

MEMO TO FILE: Bayberry Estates

TO: Board of Appeals / Cheryl Lutcza

FROM: Town Engineer / R.E. Lee 02/03/2006

As per your memo dated April 14, 2006, I have reviewed the documents for the above referenced project, consisting of a plan prepared by Griffin Engineering Group and dated 03/03/2006 and a **Comprehensive Permit Application** from the attorney representing Bayberry Enterprise Realty Trust. I offer the following comments;

- The application document states that a condo association will have the responsibility for maintaining roads, snow removal, landscaping, and other maintenance issues but the responsibility for the shared septic system and water distribution system is not mentioned. As this will apparently be a private development, these responsibilities should be clarified.
- The application document says that a traffic report will be submitted but also claims that there would be no significant impact to the level of service on Bayberry Street (which by the way is referred to as Bayberry Road in all documents). Either the reasons behind this assertion should be provided or the applicant should wait for the traffic report.
- The sources for the statement that no archeological or historical impacts of significance should be documented (Mass Historical?).
- The comment that 82.4% of the project will be left as open space should be documented. "Open space" is not defined as all remaining areas once pavement and roofs are deducted.
- The Conservation Commission may comment on wildlife habitat, priority habitat, and vernal pools at or near the site. Also, I believe this project lies within an ACEC which may or may not impact the proposal.
- The project plans to connect to the municipal water system. As noted on the plans, flow tests must be done at the system adjacent to the project to confirm the existing system can handle the demands of this proposal.
- There obviously will be erosion controls required on this project and the minimum requirements will be determined by the Conservation and this office. Neither authority has ever had unreasonable requirements in this regard.
- Of the eleven waivers requested, one is from the requirements of common driveways. The Town certainly must have some input into the proposed

construction of these roads, even though they will ultimately be private. The application report states that the developer expects fire protection which the Town can only be expected to provide if access ways are built to *some* acceptable standard. As clearly subdivision design requirements will not be complied with, common driveway design requirements would represent the minimum that could accommodate emergency vehicles.

- Backup documentation on the total “dry” area of the project should be provided. The plans state that the project encompasses 17.85 acres dry and 2.00 acres of wetlands. My check, just done by scaling, comes up with 85% more wet area than claimed, approximately 3.76 acres.
- A very innocuous note on the plans indicates that the project includes widening Bayberry Street from Heald Street to the entrance of the new project, a length of some 1,200’, from 18’ to 24’. No details of this proposal have been provided, which would be significant. This also seems to assume that the majority of the new traffic volume will be heading south, not north – this assumption should be as the result of the pending traffic study.
- The abutters information omits the last names of the residents at 34 Bayberry and 11 Ashley.
- The plans indicate a 20’-wide gravel road for emergency access continuing west out to Ashley Street, which would include a water line to connect at Ashley. As has been done on many prior projects, the Town would make it a requirement that prior to house construction this emergency access road and the water line be completed. It would also have to be determined by public safety personnel how to restrict public access here.
- The existing condition plans, which appears to show conditions at least 2 ½ years old, does not show the existing waterline to which a proposed connection is to be made (note here that the plans also show this connection to be far beyond where the existing line ends). The bench mark for the 1929 datum referenced (NGVD 1929) should be located.
- The site plans lack far too much information for any sort of a meaningful review. There is no vertical design for either surface work or utilities; there is no drainage design beyond the schematic location of three detention ponds; there are no construction details; as stated before, there are no details of work in Bayberry; and there are no service connections shown to any of the new structures. Most of this missing information is listed as a requirement for a 40B Comprehensive Permit Application for the Zoning Board of Appeals (revised 04/26/05), including drainage structures, utilities, and changes in grading.
- Beyond this missing information, sewer lines and water lines cross for no apparent reason; the sewer system doesn’t even reach the three northern-most structures; the buffer zone line is not identified and the 100’ buffer zone is not on the plans; there are three wetlands “fillings” again with no information and what the impact would be to filling wetlands that results in a disconnect of wetlands; and test pit data for the proposed location of the septic system disposal area is not shown.

It will be important that a thorough review of more detailed plans be done once provided.