is a standard feature for the respective floor plan type and is not optional. Further, this loft space is critical to the value and economic feasibility of the project. We propose to control the number of bedrooms and limiting the number to 2 bedrooms per unit by disclosing the 2-bedroom limitation in each owner's unit deed and the Master Deed. Attached are sample draft condominium documents including Quitclaim Deed (Unit Deed), Master Deed and Condominium Trust which include the 2-bedroom deed restriction.*

**PSC: The loft space could be construed as a third bedroom. Open Item.**

*EDC Response: The units are designed as 2-bedroom and the condominium documents will govern use, the ZBA should accept or reject the architectural design in order to close out this item.*

**PSC: Item resolved.**

21. Please indicate the percentage of Riverfront buffer that will be altered as a result of the project. No more than 10% of the available riverfront should be altered by development of the project. 310 CMR 10.58(4)(d)1.

*EDC Response: Riverfront statistics are included on the Layout & Materials Plan.*

**PSC: OK.**

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22. Although the drawings indicate twenty-two (22) test pits and eighteen (18) monitoring wells have been advanced on the site, and soils have been discussed in a general manner based upon the NRCS Soils Atlas and mapping, site specific test pit information has not been provided, but will be required beneath the soils absorption systems and the stormwater retention/detention areas.

*EDC Response: Extensive soil testing has been conducted onsite and included with Soil Absorption System Plans which will have been provided to the Board of Health and Zoning Board.*

**PSC: Open Item.**

*EDC Response: As was agreed to at the last public session of this application, Peter Bemis with EDC excavated 2 additional test pits and percolation soil tests within the soil absorption system limits and 11 additional tests within the various storm water leaching system areas with Beth Hallal with Sherborn Board of Health. The test pit data has been included in both the Site Plan Set and Soil Absorption System Plan. Mounding and drawdown computations are included with EDC's Conservation Peer Review Response Package which is to be provided to the Zoning Board separately.*

**PSC: The soils logs and provided mounding analyses indicate that groundwater should not extend into the systems. OK.**

23. The Infiltration Trench System detail on Plan Sheet 6 provided the design bottom elevation for each of the six (6) Cultec Systems. Estimated Seasonal High Groundwater (ESHGW) beneath each system should be provided in this table. A minimum 2-foot vertical separation to ESHGW is required beneath the stone for each system. If less than four feet is provided, then groundwater mounding calculations will also be required.

*EDC Response: High ground water elevations have been added to the table.*

**PSC: No soils logs have been submitted. Soils tests have been performed under any of the stormwater management recharge areas. Open Item.**

*EDC Response: As outlined in the response to Item 22 above, additional soils testing was completed along with mounding computations, and all leaching areas meet or exceed DEP storm water management guideline recommendations.*

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**PSC: OK – Item resolved.**

24. Project lighting is not indicated within the site. Proposed lighting should be developed with photometrics using specific light fixtures that are consistent with residential scale and style typically acceptable in the town.

*EDC Response: Lighting details and photometrics have been added to Plans.*

**PSC: OK. – Closed Item.**

25. Please indicate whether a streetlight is proposed for the project entrance at its intersection with North Main Street.

*EDC Response: A pole mounted light is set to be 40' ± from the intersection with North Main Street as shown on the lighting plan.*

**PSC: OK. – Closed Item.**

26. Although driver visibility appears sufficient, stopping sight distance and intersection sight distance information should be provided at the entrance along North Main Street in both directions.

*EDC Response: Sight distance is either direction is greater than 350 feet from the driveway entrance and is indicated on sheet 3.*

**PSC: OK. – Closed Item.**

27. A more detailed plan prepared by a Landscape Architect or other qualified professional should be submitted indicating active and passive recreational facilities. Extending on-site pathways to connect the project to the town-owned land north of the project should also be evaluated and considered.

*EDC Response: Steve Cosmos will address and his Landscape Plans have been provided.*

**PSC: Open Item.**

*EDC Response: Steve Cosmos has updated his Landscape Plan and the ZBA should accept or reject this design in order to close out this item.*

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**PSC: - Although an updated Landscape Design Plan was provided, this plan does not address pedestrian linkage to the Town owned property.**

28. Please indicate whether each unit will be individually served for trash removal. In the event that dumpsters are required, all dumpsters should have permanent, attractive enclosures.

*EDC Response: Each unit owner will collect their own refuse and store it within the garage of each unit. Refuse will be collected weekly by the facility management company and disposed with a licensed facility.*

*Heritage Response: Dumpsters are not required and will be prohibited. All trash will be stored by each owner in their garage. The property management company for the home owner association (HOA) will contract privately with a licensed refuse disposal company to provide weekly trash and recycling pickup. All owners will be required to wheel their barrels from their garage to the end of their driveway for weekly curbside pickup.*

**PSC: OK. – Closed Item**

29. Multifamily developments typically are required to have common mailbox locations, which can present significant site circulation issues. The location for a common mailbox facility with associated parking/pullout should be shown.

*EDC Response: A mail and community kiosk will be located at the exit driveway as indicated on the Layout & Materials Plan.*

**PSC: A mail kiosk located near the intersection is convenient for exiting traffic but may be problematic to access for cars entering the site. It is recommended that the location be shifted to the right, closer to Unit #12.**

*EDC Response: We have reviewed this response with Vin Gately and the current Kiosk position is preferred, therefore the ZBA should accept or reject this design position in order to close out this item.*

**PSC: We recommend the mail kiosk be shifted to the right, closer to Unit #12.**

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30. A *Stormwater Pollution Prevention Plan (SWPPP)* was submitted and are generally sufficient. The Project Manager and Person and Entity responsible for plan compliance, as well as the Owner of the Stormwater System, as well as the person responsible for financing maintenance and emergency repairs should be added to the SWPPP when known.

*EDC Response: This shall be provided when contractors and project managers are contractually obligated to the project.*

**PSC: OK. – Closed Item.**

31. The SWPPP should specify weekly street sweeping of North Main Street.

*EDC Response: Weekly sweeping of North Main Street has been added to the SWPPP.*

**PSC: OK. – Closed Item.**

32. The applicant should confer with the Sherborn Fire/Rescue Department and provide documentation from the Department indicating their concurrence with fire access to buildings, unit separation, available pressure and volumes from the on-site well system (whether supplemental water tank, auxiliary pumping, etc. will be required), alarms, and other fire protection related matters. Please indicate whether the buildings are to be sprinklered.

*EDC Response: A 20,000 Gal. Cistern is proposed at the entrance driveway and we met with the fire chief and safety officer to ensure that the development plan met with their satisfaction. Dwelling units shall be separated with a minimum separation of 10-feet. Project documents will continue to be forwarded to the Sherborn Fire Department to ensure acceptance of the final site development program.*

*Heritage Response: The Owner/Applicant and Project Engineer met with the Sherborn Fire Chief Kinney and his Lieutenant–Safety Officer. Fire Chief Kinney was satisfied with all of the issues mentioned above and required a 20,000 gallon cistern be installed on-site at the location now shown in the 11/27/17 Revised Site Plans (Page 4). The individual units will not be sprinklered since each unit will have more than 10 ft. of separation from adjacent units.*

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*Heritage Supplemental Response: Fire Chief Kinney requested that the cistern be 30,000 Gallons. This has been noted on the revised site plans. We expect a letter from the Fire Chief to confirm this information*

***EDC: OK. – Closed Item, however we recently learned that the fire chief would prefer to have a 30k cistern and as such that change has been made to the plan.***

**PSC: OK – Item resolved.**

33. The applicant should confer with Police Officials and provide documentation indicating that they are satisfied with access and safety issues during construction and operation of the project.

*EDC Response: A one-way driveway is provided with superior site visibility at the North Main Street curb cut Project documents will continue to be forwarded to the Sherborn Police Department to ensure acceptance of the final site development program.*

*Heritage Response: The Owner/Applicant has discussed and reviewed the site plan with Sherborn Police Lieutenant David Bento. Lieutenant Bento supports the project as designed. (Heritage Supplemental Response): We expect a letter from the Police Dept. to confirm this information.*

***EDC Response: Police and fire officials have reviewed the plans and their comments were previously addressed, we continue to believe that this is a closed item.***

**PSC: Item resolved.**

34. Any temporary construction signage should be shown and details provided on the size, illumination, style, and legend.

*EDC Response: Project proponent Vin Gately to respond.*

*Heritage Response: The Owner/Applicant was granted a special permit on 9/26/17 from the Sherborn ZBA under Section 5.2.6d of the Sherborn Zoning By-Laws for a 40 SF (8 ft. by 5 ft.) temporary sign, no illumination.*

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***EDC Response: Vin Gately has supplied this information.***

**PSC: Item Resolved**

35. A permanent entrance sign has not been shown. Details on the size, illumination, style, and legend of any proposed sign should be given.

***EDC Response: Project proponent Vin Gately to respond.***

*Heritage Response: A permanent entrance sign has not been designed so it is not shown on the latest revised site plan. The Owner/Applicant expects that there will be a simple granite etched sign showing the address "59 North Main" at the entrance with illumination in accordance with the general regulations for permanent signs (Section 5.2.3) of the town zoning by-laws. This will be submitted for approval to the ZBA before the issuance of any Certificates of Occupancy.*

**PSC: Item Resolved.**

36. The site should be fenced and secured during construction.

***EDC Response: Project proponent Vin Gately to respond.***

*Heritage Response: A temporary construction fence will be installed along the N. Main Street frontage for this property prior to the issuance of any building permits.*

**PSC: In addition to the site frontage, we recommend the site perimeter be secured to the degree possible including sidelines.**

37. Given the density of this project, snow storage is a significant concern. Snow storage areas should be designated outside paved or on adjacent grassed areas that maximize recharge, outside well setback areas. The interior soil absorption field and all buffer zones should specifically be prohibited for snow storage.

***EDC Response: There are limited snow storage areas onsite and notes have been added to ensure that snow is removed from the project site when volume exceeds storage capacity.***

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**PSC: Snow storage areas and areas where snow storage is prohibited should both be specified on the plan.**

*EDC Response: Specific snow storage areas are defined on the Site Plan and should these limits exceed storage capacity then snow shall be removed from the site and disposed of at a licensed facility.*

**PSC – OK. Item resolved.**

38. All walkway and any common parking area grades (common mailbox area) should adhere to all current Architectural Access Board regulations.

*Response: Site driveway at curb cut included ADA compliant sidewalk connections with tactile mats.*

**PSC: Response for sidewalks OK. Verify ADA compliant grades along the parking/pullout at the kiosk.**

*EDC Response: Construction notes and detail provided required ADA compliant approach at sidewalk and along the Kiosk limits, closed item.*

**PSC: OK – Item resolved.**

#### ***Access, Circulation, and Parking***

39. As designed, the 18-foot wide interior driveway is narrow for two-way traffic, particularly for a project of this density with cars maneuvering out of closely spaced driveways into two way traffic movements. Unless the pavement width is increased, preferably to a minimum 22 feet, the design will be congested. Parking should be prohibited along the roadway edges.

*EDC Response: The driveway has been designed for one-way traffic.*

**PSC: To reduce left turns inside the project entrance to the front units, one way traffic should be better controlled at the interior intersection, either with paint markings, a channelizing feature or other appropriate design measure.**

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***EDC Response: Directional signage should be sufficient, however if the ZBA would prefer, then painted arrows can be applied to the pavement, ZBA should advise in order to close out this item.***

**PSC: We remain concerned with pavement widths, street edge parking and one-way movements within the project.**

40. The curvilinear geometry should aid in limiting vehicle speeds, however the project is not designed with a sidewalk that should be included to help segregate pedestrians from traffic.

***EDC Response: With the driveway having only one-way traffic flow we believe that the limited volume of pedestrian traffic can safely pass along the edge of the driveway to the sidewalk at North Main Street.***

**PSC: At a minimum, sidewalks should be provided along the two way entrance.**

***EDC Response: Sidewalk has been added to the 2-way section of roadway as requested.***

**PSC: We concur with the upgrade. OK.**

41. Fire officials should verify that they are satisfied with exterior access to the rear of Units 3, 4 and 5. Rear access is also limited behind Units 8 and 10 with rear decks about 15 feet from the no alteration zone.

***EDC Response: We met with the fire chief and safety officer to ensure that the development plan met with their satisfaction. Project documents will continue to be forwarded to the Sherborn Fire Department to ensure acceptance of the final site development program.***

**PSC: Confirmation should be provided from this meeting with a follow-up letter.**

***EDC Response: Vin Gately will provide letter and/or email from the meeting.***

***Heritage Response: The Owner/Applicant and Project Engineer met with the Sherborn Fire Chief Kinney and his Lieutenant-Safety Officer. They had no issue with rear access to any units. We requested and expect a letter from the Fire Dept. to confirm their support of the project as designed and shown on the latest revised site plans***

**PSC: - Subject to receipt of correspondence, Item Resolved.**

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42. The geometry of the roadway should accommodate the largest Fire/Rescue Department's design vehicle. Concern was expressed regarding the roadway geometry in the rear of the site. Documentation should be provided indicating that the Department's concerns have been addressed and should include approval for the layout and methods of construction of the on-site access and circulation system.

*EDC Response: The driveway was designed with the Fire/Rescue design vehicle. We reviewed the turning templates with Sherborn Fire officials.*

**PSC: OK. – Item Closed.**

43. For safety, vertical faced granite curb or precast concrete curb should be specified along both sides of the main drive and intersection radii.

*EDC Response: The project was designed using cape-cod berm so that vehicles could park on the gravel-pave2 areas that are designated on sheet 4.*

**PSC: Vertical faced granite or precast curb should be specified along both sides of the main entrance drive and intersection radii, but not across the gravel-pave areas.**

*EDC Response: Vertical granite curb is included within the 2-way limits.*

**PSC: We concur with the upgrade. OK.**

### ***Grading***

44. Construction of the proposed site improvements will likely include reuse of onsite materials. General information on the structural reuse of onsite soil types should be provided.

*EDC Response: The site consists of sands and gravels with depth, overlain by layers of sandy loams. All onsite materials are to be reused as part of the redevelopment activities. There will be imported materials including processed gravels for roadway and driveways, sands and aggregates for bedding utilities, septic system sands, gravels and aggregates for system construction and mulches for landscaping activities. Trees will be cut to trunk lengths and hauled away with limbs chipped onsite for reuse when needed or hauled away.*



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**PSC: OK. – *Closed Item.***

45. The proposed grades do not differ significantly from existing grades. It is not anticipated that significant quantities of native material will be exported from the project. Similarly, the site should not require import of bulk material for fill. **OK.**

*EDC Response: Site is balanced except for required import materials as noted in item 44 above.*

**PSC: OK. – *Closed Item.***

***Landscaping***

46. The applicant should be encouraged to limit turf areas due to water demand and requirements for lawn chemicals and fertilizer. A Turf Management plan should be provided that adequately protects the adjacent resource areas from nitrate and phosphate loadings.

*Response: See Landscape Plan by Cosmos Associates.*

**PSC: Turf management is not addressed on the Landscape Design Plan. Open Item.**

*EDC Response: A Turf Management plan was included in the SWPPP document included with the ConComm response package provided separately.*

**PSC: Reduced lawn chemicals and fertilizer should be specified for the project.**

47. A *Tree Protection Plan* should be provided for the trees to be preserved along the front of the site.

*EDC Response: See Landscape Plan by Cosmos Associates.*

**PSC: Tree protection is not addressed on the Landscape Design Plan. Open Item.**

*EDC Response: Steve Cosmos to address this item.*

*Heritage Response: Tree Protection has been noted on page L 1 of the Landscape Plan*

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**PSC: Item Resolved.**

48. Minimal landscape improvements are proposed for the project. Street trees should be considered to enhance the appearance of the project.

*EDC Response: See Landscape Plan by Cosmos Associates.*

**PSC: OK. – Closed Item.**

**PROJECT IMPACTS**

49. The Applicant should prepare and submit for review, a detailed management plan indicating the organization and funding mechanism for a homeowners' association or other organization that will be responsible for maintaining the on-site parking, access, utilities, and landscaping and for contributing to ongoing maintenance of the shared wastewater facility.

*EDC Response: Project proponent Vin Gately to respond.*

**PSC: Open Item.**

*Heritage Response: The Applicant/Owner, HP Sherborn LLC, will be the initial and sole Trustee of the Sherborn Village Condominium Trust (HOA) until 100% (all 12 units) are conveyed. Heritage Properties (HP) will property manage this project for no management fee until the takeover date (i.e. all 12 units are conveyed). As with all new condo projects developed by HP, we will offer the Owners 1 year of property management services, at no cost, after the takeover date. HP has been providing property management services to condo projects and apartment projects for over 15 years. The funding for the HOA will be provided by the owners who will pay a 2-month condo fee reserve at closing plus monthly condo fees based on an operating budget prepared by HP. The HOA will benefit through competitive/low costs from contractors/suppliers with whom HP has long term relationships and receives competitive pricing based on annual bids. HP will provide contractors/suppliers that will provide the following services: (1) weekly trash/recycling pickup, (2) snow removal, (3) full landscaping, (4) master condo insurance, (5) septic system cleaning, testing & repair, (6) well/water system testing and repair, (7) complete maintenance & repairs for common areas, on-site drainage*

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*systems and exteriors of buildings, (8) collection of condo fees, payments of all HOA expenses, preparation of HOA financial statements, filing of HOA tax returns and any local, state and federal reports/documents, preparing annual condo budgets and setting monthly condo fees, issuing 6 (d) certificates and completing condo questionnaires for owner mortgages. Attached is a sample draft Property Management Contract that would be revised for as needed to fit the service requirement of this project.*

**PSC: Draft document has been provided. Subject to approval by the Board, Item Resolved.**

50. Any impacts to abutters from construction noise, vibration, or any required blasting should be identified.

*EDC Response: Based upon the soils work completed to date, we do not anticipate any blasting, however in the event it is required all blasting will be conducted in accordance with local requirements which include abutter notification. Work hours for the project will adhere to the local Sherborn ordinances concerning commercial work activities.*

**PSC: OK. – Closed Item.**

51. The project driveway is directly opposite the existing residence across North Main Street at #58 North Main Street. This residence should be plotted on the drawings in relation to the driveway. Headlights from exiting cars will impact this residence and should be mitigated. A contribution toward off-site vegetated screening should be coordinated with the property owner.

*EDC Response: The residences across North Main Street have been added to sheet 3 & sheet 4, this item shall be discussed..*

**PSC: To be discussed. Open Item.**

***Response: Steve Cosmos must address this item as part of the Landscape Plan.***

52. Landscape design should include screening residential abutters on both sides of the project. Screening should be focused in the non-buildable parcel A on the left side of the project, and behind Units 11 and 12 on the right.

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*EDC Response: See Landscape Plan by Cosmos Associates..*

**PSC: Plantings have been supplemented along the right side of the project between the residence at #61 North Main Street and the project. A double row of arbor vitae have been proposed 8'-10' at time of planting. OK.**

*EDC Response: Plantings have been supplemented along the right side of the project between the residence at #61 North Main Street and the project. A double row of arbor vitae have been proposed 8'-10' at the time of planting.*

**PSC: OK.**

53. The extent of construction traffic including truck trips should be identified. Proposed truck routes and scheduling should be shown. The analysis should include a distribution breakdown.

*EDC Response: Construction traffic will vary with the specific construction activity and construction sequence. Project proponent Vin Gately to further respond.*

*Heritage Response: The most significant construction vehicle (well drilling rig truck) has already completed its work on-site. This site is relatively flat and balanced so the amount of fill being trucked on/off site is negligible. Construction traffic for site and infrastructure work is expected to be less than 3 trips per week. All heavy construction equipment such as excavators and loaders will come on-site once and stay on-site until the work requiring that equipment is completed. Therefore, construction traffic for these vehicles/equipment is negligible. The only time we expect to have 3 or more trips per week will occur during an approx. 25-day period (April 23 to May 18 – See Construction Schedule in Comment #55 below) while gravel and graded base is trucked on-site for the 700 ft. road to be constructed to serve the 12 detached homes. During this period, we expect approx. 5 truck trips per day. Home construction is expected to start in mid-April 2018 (See Construction Schedule in Comment #55 below) and continue until late fall of 2019. During this period medium to large supplier trucks will be delivering lumber and other building materials at the rate of between 3 and 5 trips per week.*

**PSC: Item Resolved.**

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54. A dedicated location should be provided on the site for equipment fueling operations that is sited outside the wetland and riverfront buffers and minimizes the potential for contamination of individual wells from spills.

*EDC Response: The SWPPP Plan identifies the fueling location and procedures.*

**PSC: OK. – Closed Item.**

55. The development team should provide a rough construction schedule with anticipated milestone dates for major components of the project. Verify that the project will be constructed as a single phase.

*EDC Response: Project proponent Vin Gately to respond.*

*Heritage Response: See attached draft Construction Schedule – EXHIBIT 2 for both Sitework/Infrastructure and Home Construction. As shown, Sitework/Infrastructure will take approx. 5 months. Also as shown, each detached home will take 5 months from start (Building Permit) to finish (Certificate of Occupancy). The condominium will be created in multiple Phases and not one single Phase. The number of Phases and the number of homes per Phase will be based on sales/absorption rates. Based on pre-construction marketing activity to-date, the Owner/Applicant estimates that there will be 3 Phases of approx. 4 units per Phase. Under this projection, each Phase would contain 1 affordable unit and 3 market rate units.*

**PSC: Item Resolved.**

56. The MassHousing Project Eligibility letter recommended that the applicant provide a detailed traffic study, assessing the potential impacts of the Project on area roadways, including traffic volumes, crash rates, and the safety and level of service of area intersections. The Study should identify appropriate traffic mitigation, and discuss address on-site parking and circulation. The estimated traffic generated from the project should be evaluated based upon the ITE Trip Generation Manual, 9<sup>th</sup> Edition (latest). Peak hour generation should be addressed in the analysis.

*EDC Response: Project proponent Vin Gately to respond.*

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*Heritage Response: This comment is essentially a repeat of Comment #6 above. See the response to Comment #6 above. The Owner/Applicant and Project Engineer believe that the ZBA, during public hearings, has agreed to our request to waive a traffic study.*

**PSC: Study of off-site traffic impacts have been discussed and generally resolved. On-site traffic issues mentioned in the Eligibility Letter and addressed in Comment #6, remain a concern with respect to pavement width, one-way movement conflicts and street side parking.**

57. A Traffic Management Plan should be submitted that has the approval of the Sherborn Chief of Police. As a minimum the Traffic Management Plan should identify the number of truck trips, proposed truck routes, and an overall construction schedule.

*EDC Response: Project proponent Vin Gately to respond.*

*Heritage Response: The Police Dept. (Lieutenant David Bento) has told me that he has no requirement for any type of Traffic Management Plan therefore none will be provided.*

**PSC: Item Resolved**

## **PRELIMINARY ARCHITECTURAL DESIGN**

58. The affordable units have been designated on the plans as Unit #2, #4 and #12. Each of the affordable units are designated as three-bedroom units (Architectural Type A). All others are designated as two bedroom units. Verify the proposed distribution of the affordable units.

*EDC Response: All dwelling units shall be 2-bedroom units, the affordable units are designated as units #2, #4, and #12. Project proponent Vin Gately to further respond.*

*Heritage Response: See the response to Comment # 19 above. The affordable units are 2 bedrooms units not 3. See attached PDF file – “Sherborn – 4 Floor Plans 10-1-17” 17 pages). The affordable units have been designated as Unit Type “D - Danbury” in locations #2, #4 and #12. This same Danbury unit is available to market rate buyers in site locations #3, #5, #6, #7, #8, #9, #10 and #11. The Owner/Applicant has reviewed and discussed the affordable unit locations during several ZBA hearings and believes that everyone agrees that these locations fit*

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*the definition of uniform distribution considering that this is a small community with all units located around the same center island.*

***EDC Response: The civil site plan continue to identify the affordable units. – Closed Item.***

**PSC: We concur. – Item resolved.**

59. Preliminary architectural drawings were provided for review depicting six types of units. In addition to bedroom counts, the building floor plans should be evaluated to include the study, loft and similar rooms that should be counted as “bedrooms” for the purposes of determining sewage generation. There is not a significant difference between the three-bedroom configuration and two-bedroom layout between the unit types and it appears all units could use the loft as the third bedroom.

*EDC Response: All dwelling units shall be 2-bedroom units. Project proponent Vin Gately to further respond.*

*Heritage Reponse: Please see the response to Comment #19 and #20 above. All 12 units are legally restricted as 2 bedroom units, in perpetuity, as outlined in both the Master Deed and Unit Deed attached. The loft areas are open with no door to enclose the area and no closet. As such they don't meet the normal definition of a bedroom by building code. These loft areas are important finished living areas that add to the finished square footage of the respective unit. These lofts are a critical feature that adds to the market value of each unit without which this project would not be economically feasible. The 2 bedroom deed restriction is considered to be a reasonable solution to the number of bedrooms in projects that have private SAS systems, especially projects that are 55 + adult communities permitted under MA comprehensive permit 40B regulations.*

**PSC: Item Resolved.**

60. Information on exterior finishes should be provided.

*EDC Response: Project proponent Vin Gately to respond.*

*Heritage Response: Siding - Shingles: Cement board by James Hardie, CertainTeed, or equal  
Siding - Clapboard: Cement board by James Hardie, CertainTeed, or equal*

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*Siding- Vertical (Board & Batten): Cement board by James Hardie, CertainTeed, or equal Trim: Composite PVC by Azek, Trex, or equal Trim: Pine Other exterior finishes including windows, asphalt shingles, metal roofing decking and exterior doors have not yet been selected. All materials will be high quality and all units will be Energy Star certified*

**PSC: Item Resolved.**

61. The height of each building should be calculated, as set forth in the Zoning Bylaw.

*EDC Response: Building height will comply with the underlying zoning provisions. Project proponent Vin Gately to further respond.*

*Heritage Response: All buildings will be 35 ft. or less.*

**PSC: Item Resolved.**

## UTILITIES PLAN

62. Specific arrangements for operation and maintenance of the sewer dosing chamber should be detailed.

*EDC Response: A separate management company shall be hired to operate and maintain the septic system. Project proponent Vin Gately to further respond.*

*Heritage Response: The HOA through the property management company will hire a licensed operator to provide maintenance to the SAS system at intervals agreed to with the Sherborn BOH. The specifics arrangements will be worked out as part of the SAS system approval with the BOH.*

**PSC: OK.**

63. Water for the project will be drawn from two on-site wells. Construction Note #6 references an 8-inch CLDI water main, which does not appear to be correct. Additional detail of the design should be provided including pipe sizes, pump details, backup generation, etc.

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*EDC Response: Additional water system details will be forthcoming from Provencher Engineering.*

**PSC: Open Item.**

*EDC Response: The water system layout is indicated, however until the well testing procedures are established, a final detailed design cannot be completed. ZBA either needs to establish the testing and monitoring protocol or can conditionally approve the project subject to completion of the well testing.*

**PSC: Open Item.**

64. Verify pipe materials, depth of cover and minimum separation between services for water and sewer services.

*EDC Response: Additional utility details have been added to plans and we anticipate that additional water system details will be forthcoming from Provencher Engineering.*

**PSC: Open Item.**

*EDC Response: The water system layout does satisfy setbacks, however as stated above, final details cannot be completed without establishing testing protocol.*

**PSC: Open Item.**

## **UTILITIES PLAN – STORMDRAINS**

65. The plan shows all the on-site galleys that accommodate runoff are retention systems. In order for each system to be effective, it must be empty prior to a storm event. All basins must be designed such that spring high groundwater is two feet below the bottom of the basin. Soils information should be provided.

*EDC Response: All Cultec chambers have been designed to be at least 2-feet above high groundwater.*

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**PSC: Open Item. Please refer also to Status of Comments #22 and #23.**

*Response: EDC addressed in Items #22 and #23 above.*

**PSC: OK – Item resolved.**

66. Logs of test pits were not furnished with the plans or report. Existing groundwater elevations must be determined for each of the six systems. Provide soils test data including soils classification, observed groundwater and mottled soils elevations in the footprint of each system.

*EDC Response: The test pit logs are attached.*

**PSC: The revised submission should include test pit logs. Open Item.**

*Response: EDC addressed in Items #22 and #23 above.*

**PSC – Item resolved.**

67. Pipe capacity calculations for the stormdrain system should be added to the stormwater management report.

*EDC Response: The pipe capacity calculations have been added to the report.*

**PSC: Revised calculations have not been provided. Open Item.**

*EDC Response: Storm Drainage Calculations were provided previously and are attached again herewith.*

**PSC: OK - Item resolved.**

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## **REQUIRED EXEMPTIONS**

68. The application documents variances required from the Zoning By-Laws of the Town of Sherborn. An additional section was identified that will require a variance. Section 4.3.6. Number and Location of Dwellings on One Lot.

*EDC Response: EDC prepared a waiver outline letter and does not anticipate any additional items at this time.*

**PSC: Verify that the letter includes variance request from Section 4.3.6.**

**Response: EDC has updated the 5/11/17 letter and reissued 2/10/18 to include this item.**

**PSC: Item resolved.**

69. A variance has been requested from Section 5.2.6.a of the By-Laws regarding permanent monument signage. The proposed project signage should be provided for evaluation by the Board.

*EDC Response: Project proponent Vin Gately to respond.*

*Heritage Response: See the response to Comment #35 above.*

**PSC – Item Resolved.**

70. Submit a tabulation of departures from the Planning Board's Rules & Regulations, which serve as Town construction standards, particularly Section 4.0- *Design Standards* and Section 5.0- *Required Improvements*. Describe why there is a public interest in allowing various downgrades.

*EDC Response: EDC prepared a waiver outline letter and does not anticipate any additional items at this time.*

**PSC: No further comment. – Closed Item.**

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## **FEDERAL AND STATE PERMITS AND MEPA COMPLIANCE**

71. An NPDES General Construction Permit is required for sites involving disturbance greater than or equal to 1 acre.

*EDC Response: A NPDES will be filed with EPA in advance of any construction activities.*

**PSC: OK. – *Closed Item.***

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