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August 16, 2023

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS ON THE EXPANDED ENVIRONMENTAL NOTIFICATION FORM AND

PROJECT NAME PROJECT MUNICIPALITY PROJECT WATERSHED EEA NUMBER PROJECT PROPONENT DATE NOTICED IN MONITOR : Sierra Vista Commons
: Easthampton
: Connecticut
: 16729
: Tasty Top Development, LLC
: July 10, 2023

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G.L. c. 30, ss. 61-62L) and Section 11.06 of the MEPA Regulations (301 CMR 11.00), I have reviewed the Expanded Environmental Notification Form (EENF), and hereby determine that this project **requires** the submission of an Environmental Impact Report (EIR). In accordance with Section 11.06(8) of the MEPA regulations, the Proponent requested that I allow a Single EIR to be submitted in lieu of the usual two-stage Draft and Final EIR process. As discussed below, comments submitted by Agencies indicate that additional analyses are needed to fully assess the project's potential impacts and evaluate the mitigation proposed, including a supplemental traffic impact study and associated air quality analysis, updated stormwater and land alteration assessment, and additional climate change analysis including greenhouse gas emissions (GHG). Accordingly, I am denying the Single EIR request; the Proponent should submit a DEIR in accordance with the Scope included in this Certificate.

Project Description

As described in the EENF, the proposed project consists of the construction of a mixed-use residential and commercial center, consisting of 350,000 square feet (sf) of residential space (comprised

of 202 residential units) and 60,000 sf of commercial space; 510 surface parking spaces; a stormwater management system; and landscaping located off of Northampton Street (Route 10), a roadway controlled by the Massachusetts Department of Transportation (MassDOT). Specific components of the development would include a Roots Learning Center (Daycare facility); a Roots Gymnastic Center; a sit-down restaurant with a 220-seat capacity; a bank; a standalone small retail building; two mixed-use warehouse buildings; a mixed-use retail/office building with 14 apartments above; and ten mid-rise (3floor) apartments buildings. Seven of the ten residential buildings will be located within the northern portion of the site, across an intermittent stream that bisects the property, with surface parking and other site amenities (including a swimming pool, community garden, and playground) located within a central plaza. The remainder of the project will be located within the southern portion of the site. Access to the site will be provided by an internal roadway that will utilize a new intersection with Northampton Street (Route 10), and will include sidewalks, crosswalks, and speed humps as necessary at critical points. Access to the northern portion of the property will be provided by a new bridge that will span the intermittent stream. The project will also be serviced by existing municipal sewer and water with connections to the Easthampton Main Sewer Interceptor, which runs along the northeastern property boundary, and an existing water main located in Northampton Street (Route 10).

Project Site

The project site occupies approximately 33 acres land, consisting of a mix of partially developed land, agricultural fields, wetlands, and forest, with 332 ft of frontage along Northampton Street (Route 10). The majority of the residential units are proposed within the City of Easthampton (the City)'s Residential – Suburban A (R-15) zoning district with the remainder of the project proposed within the Highway Business (HB) zoning district. The site previously supported a variety of uses that have altered approximately 17.1 acres, including approximately 10 acres of the southern portion of the site which operated as a driving range known as Easthampton Golf since at least the 1990s. Easthampton Golf included a paved parking area, a small building supporting a sales office, an artificial turf and natural grass tee box area, and a mowed lawn range. Within the immediate frontage on Northampton Street (Route 10), the site supported a retail ice cream stand and paved parking lot as well as a single-family home and barn. Approximately 6.5 acres within the northern portion of the site was historically used as an agricultural field, though it has not been actively farmed in at least two years. Access to the field is currently provided by a pre-existing, unauthorized wooden bridge that crosses an intermittent stream which bisects the property. The site is bounded by mixed commercial uses to the north and west, vacant land to the east, and residential neighborhoods to the south.

State and local wetland resource areas located within the project area include Bank, Bordering Vegetated Wetlands (BVW), and Riverfront Area (RA). According to the Massachusetts Natural Heritage and Endangered Species Program (NHESP) Atlas (15th Edition), a portion of the project site is located within Estimated and Priority Habitat of Rare Species. A portion of the project site is also located in a Massachusetts Department of Environmental Protection (MassDEP) Approved Zone II Wellhead Protection Area. Additionally, the site formerly contained a structure listed in the Massachusetts Historical Commission's (MHC) Inventory of Historic and Archaeological Assets of the Commonwealth.

The project site is located within an Environmental Justice (EJ) Population characterized by Income within the City of Easthampton. The site is located within one mile of three additional EJ Populations characterized by Income within the City of Easthampton. The site is also located within five miles of 15 additional EJ Populations.¹ As described below, the EENF identified the "Designated Geographic Area" (DGA) for the project as one mile around EJ Populations, included a review of potential impacts and benefits to the EJ Populations within this DGA, and described public involvement efforts undertaken to date.

Environmental Impacts and Mitigation

Potential environmental impacts associated with the project include the direct alteration of 21.5 acres of land (including 4.4 acres of new land alteration and tree clearing), the creation of 11.8 acres of impervious surface, and the construction of 202 housing units (including 35 affordable units). The project will also construct 500 parking spaces (for a total of 510 spaces); is expected to generate 4,382 New average daily trips (adt); and is anticipated to result in 68,820 gallons per day (gpd) of water use and wastewater generation.

Measures to avoid, minimize, and mitigate environmental impacts include the use of erosion and sedimentation controls during construction; the construction of a stormwater management system; the installation of landscaping features and vegetative screening throughout the site; and the beneficial reuse of prime farmland soil either as part of the on-site landscaping efforts or to be sold for reuse locally. Additional mitigation measures should be identified in the DEIR.

Jurisdiction and Permitting

This project is subject to MEPA review and a mandatory EIR because it requires Agency Action and meets/exceeds the MEPA thresholds 301 CMR 11.03(1)(a)(2) for the creation of 10 or more acres of impervious area and 301 CMR 11.03(6)(a)(6) for the generation of 3,000 or more New adt on roadways providing access to a single location. It also exceeds the ENF thresholds at 301 CMR 11.03(1)(b)(2) for the creation of 5 or more acres of impervious area; 301 CMR 11.03(1)(b)(4) for the conversion of land in active agricultural use to nonagricultural use, provided the land includes soils classified as prime, state important, or unique by the USDA; 301 CMR 11.03(6)(b)(13) for the generation of 2,000 or more New adt on roadways providing access to a single location; 301 CMR 11.03(6)(b)(14) for the generation of 1,000 or more New adt on roadways providing access to a single location and construction of 150 or more New parking spaces at a single location; and 301 CMR 11.03(6)(b)(15) for the construction of 300 or more New parking spaces at a single location. The project is also required to prepare an EIR pursuant to 301 CMR 11.06(7)(b) because it is located within a DGA of one or more EJ Populations.

The project will require a Vehicular Access Permit from MassDOT. The project will also require a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the U.S. Environmental Protection Agency (EPA). The Proponent indicates that it intends to seek various forms of Financial Assistance, including tax credits and deferred payment loans, from state agencies.

¹ The EEA EJ Mapper is available at: <u>https://www.mass.gov/info-details/environmental-justice-populations-in-massachusetts</u>

The project has received Demolition Delay approval from the Easthampton Historical Commission.² The project will require an Order of Conditions (OOC) from the Easthampton Conservation Commission (or in the case of an appeal, a Superseding Order of Conditions from MassDEP). The project will also require Site Plan Approval and Special Permit Approval from the Easthampton Planning Board and.

Because the Proponent will seek Financial Assistance from one or more Agencies, MEPA jurisdiction is broad in scope and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment as defined in MEPA regulations.

Segmentation

The MEPA regulations include provisions (301 CMR 11.01(2)(c)) to ensure that a Project is not phased or segmented to evade, defer or curtail MEPA review. In determining whether a Project is subject to MEPA jurisdiction or meets or exceeds any review thresholds, and during MEPA review, the Proponent, any Participating Agency, and the Secretary shall consider the entirety of the Project, including any likely future Expansion, and not separate phases or segments thereof. The Proponent, any Participating Agency, and the Secretary must consider all circumstances as to "whether various work or activities constitute one Project, including but not limited to: whether the work or activities, taken together, comprise a common plan or independent undertakings, regardless of whether there is more than one Proponent; any time interval between the work or activities; and whether the environmental impacts caused by the work or activities are separable or cumulative."

On February 28, 2023, a third party filed a Request for Advisory Opinion with the MEPA Office, raising, among other issues, potential segmentation concerns. Specifically, a former portion of the property, known as 109 Northampton Street, was subdivided and a drive-through restaurant development (Starbucks) was approved by the Easthampton Planning Board. After obtaining all other necessary permits and approvals, the project then proceeded to construction. As discussed in the Advisory Opinion (AO), issued on April 13, 2023, the three properties currently owned by the Proponent and under development here (93, 95, and 97 Northampton Street), in addition to the adjacent 109 Northampton Street parcel on which the Starbucks drive-through is located, were under common ownership by a third party until 2022. However, the Starbucks drive-through parcel was subdivided from a larger parcel (via an Approval Not Required (ANR) Plan), designed, and permitted prior to the Proponent's purchase of the three properties at issue (93, 95, and 97 Northampton Road). Thus, while all parcels were once under common ownership, the timeline of events shows that the two developments (Starbucks parcel and this project) represent independent undertakings by unrelated proponents; it does not appear that any development plan was in place at 93, 95, and 97 Northampton Road at the time the Starbucks parcel underwent design and permitting. Under these circumstances, I find that project segmentation has not occurred. However, for purposes of full transparency and in accordance with the AO, the impacts associated with the Starbucks development were disclosed in the EENF and incorporated into the Traffic Impact Study (TIS) in assessing existing traffic conditions.

² The Easthampton Demolition Delay Ordinance requires that any proposed demolition of buildings over 50 years old be reviewed and approved by the Easthampton Historical Commission.

Request for a Single EIR

The MEPA regulations at 301 CMR 11.06(8) indicate that a Single EIR may be allowed provided I find that the EENF:

- a. describes and analyzes all aspects of the project and all feasible alternatives, regardless of any jurisdictional or other limitation that may apply to the Scope;
- b. provides a detailed baseline in relation to which potential environmental impacts and mitigation measures can be assessed; and,
- c. demonstrates that the planning and design of the project use all feasible means to avoid potential environmental impacts.

To support a Single EIR request for any Project for which an EIR is required in accordance with 301 CMR 11.06(7)(b), I must also find that the EENF:

d. describes and analyzes all aspects of the Project that may affect Environmental Justice Populations located in whole or in part within the Designated Geographic Area around the Project; describes measures taken to provide meaningful opportunities for public involvement by Environmental Justice Populations prior to filing the expanded ENF, including any changes made to the Project to address concerns raised by or on behalf of Environmental Justice Populations; and provides a detailed baseline in relation to any existing unfair or inequitable Environmental Burden and related public health consequences impacting Environmental Justice Populations in accordance with 301 CMR 11.07(6)(n)1.

Consistent with this request, the EENF was subject to an extended comment period under 301 CMR 11.05(9).

Review of the EENF

The EENF included a project description, alternatives analysis, existing and proposed conditions plans, estimates of project-related impacts, a Traffic Impact Study (TIS), and an identification of measures to avoid, minimize and mitigate environmental impacts. It included a description of measures taken to enhance public involvement by EJ Populations and baseline assessment of any existing unfair or inequitable Environmental Burden and related public health consequences impacting EJ Populations in accordance with 301 CMR 11.07(6)(n)1.). Consistent with the MEPA Interim Protocol on Climate Change Adaptation and Resiliency, the EENF/Proposed EIR contained an output report from the Climate Resilience Design Standards Tool prepared by the Resilient Massachusetts Action Team (RMAT) (the "MA Resilience Design Tool"),³ together with information on climate resilience strategies to be undertaken by the project.

The Proponent provided supplemental information on August 1, 2023, which included clarifications to information in the EENF with regards to the proposed solar array, mesoscale air quality analysis, and wetlands. In addition, the Proponent provided a copy of the Stormwater Report on August 7, 2023. For purposes of clarity, all supplemental information provided by the Proponent are included in references to the "EENF," unless otherwise indicated.

³ Available at: <u>https://resilientma.mass.gov/rmat_home/designstandards/</u>

I received numerous comment letters raising concerns about the proposed project and its impacts relative to land alteration, impervious surface, stormwater, and traffic. In particular, comments from MassDOT request an expanded traffic study to evaluate project related impacts at additional intersections, an assessment of existing multi-modal infrastructure within the study area, and additional mitigation commitments. I am denying the request to file a Single EIR, in light of these outstanding analyses.

Alternatives Analysis

The EENF analyzed a series of alternatives to achieve the project's goal to create a variety of affordable and mixed-income housing, redevelop underutilized properties, and create infill developments. The EENF states that a No-Build Alternative was considered; however, because the site would remain in its current, vacant state, it would not create new retail/commercial business opportunities or provide additional housing units to advance the City's Housing Production Plan goals, and was therefore dismissed. As described below, the EENF evaluated four alternatives (Alternative 1, Alternative 2, Alternative 3, and the Preferred Alternative) to meet the project's goal, while managing impacts to environmental resources. Additionally, all alternatives considered would include connections to the existing water main and sanitary sewer, installation of a stormwater management system, and private underground utilities.

Alternative 1 was the original design for the project, which was submitted to the Easthampton Planning Board in 2022, and would involve the construction of a mixed-use residential and commercial center, consisting of 10 residential buildings, four mixed-use buildings, and five commercial/retail buildings. Similar to the Preferred Alternative, the commercial use would be located within the HB zoning district, closest to Northampton Street (Route 10) with the residential buildings would be located in the northeastern portion of the site within the R-15 zoning district; the mixed-use buildings would be located partially in both zoning districts. This alternative was approximately 10-20% larger than the Preferred Alternative and included an additional mid-rise residential building in the easternmost rear corner of the property. This alternative would result in greater impacts than the Preferred Alternative, specifically, the direct alteration of 23.1 acres of land (including 5.7 acres of tree removal), the creation of approximately 12.4 acres of impervious surface, and the construction of 206 residential units (including 35 affordable units). This alternative 1 was dismissed due to concerns raised during the initial Easthampton Planning Board review process; as noted, environmental impacts were also greater than the Preferred Alternative.

Alternative 2 would maintain the original mixed-use design within the HB zoning district as Alternative 1; however, it would subdivide the rear portion of the site within the R-15 district and would install a subdivision road. Based on current zoning regulations, approximately 50 detached year-round dwellings with a minimum individual lot size of 15,000 sf would be constructed within the R-15 district. This alternative would result in greater impacts than the Preferred Alternative, specifically, the direct alteration of 23.1 acres of land (including 5.7 acres of tree removal), the creation of approximately 12.4 acres of impervious surface, and the construction of 50 residential units (including 3 affordable units). This alternative would also generate significantly fewer adt compared to the Preferred Alternative, as well as 20,000 gpd in water demand and wastewater generation. While environmental impacts are

reduced, this alternative would provide less than 25% of the total housing units proposed under the Preferred Alternative. In addition, larger, more sprawling developments are not encouraged by the City as they provide fewer residential units per unit area, resulting in fewer land conservation opportunities. For these reasons, Alternative 2 was dismissed.

Alternative 3 would maintain the same mixed-use design within the R-15 district as Alternative 1; however, it would not propose any residential dwellings within the HB district near the front of the property. This alternative would not include mixed-use development and would propose to develop the site in support of a single large retailers (i.e., "big box store") or a series of smaller retailers (i.e., "strip mall"). This alternative would result in greater impacts than the Preferred Alternative, specifically, the direct alteration of 23.1 acres of land (including 5.7 acres of tree removal), the creation of approximately 12.4 acres of impervious surface, and the construction of 174 residential units (including 26 affordable units). This alternative would also generate fewer adt compared to the Preferred Alternative, as well as 62,000 gpd in water demand and wastewater generation. Restricting the HB zoning district to commercial development only would reduce the number of residential units, which is counter to the City's stated goal of creating additional housing. Additionally, the 2013 Highway Business District Review Subcommittee recommended to the City Council that the commercial corridor avoid the development of a single, large commercial retailer or strip mall. Therefore, Alternative 3 was dismissed as not fully meeting project goals.

The Preferred Alternative (as described herein) would involve the construction of a mixed-use residential and commercial center, consisting of ten residential buildings, three mixed-use buildings, and five commercial/retail buildings. The Preferred Alternative would result in the direct alteration of 21.5 acres of land (including 4.4 acres of tree removal); the creation of approximately 11.8 acres of impervious surface; the construction of 202 residential units (including 35 affordable units); and the addition of 500 surface parking spaces. The Preferred Alternative would also generate 4,382 adt, as well as 68,820 gpd in water demand and wastewater generation. This represents a 24% reduction in traffic generation, 1.3-acre reduction in tree clearing, and a reduction of approximately 25,000 sf of impervious surface as compared to the originally proposed Alternative 1.

Environmental Justice (EJ) / Public Health

As noted above, the project site is located within an EJ Population characterized by Income within the City of Easthampton. The site is located within one mile of three additional EJ Populations characterized by Income within the City of Easthampton. The site is also located within five miles of 15 additional EJ Populations. No languages were identified as being spoken by 5% or more of Limited English Proficiency ("LEP") residents within one mile of the project site.

The EENF described public involvement activities conducted prior to filing, including advance notification of the project to a list of community-based organizations (CBOs) and tribes/indigenous organizations (the "EJ Reference List") provided by the MEPA Office. The Proponent circulated an EJ Screening Form to these entities with an overview of the project and information on ways to request a community meeting. According to the EENF, public involvement activities also included two drop-in office hour sessions at the Emily Williston Memorial Library in Easthampton on Wednesday, May 3 and Saturday, May 6, prior to filing the EENF, and the posting of a project fact sheet at neighborhood and community gathering locations within the DGA. Additionally, the Proponent has created a project

website that provides general information about the project such as a project description, information on where the project is in the MEPA review process, and a contact form so that members of the public can contact the Proponent directly with questions, comments, or to request a meeting.⁴ A copy of the EENF and supporting documentation were distributed to the EJ Reference List prior to filing with MEPA.

The EENF contains a baseline assessment of any existing unfair or inequitable Environmental Burden and related public health consequences impacting EJ Populations in accordance with 301 CMR 11.07(6)(n)1. and the MEPA Interim Protocol for Analysis of EJ Impacts. According to the EENF, the data surveyed show some indication of an existing "unfair or inequitable" burden impacting the identified EJ Populations. The DPH EJ Tool does not identify any municipalities but does identify two census tracts within the one mile DGA as exhibiting "vulnerable health EJ criteria"; this term is defined in the DPH EJ Tool to include any one of four environmentally related health indicators that are measured to be 110% above statewide rates based on a five-year rolling average.⁵ Specifically, within the project's DGA, the two census tracts (Census Tract 8223 and Census Tract 8224.02) meet the "vulnerable health EJ criteria" for the following parameter:

• Childhood blood lead

In addition, the EENF indicates that the following sources of potential pollution exist within EJ block groups that are located within the one-mile DGA, based on the mapping layers available in the DPH EJ Tool:

- Major air and waste facilities: 4
- M.G.L. c. 21E sites: 2
- "Tier II" toxics use reporting facilities: 3
- MassDEP sites with AULs: 2
- Underground storage tanks: 6
- EPA facilities: 3
- Road infrastructure: 2 (State Route 141 and State Route 10)
- Other transportation infrastructure: 2 (railway)
- Region transit agencies: 1 (Pioneer Valley Transit Authority with 26 stops within the DGA)
- Energy generation and supply: 2

The EENF states that while the EJ Populations within the DGA may exhibit some existing unfair or inequitable environmental burden, the project will not have disproportionate adverse effects on said EJ Populations. Rather, the EENF states, the project will provide the local community with additional choices for clean and safe housing in a City where housing demand has outpaced the State average and the available housing stock. As discussed below, that traffic impacts along Northampton Street (Route 10) will affect both EJ and non-EJ populations similarly; however, traffic is anticipated to be improved compared to the 2030 Build scenario, following intersection improvements for the proposed site drive and incorporation of additional mitigation measures. In addition, the main sources of potential

⁴ See <u>https://www.gza.com/sierra-vista-commons</u>.

⁵ See <u>https://matracking.ehs.state.ma.us/Environmental-Data/ej-vulnerable-health/environmental-justice.html</u>. Four vulnerable health EJ criteria are tracked in the DPH EJ Viewer, of which two (heart attack hospitalization and childhood asthma) are tracked on a municipal level and on a census tract level, and two (childhood blood lead, and low birth weight) are tracked only on a census tract level.

construction period impacts are emissions from construction equipment, motor vehicles and fugitive dust emissions from disturbed soil surface areas. According to the EENF, any minor construction adverse effects would be mitigated to the greatest extent practicable through use of construction period best management practices (BMPs). The DEIR should update its analysis of the project's impacts to determine whether the project may result in disproportionate adverse effects, or increase the risks of climate change based on based on the additional analyses requested below.

Traffic and Transportation

Study Area

The EENF includes a TIS of the study area around the project site that evaluates the project's impacts on intersection operations, safety, and bicycle, pedestrian, and transit modes. The intersections within the study area that have been analyzed and evaluated include:

- Northampton Street (Route 10)/Florence Road/Highland Avenue (signalized)
- Northampton Street (Route 10/West Street (signalized)

Comments provided by MassDOT requests that the traffic study area be expanded to include at least three additional intersections that appear to meet the *EEA/MassDOT Transportation Impact Assessment (TIA) Guidelines*.

Trip Generation and Distribution

The EENF states the project is expected to generate 4,382 New unadjusted adt. Base traffic conditions within the study area were developed by conducting turning movement counts (TMCs) and automatic traffic recorder (ATR) counts for both weekday and Saturday volume conditions in September 2021 at the Northampton Street (Route 10)/Florence Road/Highland Avenue intersection and in November 2022 at the Northampton Street (Route 10)/West Street intersection. In addition, ATR counts were conducted along Northampton Street (Route 10) just north of the project site in September 2021 and reconducted over a 48-hour period in January 2023.

Future traffic conditions were projected to the year 2030, using a one percent per year growth rate in base traffic conditions and a number of Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition) Land Use Codes (LUC) representing the different components of the project, including:

- LUC 565 Day Care Center
- LUC 220 Multifamily Housing (Low-Rise)
- LUC 150 Warehousing
- LUC 822 Strip Retail Plaza
- LUC 932 High-Turnover (Sit-Down) Restaurant
- LUC 912 Drive-in Bank

The TIS also notes that there is one notable approved development near the project site that would generate a significant volume of traffic on study area roadways. Specifically, the TIS identifies a

project located at 113 Northampton Street (Route 10) consisting of a 2,227-sf coffee shop (Starbucks) with 33 parking spaces, generating 1,800 adt with approximately 198 of those trips occurring during the morning peak hours and 98 occurring during the afternoon peak hours. Given the nature of the proposed land use, the project is expected to generate 373 New unadjusted adt during the weekday morning peak hour and 525 New unadjusted adt during the weekday evening peak hour. Trip distribution for the project results in 39% of site traffic traveling to/from the site along Northampton Street (Route 10) to the north of Florence Road/Highland Avenue, 22% of site traffic traveling to/from the site along Florence Road north of Northampton Street (Route 10), 7% of site traffic traveling to/from the site along West Street west of Northampton Street (Route 10), and 32% of site traffic traveling to/from the site along Route 10 south of West Street.

Traffic Operations

Level-of-service (LOS) analyses were conducted within the study area under existing and projected volume conditions to determine the effect that the additional site-generated traffic will have on traffic operations. LOS is represented using letter grades "A" through "F," with LOS A representing very low delays and free flow conditions and LOS F representing unacceptable conditions for most drivers and conditions in which vehicle demand generally exceeds roadway capacity. According to the TIS, the intersection of Northampton Street (Route 10)/Florence Road/Highland Avenue currently operates at LOS D during the morning peak hour and at LOS E during the evening peak hour, whereas the intersection of Northampton Street (Route 10)/ West Street currently operates at LOS B during the morning peak hour and LOS D during the evening peak hour. Under 2030 No-Build conditions, the intersection of Northampton Street (Route 10)/Florence Road/Highland Avenue will decrease from LOS D to LOS E during the morning peak hour and from LOS E to LOS F during the evening peak hour. Similarly, the intersection of Northampton Street (Route 10)/ West Street will decrease from LOS B to LOS C during the morning peak hour and decrease from LOS D to LOS F during the evening peak hour. Under 2030 Build conditions (without any proposed mitigation), the intersection of Northampton Street (Route 10)/Florence Road/Highland Avenue will experience the same decrease in LOS under the 2030 No-Build conditions; however, the intersection of Northampton Street (Route 10)/ West Street will decrease from LOS C to LOS E during the morning peak hour and LOS D to LOS F during the evening peak hour, when compared to 2030 No-Build conditions. Under 2030 Mitigated Build (which incorporates the Transportation Demand Management (TDM) measures detailed below) conditions, the intersection of Northampton Street (Route 10)/Florence Road/Highland Avenue will improve from LOS E to LOS D during the morning peak hour and from LOS F to LOS E during the evening peak hour, compared to 2030 Build conditions. Similarly, the intersection of Northampton Street (Route 10)/ West Street will improve from LOS E to LOS C during the morning peak hour and from LOS F to LOS D during the evening peak hour.

As noted, MassDOT has requested supplemental analysis of traffic patterns at additional intersections. MassDOT is planning a Complete Streets Project (MassDOT Project No. 608423) along Route 10 that will address existing deficiencies, improve multi-modal mobility, and help mitigate the impacts of the project proposed herein. Therefore, the Proponent should coordinate mitigation efforts with the MassDOT District 2 office prior to the preparation of the DEIR. In addition, comments provided by the Pioneer Valley Planning Commission (PVPC) note the City and Pioneer Valley Metropolitan Planning Organization (PVMPO) are working collaboratively to implement the Easthampton Downtown Complete Streets project (612258) as part of the region's Transportation

Improvement Program (TIP). The DEIR should expand the traffic analysis presented in the EENF in light of other roadway improvements underway, and should update mitigation commitments accordingly.

Site Access

As noted above, site access will be provided via an internal roadway that intersects with Northampton Street (Route 10). To facilitate this new connection, the project proposes to install a traffic signal or roundabout on Northampton Street (Route 10) at the project site drive. Signal retiming at the Northampton Street (Route 10)/Florence Road/Highland Avenue and Northampton Street (Route 10)/West Street intersections would also be needed to improve traffic operations at the signal, reducing delays. Gated emergency access will also be provided from Colonial Avenue (immediately southwest of the project site) to ensure a secondary means of access is available for emergency responders. The EENF notes that the Proponent will continue to work with the City and MassDOT to select a preferred site access alternative and determine if additional mitigation measures are necessary to improve site access and safety. The DEIR should identify the preferred intersection alternative (roundabout or signalized intersection) based on said consultation, discuss potential impacts, and identify appropriate mitigation based on the selected alternative.

Transportation Demand Management (TDM)

As detailed in the EENF, the Proponent has committed to implementing a program of TDM strategies that is anticipated to reduce traffic volumes 2.5% between 2030 Build and 2030 Mitigated Build conditions. The Proponent has committed to a number of specific TDM measures, including:

- Installation of a traffic signal or roundabout at the intersection of the project site's access drive and Northampton Street (Route 10) with pedestrian crosswalks;
- Traffic signal retiming at the intersections of Northampton Street (Route 10)/Florence Street/Highland Avenue and Northampton Street (Route 10)/West Street;
- Installation of 20 electric vehicle (EV) charging stations with designated parking spaces in front of each residential building;
- Incorporating wide sidewalks crosswalks, and speed humps at critical road crossings to facilitate safe biking and pedestrian access;
- Providing bicycle racks for the residential and commercial buildings;
- Reduction of employee trips during peak periods through alternative work schedules, telecommuting and/or flex time will be considered with tenants;
- Strict enforcement of the Massachusetts vehicle anti-idling law; and
- Consideration of incorporating Park-n-Ride Lots.

Comments provided by the PVPC state that the EENF erroneously notes that the site is not currently served by transit; to the contrary, the Pioneer Valley Transit Authority (PVTA) Nashawannuck Express Flex/Van Service serves Route 10 in the vicinity of the project site. The EENF notes the Proponent may consider providing a park-and-ride lot on site if the current PVTA Route 41 bus route is modified to pass by the site.

Comments provided by MassDOT request additional evaluation of existing bicycle and pedestrian traffic and infrastructure within the traffic study area. Improvements to multi-modal site access should be incorporated into the proposed TDM measures as additional mitigation for project related impacts. MassDOT identifies a number of other TDM measures in comments that should be evaluated and incorporated into the project. MassDOT also notes the Proponent will be required to implement a Traffic Monitoring Program (TMP) for a period of five years, beginning six months after occupancy of the full-build project. These items should be addressed in accordance with the Scope.

Air Quality

The EENF included an analysis of mesoscale emissions of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) under three scenarios: 2030 No-Build, 2030 Build without TDM (Base Case), and 2030 Build with TDM (Mitigation Case). The EENF notes that the mesoscale analysis utilized the U.S. EPA MOVES3 Mobile Source Emission Factor Model and complied with the MassDEP Guidelines for Performing Mesoscale Analysis of Indirect Sources. According to the EENF, emissions within the study area under 2030 No-Build conditions were modeled to consist of 8.52 kilograms per day (kg/day) of VOC and 1.44 kg/day of NOx. Under 2030 Base Case conditions, emissions were modeled to consist of 12.33 kg/day of VOC (3.81 kg/day increase from the 2030 No-Build condition) and 1.51 kg/day of NO_x (0.7 kg/day increase from the 2030 No-Build condition). Comparatively, under 2030 Mitigation Case conditions, which the Proponent has committed to implementing, emissions were modeled to consist of 12.02 kg/day of VOC (3.50 kg/day increase from the 2030 No-Build condition) and 1.47 kg/day of NO_x (0.3 kg/day increase from the 2030 No-Build condition).6 These numbers show a modest increase from No-Build to Build conditions; however, the EENF did not include a review of pollutant emissions under Existing conditions as a point of comparison nor did it evaluate other criteria air pollutants such as coarse and fine particulate matter (PM₁₀ and PM_{2.5}). I also note that an increase in any air pollutant of over 1 ton per year (tpy) requires "limited plan" approval under MassDEP's air permitting regulations for stationary sources (310 CMR 7.02). Given that the level of VOCs over the traffic study area appears comparable, the Proponent should consider mitigation to address this condition, particularly as it may affect nearby EJ Populations. This information should be provided in accordance with the Scope.

Land Alteration and Impervious Surfaces

As discussed above, the project will result in the direct alteration of 21.5 acres of land, consisting of a mix of partially developed land, agricultural fields, wetlands, and forest. Approximately 4.4 acres of tree removal is proposed, and 9.3 acres of trees will be retained. According to the EENF, the project will convert current turf lawn, inactive agricultural fields, and forest edge habitat into a mixed-use development, resulting in the creation of 11.8 acres of impervious surface. Specific components of the development would include a Roots Learning Center (Daycare facility) consisting of approximately 9,000 sf; a Roots Gymnastic Center consisting of approximately 7,000 sf; a sit-down restaurant, with a 220-seat capacity, consisting of approximately 5,500 sf; a bank consisting of approximately 3,200 sf; a standalone small retail building consisting of approximately 4,000 sf; two mixed-use warehouse buildings consisting of approximately 6,800 sf each; a mixed-use retail/office building with 14 apartments above consisting of approximately 16,000 sf; and ten mid-rise (3 floor) apartments buildings,

⁶ When converted to tons per year (tpy), the Mitigation Case consists of 4.84 tpy of VOC (1.04 tpy increase from the 2030 No-Build condition) and 0.59 tpy of NO_x (0.01 tpy increase from the 2030 No-Build condition).

providing 188 units total, consisting of nine 13,600 sf buildings and one 18,000 sf building. Approximately 11.5 acres or 35% of the total property will remain undisturbed. As discussed above, the EENF characterizes the site as partially developed but does not provide a complete characterization of the site. Additional information should be provided in the DEIR to fully evaluate the project's impacts.

Wetlands and Stormwater

As noted above, wetland resource areas are located on and adjacent to the project site. According to the EENF, the project will construct a new stream crossing to gain access to the northeastern portion of the project site and will subsequently remove the existing, illicit wooden stream crossing. The proposed crossing will be compliant with the Massachusetts Stream Crossing Design Standards and will have a width of 1.25 times the existing bank full width, thereby preserving the integrity of the Bank. Therefore, it is anticipated that the project will not result in any permanent impacts to wetland resource areas.

As stated above, the Easthampton Conservation Commission (or MassDEP in the case of an appeal) will review the project for its consistency with the Wetlands Protection Act (WPA), the Wetland Regulations (310 CMR 10.00) and associated performance standards including the Massachusetts Stormwater Management Standards (SMS), Stream Crossing Design Standards, and local bylaws. According to the EENF, a Notice of Intent (DEP File No. 151-0322) was filed with the Easthampton Conservation Commission on November 21, 2022. Comments provided by the Easthampton Conservation Commission state that in June 2022, an Enforcement Order was issued for unpermitted activities related to fill within the 100ft Buffer Zone, historic fill within BVW (likely due to past unpermitted agricultural activities), and the installation of an unpermitted stream crossing which does not meet the Stream Crossing Standards. A separate restoration plan for the removal of the unpermitted crossing and restoration of those related impacted wetland resource areas has been approved and is currently being implemented by the Proponent. Comments also note that the unpermitted crossing will be allowed to remain for a period of two years so that it may be utilized for the construction of the new crossing proposed as part of the project described herein.

Comments provided by MassDEP note that the Proponent asserts eligibility for review under the Limited Project provisions contained at 310 CMR 10.53(3)(e). As for all Limited Projects, allowance under these provisions is at the discretion of the local Conservation Commission and to the extent practicable, work must comply with the General Performance Standards for all potentially affected wetland resource areas. Comments also note that the bridge supports and footings, associated with the new proposed stream crossing, are to be installed in proximity to BVW. The project must demonstrate how the bridge will be installed in a manner that avoids alteration to the adjacent BVW and fully complies with the Massachusetts Stream Crossing Standards. In addition, comments note additional information is needed to clarify how the water line and sanitary sewer line crossing will be installed in a manner that avoids alteration of "temporary impacts" to resource areas. Should the installation of the utility lines meet the definition of "Alter" in 310 CMR 10.04, then the Proponent is required to identify the nature and extent of the alteration and demonstrate how the proposed project will meet the performance and extent of the alteration and demonstrate how the proposed project will meet the performance standards.

In order to mitigate increases in peak discharge rates as a result of the new impervious surfaces, a comprehensive stormwater management system has been designed that includes deep-sump, hooded catch basins, oil and grit separators/hydrodynamic separator units to remove total suspended solids (TSS), detention basins with sediment forebays, and aboveground infiltration basins. Stormwater will be captured and treated by detention and/or infiltration basins located throughout the property. The basin locations have been designed to maintain existing hydraulic patterns and flow discharge points. Runoff from the roadways and parking lots will be captured via catch basins and pipe networks, treated via water quality structures and will then be discharged to the nearest basin. Building roof runoff will be collected via downspouts and piped to the stormwater basins. Outflow from the basins will be regulated by individual outlet control structures in each basin with flow piped toward the on-site intermittent stream and discharged via a series of level spreaders. Based on the information contained in the EENF, it is unclear whether there is adequate separation between the proposed infiltration/detention basins and groundwater across the site. In addition, the Stormwater Report, included with the EENF, states that the project site does not qualify as a Land Use with Higher Potential Pollutant Loads (LUHPPL); however, the SMS defines a LUHPPL to included parking lots with high-intensity-uses (1000 vehicle trips per day or more) and the proposed project is anticipated to generate 4,382 vehicle trips per day.

According to the Stormwater Report, the Proponent evaluated precipitation depth and peak intensities, utilizing NOAA Atlas 14 precipitation data (2yr - 3.13"; 10yr - 5.04"; 25yr - 6.23"; and 100yr - 8.07") for a 24-hour storm event. The stormwater management system has been designed to convey and provide groundwater recharge for stormwater runoff up to the current 100-year storm event (8.07"). The stormwater management system will also provide at least 90% TSS removal and there will be a reduction in peak rates of runoff for all storms analyzed, including up to the current 100-yr, 24-hour storm event. Additionally, as noted above, the eastern portion of the site is located within a MassDEP Approved Zone II of a public water supply. The EENF states that the project has been designed in compliance with the SMS and therefore will not alter the volume or rate of water discharged from the site and no negative impacts to groundwater supply or quality are anticipated.

Comments provided by the Easthampton Conservation Commission state that the Stormwater Report is currently undergoing a peer review in order to assess compliance with the Easthampton Stormwater Management Ordinance, specifically with respect to the design of the stormwater management system, future slope stability due to tree removal, and stormwater basin location/design. However, comments also note it has not yet been determined whether the peer review will result in any changes to the proposed stormwater management system design.

Comments provided by MassDEP state that the project is required to demonstrate compliance with the SMS, per 310 CMR 10.05(6)(k), and the Water Quality Regulations at 314 CMR 9.00. Comments state the Proponent should consider environmentally sensitive site design and planning. Considerations should include low impact development techniques, stormwater best management practices (BMP) utilizing source control (nonstructural control measures), structural BMPs and maintenance. MassDEP also notes that stormwater discharges within the Zone II or Interim Wellhead Protection Area of a public water supply, and stormwater discharges near to any other critical area, require the use of the specific source control and pollution prevention measures and the specific structural stormwater best management practices determined by MassDEP to be suitable for managing discharges to such areas. In addition, comments state that the use of conveyances of stormwater through underground infiltration structures may qualify as under the jurisdiction of the MassDEP Underground Injection Control (UIC) program, and if so, must be registered with MassDEP. The Proponent should coordinate with MassDEP regarding the final proposed stormwater management system design and determine if the proposed project requires the submission of a BRP WS-06 UIC Registration application.

Climate Change

Adaptation and Resiliency

Effective October 1, 2021, all MEPA projects are required to submit an output report from the MA Resilience Design Tool to assess the climate risks of the project. Based on the output report attached to the EENF, the project has a "High" exposure rating based on the project's location for the extreme precipitation (urban flooding) and extreme heat climate parameters. The project location also scores "Low" in ecosystem benefits. Based on the 40-year useful life and the self-assessed criticality identified for the mixed-use development (including the ten residential buildings, Roots Gymnastics & Child Care Facility, and restaurants and mixed-use commercial/retail space, as three separate assets), the MA Resilience Design Tool recommends a planning horizon of 2070 and a return period associated with a 10-year (10% chance) storm event. It also recommends planning for the 50th percentile for applicable extreme heat parameters. These recommendations appear to be based on a "Low" criticality assessment of the assets and a relatively shorter useful life, which is not appropriate given the scale of the development. This analysis should be supplemented in accordance with the Scope.

The MA Resilience Design Tool output indicates that the maximum annual daily rainfall exceeds 10" within the overall project's useful life; the project site is anticipated to have a 30+ day increase in days over 90 degrees Fahrenheit within project's useful life; and the project proposes to remove trees and create new impervious surface. These factors are indicated in the Tool as contributing to "High" exposures for the extreme precipitation (urban flooding) and extreme heat climate parameters. According to the MA Resilience Design Tool output, the projected 24-hour precipitation depth associated with a 2070 10-year storm event is 7.1 inches. Therefore, it appears that the stormwater system, which is designed to convey and provide recharge for the current 100-year storm event (8.07") would be resilient to the future (2070) 10-year storm event as recommended by the Tool. To help mitigate against potential heat island impacts, the Proponent has incorporated several measures into the project's design including limiting overall tree removal; configuring stormwater basins between buildings or along tree lines to provide at least partial shading of the basins to limit water warming prior to release or infiltration; locating stormwater basins and other site development features outside the RA; designating at least 75 parking spaces to be built only if demand requires; planting and maintaining a landscape plan with at least 190 shade trees around buildings, and along roadways and parking areas; and providing a recreational area for residents that includes a swimming pool.

Greenhouse Gas Emissions (GHG)

This project is subject to review under the May 5, 2010, Revised MEPA Greenhouse Gas Emissions Policy and Protocol (MEPA GHG Policy), which requires Proponents to quantify carbon dioxide (CO₂) emissions and identify measures to avoid, minimize or mitigate such emissions. The analysis should quantify the direct and indirect CO₂ emissions of the project's energy use (stationary sources) and transportation-related emissions (mobile sources). Direct emissions include on-site stationary sources, which typically emit GHGs by burning fossil fuel for heat, hot water, steam and other processes. Indirect emissions result from the consumption of energy, such as electricity, that is generated off-site by burning of fossil fuels, and from emissions from vehicles used by employees, vendors, customers and others.

Stationary Sources

As noted above, the project proposes a total of 60,000 sf of commercial space (consisting of a restaurant, bank, retail, a gymnastics studio, day care center, and warehouse/storage units) and 350,000 sf of residential space (consisting of 202 residential units). The mixed-use retail building includes one floor for retail activity and two floors for residential units. The retail activity was evaluated in the commercial building analysis while the residential units were evaluated in the analysis of residential space.

Commercial Buildings

The EENF provides estimates of stationary source emissions for the Base Case and Mitigation Case, based on the selected mitigation measures, for each of the commercial building components of the project. The stationary Base Case represents the International Energy Conservation Code (IECC) 2021 Edition with Massachusetts Stretch Energy Code Amendments (the Code), effective July 1, 2023, and ASHRAE 90.1-2019. The Mitigation Case includes all energy saving measures, as described below, that the project has committed to, based on achieving a total of 15 credits listed in the IECC 2021 Edition. The Base Cases and Mitigation Cases were combined to provide a cumulative estimate of emissions for the commercial component of the project. The EENF asserts that the combined Base Case would result in 244.7 short tons of CO₂ per year (CO₂/year) and the Mitigation Case would result in 202 short tons of CO₂/year, a reduction of 17.5% from the Base Case. To achieve these emission reductions, the project, as proposed, will utilize energy efficient windows and building envelope; high-efficiency heating, ventilation, and air conditioning (HVAC) systems; efficient propane-fired hot water heaters; energy efficient interior and exterior lighting; Energy STAR equipment and appliances; and low-flow fixtures and plumbing. Additionally, the project proposes to install a cumulative 90,000 sf of rooftop Photovoltaic (PV) arrays across the project, which would generate approximately 1.26 Megawatts (MW) of electricity.

Comments provided by DOER support the energy efficiency commitments made by the Proponent, but also identify errors in the analysis and opportunities for additional improvements. In particular, comments state that the commercial buildings analysis utilized an incorrect baseline in evaluating the Base Case and is limiting mitigation to efficiency improvements that are required by the Code as part of the baseline. The EENF also makes extensive references to proposed R values (R value cavity and R value continuous); however, the R value table has been removed from the Code and only the U value table remains. Comments note that additional information is needed to fully evaluate the project based on the proposed vertical envelope; thermal bridge derating; air infiltration; and ventilation energy recovery. I refer the Proponent to DOER's comment letter for additional guidance on future analysis.

Residential Buildings

According to the EENF, the residential units will two options, a two-bedroom apartment or a three-bedroom apartment. Generally, the three-bedroom apartments will be situated on the corners of each floor with the smaller two-bedroom apartments located in the middle of the floor. The EENF provides estimates of stationary source emissions for the Base Case and Mitigation Case for the residential buildings based on a third-floor three-bedroom apartment with exterior walls on the north and west sides, in order to yield a conservative result. The project proposes to achieve a HERS Index score of 42, by implementing a number of energy efficiency measures, such as triple pane windows, highly energy-efficient appliances, and rooftop PV arrays. In addition, the Proponent plans to perform a Passive House evaluation performed by the utility to determine if those standards could potentially be achieved in a cost-effective manner. It is expected that residential units with shared side walls (middle location) and corner units without exterior walls will achieve lower HERS scores.

Comments from DOER note additional information is needed to fully evaluate the residential component of the project with respect to quality envelope, heat recovery, and management of solar gains. Comments also indicate that the project could also benefit from Passivehouse design, which should be thoroughly evaluated.⁷ The project is proposing extensive use of propane water heating in all buildings, which can result in high costs and high emissions. Comments state that a switch to electric air source heat pumps for water heating would reduce operating costs by \$50,000 per year and would reduce lifetime emissions generated by the project by 56% in 2050.

Mobile Sources

The EENF provides estimates of GHG emissions for the 2030 No-Build, 2030 Build without TDM (Base Case), and 2030 Build with TDM (Mitigation Case). GHG emissions from mobile sources are measured in tons of CO₂ equivalents per year (tpy). Emission estimates were calculated based on the roadway segments in the traffic study area; the length of each road segment; the vehicle approach (freeflow or queue); average speed; and traffic volumes for each segment utilizing the EPA MOVES3 model project scale option. The 2030 No-Build would result in 2,199 (tpy) due to an anticipated one percent per year annual growth rate in traffic volumes. The Base Case (Build condition) would result in an increase of 467 tpy (2,666 tpy) over the No-Build scenario due to increased vehicle traffic resulting from project-generated vehicle trips. The Mitigation Case would increase emissions over the No-Build by 401 tpy (2,600 tpy), but represents a 66 tpy (or 1.03%) reduction as compared to the Base (Build) Case. The EENF proposes two electric vehicle (EV) charging stations at each residential building for a total of ten EV charging stations. Comments from DOER recommend the project for increasing the number of EV charging stations at each residential building from two to five and providing at least two EV charging stations at each commercial building. DOER also notes that an EV readiness of 25% for all buildings is recommended but additional information is needed to evaluate how much EV readiness is proposed for each building. I strongly encourage the Proponent to increase its commitment to EV charging to align with statewide GHG reduction goals; EV readiness and charging stations should be addressed in the DEIR.

⁷ MassSave currently pays \$3,000 per unit for Passivehouse (over \$600,000 for the proposed 202 units) and offers incentives for Passivehouse evaluations and preliminary design.

Water Supply and Wastewater Generation

As noted above, the project is anticipated to generate 68,820 gpd of water demand and wastewater generation. The project will be serviced by existing municipal sewer and water with connections to the Easthampton Main Sewer Interceptor, which runs along the northeastern property boundary, and an existing water main located in Northampton Street (Route 10). During review of the EENF, commenters provided documents that had been submitted to the Easthampton Planning board in their review of the project. In particular, a letter from the Easthampton Fire Chief notes that water main upgrades are required to fully service the project and that no work beyond Phase 2 should proceed until water supply upgrades have been performed.

Comments provided by MassDEP recommend that the Proponent coordinate with the local sewer authority regarding permitting the sewer connection relative to this project and consult with the Easthampton Department of Public Works Sewer Division to ensure compliance with the City's Infiltration and Inflow (I/I) removal requirements, including mitigation of the volume of stormwater runoff into combined sewers when a new connection or extension is permitted. Comments also recommend detailed consultation with the Easthampton Department of Public Works Water Division to ensure there is adequate capacity and infrastructure as well as compliance with local requirements. In addition, MassDEP advises compliance with all cross-connection requirements, including coordination with the City and the use of backflow prevention devices on municipal water sources throughout the facility and during construction.

Rare Species

As described previously, a portion of the project site is mapped as Estimated Habitat (EH 1319) and Priority Habitat (PH 2084). State-listed species and their habitats are protected under the Massachusetts Endangered Species Act (MESA) (M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00). While no work is currently proposed within mapped Estimated Habitat, one apartment building and a stormwater basin, which will be seeded with a Conservation Seed Mix, will be partially located within mapped Priority Habitat for Rare Species. All projects or activities proposed within Priority Habitat, which are not otherwise exempt pursuant to 321 CMR 10.14, require review through a direct filing with NHESP for compliance with the MESA Regulations (321 CMR 10.18). NHESP has reviewed the proposed project pursuant to MESA and issued a determination (NHESP File No. 22-41496) on December 15, 2022, stating that the project, as described herein, will not result in a prohibited Take of state-listed rare species.⁸

Historic and Archaeological Resources

As noted above, the property previously contained a house (EAH.694), dating to approximately 1840, that was listed by MHC in the *Inventory of Historic and Archaeological Assets of the Commonwealth.*⁹ According to the EENF, the Proponent submitted Project Notification Form (PNF) to

⁸ On July 17, 2023, NHESP confirmed via email from Jesse Leddick (NHESP) to Nicholas Moreno (MEPA) that there are no additional comments or concerns relative to state-listed species and their habitats beyond those detailed in the issued determination.

⁹ Although the house was listed in the *Inventory of Historic and Archaeological Assets of the Commonwealth*, MHC notes the house is neither on the State Register of Historic Places nor eligible for listing on the National Register of Historic Places.

the MHC in November 2022 disclosing the intention to demolish the structure and construct a multibuilding mixed use development on the project site. After review, a determination (MHC# RC.72301) was issued on December 21, 2022 by MHC, stating that the project is unlikely to affect significant historic or archaeological resources. The Proponent subsequently presented the project to the Easthampton Historical Commission on January 11, 2023 and February 8, 2023, which issued approval the demolition of the house pursuant to the Easthampton Demolition Delay Ordinance. The house and two-part gabled barn have since been demolished in compliance with applicable regulations.

Construction Period

According to the EENF, the project is expected to commence in December 2023 (following conclusion of MEPA review and other permit reviews) and be completed by December 2025. Prior to the commencement of work, erosion and sedimentation controls will be established throughout the work area and will be maintained until the site is stabilized. The project has been designed to be constructed in four phases in order to manage overall land disturbance, construction disruptions to traffic and noise, and to allow for appropriate erosion and sediment control. Phase 1 will include establishing access from Northampton Street through the site and across the intermittent stream; the removal of the unauthorized crossing; and the construction of the Roots Learning Center, the Roots Gymnastic Center, and associated parking areas and stormwater features. Phase 2 will include construction of the three apartment buildings in the northeast portion of the site and appurtenant features including parking and stormwater. Phase 3 will include construction of the bank, the standalone retail space near the Roots Gymnastics Center, and four additional apartment buildings in the northeast portion of the site as well as their appurtenant features including parking areas, stormwater management features, a pool, playground, and a community garden. Phase 4 will include construction of the restaurant, the mixed-use commercial buildings with apartments above, the two warehouse buildings, and the three remaining apartment buildings which will be constructed alongside their access roadway, parking areas, and stormwater management features.

Comments provide by MassDEP state that dewatering activities may be necessary at various stages of the project. Should dewatering be necessary for project implementation, dewatering should be conducted such that no sediment enters the on- or off-site wetland resource areas. In addition, the Proponent must maintain appropriate stream flow during the work and ensure adequate capacity for bypassing the work area or implement provisions to accommodate heavy rain or flood events. To the extent dewatering activities are proposed, details of how this will be accomplished should be included in the DEIR.

SCOPE

General

The DEIR should follow Section 11.07 of the MEPA regulations for outline and content and provide the information and analyses required in this Scope. It should clearly demonstrate that the

Proponent will avoid, minimize, and mitigate Damage to the Environment to the maximum extent practicable through project alternatives and design.

Project Description and Permitting

The DEIR should describe any changes to the project since the filing of the EENF. The Single EIR should identify, describe, and assess the environmental impacts of any changes to the project that have occurred between the preparation of the EENF and DEIR. The DEIR should also include an updated list of required Permits, Financial Assistance, and other state, local and federal approvals and provide an update on the status of each of these pending actions. The DEIR should include a description and analysis of applicable statutory and regulatory standards and requirements, and a discussion of the project's consistency with those standards.

The DEIR should include revised site plans for existing and post-development conditions. Plans should clearly identify all project components (e.g., structures, roadways, etc.); impervious areas; surface elevations; wetland resource areas; rare species habitat; and stormwater and utility infrastructure (including EV infrastructure). These plans should also identify roadway infrastructure; bicycle and pedestrian infrastructure; the type and location of potential vehicle and bicycle parking (including EV parking); and adjacent land uses.

The information and analyses identified in this Scope should be addressed within the main body of the DEIR and not in appendices. In general, appendices should be used only to provide raw data, such as traffic counts, drainage calculations, TSS removal rates, and air quality/GHG emissions data, that is otherwise adequately summarized with text, tables and figures within the main body of the DEIR. Information provided in appendices should be indexed with page numbers and separated by tabs, or, if provided in electronic format, include links to individual sections. Any references in the DEIR to materials provided in an appendix should include specific page numbers to facilitate review.

Environmental Justice (EJ) / Public Health

The DEIR should include a separate section on "Environmental Justice," and contain a description of measures the Proponent has taken, and intends to undertake, to promote public involvement by EJ Populations during the remainder of the MEPA review process and subsequent permitting, including a discussion of any of the best practices listed in the MEPA EJ Public Involvement Protocol that the project intends to employ or has employed by the time of the DEIR filing. The DEIR, or a summary thereof, should be distributed to the EJ Reference List, and an updated list should be obtained from the MEPA Office prior to filing the DEIR so as to ensure that organizational contacts are up to date. The Proponent should continue outreach and engagement prior to filing the DEIR, and should conduct one or more community meetings prior to filing the DEIR.

As further discussed below, the DEIR should update its analysis of the project's impacts to determine whether the project may result in disproportionate adverse effects, or increase the risks of climate change, on the identified EJ Populations, in accordance with 301 CMR 11.07(6)(n)2. and the MEPA Interim Protocol for Analysis of EJ Impacts, based on the revisions to the traffic study, mesoscale air quality analysis, and GHG emissions analysis. As noted below, the DEIR should provide updated analysis of air pollutants other than VOCs and NOx, and consider mitigation for increases of

any pollutant over 1 tpy from the No Build to Build condition. The DEIR should estimate the number of diesel truck trips that are anticipated to travel to/from the site daily based on the anticipated building uses. The DEIR should also estimate the number of construction period truck trips that are anticipated for the project, and indicate routes of travel through the identified EJ Populations within one mile of the site.

Traffic and Transportation

The DEIR should include a revised TIS that evaluates an expanded traffic study area to include the intersections of Route 10/O'Neil Street, Route 10/Pleasant Street, and Route 10/Union Street at a minimum. Other intersections where project generated trips are anticipated to increase peak hour traffic volumes by five percent or more, or by more than 100 vehicles per hour should also be evaluated in the revised TIS. The DEIR should also provide a detailed summary of all relevant data, including capture assumptions congruent with the ITE Trip Generation Manual (11th Edition), used to estimate net trip generation. The DEIR should identify the preferred intersection alternative (roundabout or signalized intersection) and discuss how the roadway improvements will impact traffic operations (including at Mountainview Street across from the project site) and support the implementation of the MassDOT Complete Streets project. The DEIR should also include a discussion of how the Proponent will evaluate the need to construct additional parking.

The DEIR should include an evaluation of bicycle and pedestrian traffic within the study area and should identify existing bicycle and pedestrian infrastructure serving the project site, document gaps in existing infrastructure and desire lines for future use, and recommend multi-modal site access as a component of project mitigation. The DEIR should also summarize transit operations within the study area and document the feasibility of transit commutation to the project site. The Proponent should consult with consult with the PVTA to identify the potential to provide for future transit service to the site. The DEIR should provide an update on any such coordination and identify any changes made to the project design or mitigation commitments in response to this consultation.

The DEIR should provide a detailed TDM program with the goal of reducing vehicle trips by employees of the project. I refer the Proponent to comments provided by MassDOT, which are incorporated herein by reference, which include a list of minimum potential measures that should be incorporated. The DEIR should also quantify the traffic and emissions reductions associated with the proposed TDM measures to the extent feasible. The DEIR should include a firm commitment to implementing a Transportation Monitoring Program (TMP) and should describe specific measures that will be included in the TMP.

MassDOT comments have indicated that other roadway improvements are underway in the immediate vicinity of the project site, including a Complete Streets Project (MassDOT Project No. 608423) along Route 10. The DEIR should evaluate the project's mitigation measures in light of these improvements to assess the adequacy of mitigation with and without the addition of other roadway improvements. To the extent TDM remains the only mitigation provided by the proponent, the DEIR should contain a discussion of how these measures will be made legally enforceable through tenant agreements or other means, and how the effectiveness of the measures will be monitored over time. The DEIR should clearly state assumptions of the percentage decrease in traffic and associated air emissions

associated with the Proponent's mitigation commitments, including TDM. The Proponent should coordinate mitigation efforts with the MassDOT District 2 office prior to the preparation of the DEIR.

Air Quality

The DEIR should supplement the mesoscale air quality analysis to include an evaluation of VOCs and NO_x under Existing conditions in comparison to future condition. The DEIR should also provide an evaluation of PM₁₀ and PM_{2.5} and provide percentage increases/reductions for Existing, 2030 No-Build, 2030 Base Case, and 2030 Mitigation Case conditions. The DEIR should also specifically discuss the project's impacts at specific intersections adjacent to the identified EJ Populations where traffic generated by the project is likely to extend. To the extent data are available, the DEIR should estimate the increase in air pollutants at those locations. If any air pollutant is anticipated to increase over 1tpy from No Build to Build conditions at any single intersection or over the traffic study area, the DEIR should consider mitigation to address the increase. The DEIR should also discuss additional mitigation that the project will adopt to minimize air quality impacts from traffic.

Land Alteration and Impervious Surfaces

The DEIR should differentiate between areas of the existing site that are currently paved/impervious and areas that have been previously altered but not paved/impervious. The DEIR should compare how proposed impervious cover (buildings and pavement) compares to the updated characterization of the existing property. The DEIR should also characterize and quantify the new land alteration including the type of vegetation that will be cleared (i.e., mature trees, scrub shrub, etc.). It should provide a comprehensive evaluation of all measures to reduce the amount of land alteration and conversion of impervious areas to pervious materials, including reductions in building program, roadway widths and parking areas; use of pervious pavement for roadways and/or sidewalks; land banking of parking until warranted by demand; and supplemental landscaping or tree planting to mitigate impacts associated with clearing. It should cumulatively and separately quantify the total amount of alteration and fill associated with each of the buildings, roadways, parking, wastewater, water and stormwater infrastructure, lawns and landscaping, and other project components.

The DEIR should include site plans that clearly locate and delineate areas proposed for development and areas to be left undisturbed. Since the project is anticipated to be phased, the DEIR should clearly identify the activities proposed for each phase and the area to be developed. The DEIR should describe how proposed land alteration, such as clearing, regrading, or paving, will be limited to the minimum area necessary at any time. The DEIR should provide a plan that clearly identifies areas of cut and fill and provide estimates of cut and fill volumes to achieve proposed site grades.

Wetlands and Stormwater

The DEIR should demonstrate that all components of the project are designed to meet the appropriate performance standards for the relevant wetland resource areas and how the project will protect the interests of the WPA. The DEIR should demonstrate how the bridge will be installed in a manner that avoids alteration to the adjacent BVW and fully complies with the Massachusetts Stream Crossing Standards. The DEIR should include a narrative with accompanying plans that describes how

the water line and sanitary sewer line, located at the new proposed stream crossing, will be installed in a manner that avoids alteration to regulated resource areas.

The DEIR should provide an updated Stormwater Report that includes details about the design and function of the proposed stormwater system, including a discussion of any low impact development techniques, stormwater BMPs utilizing source control (nonstructural control measures), structural BMPs, and maintenance requirements. The DEIR should confirm whether there is adequate separation between the bottom of each infiltration/detention basin and the maximum groundwater elevation to ensure groundwater quality. It should also include a discussion as to whether the proposed project meets the definition of a LUHPPL and how the project will comply with the SMS. The DEIR should clearly identify any changes made to the stormwater management system design resulting from the peer review process currently underway.

The DEIR should include a plan and narrative depicting the catchment area intended to be attenuated by each of the infiltration basins/detention basins, indicating which stormwater connections are associated directly with each of the basins. The DEIR should describe all proposed pre-treatment BMPs within the stormwater treatment train and provide a draft stormwater Operation and Maintenance Plan and total suspended solids removal rates. The DEIR should identify and discuss the specific source control and pollution prevention measures and the specific structural stormwater BMPs proposed to manage discharges to the MassDEP Approved Zone II. Additionally, the Proponent should coordinate with MassDEP regarding the final proposed stormwater management system design and determine if the proposed project requires the submission of a BRP WS-06 UIC Registration application. The DEIR should provide an update on any such coordination and identify any changes made to the project design or additional permits/approvals needed to be obtained in response to this consultation.

Climate Change

Adaptation and Resiliency

As discussed above, the DEIR should evaluate whether the project is maximizing opportunities for environmentally sensitive site design and low impact development techniques to promote site resiliency based on project future climate conditions. The DEIR should also describe the specific design measures that will be implemented to avoid or minimize heat impacts on the surrounding environment, including but not limited to the number of new trees to be planted on-site and the potential use of high albedo products that will better reflect sunlight and reduce heat impacts. The DEIR should evaluate the efficacy of the stormwater management system over additional storm scenarios, including the 25-year and 50-year condition as of 2070. Information available through the Resilient MA Climate Change Projections Dashboard could be used as a resource.¹⁰

Greenhouse Gas Emissions (GHG)

The DEIR should include a revised GHG emissions analysis consistent with the recommendations identified in the DOER comment letter, which is incorporated herein by reference. Specifically, the Base Case should be revised to include additional efficiency measures contained in Section C406 of the Code and the Mitigation Case should be revised to include mitigation measures

¹⁰ Available at <u>https://resilientma-mapcenter-mass-eoeea.hub.arcgis.com/</u>.

which focus on reducing thermal energy demand (TEDI) and efficient electrification. The DEIR should include estimates of both the heating and cooling TEDI (for the baseline and proposed scenarios). It should include revised descriptions of baseline and proposed envelope performance, in terms of U value, per the Code, and reported U values should reflect the values after thermal bridge derating.

The DEIR should evaluate higher roof performance for the gymnastic center, daycare, and warehouse storage. The DEIR should provide, for each building, the derated U-value of opaque wall assemblies and the proposed window to wall ratio. If glazed wall systems are proposed, the DEIR should provide the derated U-value of the opaque and vision portions of the glazed wall, along with the percent area (of the total vertical) of proposed opaque glazed wall and vision glazed wall. The DEIR should include information on air infiltration and evaluate whether better than code air infiltration as a possible mitigate measure. It should also provide information on the proposed ventilation energy recovery and confirm ventilation energy recovery with a 70% effectiveness is being provided for all buildings, in accordance with the Code. The DEIR should also describe the type of electric air source heat pump space system to be used and evaluate the use of electric air-source VRF type heat pump systems capable of energy recovery during concurrent heating and cooling; or, a network of connected air source heat pumps capable of energy recovery during concurrent heating and cooling.

The DEIR should provide additional information on the envelope quality, heat recovery, and management of solar gains proposed by the project for the residential buildings. The DEIR should include a complete Passivehouse evaluation by a certified Passivehouse consultant through this MassSave program. The DEIR should evaluate the feasibility and cost-effectiveness of water heating with air source heat pumps for all buildings (residential and commercial). The DEIR should quantify the total square footage of PV arrays proposed for each building. It should also clarify the minimum solar readiness for the commercial buildings and the multifamily buildings, as required by the Code, and describe whether above-code rooftop solar readiness is proposed as a mitigation measure.

The DEIR should include an evaluate increasing the number of EV charging stations at each residential building from two to five and providing at least two EV charging stations at each commercial building. It should also quantify the EV readiness of each building and evaluate providing an EV readiness of 25% for all buildings. Commitments to increase the number of EV charging stations or the percentage of EV readiness for each building should be included as additional mitigation for the project in the DEIR.

Water Supply

The DEIR should evaluate the adequacy of the water supply capacity available for the project, for each phase and the project as a whole. The DEIR should identify any upgrades needed to the existing water supply infrastructure to support the project.

Construction Period

The DEIR should clearly identify all components of the project to be completed in each phase, and fully detail any initial work to be performed site-wide in advance of future phases. The DEIR should clearly state a commitment to complete MEPA review and any required permitting prior to commencing construction; once commenced, a Commencement of Construction Notice should be filed with MEPA pursuant to 301 CMR 11.08(10). The DEIR should describe how construction activities will be managed in accordance with applicable MassDEP regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017). The DEIR should describe all construction-period impacts and mitigation relative to state-listed species, wetlands, stormwater, noise, air quality, water quality, and traffic. It should describe all BMPs that will be employed to avoid erosion or sedimentation in areas of disturbance that are associated with future phases of work. It should describe truck routes and other mitigation measures that may be implemented to minimize impacts to residential areas by trucks travelling to the site during the construction period. Construction equipment should use engines meeting Tier 4 federal emissions standards, or if unavailable, confirm that the project will require its construction contractors to use Ultra Low Sulfur Diesel fuel, and discuss the use of after-engine emissions controls, such as oxidation catalysts or diesel particulate filters.

The DEIR should provide detailed information regarding the project's generation, handling, recycling, and disposal of construction and demolition debris (C&D) and identify measures to reduce solid waste generated by the project. I strongly encourage the Proponent to commit to C&D recycling activities as a sustainable measure for the project. The Proponent is reminded that any contaminated material encountered during construction must be managed in accordance with the MCP and with prior notification to MassDEP. The DEIR should describe stormwater management measures that will be implemented during construction. It should describe potential construction period dewatering activities and associated permitting (i.e., NPDES) and identify mitigation measures. To the extent dewatering activities are proposed, the DEIR should include a discussion of dewatering activities; measures to be implemented to ensure that no sediment enters the on- or off-site wetland resource areas; and how the project will maintain appropriate stream flow during the work and ensure adequate capacity for bypassing the work area or identify the specific provisions that will be implemented to accommodate heavy rain or flood events. All construction-period mitigation measures should be listed in the draft Section 61 Findings. The DEIR should describe how the project will comply with all applicable construction-period regulatory requirements.

Mitigation and Draft Section 61 Findings

The DEIR should include a separate chapter summarizing all proposed mitigation measures including construction-period measures. This chapter should also include a comprehensive list of all commitments made by the Proponent to avoid, minimize and mitigate the environmental and related public health impacts of the project, and should include a separate section outlining mitigation commitments relative to EJ Populations. The filing should contain clear commitments to implement these mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation. The list of commitments should be provided in a tabular format organized by subject matter (traffic, water/wastewater, GHG, environmental justice, etc.) and identify the Agency Action or Permit associated with each category of impact. Draft Section 61 Findings should be separately included for each Agency Action to be taken on the project. The filing should clearly indicate which mitigation measures will be constructed or implemented based upon project phasing to ensure that adequate measures are in place to mitigate impacts associated with each development phase.

To ensure that all GHG emissions reduction measures adopted by the Proponent as the Preferred

Alternative are actually constructed or performed by the Proponent, the Proponent must provide a selfcertification to the MEPA Office indicating that all of the required mitigation measures, or their equivalent, have been completed. The commitment to provide this self-certification in the manner outlined above shall be incorporated into the draft Section 61 Findings included in the DEIR.

Responses to Comments

The DEIR should contain a copy of this Certificate and a copy of each comment letter received. In order to ensure that the issues raised by commenters are addressed, the DEIR should include a comprehensive response to comments that specifically address each issue raised in the comment letter; references to a chapter or sections of the DEIR alone are not adequate and should only be used, with reference to specific page numbers, to support a direct response. This directive is not intended, and shall not be construed, to enlarge the scope of the DEIR beyond what has been expressly identified in this certificate.

Circulation

In accordance with 301 CMR 11.16(3), the Proponent should circulate the DEIR to each Person or Agency who commented on the EENF, each Agency from which the Project will seek Permits, Land Transfers or Financial Assistance, and to any other Agency or Person identified in the Scope. Pursuant to 301 CMR 11.16(5), the Proponent may circulate copies of the DEIR to commenters in in a digital format (e.g., CD-ROM, USB drive), by directing commenters to a project website address, or electronically. However, the Proponent should make available a reasonable number of hard copies to accommodate those without convenient access to a computer to be distributed upon request on a first come, first served basis. The Proponent should send correspondence accompanying the digital copy or identifying the web address of the online version of the DEIR indicating that hard copies are available upon request, noting relevant comment deadlines, and appropriate addresses for submission of comments. A copy of the DEIR should be made available for review in the Easthampton Public Library.

August 16, 2023 Date

Rebecca L. Tepper

Comments received:

Comments submitted on the MEPA Public Comments Portal

7/18/2023	Robert Peirent (supplemental comments submitted on 7/30/2023)
7/19/2023	Rebecca Stachowicz
7/28/2023	Mary Lou Splain
8/4/2023	Elisabeth Goodman (on behalf of 102 Northampton Street LLC)
8/7/2023	Sara Merand

8/8/2023 Easthampton Conservation Commission

8/8/2023 Janet Muzzy

Comments submitted by email	Comments	submitted	by	email
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7/16/2023	Henry Walz and Susan Grant
7/19/2023	Dianne McLane
7/19/2023	Deborah August (supplemental comments submitted on 7/20/2023 & 8/6/2023)
7/19/2023	Susanna Walz
7/20/2023	Amanda Kallenbach
7/20/2023	Pascommuck Conservation Trust
7/23/2023	Nancy Natale
7/28/2023	Massachusetts Department of Energy Resources (DOER)
7/31/2023	Thomas Brown
8/2/2023	Pioneer Valley Planning Commission (PVPC)
8/3/2023	Janna Tetreault
8/6/2023	Lucille Kostek and Larry Kostek
8/7/2023	Barry Roth
8/8/2023	Katherine Ahern
8/9/2023	Marty Klein
8/9/2023	Massachusetts Department of Transportation (MassDOT)
8/9/2023	Massachusetts Department of Environmental Protection (MassDEP)

RLT/NJM/njm

Public Comment Tasty Top/Sierra Vista

grantwalz@verizon.net

Sun 7/16/2023 8:14 AM

To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

July 17, 2023

Greetings:

Our home is at #37 Northampton Street in Easthampton, a quarter mile from the proposed "Tasty Top/Sierra Vista" development. In the nearly 50 years we have lived here we have realized that the Manhan River adjacent to our property is a busy wildlife corridor. The river's path connects the Ox-Bow and Meadows area of Easthampton and Northampton with the rural undeveloped parts of Southampton and Westhampton.

We have spotted a variety of animals that follow the river's route. We have seen beavers, otters, bears, deer, bobcats and coyotes. Great blue herons, green herons, kingfishers, ducks, and the occasional bald eagle pass through. Painted turtles, wood turtles and snappers abound. Spring migration brings shad and lamprey to the federally built Manhan fish ladder.

We realize that some development along Northampton Street (Route#10) is appropriate. We suggest that any disruption/development behind the immediate road frontage be limited. The land near the river and its flood plain, the Manhan River Corridor, is vital habitat and should be protected.

Henry Walz and Susan Grant

Initial Comments on EENF File EEA #16719 - Sierra Vista Commons Easthampton MA

Robert Peirent <rpeirent@gmail.com> Sat 7/15/2023 12:35 PM

To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov>

15 attachments (9 MB)

7-15-23 RP MEPA Review Comments - Attachment No. 1 - RP June 13 2023 Email to Director Kim.pdf; 7-15-23 RP MEPA Review Comments - Attachment No. 2 - RP May 1 2023 Email to Director Kim.pdf; 7-15-23 RP MEPA Review Comments - Attachment No. 3 - Easthampton Planning Department December 16 2022 Technical Memo #1.pdf; 7-15-23 RP MEPA Review Comments - Attachment No. 5 - Easthampton Conservation Commission June 17 2023 Enforcement Order.pdf; 7-15-23 RP MEPA Review Comments - Attachment No. 7 - Easthampton Historic Commission Letter re Northampton and Hampden Canal December 19 2022.pdf; 7-15-23 RP MEPA Review Comments - Attachment No. 6 - EOEEA Certificate EEA #1358 February 6 2009.pdf; 7-15-23 RP MEPA Review Comments - Attachment No. 6 - EOEEA Certificate EEA #1358 February 6 2009.pdf; 7-15-23 RP MEPA Review Comments - Attachment No. 11 - Easthampton 2021 OSRP Update - Transfer of Development Rights Zones.pdf; 7-15-23 RP MEPA Review Comments - Attachment No. 10 - Easthampton 2021 OSRP Update - Farmland Soils.pdf; 7-15-23 RP MEPA Review Comments - Attachment No. 14 - 2022 MassDOT Roundabout Planning and Design Guide - Roundabout Sizes for WB50 Design Vehicle.pdf; 7-15-23 RP MEPA Review Comments - Attachment No. 15 - 2022 MassDOT Roundabout Planning and Design Guide - Roundabout Sizes for WB50 Design Vehicle.pdf; 7-15-23 RP MEPA Review Comments - Attachment No. 15 - 2022 MassDOT Roundabout Planning and Design Guide - Roundabout Sizes for WB50 Design Vehicle.pdf; 7-15-23 RP MEPA Review Comments - Attachment No. 15 - 2022 MassDOT Roundabout Planning and Design Guide - Roundabout Operations Analysis Tools.pdf; 7-15-23 RP MEPA Review Comments - Attachment No. 13 - Easthampton 2021 OSRP Update - Settement No. 13 - Easthampton 2021 OSRP Update - Settement No. 13 - Easthampton 2021 OSRP Update - Settement No. 13 - Easthampton 2021 OSRP Update - Settement No. 13 - Easthampton 2021 OSRP Update - Settement No. 14 - 2022 MassDOT Roundabout Planning and Design Guide - Roundabout Sizes for WB50 Design Vehicle.pdf; 7-15-23 RP MEPA R

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Dear Mr. Moreno

Thank you for this opportunity to provide comments on the EENF filing EEA #16729 submitted for the Sierra Vista Commons project in Easthampton. I am submitting these comments as a concerned citizen of Easthampton and as a civil engineer with 40 years of diverse municipal and environmental engineering experience. During the first 30 years of my career in the private sector I was directly involved in a number of filings with the MEPA office and more recently, while serving as a Director of Public Works and City Engineer for several western MA communities, I have continued my involvement with issues related to MEPA regulations and requirements. My comments below are offered with the intent of enhancing the proposed project and helping to ensure that the project impacts are more accurately described and defined so that the requirements of 301 CMR 11.01 to take "all feasible means to avoid Damage to the Environment or, to the extent Damage to the Environment to the greatest extent feasible" are fully met.

I am providing the following comments in advance of the Remote MEPA Consultation Session scheduled for July 20, 2023 since I will be unable to participate on that date. My review of the EENF document that was submitted to MEPA is still ongoing and I anticipate having additional comments relative to the transportation, climate change adaptation and resiliency, and environmental justice sections of the document at a later date.

The comments detailed below are referenced to the related page of the EENF.

EENF Page 1

Use of EENF process. The applicant has filed an Expanded ENF for the project, hoping to utilize the Single EIR process under MEPA and thus avoid a Draft and Final EIR, and thereby shorten and perhaps effect a less rigorous and less comprehensive MEPA review process. It is not in the interest of Easthampton or the commonwealth to shorten the review process for such a complicated and impact causing project.

As per the MEPA regulations 301 CMR 11.06 (8), the decision to allow the use of a Single EIR is in the judgment of the Secretary of EEOA, who must find "that the expanded ENF requesting a single EIR in accordance with 301 CMR 11.05(8):

(a) describes and analyzes all aspects of the Project and **all feasible alternatives**, regardless of any jurisdictional or other limitation that may apply to the Scope;

(b) provides a detailed baseline in relation to which potential environmental and public health impacts and mitigation measures can be assessed;

(c) demonstrates that the planning and design of the Project use all feasible means to avoid potential environmental impacts; and

(d) for any Project for which an EIR is required in accordance with 301 CMR 11.06(7)(b), describes and analyzes all aspects of the Project that may affect Environmental Justice Populations located in whole or in part within the Designated Geographic Area around the Project; describes measures taken to provide meaningful opportunities for public involvement by Environmental Justice Populations prior to filing the expanded ENF, including any changes made to the Project to address concerns raised by or on behalf of Environmental Justice Populations; and provides

Mail - Moreno, Nicholas (EEA) - Outlook

a detailed baseline in relation to any existing unfair or inequitable Environmental Burden and related public health consequences impacting Environmental Justice Populations in accordance with 301 CMR 11.07(6)(n)1."

The criteria specified under subparagraph (a) clearly have not been met since numerous lesser impact alternatives, both in terms of project footprint and other aspects of the project design, are not described. In addition, the Planning Board process is still ongoing, which has already and may continue to require the applicant to consider additional design alternatives, especially in regards to traffic mitigation and project density. Section 2.2 of the EENF lists 12 design revisions to date that have already occurred during the Planning Board process. The most significant of these is the removal of one residential building. Although one residential building was removed, the total housing unit quantity remained the same and thus there has been a minimal reduction in the environmental impact of the project.

EENF Page 2

Identify any financial assistance or land transfer from an Agency of the Commonwealth, including the Agency name and amount of funding or land area in acres.

The EENF incorrectly states that this section is **Not Applicable**. There is ample existing public documentation that confirms this statement is incorrect and that funding will be sought from several state agencies to complete the project and needed offsite utility improvements.

See the attached June 13, 2023 email (Attachment No. 1) from Robert Peirent to MEPA Director Kim. It documents statements made on behalf of the project applicant at the 6/6/23 Easthampton Planning Board hearing. Peter Graham, an affordable housing consultant from Valley Housing Consultants LLC, spoke at length on behalf of the applicant and presented data that confirmed the applicant intended to seek approximately \$20 million in state funding to complete the project.

Also, see a prior email dated May 1, 2023 (Attachment No. 2) that confirms that the city of Easthampton intends to apply for state funding to complete water main improvements needed for the project to be fully built-out. These improvements were identified in a letter from Easthampton Fire Chief Christopher Norris dated January 11, 2023 (Attachment No. 4) that limited the project to construction of phase 1 and 2 until these improvements have been made.

Summary of Project Size & Environmental Impacts

Square feet of wetland alteration - The EENF incorrectly states there will be no wetland alteration, when in fact there has already been unpermitted wetland alteration by the applicant. An enforcement order regarding this alteration was issued by the Easthampton Conservation Commission on June 17, 2022 (Attachment No. 5).

Length of sewer main - several thousand feet of new 8-inch interior sewer main will be required onsite including a section of sewer main that will cross into private property (for which entry has not been granted) to connect to an existing city sewer interceptor.

Length of water main - several thousand feet of new 8-inch interior water main will be required onsite as well as replacement of several thousand feet 8 to 12-inch existing water main in city streets. See Attachment No. 4 that describes the scope of these required improvements.

EENF Page 3

Has any project on this site been filed with MEPA before?

The EENF incorrectly states **NO** when in fact this property was the subject of findings issued by the Secretary of Energy & Environmental Affairs on February 6, 2009. The reference number for this prior project is EEA #14358. See Attachment No. 6 that includes the findings from the Secretary of Energy and Environmental Affairs.

EENF Page 4

Project Description

There are a number of incomplete or inaccurate statements made in the project description including the following:

• The description fails to note that the front half of the project is located in the City's Smart Growth 40R overlay zone and that the applicant intends to request the Planning Board waive several key provisions of the City's regulations for this zone, including the minimum required residential density.

Mail - Moreno, Nicholas (EEA) - Outlook

Increasing the proposed residential density to what is specified in the City's regulations would allow for the same or greater number of residential units to be constructed in the front half of the property, lessening the impact on the more environmentally significant rear half of the property.

Despite this modification having been requested by the public and members of the Planning Board at several public hearings, the applicant has declined to consider this modification to the project. A secondary benefit of constructing more residential units in the Smart Growth zone is that the required minimum percentage of affordable housing for the project would be greater than for the Residential – Suburban A zone.

• Existing Stream Crossing: The EENF states "The existing stream crossing will be replaced with a stream-crossing compliant bridge." This statement is extremely misleading and disingenuous. The illegal work is the subject of an enforcement action by the Conservation Commission, as noted previously, that requires removal and restoration of the impacted areas along with enhancement of the existing stream area beyond the area impacted by these illegal activities. "Existing conditions" relative to project baselines should not include illegal features that are subject to enforcement action/removal as a pre-condition for moving forward. The existing crossing is referred to as "unauthorized" later in the EENF body but no details are provided relative to the fact that the unauthorized work was performed by the project proponent and is subject to an Enforcement Action by the Conservation Commission. The site has not yet been brought into compliance.

• The description fails to reference the demolition of an existing structure listed in the Massachusetts Cultural Resource Inventory Database prior to submission of the EENF and action on this EENF by the Secretary. Although the applicant did seek input from the Massachusetts Historical Commission before the structure was demolished, the finding from MHC does not satisfy the public notification and comment requirements of MEPA.

• The description fails to reference the Starbucks project that is currently under construction. Although the project is being completed by a separate developer, it is located on a parcel that until very recently was a portion of the same parcel that is proposed for the Sierra Vista Commons project. Under the segmentation provisions of 310 CMR 11.01 (2)(c) the description provided on the EENF should include both projects so that the combined impacts can be fully evaluated.

The Easthampton Planning Board approved the creation of a separate parcel for the Starbucks project via an "Approval Not Required" (ANR) decision on February 21, 2022. This subdivision took effect when the approved plan was recorded at the Registry of Deeds on April 8, 2022. Until that date, the Starbucks project was located on the same parcel as the proposed Sierra Vista Commons project. Both the new Starbucks parcel and Sierra Vista Commons parcels remained in common ownership by a single owner, Courtney, until April 11, 2022. On this date the Sierra Vista Commons parcel was acquired by the applicant, but the Starbuck parcel remained owned by Courtney until October 21, 2022, when it was acquired by Easthampton Retail Management, LLC.

As evidenced by dates listed on several of the project plans, the applicant began design work on the proposed Sierra Vista project on or before January 31, 2022, while <u>both projects were located on a single parcel (see MEPA filing EEA #14358) that was owned by a single owner</u>, Courtney. Since the Starbuck project has never been the subject of MEPA review, as required by the segmentation provisions of CMR 11.01 (2)(c) the "the Secretary shall consider the entirety of the Project, including any likely future Expansion, and not separate phases or segments thereof. The Proponent may not phase or segment a Project to evade, defer or curtail MEPA review."

Also, since the applicant has stated on the record as recently as June 6, 2023 that project funding will be sought from the commonwealth (as described above), both the Starbucks and Sierra Vista Commons projects should be included in the project description, and a broad scope review of the combined environmental impacts of both projects is required.

• Lastly, the project description fails to include the offsite water main improvements that must be completed before the project moves beyond Phase 2, as noted above. The location and scope of these improvements should be included in the project description since they are essential to the project moving forward and failing to include them would be further segmentation of the project.

EENF Page 5

Alternatives: The so-named "Reduced Build" alternative has a "maxed out" footprint that uses as much land and wetland buffer zone as would be permitted for any alternative that might be approved by the Conservation Commission and Planning Board. It is only a "Reduced Build" alternative relative to EENF Alternative No. 2, which met significant opposition by the Planning Board and an adjoining property owner for which an easement will be needed to construct the project sewer connection. As a result of this, the alternative was originally submitted but later withdrawn by the project proponent. It was a non-viable, overly ambitious, site development alternative. Therefore, using this non-starter design as the basis for calling the preferred alternative "Reduced Build" is a bit disingenuous.

The alternatives put forward in the EENF are very limited and should be expanded considerably to satisfy MEPA requirements to consider all feasible alternatives. As a starting point for expanding the alternative analysis, the following alternatives should be considered:

• Increasing the number of residential units in the 40R Smart Growth zone portion of the site to reduce or eliminate the need to obtain Planning Board waivers and to reduce the number of residential units in the rear property. This will reduce impacts to the environmentally sensitive rear portion of the site as well as reduce the impact on farmland and the adjacent historic Hampshire and Hamden canal, as requested by the Easthampton Historic Commission on December 19, 2022. (see Attachment No. 7).

• Increasing the number of units per building to reduce the total number of buildings. In the "Reduced Build" alternative the applicant demonstrated that a single 28-unit building is feasible in place of separate 10-unit and 18-unit buildings. Constructing fewer buildings with a greater number of units per building will use less site area and allow for a greater buffer from environmentally sensitive areas.

• A true "Reduced Build" alternative should be considered with fewer buildings and fewer units/less commercial space to increase the buffer to sensitive environmental areas and preserve more prime farmland. The applicant has not completed an evaluation to justify the total number of residential units and square footage of commercial space needed for the project to be economically viable. The easiest way to reduce the environmental impact of the project is to reduce its size. A reduced project footprint will demonstrate that the applicant has evaluated "all feasible means to avoid Damage to the Environment or, to the extent Damage to the Environment cannot be avoided, to minimize and mitigate Damage to the Environment to the maximum extent practicable avoid and minimize damage to the environment to the greatest extent feasible" as required by CMR 11.01 (1)(a).

• Use of permeable paving to eliminate the need for large, open stormwater basins that occupy significant portions of the site and are not suitable for residential use and increase the loss of farmland and reduced buffers to environmentally sensitive areas. Stormwater systems that include permeable paving have a low profile and can be installed in areas that have shallow depths to groundwater, such as found at the project site. In addition, by incorporating a large surface area in the system design, a greater volume of stormwater can be infiltrated into areas with low permeability soils than infiltration basins with a much smaller surface area.

• Use of low profile, subsurface infiltration systems combined with modular stormwater treatment units below the proposed parking areas to eliminate the need for large, open detention and infiltration basins that occupy significant portions of the site and are not suitable for residential use and increase the loss of farmland and reduced buffers to environmentally sensitive areas

Project phasing

As noted above, the Easthampton Fire Chief will not allow the project to continue beyond Phase 2 until the required offsite water main improvements have been constructed. This should be noted in the phasing plan and schedule presented in the EENF.

EENF Page 6

Historical/Archaeological Resources

It is unclear if the December 2022 MHC letter referenced by the applicant pertains to the demolition of the existing building only or the impacts of the overall project. It is a bit surprising that MHC has not required any archaeological survey work for the project given its location adjacent to the historical Northampton and Hampden Canal and upland proximity to the Manhan River. Several emails (see Attachment No. 8) were sent to the State Historic Preservation Officer (SHPO) Brona Simon and Elizabeth Sherva, the author of the referenced letter, in February and March 2023 requesting a clarification of these issues but neither have responded. See the attached emails. The MEPA office should confirm with MHC that the required level of historical and archaeological review and investigation has been completed for this project.

EENF Page 7

Stormwater Management

The EENF states that the project has been designed in compliance with MassDEP's Stormwater Management Regulations as well as the City of Easthampton Stormwater Ordinance. Note, after the EENF was submitted the Easthampton Conservation Commission received a lengthy report from the Commission's peer review firm that suggests this statement may not be completely accurate. A copy of this review letter dated July 7, 2023 is attached (Attachment No. 9).

EENF Page 9

II. Impacts and Permits

The EENF states that "approximately 6.5 acres of the site have previously been used for active agriculture, prior to 2022, and will be converted to nonagricultural use. Of that total area, only 4.5 acres is underlain by prime or locally important agricultural soils." No mapping or figures are provided to support this statement and these figures appear to be inconsistent with what is presented in the City's Open Space and Recreation Plan Update. See the discussion below.

III. Consistency

The EENF fails to reference the City of Easthampton's 2021-2028 Open Space and Recreation Plan Update in its review of the consistency of the project with the City's land use planning. <u>https://www.easthamptonma.gov/DocumentCenter/View/2315/Open-Space--Recreation-Plan-2021-2028-PDF</u>.

The project is in conflict with several of the goals presented in this recently adopted plan including:

- Goal #3: Agriculture is preserved and promoted as an important aspect of community character.
- Goal #4: Lands of natural resource, scenic, and recreation value are protected and well stewarded, and are connected with each other and with neighborhoods.
- Goal #5: Groundwater and surface water are protected as clean and abundant resources.

The Seven Year Action Plan presented in the Update included the following actions that are relevant to the proposed Sierra Vista Commons project:

• Work with landowners to expand farming and protection of farmland through fee acquisitions and/or donations of agricultural preservation or conservation restrictions.

• The proposed project protects none of the existing farmland on the property and instead converts this valuable resource to buildings, parking lots and roadways, stormwater basins, and lawn areas. No restrictions or protections of this valuable resource have been proposed and instead the project has been sized to maximize the loss of these farmland areas. As shown on page 115 (Attachment No. 10) of the Update, the majority of the project site is located within areas of prime farmland and/or farmland of state-wide importance. Partnering with local and regional conservation organizations is a potential strategy for achieving this goal.

• Promote greater utilization of the Chapter 40R Smart Growth Overlay District Ordinance

• The applicant is proposing to take advantage of provisions of the City's Chapter 40R Smart Growth ordinance when these provisions are consistent with the applicant's project objectives but is planning to seek a waiver of a number of requirements that are in conflict with their objectives. Most notably, they have stated they will be seeking a waiver of the required minimum residential unit density in the Smart Growth District and instead locate the vast majority of the proposed residential units in the rear Residential - Suburban A portion of the site with less restrictive housing density and affordable housing requirements. The project is presented by the applicant as a mixed-use development that will create a village center like environment, but instead it is actually a large complex of very conventional multi-unit apartment buildings that will be located almost a thousand feet away from very conventional commercial buildings that are intended to largely serve users from outside the project. As shown on page 113 (Attachment No. 11) of the Update, the front of the site was targeted for more intense development (receiving area) to be offset by lower intensity development at the rear of the site (sending area). Instead, the applicant proposes to develop both portions of the site to their maximum potential.

• Work with landowners to protect open space over the Barnes Aquifer through fee acquisitions, conservation restrictions, agriculture preservation restrictions, and/or donations.

• As shown on page 111 (Attachment No. 12) of the Update, much of the project site lies within the approved Zone 2 for the City's groundwater supplies, which make up a portion of the Barnes Aquifer. Although the stormwater design appears to meet most of the minimum stormwater recharge and treatment requirements, the volume of stormwater infiltrated to the aquifer below will still be reduced from current conditions and the quality of this infiltrated stormwater will be significantly degraded by road salt, petroleum products, and other pollutants originating from the project.

7/20/23, 12:09 PM

Mail - Moreno, Nicholas (EEA) - Outlook

Lastly, as listed above under Goal #4, protection of lands of scenic value was identified in the Update. As shown on page 117 (Attachment No. 13) of the Update, the project site was ranked second after Park Hills Orchard as a key location for scenic views of the Mount Tom range. Although the applicant has indicated that most of the proposed buildings will not be visible from the roadway, no viewshed analysis has been completed and the height of the proposed buildings relative to the street level suggests that the buildings will in fact be visible, thus impacting this highly ranked scenic vista.

EENF Page 10

2) adequacy of infrastructure

The EENF states "The City has adequate water and wastewater capacity to provide services to the project." and bases this statement of the current usage of the overall capacity of the City's water and wastewater facility. This statement is incomplete and misleading because it fails to consider localized capacity issues that will impact the project.

One example of these is the need to upgrade City water mains that will serve the project as documented in the letter from Fire Chief Norris dated January 11, 2023.

In addition, the applicant is proposing to cross private property to connect to the City's interceptor sewer but has not yet received permission from the private property owner to do so. If permission is not granted, the applicant will need to connect to other sewers in the Plymouth Avenue/Colonial Avenue area that have known capacity issues and were going to be addressed as part of the project proposed under previous MEPA filing #14358.

Lastly, the response provided is silent on the adequacy of the existing transportation infrastructure to support the project. The applicant is proposing to create a signalized intersection (or roundabout) to serve the project that will negatively impact travel along the already congested Northampton Street corridor. Timing adjustments to the Florence Road and West Street intersections, when considered individually, may appear to improve future conditions but the combined impact of adding an intersection between these two signals has not been taken into account. Also, note that the roundabout that is proposed does not meet the minimum dimension standards of MassDOT (https://www.mass.gov/doc/massdot-guidelines-for-the-planning-and-design-of-roundabouts/download) (Attachment No. 14) and has been sized solely to avoid having to acquire property from an adjoining property owner.

The project intersection will only benefit the applicant by providing a means of exiting the project and will significantly negatively impact traffic flow along the corridor. The applicant has completed discrete analyses of the proposed intersection as well as the nearby West Street and Florence Road intersections but has failed to complete a coordinated analysis of the impact on the overall corridor using a dynamic modeling software tool such as VISSIM, even though this analysis is required by MassDOT for roundabouts that will be located near other intersections (Attachment No. 15).

4) compatibility with adjacent land uses

The EENF states that "The majority of the buildings will be set back from the roadway and will not be visible. In line with the Master Plan, the buildings will be developed using a contemporary traditional architectural style to maintain the existing "feel" of the City."

No viewshed analysis of the project has been developed by the applicant so there is no basis for the statement that the buildings will not be visible. The rooflines of many buildings will be 20 or more feet higher than the adjoining roadway. The proposed buildings are much larger in footprint than any buildings in the area and the proposed "contemporary traditional architectural style" is completely unlike any of the structures in the local area.

The applicant should be required to develop a viewshed model of the project to demonstrate its impact on the local area and adapt the proposed architectural design of the building to be compatible with the local area.

EENF Page 13

II. Wetlands Impacts and Permits

The EENF cites a MassDEP file number for the project but as discussed earlier fails to reference the Cease-and-Desist Order that was issued to the applicant on June 17, 2022 relative to an unauthorized stream crossing constructed on the project site.

EENF Page 16

Water Supply Section

As noted previously, the Sierra Vista Commons project will not be allowed to proceed beyond Phase 2 until offsite water distribution improvements have been completed, most likely by the City of Easthampton. This water system improvements project will likely require a <u>WS 32</u>: <u>Distribution</u> <u>Modifications for Systems that serve more than 3,300 people</u> permit from MassDEP's Water Supply section.

ATTACHMENT 1 - EXPANDED ENVIRONMENTAL NOTIFICATION FORM NARRATIVE

EENF Section 4.2.3 states:

"Though the development will modify a significant portion of the property, the Project has been designed to avoid impacts to the most sensitive habitats onsite and protect existing resources. The proposed development configuration will leave approximately 11.5 acres, or 35% of the Site undeveloped. Most of these undeveloped areas, 9.3 acres, are wooded today and will remain that way. This siting plan avoids most impacts to steep slopes and all wetlands which will continue to provide a buffer to and connectivity with surrounding open spaces."

Again, the EENF is a bit disingenuous given that of the undeveloped 11.5 acres, almost all of this is wetland and buffer zone, often with less that the 50 ft minimally acceptable buffer zone setbacks that the Easthampton Conservation Commission seeks on projects in this community. Therefore, nearly 100% of this so-called project minimization of impacts is based upon conservation of land that is essentially undevelopable anyway.

Plan Review Comments

1. The buffer zone setbacks and proposed tree line are not realistic for actual construction activities. In many locations there is less than 20-feet shown from structures to the tree line. This will result in damage to the tree canopy with necessary limb removal and disruption of buried roots within the existing drip edge of the canopy, potentially killing mature trees and that will require later removal to protect buildings from windfall of standing deadwood.

2. The building plans do not show if structures have a basement or are slab on grade with frost walls. If footing drains are necessary, these drains will likely intrude into the buffer zone and possibly the bordering wetlands.

3. Wetland area D-7 to D-8 extends towards the roadway and parking. No long-term protections are shown for this area. How will this wetland area be prevented from being managed as lawn/landscaping?

4. A topographic erosion gully within existing tree line appears to exist upgradient of wetland flags B-42 to B-56. The wetland boundary does not appear to follow the topography in this area and does not extend towards the gully. The delineation should be confirmed in this location, especially during this wet weather to see if it extends further upslope than depicted.

5. On Plan C-6.1, a segmental block retaining wall is shown immediately adjacent to wetland flags A13 to A-15 and A19 to A22. How can it be constructed without impact to the wetlands?

6. There are 5 basin level spreaders and 1 direct discharge outlets located beyond the proposed tree canopy line throughout the site. No revision of the proposed tree line is shown to accommodate the construction of these features and impacts do not appear to be accounted for in the usage of the buffer zone. These areas do not appear on the landscape plans. One level spreader is located immediately adjacent to wetland flags B31 to B33. Construction will obviously require, work on steep slopes adjacent to immediately downgradient wetlands, tree and rootball removal, excavation for pipe and gravel placement, erosion controls at a minimum, as well as access for future maintenance. This disruption is not shown on the plans and it is not clear how much additional buffer zone is being utilized for this intrusion and how direct impacts to wetlands will be avoided during construction. This work is poorly defined but is some of the closest work to the actual wetland boundaries with significant potential for both construction and long-term impacts.

7. The drainage piping from Building 1, the 26-unit apartment building is unusual with a curvilinear drainage line that must extend nearly 500 LF to Basin R-1, arcing around wetland D6 to D15. Is this a reasonable design or will another basin and discharge be required closer to the building?

Re: EEA#16729 Sierra Vista Commons (Easthampton) - confirmation that the project proponents and others intend to seek state funding for the project and required improvements

Robert Peirent <rpeirent@gmail.com> Sun 7/30/2023 4:08 PM To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov> Cc:Jeffrey Bagg <JBagg@easthamptonma.gov>

1 attachments (2 MB) SVC MHC PNF 10-24-22.pdf;

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Nick

I was unable to attend the recent site walk for this project but understand that the applicant's MEPA consultant stated that the applicant would be applying for low income tax credits only and did not intend to apply for state funding to assist with construction of the project.

As I noted previously, at the 6/6/23 Easthampton Planning Board meeting Peter Graham, an affordable housing consultant from Valley Housing Consultants LLC, spoke at length on behalf of the applicant and presented data confirming that the applicant intended to seek approximately \$20 million in state funding to complete the project. I have attached a screenshot of a graphic presented by Mr. Graham at this meeting. As you can see by the time stamp, this occurred approximately 10 minutes into the Planning Board public hearing. Mr. Graham also discussed the role of tax credits in helping to fund the project, so it is clear that both are planned to be part of the project funding strategy. I have provided this screenshot and link to the meeting recording since the meeting minutes have not yet been released to the public and when they are released they may not capture the full detail of all discussions that occured at the hearing.

If the applicant is now stating that state funding will not be sought for the project, <u>it appears that the applicant is attempting to evade full scope MEPA review of the proposed project</u>. It should be noted that this is not the first time that the applicant has presented inconsistent and contradictory information regarding its intent to apply for state funding. **THIS IS A SIGNIFICANT CONCERN AND SHOULD NOT BE ALLOWED!**

The applicant's Project Notification Form that was originally submitted to the Massachusetts Historical Commission on 10/24/22 and resubmitted on 11/29/22 lists the following sources of funding being sought for the project: "DHCD Federal and State LIHTC, DHCD ARPA, FCF Department of Mental Health, Affordable Housing Tax Fund, Housing Stabilization Fund, National Housing Trust Fund, City funds". A copy of this form is attached.

In its April 6, 2023 correspondence letter to Page Czepega of the MEPA office, the applicant's MEPA consultant stated: "During the due diligence period, the Proponent considered applying for funding from the Department of Housing and Community Development; however, this funding avenue is no

longer being pursued. The Project will not be undertaken by an Agency, nor does it seek Financial Assistance from an Agency and is therefore not subject to full-scope jurisdiction."

Just like recent comments made at the MEPA site visit, the statement in the April 6, 2023 correspondence appears to be an attempt to walk back prior statements about applying for state funding to complete the project so as not to trigger full scope MEPA review.

It's unfortunate that it appears the applicant is presenting different information to different audiences and this practice calls into question the credibility of any statements that have been or will be made on behalf of the applicant to both MEPA and the Easthampton Planning Board.

Please accept this email as an additional public comment on the EENF.

Thank you.


Northampton Street Traffic /+ Across from Groveland

Deborah August

bunny01027@yahoo.com>

Wed 7/19/2023 3:57 PM

To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello Nick,

My name is Deborah August.

I am a Easthampton Conservation Commissioner and a neighbor on Groveland Street.

These emails are of photos showing traffic on Northampton Street.

These photos and emails coming to you are for the MEPA Review.

All comments and emails are on my own behalf and do not represent the Easthampton Conservation Commission.

Thank you, Deborah August 21 Groveland Street Easthampton bunny01027@yahoo.com

Sent from Yahoo Mail on Android











SVC Questions and Concerns for MEPA Review - July 2023

Deborah August <bunny01027@yahoo.com>

Thu 7/20/2023 2:55 PM

To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello Nick,

This is my question/comment letter for the MEPA Review.

I would also like to send an email for questions and concerns post - MEPA Review.

I am a Easthampton Conservation Commissioner and a neighbor on Groveland Street. I am writing to you as a neighbor and commenting on my own behalf. This email and it's contents do not represent the Easthampton Conservation Commission in any way. *

My house and home was purchased in 1988, due to my disabilities, and due to the area's convenient quiet, private location.

I will be impacted by this project for the rest of my life, in all areas of privacy, convenience, the proposed roadway and rotary, traffic, property values, water/ water system problems (that exist now), all walks of wildlife being pushed further into the roadways and out of their homes and into neighborhoods because of this project, their lives, habitat, food and water supply will be limited and harder to access without risking injury or death.

-- There will be significant increased issues with air quality, light and noise/sound pollution, trash, possible increase in crime, ****Accidents**, the unnecessary total removal amount of acres of mature, important trees, blockage of the View shed by the proposed restaurant and bank, and the One disproportionate access driveway up from The only three trees, to be designated by the applicant to be saved, diagonally opposite of Groveland Street.

I respectfully request to have the proposed access street reworked, so that it will be correctly positioned across from Mountainview Street and moved away from the Groveland Street entrance.

All of this, will impact the streets/neighborhoods from Highland Avenue up the curve to Groveland, all the side streets, West Street and onward.

-- There are 4 or 5 mature trees at the top of Northampton Street where Phase 3 is proposed between the proposed restaurant pad site/bank and a large soil stockpile in the plans. **Can these trees be saved?**

I ask to save as many mature trees as possible that exist on Northampton Street and the project site, in addition to the Only 3 trees proposed to be saved!

The trees being planted by the Applicant will take years to mature, and this affects all of us for years and years to come!

If these mature trees absolutely **have** to be removed, can the developer plant more trees closer to the existing diameter breast height of these trees, in addition to the proposed planting plan and replace them with types of native / noninvasive trees that are conducive to a busy commercial and residential area And also have more arborvitae hedges/plantings in addition to the plan, that will help to design a landscape befitting the neighbors and everyone involved. The amount of wildlife living in this area and crossing onto Groveland Street, and on the other streets is substantial. They need housing too!

Will/Can a wildlife habitat assessment be required?

We will need many more protective safety measures on Northampton Street, such as signage, for people and for animal crossing, Small speed bumps, stop lights, signals retrofitted for people with disabilities, modernized sidewalks and crosswalks.

Travel will take even longer for residents if this plan is not reworked.

There will be more delays, inconveniences, and accidents, which will also delay and hamper Any emergency issues located in the area.

The increased various disturbances from project and the proposed restaurant will become unbearable and not befitting the area's residential peace.

There should be restrictions on a closing time for the restaurant (no 24 hour facility), size and occupancy limits, timers for lighting, and trash/noise barriers.

This is still considered a quiet country residential neighborhood.

The information for the GZA visit was not seen by many, and poorly planned and advertised by SVC.

We should have been given a more timely advanced, advertised notice.

I only found out about this MEPA Review meeting through two other sources and did not receive an email from this office.

How is the contact list met for the neighbors?

-- I would like to request that the Entire project be scaled down to a low impact site design in every way, with as many needed modern conveniences and aesthetics and environmental considerations as possible, while taking into account the families in the existing neighborhoods, our everyday living expenses and essential needs, the overwhelming impacts this will cause our neighborhoods and businesses financially, and the inconveniences and possible injury and loss of life for all walks of life due to the outcome of this project.

Reduction in the plans/buildings size, will help reduce and protect our area from the issues that will arise from all the lighting, noise, litter, disturbance, traffic, climate change, any Manhan River area impacts, wildlife/habitat impacts, and to protect our waters/ water supply and neighbor's privacy and quality of life.

To also help with environmental concerns and protections, can it be requested that the building that is located in/on NHESP Estimated and Priority Species area, be moved out of the area or eliminated all together?

-- Will all of the proposed planned buildings on Northampton Street and any buildings also included in the plan, block the view of the Mountain?

From the plans, the proposed restaurant and bank and parking lots, look to be taking up a sizable amount of open space left on the Northampton Street.

If this will cause a View blockage, please suggest that the developer reduce the height and size of any/all said buildings to Prevent blockage of our scenic view of Mount Tom.

I can see the mountain from the base of my driveway on Groveland Street and prefer not have to look at a "Chili's" every day, for years to come.

-- Will there be a sound/noise study for the intended area project site, the residential neighborhoods and for the effects on all wildlife/wildlife corridors and their habitat in the area, both for short and long term effects?

Who will be conducting the study and for how long? When will we see results? This location of noise disturbance, the decibels, traffic, trucks and construction sounds will echo through the woods to the animals/habitats/corridor and through the neighborhoods alike, for 5 years?

What about a projected noise/sound study from the aftermath of hundreds and hundreds of people, restaurant, music, traffic, etc.. that we will have to endure for another 20 plus years?

This community will pay the price if this project is not thoroughly inspected and agreeably reworked.

We need compassion, respect, empathy and environmental responsibility in Every aspect, down to the tiniest detail for this proposed project.

-- Eversource was changing out a pole on Northampton Street on the Groveland/Mountainview side of the street on March 24th 2023, that I witnessed in the early afternoon, and there was traffic backed up going in both directions.

Traffic was backed up past the light by Florence Road and down passed Aubuchon. Two policeman were directing traffic and it was the only way to safely leave Groveland Street.

-- Will the owner of these retail/commercial fronts be subjected to the recently passed, vacant storefront ordinance? Does this ordinance also affect the rental warehouses on site? What type of chemical storage will be held on site within these warehouses?

-- The proposed bank and the restaurant should be switched out on the plan, and placed accordingly, bank on the right-hand side pad, closer/smaller and quieter with a decent closing time, to the neighbors and neighborhoods, while the restaurant and parking should be more in line and coordinated with the other businesses on Northampton Street.

-- I would also like to state that I am opposed to this roundabout proposed by SVC. All of their Northampton Street impacts will effect Groveland Street and the neighborhoods on that curved area of roadway.

There is no analysis summary for Groveland Street and some of the other side streets. All of these streets need to be included in all traffic studies.

Thank you for your time and consideration, Deborah August Easthampton Conservation Commissioner Residential Neighbor 21 Groveland Street Easthampton, MA

MEPA - Sierra Vista Commons Comment Letter August 2023

Deborah August <bunny01027@yahoo.com>

Sun 8/6/2023 11:30 PM

To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello Nick,

Thank you for having the MEPA meeting on this proposed project.

-- Will findings from this review be sent to the groups and individuals that were at the meeting?

- -- Will others in the City, not on the email, get any form of the notification/certificate?
- -- Were photos taken during the site visit?

-- The safety fencing around basins should be designed to only keep out the residents.

**The smaller animals need access underneath with a 6inch or so gap, whether or not it is fenced completely, or on two or three sides.

- -- All small animal species need to have an access /escape route that fencing would block.
- -- Curbing will present another problem for wildlife in/near sensitive areas.

-- All of the curbing areas should be checked to allow small animal access/ with no blockage.

-- The applicant says they will have increased tree planting.

-- The tree count for planting now, stands at 194 trees.

-- All the trees and plantings need to be native and noninvasive.

-- Are the undeveloped areas all together or separate?

-- How are they reusing the stripped prime farm soil on site?

-- The lighting on the plan remains unchanged.

-- Where on the plan does it state that the lighting has changed to dark downcast lighting? There have been no changes to the pole lighting in the most recent plan as stated by their representative.

-- The lighting needs to be looked into for brightness, glare, privacy issues for neighbors, and lighting in sensitive areas that will need to be avoided.

-- The loss of "human commensals" needs to be addressed.

The representative quoted that there will be a loss of species, such as deer, squirrels, skunk, etc.

Why should this be allowed to happen at great length?

-- This proposed project needs to be significantly reduced due to it's environmental impacts.

There needs to be a way to cohabitate and not drive the majority of animals out of their habitat and also into residential areas.

- -- There are otters, beavers and turtles in the area.
- -- A well by the Manhan River/ And the Manhan River needs to have extra protection.
- -- Was the Manhan River area delineated in relation to this project?

-- Will there be a full archeological survey or action taken to assess Native American settlements in this area?

-- Boundaries/signage are needed for water/wildlife sensitive areas to be protected from people and pets.

-- Basins creating mosquito laden/problems/disease for neighborhoods needs to be addressed.

-- The new bridge crossing spanning the stream:

Will there be enough room under or on the sides for animals to pass by/through without risk of injury or death?

-- Will signage be posted to protect the different wildlife species?

Example: No hunting, fishing, littering, dumping, etc.

*Especially by the banks, the Manhan and NHESP habitat area.

-- Could animal bridging or paths be made exclusively for their guidance and safety? The animal species vary but contain herons, aquatics, and other larger non-endangered species that should be evaluated in this area and corridor.

**Examples: black bear, white tail deer, beavers, woodchucks, skunks, bobcat, coyotes, raccoons, opossum, song birds, fox, raptors, rabbits, squirrels, woodpeckers, snakes, pollinators and many more wildlife species.

These wildlife species live and travel through my yard (behind my house are wetlands and uplands) and through the neighborhoods, and cross to and from the proposed site.

**Please have a Wildlife Habitat Assessment completed*

-- Limit the overall tree removal.

**The tree removal issue is One of the biggest concerns.

-- What is the DBH and types of trees being removed?

-- Tree cavities where overwintering for mammals and nesting for birds and smaller animals occur?

-- Any aquatic/mammals/birds, wildlife in this habitat, will need areas for breeding, food/escape and cover, snags/stump areas.

-- Shade needs to be maintained.

-- Heat, drought, flooding extremes have to be considered.

-- What is the design type/material for the rooftop solar panels on the residential buildings?

-- Will heat, reflection, glare, affect the birds, nesting, bird strikes, or complications for the area, or other life on the property?

-- How will this effect wildlife near the buffer zones and the building in/on NHESP area?

-- *The applicant has changed their plan multiple times and should be alerting NHESP before

anything is finalized with changes to the plan, as stated in the NHESP document.

-- Will the same be done for MESA, since the plans have changed several times?

-- The warehouse areas should be significantly reduced in size or limited to one.

- It is located near the neighborhoods, the buffer zone and a basin.
- -- Concerns for pollutants, spillage/ leaking of fluids, paints and fumes into / near these areas.

Thank you for all your time and consideration on this very important matter,

Deborah August Easthampton Conservation Commissioner 21 Groveland Street - Neighbor Easthampton, MA. (I am speaking on my own behalf and my views and comments do not represent the Conservation Commission)

Easthampton conservation and housing coexist

Dianne McLane <dmclane@amherst.edu> Wed 7/19/2023 10:42 AM To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

I am presently in Provincetown where there has been heavy short bursts of rain which completely flooded the streets, this runoff went directly into the ocean with all the debris and oils etc from the streets. I mention this because as you've witnessed this is happening much more frequently and with much more force. We will be experiencing this type of weather pattern more frequently and as you know at the tasty top property the runoff will go directly into the Manhan river where the dispersement of so much water cannot be absorbed by the river in a healthy way. This type of occurrence is not only happening in Massachusetts but our neighbors in Vermont have and are having these flooding problems with much greater negative outcomes. I am simply touching lightly on the way the water runoffs have not been addressed. There is a plethora of issues not being addressed here ie traffic, lighting, cutting of trees, architectural etc Easthampton and Massachusetts as a whole is in need of more housing but this can be accomplished responsibly There are plans submitted to demonstrate how this development can incorporate the proposed housing and keep open space accessible to the tenants and residents of Easthampton. It would benefit all to review these plans for a green place for all to enjoy and thrive.

With the hope you will help Easthampton remain the place people want to live.

Dianne McLane 13 Matthew Drive Easthampton MA

Sent from my iPhone

Mass.gov | Executive Office of Energy & Environmental Affairs (EEA)



Nicholas.Moreno@mass.gov

View Comment

Comment	Details
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EEA #/MEPA ID 16729	First Name Rebecca	Address Line 1	Organization
Comments Submit Date 7-19-2023	Last Name Stachowicz	Address Line 2	Affiliation Description
Certificate Action Date	Phone	State	Status
8-9-2023			Opened

Public Comment

Comment Title or Subject

Topic: Not Good for Local Wildlife and Local Flooding

omments																			
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Attachments

Update Status	
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BACK TO SEARCH RESULTS

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Sierra Vista Project

Sue Walz <suewalz99@yahoo.com> Wed 7/19/2023 9:20 AM To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

I am very concerned about the negative impact the current plans for the Sierra Vista project will have on the environment.

With the recent catastrophic flooding and damage to Easthampton farmlands and crops it is very clear that active farmland should not be changed to nonagricultural uses.

The creation of 5 acres of impervious surfaces will be damaging to the health of the Manhan River. This area is a wildlife corridor and should be protected.

Cutting down so many trees is the wrong thing to do for the environment especially now that there is increased awareness of how trees help with climate amelioration, preserve soil and water, preserve wildlife habitat and improve air quality.

This project needs to be modified to protect the environment in many important ways. Sincerely Susanna Walz

Sierra Vista Commons (MEPA Project # 16729)

Amanda Kallenbach <amanda.kallenbach@gmail.com>

Thu 7/20/2023 4:20 PM

To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe. July 20, 2023

Mr. Nicholas Moreno MEPA Analyst MA Executive Office of Energy & Environmental Affairs

Dear Nick,

I'm writing as a concerned resident of Easthampton, and as a former Inland Wetlands Commissioner in Connecticut. The Sierra Vista Commons development (MEPA Project # 16729) currently under review would be detrimental to the environment, humanity, and wildlife in the region. The project is massive by Easthampton standards, and it's sited on an environmentally-sensitive wetland--a crucial wildlife corridor that abuts a tributary of the Manhan River. The back end of the site slopes downward, flowing directly into the riverbank. It also sits squarely on the northeastern portion of the Barnes Aquifer, which supplies water to four cities in the region.

As currently proposed, the project is located much too close to the surrounding wetlands (though technically at the edge of the buffer zone), and it carries too much pavement. In addition to the potential risk to the regional water supply, it would seriously compromise the integrity of the pristine farmland where it sits.

A number of alternative proposals have been suggested, any one of which would reduce the footprint of the project, better integrating it into the neighborhood and providing more contiguous open space, without a significant net loss of housing units and commercial space.

Even with a smaller footprint, the development will take years to build. Easthampton residents will be living with traffic congestion, and air, noise and light pollution for the duration. The traffic studies conducted minimize the trucks and heavy machinery that will be a constant presence. We'll be suffering traffic back-ups, exhaust fumes, and construction noise for years. These factors aren't just a nuisance; they'll have lasting health impacts, especially for people susceptible to respiratory problems.

The project will also take a huge toll on wildlife that depend on safe, quiet habitat for survival. While no endangered species have been found nearby, there are six species of woodpeckers nesting in the conservation area on the opposite side of the river, along with a full range of other avian woodland dwellers. The site is located less than 2 miles from Arcadia Wildlife Sanctuary, a nationally-designated Important Bird Area (IBA). An IBA is "a site providing essential habitat to one or more species of breeding, wintering, and/or migrating birds. IBAs generally support high-priority species, large concentrations of birds, exceptional bird habitat, and/or have substantial research or educational value."

To quote a local environmentalist, we know that "the loss of habitat for common species and incremental degradation of water quality, forest loss, etc. fall under the regulatory radar," but we favor an "alternative design that better balances environmental protection with new development."

The current proposal effectively skirts zoning regulations or meets the most minimal requirements, as it would MEPA standards, too, I'm afraid.

I ask that you please consider the totality of the environmental ripple effects this project carries, and not just "the letter of the law," as you conduct your review. These ripple effects will grow exponentially, and last forever. Inevitably, development happens, but environmentally-sensitive development is a smarter and healthier way forward, in Massachusetts and beyond.

Many thanks.

Amanda Kallenbach 5 W. Lake Street Easthampton, MA 01027

Re: EEA#16729 Sierra Vista Commons (Easthampton)Re: Habitat and wildlife; Recreation; Archaeological and historic resources

To: Mr. Nicholas Moreno / nicholas.moreno@mass.gov From: Pascommuck Conservation Trust / info@pctland.org P.O. Box 806, Easthampton, Massachusetts 01027

Dear Mr. Moreno:

Please accept these comments on the above matter. We apologize in advance for any inadequacies of form in the following; we are however confident in the substance and relevance of our observations.

Our non-profit, all-volunteer land trust has protected land in Easthampton for over 40 years, with a particular focus on the Manhan River and its banks. The Manhan is the backbone of this community's natural lands, running through our town center to connect us to the Oxbow and Connecticut River on the east and to farm and forest land to our west. For that general reason and the specific resources cited below our emphasis is on the area the project covers outside the Smart Growth Zoning District.

Pascommuck believes that if the spirit and the letter of Easthampton's Smart Growth Zoning Bylaw governing that District were followed, that portion of the site could accommodate a project equivalent in scale, components, and financial viability to the current proposal. This would in turn remove development from the environmentally sensitive area east of the stream bisecting the site, thereby avoiding most of the adverse impacts discussed below.

AQUATIC HABITAT IMPACTS

The Manhan's importance as habitat for state-listed aquatic, amphibian, and insect species, including locations on and immediately adjacent to the site, is indicated on Priority and Estimated Habitat maps. Additional portions of the site, including some slated for development, are recognized in BioMap 3 as Core Habitat, and Aquatic and Wetland Buffer.

The Sierra Vista Commons parcel is located entirely within the Manhan's watershed and extends to a point just 200 feet from the river. The current plan proposes buildings or impervious surfaces and lawn covering all physically developable portions of the parcel (with the exception of one isolated and less ecologically important triangle away from the river, from which a planned building was recently omitted).

Even with customary measures for control of stormwater and runoff, this shift from undeveloped -- and little-trafficked -- field and forest in this area immediately adjacent to the Manhan will impair water quality, including in the 'intermittent' stream (which per local knowledge has never run dry even during drought conditions) which flows through the center of the site. Contaminants and elevated turbidity and temperature resulting from such intensive development will adversely affect aquatic life.

The Manhan River is a low-elevation, meandering stream, creating over the centuries a maze of oxbows, cutoffs, and former channels, including recent and significant bank erosion and deposition in the immediate vicinity of the project. Multiplying extreme rainfall events combined with overflow runoff from new impervious surfaces will likely accelerate migration of the river's channel. Resulting erosion may destabilize hillsides close to and threaten proposed buildings and infrastructure, in addition to degrading aquatic habitat.

We note the 2014 investment made by the U.S. Fish & Wildlife Service in construction of a fish ladder at the Route 10 dam just southwest of the project site, as well as the Division of Ecological Restoration's

recent removal of a dam further upstream in Southampton. These measures extended fish access some 38 miles along the upper reaches of the main and North Branches of the Manhan, emphasizing -- and enhancing -- the importance and quality of a clean and cool Manhan River as habitat for fish, mussels, water-dependent insects, and amphibians.

UPLAND HABITAT IMPACTS

Prior regulatory review of the proposed project has concentrated on and assessed the likely effect on statelisted species of the loss of the relatively small area of Priority and Estimated Habitat in the project's direct footprint. More significant but so far unaddressed is that the undeveloped land along and near the Manhan functions as the principal East-West corridor for a host of other wildlife and birds. These include wildlife frequenting Mount Tom, just downstream from the project site, and an associated, but lessremarked wildlife reservoir upstream of the site on Park Hill, a complex of 1300 acres of forest and farmland, on both sides of Bassett Brook which flows into the Manhan just north of the Route 10 dam. These refuges from the Valley's largely suburban landscape all channel wildlife into the Manhan River corridor, which provides safe passage through the urban core of Easthampton, connecting the above habitats.

Pascommuck Conservation Trust has repeatedly pointed out the above fact, but to date no formal biological surveys of the project site have been performed as part of regulatory review. However, deer, bear, otter, coyote, beaver, and bobcat have all been reported on the project site or on adjoining properties, along with several species of turtle.

Construction -- and the resulting human incursions into adjoining natural areas -- anywhere except in the already urbanized strip along Northampton Street would sever this vital wildlife corridor, adding substantial adverse impacts on terrestrial wildlife -- both on the site and in the habitats they frequent up and down stream -- to the above described effects on aquatic life.

SOCIAL IMPACTS

Providing public access to nature is an important aspect of Pascommuck's work. One of our earliest and largest acquisitions was the 35-acre Edward Dwyer Conservation Area on the south bank of the Manhan. This protected land, located next to a section of modest houses, and within walking distance of converted mill buildings and the City's bike path, provides a vital natural refuge for residents of that dense neighborhood.

While the project site does not quite touch the river, its northeast corner and one of the proposed 3-story residential buildings are situated within 500' of the conservation area and its main trail. We are extremely concerned that noise, light, loss of mature forest cover on the opposite bank, and visibility of structures could severely degrade the quality of this important escape for our visitors.

FARMLAND LOSS

Pascommuck Conservation Trust has also played an important role in protecting over 400 acres of farmland in Easthampton, including on Park Hill. The project site contains over 25 acres of prime and statewide important agricultural soils. While the previous long-standing recreational use of this site meant that only a portion of this area was recently in active farm use, the loss of that portion and of potential agricultural use of the remaining farmland would be a blow to Easthampton and the region. In recent years, our community has lost a significant portion of its prime farmland, including to solar energy projects. Much of what remains consists of a few large unprotected parcels, extremely vulnerable to development.

The Connecticut River Valley's thriving small farm economy -- with many young farmers -- including community-supported agriculture, specialty growers, and farm stands generates intense local competition for agricultural land. Loss of every acre, particularly in bicycle, transit, and pedestrian accessible locations such as this well-suited to serve the surrounding community, is a serious problem. In this case, we believe there are viable alternative site plans which could preserve a significant amount of the farmland with perhaps direct benefit to the project's residents and others as an extensive community garden, a CSA, and/or a farmstand.

CULTURAL SIGNIFICANCE

With the exception of the frontage, the subject parcel has always remained undisturbed apart from plowing for planting. This is a remarkable circumstance so near the center of an historic New England town, yet no archaeological survey has been performed to determine what the ground might hold.

Pascommuck agrees with concerns others have raised about the project's past and potential impacts on 18th and 19th century historical structures, including the untimely destruction of the farm house but extending to less visible evidence of its associated buildings and the filled-in -- but not 'destroyed' as the applicant states -- remnants of the New Haven-Northampton Canal. In addition, over the span of three centuries, there were several mill and factory buildings in the vicinity; this industrial use may have extended on to the western part of the subject property.

But, again given the long undisturbed nature of most of this land, we find most ominous the threat to possible -- but as yet undocumented -- Native American artifacts and sites there. Our land trust is named after the known settlement two miles away at the confluence of the old bed of the Connecticut (now the Oxbow) and the Manhan and Mill Rivers, where physical evidence of pre-Contact and Colonial-era occupation is abundant. In that area, Fort Hill Road was named after a Colonial-era Native American palisade. Less than a mile upstream, Park Hill was reportedly used as a common hunting ground well into the Colonial era, with farming coming to Park Hill as late as the 19th century.

This riverfront geography of points of interest in close proximity to the site, with the presence of the falls at the Route 10 dam as yet another important element, strongly suggests this largely untrammeled site had and may still have physical and cultural significance for Native American peoples. Wholesale destruction of this unique area, especially without any investigation of what might be lost, is unacceptable.

GENERAL OBSERVATIONS

We have made extensive public comments to the Easthampton Conservation Commission and Planning Board during their review of this project. As part of those comments, we provided alternative site concepts (included below) which demonstrate that all the elements of the proposed project can be accommodated on a much smaller footprint. That footprint could be concentrated in the 'Smart Growth Zoning District' portion of the property, avoiding almost all the adverse impacts described above.

The EENF submittal's listed alternatives do not include any such plan. That omission is clearly not in accord with the Environmental Policy Act's requirement that meaningful alternatives be provided for consideration during MEPA review.

We add that more compact development would not only reduce general environmental impacts but produce benefits in other regards. A true 'Smart Growth' plan would reduce traffic and resulting air pollution through better and safer access for bicycles and pedestrians, and increase viability of public transit. A coherent plan could also include attractive park spaces rather than patches of lawn amidst pavement, and create opportunities for trails around farmland and woodland preserved elsewhere on the site. As for strictly 'environmental' impacts, less extensive impermeable surface resulting from a smaller footprint could tame runoff and contamination and increase infiltration, and reduce heat island effects. Finally, a smarter, greener, more compact development could lower the carbon footprint of construction and result in construction savings for the developer and lower public costs for off-site infrastructure required for the project.

FINAL CONCLUSIONS

Regulatory review of Sierra Vista Commons began at the start of 2022. In public hearings and written comments since then Pascommuck Conservation Trust and many others have raised substantive objections to the current proposal. However, over this period the developer has made only minor revisions to the plan. Some -- moving one building 20' further from the riverbank slope, and elimination of some of the far-above-required parking spaces (though most would re-appear 'if demand necessitates') -- promise slight improvement in aspects that we have raised.

Yet, those modest improvements acknowledged, alterations thus far have not been significant in relation to the serious -- but easily addressed -- adverse impacts associated with the project as originally -- and as currently -- proposed. We look forward to a thorough asessment of those impacts through the MEPA process, and remain optimistic it will ultimately lead to a better, less environmentally damaging project.





Sierra Vista Commons - Environmental context



Pascommuck Conservation Trust 12-12-2022

Tasty Top LLC property boundary

Proposed buildings

Proposed roadways and parking

Proposed lawn, playing field, community garden

Natural Heritage Estimated Habitat of Rare Wildlife

BioMap 3 CORE HABITAT

Dwyer Conservation Area boundary (Pascommuck Conservation Trust)

Foot trails

FEMA 500-year flood boundary

New Haven - Northampton canal (approximate route)

Sierra Vista Commons - Farmland and proposed development



Pascommuck Conservation Trust 12-16-2022

Tasty Top LLC property boundary

Proposed roadways & parking

Proposed buildings

NRCS Prime farmland

Farmland of statewide importance

Dwyer Conservation Area boundary (Pascommuck Conservation Trust)

Foot trails

FEMA 500-year flood boundary

New Haven - Northampton canal (approximate route)

SIERRA VISTA COMMONS: proposed and alternative concept plans

The following maps and commentary contrast Sierra Vista Commons, as proposed, with alternative development scenarios.

While conceptual, the latter do suggest that a more attractive, coherent, and less destructive and disruptive project is well within reach.

We have provided other comments pointing out specific aspects of the current proposal which fall short of the quantitative and qualitative standards in Easthampton's zoning and planning documents.

The alternative site plans and commentary presented here highlight some of those objections and lay out possible resolutions.

We hope that the applicant and Planning Board will consider these concepts and discard -- or at least greatly revise -- the current plan to achieve an outcome which better respects Easthampton's zoning and realizes the community envisioned in the City's plans.

OBSERVATIONS ON PROJECT AS PROPOSED

- covers the entire parcel, except for areas unbuildable because of physical or regulatory constraints.
- ignores SGZD or Special Permit directives to safeguard natural areas, views, and respect existing topography.
- destroys at least 2-1/2 acres of forest near the Manhan and Estimated Habitat and paves over prime farmland.
- places incompatible uses (contractor units) adjacent to existing residential areas with only minimum required buffers.
- 'pad sites' and parking lots along Northampton Street replicate existing strip sprawl.
- prevalence of 1- and 2-story buildlings wastes scarce Highway Business & SGZD district acreage.
- development pattern is low buildings isolated in a sea of excessive parking, creating a pedestrian-hostile environment.
- open areas in SGZD consist solely of scattered patches of lawn except where planted buffers are required by zoning .
- inadequate accommodation for pedestrian/bicycle travel to and around site, no provision for future public transit access.
- commercial and residential uses are largely separated rather than integrated.
- monolithic and monotonous residential buildings, rather than variety of housing types.
- no connection to grid of streets in existing residential neighborhood.
- dead-end roads over 500' long prevent adequate emergency access if route is blocked north of Colonial Avenue.
- community amenities provided are distant from portion of residential units or are commercial enterprises.
- no integrated and coherent open space.



GENERAL COMMENTS ON ALTERNATIVE PLANS

- the following are speculative, conceptual designs, but strive to present realistic scenarios respecting zoning and other constraints.

- these concepts build on the applicant's site plans. They start with the project's original number of housing units and commercial square footage. Variations with enlarged, reduced, added, or subtracted buildings emphasize residential or commercial uses.

- all the scenarios retain the applicant's proposed day care and gymnastics facility and associated parking, although residential floors and/or businesses or amenities are added on top.

- the building sizes shown are based on those used in the proposal and should feasibly accommodate the units and uses indicated.

- housing units included are generally smaller in square footage than the applicant proposes. This should reduce per-unit construction cost and, potentially, rents, increasing affordability and access to housing. Unit numbers per building were calculated with an average apartment size of 814 square feet. Reverting to larger apartment sizes would reduce the number of units, but the alternative scenarios' concentration of housing into the SGZD (with its higher affordable percentage) should maintain the number of affordable units.

- for simplicity's sake, the building sizes, uses, and configurations shown are uniform. Variations could easily be introduced, enhancing architectural interest and allowing greater flexibility in use.

- parking lot configurations are speculative and require refinement, but parking space size shown follows that used in the application.

- roadway alignments and widths are also speculative but generally employ widths shown in the project plan.

- the reduced development footprints shown mean shorter roadways and utilities, and therefore substantially lower construction and maintenance cost.

- in particularl, omission of the stream crossing and the isolated eastern apartment building offer the greatest reduction in cost. The existing bridge would provide sufficient and legal access to the farm and community garden as agricultural uses.

- concentration of buildings also opens the door for consolidated 'district' heating and cooling systems.

- moving the northern and eastern housing blocks into the core area reduces dead-end roadway length, avoiding the resulting emergency access issue.

- developer could offer ground leases for building sites, as they presumably plan to do for the two pad sites. This would allow them to off-load development costs. It could also introduce more variety of architecture and use, and might increase the viability and vitality of the new neighborhood.

OBSERVATIONS ON REDUCED FOOTPRINT CONCEPT

- retains almost all original project components while removing contractor spaces to better protect existing residential neighborhood.
- retains highway-oriented streetscape and easily-marketed pad sites and slightly increases overall commercial space.
- permanently protects some habitat, forested, and wetland areas adjacent to Manhan River and watershed of stream.
- does not protect farmland.
- reduces development footprint and amount of impervious surfaces.
- protects and creates public open space along historic canal for residents and community.
- provides small but centrally located common.
- supplies public rooftop viewpoint towards iconic backdrop of Mount Tom.
- moves additional housing into SGZD to better integrate with commercial uses and increase required affordable units.
- adds residential floors to commercial buildings for denser, more efficient use of SGZD portion of site.
- connects to neighboring street grid via Colonial Avenue.
- accommodates pedestrian and bicycle travel with peripheral car-free pathway.
- provides bus stop for access to future public transit.



OBSERVATIONS ON HOUSING AND FARM CONCEPT

- creates housing-oriented neighborhood with modest, integrated commercial component along Northampton Street.
- mix of housing types includes live/work units.
- places low-rise duplexes adjacent to existing residential neighborhood.
- retains day care and gymnastics facility adding floor with apartments.
- rooftop restaurant atop day care/gym building supplies viewpoint towards iconic backdrop of Mount Tom.
- permanently protects farmland and provides location for farm stand and local market with live/work apartments.
- provides large community garden site.
- farmland preservation and permanent conservation area protect critical natural areas adjacent to Manhan and watershed of stream.
- minimal public open space along canal, but access provided to extensive farm and conservation areas.
- slightly boosts overall number of housing units and concentrates housing in SGZD to increase required affordable units.
- connects to neighboring street grid via Colonial Avenue.
- moves main entrance north to align with Mountain View Street access to future re-development site.
- accommodates pedestrian and bicycle travel with peripheral car-free pathway.
- provides bus stop for access to future public transit.
- uses rain gardens for storm water management and to separate development from both neighboring highway uses and natural areas.



OBSERVATIONS ON MAIN STREET AND FARM CONCEPT

- coherent plan of gridded streets lined with mixed-use buildings that integrates commercial and residential uses.
- 3-story buildings meet density goal in SGZD and create consistent streetscape.
- substantial portion of parking placed adjacent to existing highway uses and away from building fronts.
- a series of landscaped commons along building fronts extend into rear residential area.
- extensive public park incorporating canal flows into green buffers protecting existing neighborhood.
- mix of housing types includes some live/work spaces.
- includes site for village hall for neighborhood meetings and activities.
- provides large community garden site.
- retains day care and gymnastics facility.
- rooftop restaurant atop day care/gym building supplies viewpoint towards iconic backdrop of Mount Tom.
- permanently protects farmland and provides location for farm stand and local market with live/work apartments.
- farmland preservation and permanent conservation area protect critical natural areas adjacent to Manhan and watershed of stream.
- slightly reduces overall number of housing units but concentrates housing in SGZD to maintain required affordable units.
- connects to neighboring street grid via Colonial Avenue.
- moves main entrance north to align with Mountain View Street access to future re-development site.
- accommodates pedestrian and bicycle travel with peripheral car-free pathway.
- provides bus stop for access to future public transit.


Comment objecting to the Easthampton, MA Tasty Top/Sierra Vista Project

nancynatale <nancynatale@gmail.com> Sun 7/23/2023 10:43 PM

To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov>;jbagg@easthamptonma.gov <jbagg@easthamptonma.gov>;ctragert@easthamptonma.gov <ctragert@easthamptonma.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

As a resident of Easthampton, I am very concerned about the proposed construction of numerous apartment buildings, a bank, a recreational facility, and other structures to be built on the approximate 33-acre site. This project will have severe consequences for the city of Easthampton on its residents, its wild animal population, the forest trees and native plants now located on the parcel of land itself as well as the entire surrounding area.

I am shocked that the current plan calls for nearly 12 acres of blacktop to provide parking and roadways for the project and that the runoff from this impervious surface will go downhill directly into agricultural land and waterways. I understand that part of the 33-acre site is in active agricultural use and contains soil that is classified as prime or unique by the USDA. Our area is home to black bears, beaver, opossums, raccoons, rabbits, coyotes, deer, fish, numerous wild bird, plant and insect species, and we treasure the open space and view of the Mt Tom Range. The amount of runoff, excess lighting, noise, and construction that this project plans to generate is totally unsuitable for our small city.

Road access within and surrounding Easthampton is extremely limited due to rivers and streams that require bridges and limit roads. I understand that the proposed project will have only one point of access and that it will be on Route 10/Northampton Street. This road already suffers from traffic congestion during commuter peak times and adding an addition 3000+ additional daily trips to this road boggles my mind. Since I live on one of the access streets to Route 10, I can already envision that my street will become impassable at certain times because of backed-up traffic trying to avoid Route 10. This will certainly affect my quality of life and the value of our property as I and my family will be affected by the additional traffic, noise, dirt, pollution, and potential for accidents caused by impatient drivers.

I am also mindful that the planned construction of this major project is to take place over a period of some years and that the effect of ongoing construction and damage to our one major roadway into and out of Easthampton will be further badly involved.

Having spent most of our lives in the eastern part of the state, my partner and I relocated to western Massachusetts some 25 years ago because we wanted to escape the overwhelming traffic, noise and population. The fact that this proposed project now plans to inflict on Easthampton the same objectionable conditions that we thought we had escaped is really horrifying.

Please do not let this overwhelming project be constructed as planned to the terrible detriment of the City of Easthampton.

Nancy Natale Easthampton, MA 01027



Maura Healey Governor

Kim Driscoll Lt. Governor COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS **DEPARTMENT OF ENERGY RESOURCES** 100 CAMBRIDGE ST., SUITE 1020 BOSTON, MA 02114 Telephone: 617-626-7300 Facsimile: 617-727-0030

> Rebecca Tepper Secretary

Elizabeth Mahony Commissioner

28 July 2023

Rebecca Tepper, Secretary Executive Office of Energy & Environmental Affairs 100 Cambridge Street Boston, Massachusetts 02114 Attn: MEPA Unit

RE: Sierra Vista Commons, Easthampton, MA, EEA #16729

cc: Ian Finlayson, Acting Director of Energy Efficiency, Department of Energy Resource Elizabeth Mahony, Commissioner, Department of Energy Resources

Dear Secretary Tepper:

We've reviewed the Expanded Environmental Notification Form (EENF) for the proposed project. The project includes 324,000-sf of new multifamily buildings (11, 3-story apartment buildings) and the following commercial buildings.

Warehouse (2 buildings)	14,800-sf, total
Small retail	4,000-sf
Restaurant	5,500-sf
Mixed retail	16,000-sf
Gymnastics Studio	7,000-sf
Daycare Center	9,000-sf
Bank	3,200-sf

Executive Summary - Residential

The project is making progress with respect to residential emissions mitigation, including quality envelope, low air infiltration, ventilation energy recovery, and efficient electrification of space heating. The project is proposing, however, expensive, and high-emission propane water heating. Propane water heating should be avoided to the extent possible. The next submission should also include a thorough evaluation of Passivehouse. The "cost gap" between what is currently proposed

Sierra Vista Commons, EEA No. 16729 Easthampton, Massachusetts

and Passivehouse could be small once **\$0.6M** in MassSave Passivehouse incentives are included. Some clarifications and some updates are also required as described herein.

Executive Summary – Commercial Buildings

It's hard to assess progress with respect to emissions mitigation as the submission appears to be contain several code interpretation errors which should be addressed. Also, as above, the project is proposing expensive, and high-emission propane water heating which should be avoided. We are pleased to see the project commit to efficient electrification of space heating.

Codes and Baseline

Significant updates to the building stretch energy code went into effect on 1 July 2023. The details of this code area available here:

https://www.mass.gov/info-details/stretch-energy-code-development-2022#final-code-language-for-stretch-code-update-and-new-specialized-stretch-code-

The updated code makes significant changes and improvements many sections of the code including:

- envelope performance and thermal bridge accounting
- ventilation energy recovery
- electrification
- HERs requirements
- other sections.

The EENF submission appears to contain some errors with respect to code requirements, noted herein.

COMMERCIAL BUILDINGS

Below are our comments on the commercial buildings. All the buildings are less than 20,000-sf and thus qualify for the prescriptive pathway of the Stretch Code (IECC 2021 with Massachusetts amendments).

Baseline and Mitigation

The commercial buildings are using an incorrect Baseline and limiting mitigation to efficiency improvements that are actually required by the Code to be the Baseline.

Project Baseline for the commercial buildings includes code Sections C402 through C406 and C408 (as amended). Note that this list includes Section C406. Accordingly, the requirements for "additional efficiency measures" contained in Section C406 must be included in the Baseline.

In the submission, however, the Baseline includes only C402 through C405 and C408 (as amended). Section C406 requirements are not included in the Baseline. Rather, they are included

Sierra Vista Commons, EEA No. 16729 Easthampton, Massachusetts

in the proposed Mitigation case, as the proposed mitigation. Project Baseline needs to be revised to include C406 measures. Mitigation measures are items that are over-and-above these requirements. Mitigation should be focused on measures which reduce thermal energy demand (TEDI) and efficient electrification, described in more detail below.

Thermal Energy Demand Intensity (TEDI)

General

The combination of quality envelope, heat recovery (during ventilation and during concurrent heating and cooling), and management of solar gains can result in significant reduction in heating (and cooling) thermal energy demand intensity (TEDI, units of kBtu/sf-yr). Heating TEDI is the heating energy required to offset enclosure losses and to heat fresh ventilation air. Cooling TEDI is the cooling energy required to be removed to offset heat energy entry into the enclosure and to remove heat energy from fresh ventilation air.

In addition to reduced utility costs and emissions, the value of a targeted focus on heating and cooling TEDI results in:

- Simplified space heating electrification;
- Reduction, and possible elimination, of perimeter heating and other systems;
- Improved resiliency;
- Reduced peak demands;
- Improved occupant comfort;
- Reduced maintenance.

Specific TEDI reduction strategies are:

- High-performance window and walls;
- Thermally broken window and wall components to eliminate thermal bridges;
- Low air-infiltration;
- Ventilation energy recovery;
- Energy recovery during concurrent heating and cooling;
- Solar gain management via external shading and/or low solar heat gain coefficient (SHGC)

Heating and cooling TEDI can be calculated using the same energy modeling tools as currently used to estimate energy use. For purposes of MEPA evaluations, we recommend that the project estimate both the heating and cooling TEDI for the baseline and proposed scenarios.

The project is making progress toward heating and cooling TEDI reduction, as noted in more detail below. However, further recommendations and clarifications are also noted.

Horizontal Envelope Performance

The submission makes extensive references to proposed R values (R value cavity and R value continuous). The R value table has been removed from the updated code and only the U value table remains in the code. All envelope performance must be put in terms of U values and must reflect the U value after derating for thermal bridges in accordance with Section C402.7. The submission should revise the descriptions of baseline and proposed envelope performance, putting in terms of U value¹. Reported U values should reflect the values after thermal bridge derating.

It appears that the restaurants, small retail, and "mixed retail B" buildings are proposing abovecode roof insulation at U-0.026 (R-38 equiv) which is an improvement over code U-0.032 (R-30 equiv). We commend this significant commitment.

The gymnastic center, daycare, and warehouse storage are proposing no improvement over code U-0.032 (R-30 equiv). We recommend evaluating higher roof performance for these buildings.

Vertical Envelope Performance

As above, the R value table has been removed from the updated code and only the U value table remains in the code. The submission should revise the descriptions of baseline and proposed envelope performance, putting in terms of U value, including taking into account thermal bridge derating.

Additional information is also required to assess how the proposed vertical envelope compares to code. The submission needs to provide, for each building, the derated U-value of opaque wall assemblies and the proposed window to wall ratio. If glazed wall systems are proposed, provide the derated U-value of the opaque and vision portions of the glazed wall, along with the percent area (of the total vertical) of proposed opaque glazed wall and vision glazed wall.

The submission incorrectly describes base code window performance as U-0.48 (R-2 equivalent), this appears to be a reference to a different standard. Base code in this case is IECC 2021 with Massachusetts amendments. Base code window performance is U-0.3 (R-3.3 equiv).

¹ The R value table was removed because it is incompatible with thermal derating requirements in Section C402.7. It is helpful, however, to present R value equivalent (1/U) where the U value represents the U value of the whole assembly after derating.

Thermal bridges

Thermal bridges are elements that interrupt areas of uniform thermal resistance in the building envelope. Thermal bridges occur at commonly used girt systems used to attach wall coverings, curtain wall connections, door to wall intersections, parapets, penetrations, window to wall intersections, wall to wall intersections, and in many other locations.

The Stretch Code now mandates accounting for thermal bridges. Thermal breaks are recommended to minimize performance derating. The Stretch Code requires derating using the <u>Building</u> <u>Envelope Thermal Bridging Guide</u>². This design guide now has a web-based database³



Thermal bridges occur at commonly used "z-girts" used to connect wall covers. Thermal bridges also occur at balconies, parapets, window to wall intersections, and many other locations

Window and wall thermal values must reflect the thermal values

<u>after</u> accounting for thermal bridges. National model codes (IECC and ASHRAE) do not account for thermal bridges, other than framing wall studs, and, as a result, deliver lower envelope performance than intended by design. The Stretch Code now mandates thermal bridge accounting and all U-value performance values must explicitly reflect performance after accounting for both clear field and linear thermal bridges per Section C402.7.

The submission should include an evaluation of thermal mitigation strategies and include the effect of derating on reported U values. It's not clear in the submission if the wall and roof performance includes the effect of thermal bridges.

Air Infiltration

Low air infiltration, confirmed with whole-building testing in the field, is essential to ensure high levels of energy efficiency, low heating and cooling TEDI, and greenhouse gas mitigation. Even small amounts of air leakage can reverse all other envelope progress.

The submission did not provide any information on air infiltration and whether above-code air infiltration will be made a project mitigation commitment. We recommend evaluating better than code air infiltration as a possible mitigate measure. Code requires 0.3 cfm/sf at 75 Pa. A recommended mitigation measure is to commit to 0.25 sfm/sf at 75 Pa. (For perspective, Passivehouse projects routine achieve 0.08 cfm/sf at 75 Pa.)

² Building Envelope Thermal Bridging Guide, Version 1.2, 2018, BC Hydro available here

https://www.bchydro.com/content/dam/BCHydro/customer-portal/documents/power-smart/business/programs/buildingenvelope-thermal-bridging-guide-version-1.2.pdf

Energy Recovery – Ventilation

Ventilation energy recovery includes systems that recover energy in a building's ventilation system. No information was provided in the submission on ventilation energy recovery.

The Stretch Code now requires ventilation energy recovery with a 70% effectiveness for almost all buildings. We recommend the project confirm that this level of energy recovery is being provided for all buildings.

Concurrent Heating and Cooling Energy Recovery

Most commercial buildings have concurrent space heating and space cooling for an appreciable part of the year (heating and cooling at the same time, usually in different parts of the building or building systems). An effective TEDI and emission reduction strategy is utilizing energy recovery which uses heat generated from space cooling and compression processes to be usefully reused for space heating.

We note that all the commercial buildings are proposed to be electric air source heat pump space heated and cooled, which we commend. We recommend that for these heat pump systems, the project commit to using either: electric air-source VRF type heat pump systems capable of energy recovery during concurrent heating and cooling; or, a network of connected air source heat pumps capable of energy recovery during concurrent heating and cooling.

Solar Gain Management

Cooling demand caused by solar gains can be managed with a combination of external shading, set-back windows, reduced window aperture (e.g. "window to wall ratio"), and/or improved solar heat gain coefficient (SHGC) vision glass. No information was provided in the submission on these strategies. We recommend using cooling TEDI to evaluate improved solar heat gain coefficient, educed aperture, external shading, and set-back windows.

RESIDENTIAL BUILDINGS

The same discussion above in respect to quality envelope, heat recovery, and management of solar gains also apply to residential buildings. We are pleased to see the project commit to HERs 42 (some clarifications are required, noted below) and efficient electrification of space heating.

This project could also benefit from Passivehouse, which should be thoroughly evaluated. MassSave currently pays \$3,000 per unit for Passivehouse (over \$600,000 for the proposed 202 units). MassSave also offers incentives for Passivehouse evaluations and preliminary design. The next submission should include a complete Passivehouse evaluation by a certified Passivehouse consultant through this MassSave program.

HERs and Solar PV Clarifications

For the multifamily buildings, the main text of the submission describes committing to HERs 42 which would be equal to the requirements to take effect on 1 July 2024 for a mixed fuel building. The submission states that the multifamily buildings are expected to be permitted after this date.

Some clarifications are required, however, as the attachments contained some conflicting information:

- A HERs report included on pdf page 519 of the submission describes a unit with HERs 48 (before solar PV) and HERs 45 (after solar PV). This requires clarification.
- Confirm that the HERs 42 is the HERs rating before solar PV. (This is what the code requires.)
- Clarify whether solar PV is being proposed.

Passivehouse

Passivehouse is an energy efficiency building standard that results in an ultra-low energy building requiring little energy use for space heating and cooling. This is achieved by focusing on envelope performance, airtightness, and energy recovery. Passivehouse projects also typically have electrified heating, as described above much smaller-sized HVAC systems. Published studies show that in low-rise and mid-rise construction, Passivehouse doesn't necessarily cost more to build because improvements to envelope are offset by reductions in HVAC.

Passivehouse is an energy code standard which is unlike other energy efficient building approaches in that its truly performance based by requiring mandatory, rigorous in-field tests to confirm that strict standards are being met. Passivehouse methods are recognized by both Massachusetts building Code, MassSave^{®3}, and incentives under Massachusetts' Alternative Portfolio Standard (APS). For qualifying multifamily buildings, MassSave® incentive for Passivehouse is approximately **\$3,000 per dwelling unit**, or **\$0.6M when applied across the project.**

Passivehouse also delivers:

- Significant reduction in utility costs: thus is much more affordable to residents;
- *Improved resiliency:* Passivehouse buildings can stay warm (or cool, in the summer) for extended periods of time even with loss of power.

The Passivehouse pathway accesses the most incentives, while also being the most affordable and efficient.

Sierra Vista Commons, EEA No. 16729 Easthampton, Massachusetts

Passivehouse Examples



The Distillery Boston, MA

Winthrop Center Boston, MA

Newton Northland Newton, MA



Bunker Hill Housing Development Charlestown, MA



Newton Riverside Newton, MA

Passivehouse Evaluation

MassSave[®] Passivehouse incentives are available to multifamily buildings which meet either PHI or PHIUS Passivehouse certification. In addition to a \$3,000/unit incentive, MassSave[®] also incentives feasibility and modeling. The incentive structure is as follows:

Passive House Incentive Structure for Multi-Family Mid- and High-Rise Buildings												
Incentive Timing	Activity	Incentive Amount	Max. Incentive									
	Feasibility Study	100% Feasibility costs	\$5,000									
Pre-Construction	Energy Modeling 75% of Energy Model costs		\$500/Unit, max. \$20,000									
	Pre-Certification	\$500/unit										
	Certification	\$2,500/unit	N/A									
Post-Construction	Net Performance	\$0.75/kWh	N/A									
	Bonus	\$7.50/therm										

Sierra Vista Commons, EEA No. 16729 Easthampton, Massachusetts

We recommend the project perform this MassSave funded feasibility study and submit this study with the next submission.

EFFICIENT ELECTRIFCATION

The following is a discussion of efficient electrification of space and water heating for both the commercial and residential buildings.

Efficient Electric Space Heating

Efficient electrification entails the swapping of fossil fuels (natural gas, oil, and propane) or electric resistance systems with electric heat pumps.

Efficient electrification is a key mitigation strategy with significant short- and long-term implications on GHG emissions. Massachusetts grid emissions rates continue to decline with the implementation of clean energy policies that increase renewable electricity sources. The implication is that efficient electrification results in much lower emissions than other fossil-fuel based heating options, including best-in-class (95% efficient) condensing natural gas equipment.

Currently, efficient electric space heating has approximately **50% lower emissions** in Massachusetts than condensing natural gas heating. By 2050, efficient electric heating is expected to have approximately **85% lower emissions** in Massachusetts than condensing natural gas heating. See illustration below.



We are pleased to see the project proposing air source heat pumps for all space heating in all buildings. We commend this significant commitment.

Efficient Electrification – Service Water Heating

Similar to above, due to Massachusetts electric grid emissions, even swapping from best in class condensing gas or propane to air source heat pump service water heating results in significant emissions reduction.

Also, in the case of propane, swapping from propane to air source results in significant cost savings, as well. This is because propane water heating costs much more to operate than air source heat pump water heating.

Unfortunately, the project is proposing extensive use of propane water heating. In fact, all water heating, for all buildings, is proposed to be high-cost and high-emissions propane.

The figure below illustrates how propane water heating compares to electric air source heat pump water heating. With today's grid emission rates, electric air source water heating has 50% lower emissions. In the future, when grid emission rates improve with more renewable inputs to the gride, electric water heating will have 92% less emissions.



Propane also costs much more. Using average Massachusetts propane $costs^4$, propane costs x2.5 **more** than air source.

⁴ \$3.52/gallon. https://www.mass.gov/info-details/massachusetts-home-heating-fuels-prices

Sierra Vista Commons, EEA No. 16729 Easthampton, Massachusetts



Applied across the project (including both the commercial and residential buildings), if propane is used, it will cost \$83,000 per year just for water heating, making up 26% of the total operating costs (left bar). A swap to electric air source heat pump would reduce operating costs by \$50,000 per year.



From a total project emissions standpoint, a swap from propane to air source water heating appears somewhat modest, a 10% reduction, illustrated below.



However, building with propane today would leave a significant emission legacy for the future. By 2050, with a lower emissions grid, total project emissions would be as shows below:



Building with air source water heating would yield a project with 56% less emissions in 2050. If the project builds with propane water heating today, in 2050, 61% of the whole-project emissions will be attributed to just water heating. Propane water heating would leave the buildings with a significant emissions footprint legacy.

Water heating with air source heat pumps is readily accomplished in commercial buildings like the warehouse, retail, daycare/gymnastic center, and bank buildings which have small water loads. This swap is recommended for these buildings.

Sierra Vista Commons, EEA No. 16729 Easthampton, Massachusetts

Water heating with air source heat pumps can be feasible with restaurant buildings. We recommend this be thoroughly evaluated, as recommended herein.

Water heating with air source heat pumps in low-rise multifamily is usually feasible. We recommend this be thoroughly evaluated, as recommended herein.

SOLAR AND ELECTRIC VEHICLES

Installed Solar PV

The submission describes committing to istalled solar on the Daycare+Gymnastics studio and retail buildings. We commend this commitment. Additional information is needed to better quantify this commitment. The submission should provide an estimate of the number of square feet on each building.

It's not clear if the residential buildings are proposing solar PV. This requires clarification.

Solar PV readiness

Clarify code minimum solar readiness for the commercial buildings and the multifamily buildings and describe whether above-code rooftop solar readiness is proposed as a mitigation measure. A common mitigation measure for flat roof buildings, for example, is to increase from code required 40% solar readiness to 60 or 80%. The project should clarify whether there will be above-code rooftop solar readiness and, if so, how much.

Electric Vehicle (EV) Ready

Code requires the following minimum amount of EV charging readiness in new parking spaces:

Warehouse (2 buildings)	10%
Small retail	10%
Restaurant	10%
Mixed retail	10%
Gymnastics Studio	20%
Daycare Center	10%
Bank	20%
Multifamily	20%

As a mitigation measure, EV readiness of 25% for all buildings is recommended. Clarify by building how much EV readiness is proposed.

Installed EV

The submission describes have 2 EV installed spaces in front of each residential building and we commend this commitment. We recommend this be increased to 5 EV installed spaces per building.

There does not appear to be any commitments for EV stations installed at the commercial buildings. We recommend at least 2 EV stations per building as a mitigation measure.

Recommendations for the Next Submission – Commercial

- 1. We recommend eliminating propane water heating from all commercial buildings and replacing with air source heat pump water heating. Air source heat pump water heating should be <u>readily feasible</u> for all commercial buildings except the restaurant. For the restaurant, conduct an evaluation on feasibility of air source heat pump water heating. This feasibility should include an assessment of water needs, space requirements, and costs.
- 2. Revise baseline to include C406 measures. Conduct a thorough code check to confirm that baseline includes all requirements of the prescriptive path, based on IECC 2021 (as amended).
- 3. Develop an above-code commercial strategy focused on thermal load demand (TEDI) reduction. At a minimum, develop the following scenario for consideration for the proposed scenario:
 - a. R-40 equiv roof
 - b. U-0.25 window
 - c. No glazed wall systems
 - d. Maximum 30% window to wall ratio
 - e. Air infiltration of 0.25 cfm/sf at 75 Pa
 - f. Ventilation energy recovery of 70% for all spaces
 - g. Air source systems capable of energy recovery during concurrent heating and cooling.
 - h. Above-code solar heat gain coefficient and evaluate external shading and set back windows using cooling TEDI as measure of progress.
- 4. Baseline and proposed roof and wall performance should be put in terms of wholeassembly U values and should account for derating. Provide a table showing the whole assembly U value for each assembly type and the percent vertical area.
- 5. Estimate and report heating and cooling thermal energy demand intensity (TEDI) for all the buildings, both (revised) baseline, the scenario from 3 above, and other scenarios as may be developed by the proponent⁵.

Recommendations for the Next Submission – Residential

1. We recommend eliminating propane water heating from all residential buildings and replacing with air source heat pump water heating.

⁵ Follow the TEDI guidelines here https://www.mass.gov/info-details/stretch-energy-code-development-2022#new!-technical-guidance-documents-available-for-public-comment-

2. If the above commitment is not made in the next submission, conduct the following evaluations:

In-unit air source heat pump water heater

- a. Assess water loads, space needs, and costs of air source heat pump located within each dwelling unit.
- b. Evaluate electric resistance alternative

Out of unit air source heat pump water heater

a. Assess water loads, space needs, and costs of air source heat pump located within basements/common space/attic. Each dwelling unit would have its own air source heat pump.

Out of unit shared air source heat pump water heater

a. Assess water loads, space needs, and costs of common air source heat pump system that serves multiple units, located within basements/common space/attic. This common system would serve 2 or more dwelling units (possibly many or all dwelling units within the building).

Provide detail description of the design and costs of the presently proposed propane system.

- 3. Clarify the following:
 - a. References to HERs 48 and 45 on pdf page 519
 - b. Confirm that the proposed HERs 42 is the HERs rating before solar PV (if any).
 - c. Clarify whether installed solar PV is being proposed.
- 4. Engage with MassSave to conduct a Passivehouse feasibility study. This study, performed by a certified Passivehouse consultant, should be included in the next submission. Include in this study the following:
 - a. A "gap analysis" showing with a table what would have to be improved to go from the as proposed building to Passivehouse. Include information on walls, roof, windows, ERV, air infiltration and other relevant items
 - b. A cost estimate from a contractor for the additional cost to go to Passivehouse, based on the gap analysis
 - c. The net, up front cost considering \$0.6M in MassSave rebates
 - d. Operating cost as proposed and Passivehouse
 - e. A life cycle cost analysis comparison of as proposed and Passivehouse

Recommendations for the Next Submission – PV and EV

- 5. Clarify the proposed extent of PV on the commercial buildings.
- 6. Clarify code minimum solar readiness for the commercial buildings and the multifamily buildings and describe whether above-code rooftop solar readiness is proposed as a mitigation measure. We recommend having 80% solar readiness on all flat roofed buildings. Confirm, also, whether the multifamily buildings will be slopped or flat roof.

- 7. As a mitigation measure, EV readiness of 25% for all buildings is recommended. Clarify by building how much EV readiness is proposed.
- 8. We recommend increasing installed EV spaces in front of each residential building from 2 to 5.
- 9. We recommend at least 2 insatlled EV stations per commercial building as a mitigation measure.

Sincerely,

Paul F. Ormond, P.E. Energy Efficiency Engineer Massachusetts Department of Energy Resources

Mass.gov | Executive Office of Energy & Environmental Affairs (EEA)



Nicholas.Moreno@mass.gov

View Comment

EEA #/MEPA ID	First Name	Address Line 1	Organization					
16729	MaryLou	31 Treehouse Cir						
Comments Submit Date 7-28-2023	Last Name Splain	Address Line 2	Affiliation Description					
Certificate Action Date	Phone	State	Status					
8-9-2023		MASSACHUSETTS	Opened					
Reviewer	Email	Zip Code						
Nicholas Moreno (617)699-4254,	msplain@gmail.com	01027						

Public Comment

Comment Title or Subject

Topic: Opposed to Sierra Vista Commons Development

Comments					
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Dear Nicholas Moreno and MEPA staff,

As a resident of Easthampton, I would like to express my concern about the Sierra Vista Commons development. I have attended a number of Easthampton Planning Board meetings and have been dismayed by the developer's flagrant disregard for the concerns of Easthampton residents. The biggest concern expressed during the meetings has been the increase in traffic on Northampton St. This project will generate at least 3,000 daily new road trips on a two lane road which is one of the main routes between Easthampton and points south and Northampton. In addition there is one access to this behemoth of a development which currently does not take into consideration the access road on the opposite side of the street. There are no bike lanes on Northampton St., inadequate non-compliant ADA sidewalks, and no consideration for the impact of the traffic on the neighborhoods south of the development or Easthampton as a whole. The project itself is a poor use of the 33 acres. The overall development calls for an overall footprint of 495,000 square feet which will require 23 acres of prime farmland to be stripped away and 11.5 acres of impervious surface (paving and buildings). The effect on the wildlife and open space on this property is monumental. Habitat will be lost. Prime farmland will be lost. Given the amount of rain and flooding the area has seen over the last few weeks, I am concerned about run off into the Manhan River from an increase in impervious surfaces regardless of the catch basins. This development is not aligned with Easthampton's priorities as outlined in its Master Plan, Open Space Plan, Housing Production Plan and Zoning Bylaw, all of which were developed to keep Easthampton resilient and flourishing in a challenging future.

Don't it always seem to go That you don't know what you've got 'til it's gone? They paved paradise, put up a parking lot. – Joni Mitchell Once it's gone, it's gone.... Sincerely,

Mary Lou Splain

Attachments

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BACK TO SEARCH RESULTS

https://eeaonline.eea.state.ma.us/EEA/PublicComment/UI/reviewcomment/0b0d2048-7f72-4cc8-9697-5afd7da2141a

Sierra Vista Easthampton MA

Thomas Brown <tbrown0554@yahoo.com>

Mon 7/31/2023 5:02 PM

To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Moreno

My name is Thomas Brown. I have been a resident of Easthampton for more than 60 years and I have been a member of the Economic Development and Industrial Commission for more than 30 years.

I am writing today to express my total support for the Sierra Vista development on Northampton Street in Easthampton.

Several years ago the EDIC determined that a vital part of any economic development would need to be access to housing options at all levels of housing opportunities especially affordable housing.

This project will provide desperately needed housing units for the City of Easthampton. An additional component of this development will be the addition of a much needed child care facility. Today there are virtually no openings for daycare options in all of Hampshire County. Opening up additional daycare options will allow more individuals to enter the workforce in our market. All of this opens the pathway for additional economic development.

I understand the concerns about any possible environmental impacts this project will have on this parcel. I'm confident that with the oversight of the appropriate agencies this project will make every effort to have no impact on the environment.

I'm also confident that all of the parties involved can find the appropriate balance to encourage and allow this development while at the same time protecting the environment.

As I've stated at previous public hearings, this project provides exactly what this property is zoned for while at the same time providing desperately needed affordable housing and daycare options.

This project is needed in this community and I'm hopeful that your agency will approve this project.

Thank you

Thomas W. Brown 2 Grove Street Easthampton, MA 01027 413-539-1118



August 2, 2023

imberly H. Robinson, MUP Executive Director

Ms. Rebecca Tepper, Secretary Executive Office of Energy and Environmental Affairs 100 Cambridge Street, Suite 900 Boston, Massachusetts 02114

Attention: MEPA Unit

Reference: Review Comments on the Expanded Environmental Notification Form (EENF) for the Sierra Vista Commons Project, EEA # 16729.

Dear Secretary Tepper:

The Pioneer Valley Planning Commission (PVPC) has the following review comments on the EENF for the above-cited project. As proposed, the project in Easthampton, MA consists of the development of a mixed-use residential and commercial center consisting of a daycare facility, gymnastics center, mid-rise apartment buildings, retail space, office space, and warehouse space. This project requires the preparation of a mandatory Environmental Impact Report (EIR).

A request has been made by the proponent for a Single Environmental Impact Report (SEIR) for the project. PVPC does not support this request as we believe the scale of the project and exceedance of multiple thresholds necessitates that the standard two-stage Draft and Final EIR process be followed. As such we request the following items be considered for inclusion in the Scope of Work for the Draft Environmental Impact Report.

Within the EENF, there are numerous inconsistencies around what the project entails that we would request be clarified in the DEIR. These include:

- The EENF form indicates 10 mid-rise (3 floor) apartment buildings, 180 units total, while the EENF narrative on page 7 indicates a total of 188 units.
- The EENF form indicates 1 sit-down restaurant, 220-seat capacity, approximately 5,500 SF, but page 17 of the EENF narrative indicates there will be 2 sit-down restaurants.
- The EENF narrative indicates the 2 mixed use warehouse storage, contractor units are 6,800 square feet on page 7, however, the narrative on page 10 indicates the square footage is 7,400 square feet.

Environmental Comments

Given the proposed amount of impervious cover to be created with this project (12 acres on a 33-acre site equivalent to about 36% of the site), soils will play an important role in stormwater management for this

project. As such, assurances for retaining the infiltrating capacities of native site soils are imperative. PVPC has some specific observations and recommendations for additional information to be included in the DEIR.

- The DEIR should provide additional information on site development practices that will prevent soil compaction, especially in areas of the site where soils have greater infiltration capabilities. Specifically, information on how work will be executed to avoid compaction of topsoil and subsoils should be provided. In addition, best practices to reduce the number of trips required over areas of disturbance should be defined for both vehicles and construction equipment.
- Additional information is requested as part of the DEIR to describe cut and fill calculations for the site and how much native soil will be transported off site. The EENF indicates the project grading has been designed to minimize the total difference in cut and fill, but contrasts this by stating the Proponent is committed to selling excess farmland soils locally. Retaining the sites existing native soils is essential to retaining infiltration capacities as calculated for on-site stormwater management.
- We would like to request additional information on the extent of HSG D soils on site (20 acres as indicated in the Hydrocad analysis) and how that relates to the project's rating as high exposure for urban flooding. Information on how the project will manage flow rate and volume under future climate scenarios should be included as part of the DEIR.

The conversion of 36% of the site to impervious area has implications for exacerbating urban heat island impacts, including ambient air temperatures and water temperatures in local waterways as stormwater flows discharge from basins. Additional information is required in the DEIR to expand on the EENF discussion on page 62 and the specific design measures that will be implemented to avoid or minimize heat impacts on the surrounding environment. We would request this include the number of new trees to be planted on-site and the potential use of high albedo products that will better reflect sunlight and reduce heat impacts.

Information provided in the EENF on proposed project phasing is inconsistent. The proponent talks about phasing the project to allow for appropriate erosion and sediment control. Pages 6 and 7 of the EENF form identifies the phasing as more limited to working specific parts of the site at a given time, while page 9 of the EENF narrative seems to indicate that Phase 1 will involve disturbance across the entire site, including tree removal and grading, and construction of stormwater facilities. Project phasing should be clarified as part of the DEIR.

Work relative to the stormwater system in Phase 1 of the project will require extensive site-wide disturbance. Additional information is requested in the DEIR to identify the following:

- Frequency of inspections, especially relative to rain events to avoid failures in performance of erosion and sedimentation controls.
- The best practices that will be employed to avoid erosion of soil in the exposed areas created by land disturbances that are associated with future phases of work.
- Measures that will be employed to ensure that stormwater basins subject to potential sedimentation impacts during construction are fully functional at project completion.

A total of 14 acres of the site is located in the MassDEP delineated Zone II area for drinking water supply. While there is some discussion of this in Section 4.5 of the EENF narrative, additional detail is requested as part of the DEIR. At a minimum, PVPC recommends that the proponent provide some sense of impact relative to 310 CMR, 22.21, including a calculation of impervious cover to be created in this Zone II area to identify how it relates to the 15% threshold and how specifically the system will be constructed to ensure that recharge of stormwater will not result in the degradation of groundwater quality.

During the MEPA site walk on July 26, 2023, the project consultants talked about the groundwater level being varied across the site, but that it is typically 4 feet from the surface. They also indicated that stormwater management basins will be approximately 2 feet deep. Additional information is requested in the DEIR to confirm this plan provides adequate separation from the bottom of each structure to the maximum groundwater elevation to ensure groundwater quality.

Additional information is requested in the DEIR to identify how the project will address landscape maintenance and snow and ice management going forward. This should include information on how best practices will be used to ensure groundwater protection, and whether the use of certain materials will be restricted.

Transportation Comments

PVPC recommends the project study area for the traffic impact analysis be expanded to include the following intersections as part of the DEIR.

- Route 10 at Florence Road and Highland Avenue
- Route 10 at the project site driveway
- Route 10 at O'Neil Street
- Route 10 at West Street
- Route 10 at Main Street/Lyman Avenue/Pleasant Street/Campus Lane
- Route 10 at Union Street
- Pleasant Street at Ferry Street and Lovefield Street
- Ferry Street at East Street
- Route 66 (Westhampton Road) at Florence Road in Northampton, MA

It is also requested that the trip distribution impacts of the project be expanded to cover the expanded study area as part of the DEIR.

Page 34 of the EENF includes a description of the City of Easthampton's proposed Main Street improvement project. The PVPC Transportation staff have assisted the Pioneer Valley Metropolitan Planning Organization (MPO) and Joint Transportation Committee (JTC) in the review of the Easthampton Downtown Complete Streets project (612258) for consideration in the region's Transportation Improvement Program (TIP). Staff have scored the Complete Streets project using the MPO approved Transportation Evaluation Criteria (TEC) each year. The project scores 57.5 out of 100 possible points making it the 3rd highest ranked project in our region. The project is programmed in the PVMPO Transportation Improvement Program (TIP) in FFY 2027, with an anticipated advertisement date of March 6, 2027. The estimated project cost is \$13,947,910 as of August 2023. This information should be updated as part of the DEIR and proposed improvements included to the extent possible as part of the traffic impact analysis.

Information on the proposed Starbuck in the vicinity of the project was included on page 36 of the EENF. Additional information on the location of both projects in requested as part of the DEIR. It is recommended 8/2/2023 PVPC Comment Letter EEA#16729

that both project access drives be included on project site plans to allow for the assessment of potential conflicts.

Trip Generation impacts of the proposed project are summarized in Table 5.6 on page 41 of the EENF. It appears that information associated with the peak hour of adjacent street traffic has been included in Table 5.6. We would request this be confirmed in the DEIR and that Table 5.6 be expanded to also compare the peak hour of generator information for each proposed land use.

Page 34 of the EENF incorrectly states the site is not currently served by transit and that Easthampton currently has only one bus route, the R41. The PVTA Nashawannuck Express Flex/Van Service (http://www.pvta.com/schedules/NE.pdf) also serves Route 10 in the vicinity of the site. It is recommended the project proponent consult with the PVTA to identify the potential for future transit service to this site. In addition, the Draft Section 61 finding included in the EENF includes consideration of a park and ride lot on site if the current Pioneer Valley Transit Authority (PVTA) R41 bus route is modified to pass by the site. It is recommended this proposed mitigation be updated based on consultation with the PVTA and updated in the DEIR.

The project proponent has committed to installing either a traffic signal or roundabout on Route 10 at the project site driveway. It is requested the DEIR provide an update on the proposed mitigation for this driveway and identify at a minimum the preferred alternative for the development. It is also requested that Table 5.15 be updated to clarify the AM and PM peak hour analysis as both sections of the table are currently labelled as the PM peak hour.

Information on the data collection methodology in the EENF indicates that data was collected during both 2021 and 2023. The 2023 volumes were shown to be lower than the 2021 volumes resulting in the 2021 volumes being used in the analysis. It is unclear from the EENF if the data presented in Table 5.1 was adjusted to reflect average month conditions. Additional information is requested for the DEIR to identify how traffic volumes may have changed in the study area since the Covid-19 pandemic, any adjustment factors that may have been used in the analysis, and verification that local schools were in session at the time of all data collection.

Thank you for the opportunity to offer our comments on this proposed project.

Sincerely,

Kimberly H. Robinson, MUP Executive Director

 cc: Jesse W. Belcher-Timme, PVPC Commissioner – Easthampton Jeffrey Bagg, Easthampton City Planner Bao Long, MassDOT District 2 Lionel Lucien, MassDOT Public Private Development Sandra Sheehan, PVTA Administrator Adrienne Dunk, GZA Geoenvironmental, Inc. January 3, 2023

Dear Planning Board Members:

My name is Janna Tetreault and I'm the chair of the Easthampton Affordable and Fair Housing Partnership. I live at 52 Pomeroy Street.

I am writing in support of the Sierra Vista Commons project.

We heard a lot about open space and the need to protect our land from development at the last public hearing. But open space and development do not have to be at odds with each other. We can have development in suitable locations and have priorities to preserve open space. This parcel is a suitable location for development.

As noted in the Open Space & Recreation Plan issued in March 2021, one of the primary goals around the Manhan River is access, not necessarily prohibiting development near it, especially since it's protected by Section 7.1 of the Zoning Ordinance – the Floodplain and Manhan River Protection Zoning District and MassDEP Regulations.

As also noted in our Open Space Plan, we have done a great job protecting priority land - 21% of our land in Easthampton has been permanently protected. And between 2012 and 2017, while there were 36 acres of newly developed land in Easthampton, there were 180 acres of newly conserved land – 5 times the amount of land developed.

We all value the commitment that the City has made to conserving open space, including spending 2.48 million dollars on open space from our Community Preservation Act funds. While spending 1.63 million dollars on affordable housing.

We also heard questions about why we need more development and how this project might change the "character" of Easthampton.

As we all have seen, housing prices are rising in Easthampton. And, while we are not alone, the issue disproportionately impacts Western Mass.

According to a study released in July by Up for Growth, Massachusetts needs another 108,000 housing units to meet the demand, and we rank 11th among states in its housing <u>underproduction</u>.

Here in Western Mass, according to a UMass Donahue Report issued in March 2022, the Pioneer Valley needs at least 17,000 more rental units at or below \$500 a month and **Hampshire County currently needs over 1,500 additional rental units at or below \$1,000 a month.** Although we have lower incomes than the rest of the state, we do not necessarily have lower housing prices according to this report. One in six of all apartments in the Commonwealth that are financially out of reach are **in** the Pioneer Valley.

There is a solution to this problem and that is to build more housing, at all income levels, including those for our lowest-income residents. Fortunately, for us, we have a project before us that would do just that. The first phase of this project includes 44 affordable units for households earning less than 80% of the area median income – that is \$75,300 for a household of 4.

We also have dedicated and progressive leadership in Easthampton that expanded our Chapter 40R Smart Growth district in May 2022 to include these parcels on Northampton Street. Chapter 40R

encourages municipalities to zone for dense developments in smart growth locations and provides incentive payments when districts are created and bonus payments per unit when developments receive building permits. A companion law, Chapter 40S, provides state reimbursement for school costs not covered by taxes generated by 40R projects. So not only will this project pay taxes to the City, but we also will receive payments from the state.

It's worth noting that the only way the City can provide additional services in the future is through tax payer dollars or new tax revenue. Limiting areas that can be used for development reduces new tax revenues and would require the City to rely on tax payer dollars to preserve land, provide new services, etc.

Lastly, I'd like to address the issue of "character". This word often comes up when new housing, particularly new affordable housing, is proposed.

A 2018 book released by a Boston University researcher called *Neighborhood Defenders* compiled data from 97 Massachusetts cities and towns and their respective zoning and planning board meetings to show how homeowners, who are most often older, and white use their political power to stop new housing.

The book notes that the term "neighborhood character" is a dog whistle - an inoffensive reason to exclude people of diverse backgrounds from white neighborhoods. Instead of saying, we don't want apartments because it will attract nonwhite or poor people, it is still socially acceptable to talk about "character".

I do not know the intent of the people before me who have used that term. But the **impact** of those words at best is that Easthampton is perceived as a City that does not value growth or diversity – of race, ethnicity or income limits. At worst, developments like this one are rejected, exacerbating our housing crisis, keeping Easthampton unaffordable to low-income households, and maintaining our status quo when it comes to race and economic diversity.

This term has come up at public hearings in Easthampton before and I have not been brave enough to challenge it. My purpose in bringing this to our attention today is so that we all can be more aware of the impact our words have – especially for those households who might be asking themselves why they would change the character of a community just by living in an apartment like the ones proposed at Sierra Vista Commons.

Sincerely,

anna Tetreault

Janna Tetreault Chair, Easthampton Affordable & Fair Housing Partnership

Comments Regarding EEA Project NO. 16729 Sierra Vista Commons Project in Easthampton MA – Expanded ENF Comments submitted by Elisabeth C. Goodman, Esq. on behalf of 102 Northampton Street LLC

Background Information

There are many issues regarding the Sierra Vista Commons Project that will be of concern to MEPA (including impacts to wetlands and water supply, environmental justice issues, etc.) but this comment focuses on traffic, and specifically the location of the driveway of the proposed development. This project requires a highway access permit from the Massachusetts Department of Transportation ("MassDOT"). This project is required to file a full EIR.

The Sierra Vista Commons Project will be located directly across from 102 Northampton Street LLC on Route 10/Northampton Street in Easthampton. The principals of 102 Northampton Street LLC are one of three different and discrete groups of Cernak family members and one of four different ownership entities, that collectively owns 9 properties, 7 of them commercial properties across from the proposed Sierra Vista project. Please see the plan of parcels with key to owners attached as Exhibit A.

The overriding concern for the Cernak Family, all three discrete ownership groups, is that the proposed driveway and signal required for this development be located directly across from Mountainview Street, also shown on Exhibit A. The Cernak's are concerned about both the safety and ability to access their parcels as well as the safety of their tenants one of which is a Cannabis retailer that recently exceeded 1,000 customers a day on Friday's, their peak day, and was required by the City of Easthampton to use Mountainview. Sierra Vista does not prefer this alternative, stating this location for their driveway that is not built yet will cause it to relocate and perhaps lose a commercial building site, a conclusion not supported by our engineer. This objection by Sierra Vista has resulted in its failure to analyze or design this alternative in a reasonable or responsible manner.

This project requires a local special permit issued by the City of Easthampton Planning Board (among other permits) and our client has retained a traffic engineering consultant, David Loring, P.E. of Pare Corporation for this matter. Mr. Loring is a Vice President at Pare Corporation and has over 30 years of experience. Post Sierra Vista Commons initial MEPA submission, Mr. Loring has met with the City's consultant, Stantec, and the traffic engineer retained by Sierra Vista, Howard Stein Hudson ("HSH") in an effort to resolve these issues. As set forth in detail below, Mr. Loring believes this alternative (aligning the Sierra Vista driveway with Mountainview Street) has not been adequately designed or analyzed to demonstrate the least

harmful adverse impacts on Northampton Street traffic and on the Cernak family properties; and also aligns with an earlier MEPA and MassDOT finding on a previous Stop & Shop project

Traffic Mitigation Presented in the ENF is Incomplete and Inaccurate.

Attachment 2 Project Drawings in the ENF repeatedly show the Sierra Vista driveway connected to a rotary. The rotary as shown is too small to function properly. The City's traffic consultant, Mr. Loring as consultant for 102 Northampton, and the Sierra Vista consultant HSH met and all agreed a rotary was not suitable in this location. HSH said that had they been consulted with regard to the ENF "they would have recommended that a signalized driveway be shown..." All the traffic consultants agree that final turn lane lengths and taper lengths have not been determined, thus right of way impacts are not known. It is wrong for Sierra Vista to make any assertions about queuing in the turning lanes or taking required for a signalized intersection when the schematic has not been drawn and the traffic estimates have not been provided. Right of way varies in this area so it is not clear what takings might be required. In addition, HSH has not included in their current MEPA submission any of the current and projected traffic figures for Mountainview Street.

Section 5.1.2.1 describes existing roadways, but the intersection with Mountainview Street, directly opposite the proposed project site, is not listed. Section 5.1.2.2 describes existing intersections and the intersection of Mountainview Street and Route 10 is not listed. Section 5.1.3.3 describes future growth but none of the commercial properties owned by the Cernak family, one of which has a written offer for sale and development and has had previous offers from national chains such as Starbucks and Wendy's, are described. Finally, although the proponent's own traffic consultant agrees a signalized intersection should be proposed and the ENF at Table 7 shows signal warrants 1,2 and 3 are met, the project proponent says only that they will work with the City and MassDOT to see if a signal is warranted, and yet no signalized intersection scenarios are included in the ENF. This despite the proponent stating "[a] new signal would improve site access and safety."

We respectfully request that the scope of the EIR include analysis of a signalized intersection with the Sierra Vista driveway aligned with existing Mountainview Street. The proponent should consider the impact of its project on all the existing commercial properties in the vicinity and not be allowed to continue to ignore its business neighbors.



The Cernak Properties -

The Cornerstone of Easthampton's Hiahway Business District ©

Keith P. Cernak, Trustee of The Samuel Cernak Family Trust 2008 at 1

Groveland St, 94 Northampton St, 4 Mountainview St, *15 Mountainview St, and *7 Groveland St. *R-15 Zone

Strathrile Properties, LLC. at 100 Northampton St & 0 Mountainview St.

102 Northampton Street LLC at 102 Northampton St.

The Kenneth S. Cernak Revocable Trust at 114 Northampton St.

Comments on Proposed Sierra Vista Commons Project at 93-97 Northampton St., Easthampton, MA

Lucille Kostek <ldkosteksmile@yahoo.com> Sun 8/6/2023 4:45 PM To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov>

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To: Nicholas Moreno@ MEPA

Regarding Environmental Concerns with the Plans proposed by the Developer, Mr. Frank Demarinis, of Tasty Top Development, LLC, (Sage Engineering & Contracting, LLC) at 93-97 Northampton St., Easthampton, MA

We are Lifelong residents of Easthampton and purchased our home, on Plymouth Ave., 53 years ago. Our neighborhood abuts on the southern border of this proposed project and we are situated on the downslope in between the project & the Manhan River. We are not against Development or Construction & realize that something will be built on this property. We do not agree with the large size of the Development, especially the fact that it involves Wetlands areas, and the Manhan River.

First of all, this proposed project does not get off to a good start at the very beginning, before any Public Meetings start. Back in the summer of 2022, it is stated at a meeting, in early 2024, that "Someone" has filled in 3-4 Vernal Pools on this property, and also erected a makeshift "Bridge" over the Brook on the property, all of which is illegal without proper permits!

Secondly, as the Planning Board & Conservation meetings begin, we get to see the "Plans" for this huge project, the biggest one ever planned in this City. And we see how most of the 32 Acres is hardscaped, 80% covered with many Large Buildings, Large Parking Lots, & Roads! This Property sits at a higher elevation than our neighborhood, and there is a lot of "Rock Ledge," in the ground here, so therefore we have a high water table. This creates already existing flooding in many of the yards in this neighborhood, and flooding in many basements, especially the older home, with Fieldstone Foundations, such as our home built in year 1900.

Our concerns only increased after looking into the background of this Developer. We find out that he has a bad reputation for not adhering to Rules & Regulations, especially involving "Environmental" issues! He is known for telling people what they want to hear and then doing whatever he wants to do. He has been involved in 12-13 Lawsuits over the years, in Hampden Superior Court, sometimes as Plaintiff & some as Defendant!

The Lawsuit that concerns us the most dates back to a project, in Westfield which also involved a "Wetlands" area, dating back to 2012, and this lawsuit is still ongoing! The Lawsuit states, "The Plaintiffs have incurred and continue to incur significant ongoing costs to get the Certificate of Compliance from the Westfield Conservation Commission." "Per the construction specifications in the Contract Documents, of the entry roadway of several hundred feet in length, bridging a small stream, and the construction of two parking areas, and other paved surfaces, Sage was required to install at least 8 inches of gravel base or other approved fill, before a 3" asphalt topping." "The roadway and parking areas showed premature wear and failure An assessment of the paving & base layers was performed by an Engineering firm and documented in a written report dated August 2016 that

revealed that the roadway was failing due to the lack of the specified 8" gravel base. In it's place "Sand & Loam" was found & concluded that the material did not meet the Contract, nor Mass DOT specifications."

When we see what has happened at a previous Project of this Developer's, and we experience more & more stronger rainstorms due to Global Warming we have great concern about the possible failure of the proposed Stormwater Management System that is planned, which would greatly impact the nearby Wetlands, our neighborhood, and the Manhan River.

Mail - Moreno, Nicholas (EEA) - Outlook

Last but not least, we are also concerned about the wild animals, and the increase in Air & Noise Pollution that this project will incur due to the increase in everyday traffic, along with Construction Equipment, all of which this two lane Highway cannot sustain, causing vehicles to be idling or at a standstill waiting in traffic. Not to mention an increase in Accidents which we do not need. And we oppose the taking down of the many trees, on the property, especially if they are on a downslope to prevent erosion.

Thank-you for your consideration,

Lucille & Larry Kostek

proposed Sierra Vista Commons Development

barry roth <abenideemail@comcast.net> Mon 8/7/2023 8:53 PM To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov> Cc:abenideemail@comcast.net <abenideemail@comcast.net>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe. MEPA ENVIRONMENTAL REVIEW – proposed Sierra Vista Commons Development <u>Nicholas.moreno@mass.gov</u>

Barry Roth 88 Acrebrook Drive Florence, MA 01062

MEPA Public comments Portal

I was unable to attend the July 20, 2023 remote session on the Sierra Vista Commons Development. Therefore I am submitting my comments here in writing.

I frequent the location on route 10 in Easthampton often. The town where I live abuts this property. I used to use this road daily when commuting to work in Easthampton. I still use it frequently, whenever I go into Easthampton or Southampton. Thus I speak from experience in opposing this ill conceived project.

Currently I go there several times a week to the Burger King abutting the proposed construction site. I find the traffic often to be very heavy and the waits can be time consuming when going into or out of the Burger King. That point is a bottleneck point because Route 10 is a very narrow 2 lane road there and a merge site from the traffic off of highway 141 and route 10 going north; so traffic can get quite heavy.

Likewise it is also a merge site for traffic heading south. It merges traffic from Florence road in Northampton and route 10 going south.

As soon as traffic exits from the many stores including Burger King, McDonalds, Dunkin Donuts and the independent mom and pop stores in the vicinity traffic stalls, tempers can flare and all the serenity of the otherwise beautiful views are lost.

I will not go into the destructive habitat impact but speaking on an aesthetic basis it is ironic that this project is called the 'Sierra Vista' project when if developed it will block the one remaining view of the Holyoke range for everyone traveling along this stretch of route 10 running all the way to the center of Easthampton. Indeed this view was at the founding of the country was considered by the Hudson Valley school of painters to be one of the most beautiful in the country. This project will continue the pattern of sealing off that view to much of the public.

Let the city buy the property – if you are really concerned about climate change, protecting the environment. Don't forget that what makes Easthampton a nice place –as much as anything else is its open space and ability to breathe for rich and poor alike.

Sincerely, Barry Roth (ps I will try and include video taken at that location) Mass.gov | Executive Office of Energy & Environmental Affairs (EEA)

Energy & Environmental Affairs nyironmental affairs) Public Comments Portal

Nicholas.Moreno@mass.gov

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Comment Details

EEA #/MEPA ID	First Name	Address Line 1	Organization					
16729	Sara	38 Briggs St						
Comments Submit Date 8-7-2023	Last Name Merand	Address Line 2	Affiliation Description					
Certificate Action Date	Phone	State	Status					
8-9-2023		MASSACHUSETTS	Opened					
Reviewer	Email	Zip Code						
Nicholas Moreno (617)699-4254,	saramerand@gmail.com	01027						

Public Comment

Comment Title or Subject

Topic: Concerns Regarding Tasty Top Site Development

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BACK TO SEARCH RESULTS



August 3rd, 2023

MEPA Review ENF Comment Letter RE: Sierra Vista Commons – EEA No. 16729 – 93, 95, 97, Northampton Street

Nicholas Moreno Executive Office of Energy and Environmental Affairs 100 Cambridge St, 9th Floor Boston MA 02114

Dear Mr. Moreno,

I am writing on behalf of the Easthampton Conservation Commission (the Commission) to share information as to the status of the Notice of Intent (NOI) filed by Tasty Top Development, LLC (MassDEP File #: 151-0322) at 93, 95, 97 Northampton Street for a new residential and commercial development. The public hearing for this project began on December 12th, 2022 and is currently still underway. Under the Wetlands Protection Act, the current proposed plan includes impacts to jurisdictional areas including the 100ft Buffer Zone, installation of a new stream crossing, and new stormwater management system. In addition to the review underway for compliance with the Wetlands Protection Act, the Commission is also reviewing the project for compliance with the City Stormwater Management Ordinance (Article VII) within the same hearing process. The project is currently undergoing Peer Review by the consulting firm Beals & Thomas, Inc. and for which the reviewer has completed the Initial Review at this stage (see Attachment A). In addition to confirmation of compliance with all aspects of the Wetlands Protection Act and City Stormwater Management Ordinance, the Commission is particularly still working to determine the compliance of the stormwater management system, and future slope stability due to tree removal and stormwater basin location/design. It has also not yet been determined whether the Peer Review will result in any changes to the plan design before the issuance of the Order of Conditions.

The history of the property in regards to interactions with the Commission includes the following. The property received an Order of Resource Area Delineation in 2005 (extended in 2008). In June 2022, the Commission issued an Enforcement Order for unpermitted activities related to fill within the 100ft Buffer Zone, historic fill within Bordering Vegetated Wetlands (BVW) (likely due to past unpermitted agricultural activities), and installation of an unpermitted stream crossing which does not meet the Stream Crossing Standards (open bottom design accepting primary flow, with small culvert nearer the southern bank accepting a smaller side flow). As part of the Enforcement Order investigation, a peer review of a portion of the wetlands delineation was completed by Stockman Associates and incorporated in the wetlands delineation submitted with the current Notice of Intent application. A restoration plan for the

area of fill within the 100ft Buffer Zone and BVW has been approved by the Commission, which includes restoration of the aforementioned historically filled BVW area (see Attachment B) and is set to begin in September of this year. The Commission has also approved a separate restoration plan for the removal of the unpermitted crossing and restoration of those related impacted jurisdictional areas. This includes invasive species removal from the surrounding wooded area that is currently underway, unpermitted crossing removal within 2 years, and bank/BVW restoration (see Attachment C and D). The property owner requested that the unpermitted crossing be allowed to remain for a period of two years so that it may be utilized for the construction of the new crossing proposed as part of the NOI application. Execution of both restoration plans is currently on-going and the Enforcement Order has not yet been confirmed as resolved.

For the current NOI hearing, there has been significant public participation in the process including the submission of numerous written comments and consistent public attendance of the meetings at which numerous public comments have also been made in person (see Attachment E and F). These comments have included concerns that are related to potential negative environmental and ecological impacts (particularly to wildlife and negative impacts of stormwater runoff to neighbors) from the project that are not within the jurisdiction of the Commission's review under the Wetlands Protection Act. While many of these issues are beyond the Commission's purview, the MEPA review has broad jurisdiction over the environmental impacts of this project. The Commission has directed concerned citizens toward the MEPA process as a means of addressing topics the Commission cannot address through its review under the Wetlands Protection Act and therefore, on behalf of the citizens of Easthampton, the Commission urges your careful consideration of these questions and comments to ensure a thorough examination of environmental impacts. The Commission also recognizes that it is typically preferred (but not required) that the MEPA review process be completed before the issuance of an Order of Conditions. The Commission requests that the MEPA office share the outcome of its review process with the Commission so that they may incorporate its findings in the Commission's hearing process. The Commission also requests that the MEPA office include considerations in their review for possible negative impacts to wildlife, downstream areas, and any other environmental impacts on the site and to abutters beyond the Commission's jurisdiction.

At their July 24th, 2023 meeting, the Commission voted to issue this Comment Letter for consideration in the MEPA review process. The Commission can be contacted through the Conservation Agent at 413-529-1463 or by email at conservation@easthamptonma.gov. If you have any additional questions related to the Commission's on-going review of this application or the on-going Enforcement Order and would like to request any additional documentation, please contact the Conservation Agent.

Respectfully,

Cassie Tragert

Cassie Tragert Conservation Agent



ATTACHMENT A

July 7, 2023

Cassie Tragert, Conservation Agent Easthampton Conservation Commission 50 Payson Avenue Easthampton, MA 01027

Via: Email to <u>ctragert@easthamptonma.gov</u>

Reference: Peer Review of Notice of Intent Application MassDEP File No. 151-0322 Sierra Vista Commons 93-97 Northampton Street <u>Easthampton, Massachusetts</u> B+T Project No. 3445.00

Dear Members of the Commission:

Beals and Thomas, Inc. (B+T) is pleased to assist the Easthampton Conservation Commission (the Commission) by providing this peer review of a Notice of Intent (NOI) Application for 93-97 Northampton Street (the Site) filed by Tasty Top Development, LLC (the Applicant). The Applicant proposes the development of a mix of residential apartment buildings, a daycare and gymnastics facility, commercial buildings, and new roadways and parking lots within the buffer zone to Bordering Vegetated Wetland (BVW) (the Project). The Project also involves the crossing of an intermittent stream to access the western portion of the Site with the proposed roadway.

B+T received the following documentation which served as the basis for our review:

- Notice of Intent Application Package for Sierra Vista Commons, including WPA Form 3, dated November 21, 2022, prepared by Furrow Engineering (51 pages)
- Sierra Vista Commons Permitting Set, 93-97 Northampton Street, Easthampton, MA 01027, dated November 29, 2022, revised through April 28, 23, prepared by Furrow Engineering (48 sheets)
- Site Evaluation Statement and Stormwater Management Report, dated November 14, 2022, revised through April 28, 23, prepared by Furrow Engineering (245 pages)
- RE: Project Location: 93-97 Northampton Street, Easthampton, Project Description: Residential and commercial development, NHESP File No.: 22-41496, dated December 15, 2022, prepared by Division of Fisheries & Wildlife (1 page)

Civil Engineering • Land Surveying • Landscape Architecture • Land Use Permitting • Environmental Planning • Wetland Science
We have reviewed the documentation submitted by the Applicant with respect to the requirements of the Town of Easthampton Stormwater Management Ordinance (the Ordinance); the Wetlands Protection Act Regulations – 310 CMR 10.00 (the Regulations); the Massachusetts Department of Environmental Protection (MassDEP) Stormwater Handbook (the Handbook); and generally accepted engineering practice.

Project Summary

The Site is identified as Assessors Map 128, Lot 113. The Site is approximately ±33-acres in area, with approximately 330-feet of frontage on Northampton Street (Route 10). It is abutted to the north and west by mixed commercial uses, to the east by vacant land, and to the south by residential neighborhoods.

The proposed development is located on existing agricultural fields, an abandoned driving range field, and forested area with an intermittent stream bisecting the center of the site. The development is proposed to include ten apartment buildings, two mixed use commercial/apartment buildings, three commercial buildings/pad sites, one daycare/gymnastics center, two mixed use storage buildings, associated parking areas/roadways, site utilities including a stormwater management system and accessory amenities including a pool, pool house, community garden, and open maintained lawn areas. The Project will be served by municipal water and sewer service.



Aerial photograph of the Site and surrounding land uses

Site Visit

We conducted a reconnaissance visit on July 5, 2022 to familiarize ourselves with the Site and adjacent area, and to evaluate the existing conditions relative to the proposed development. Photographs are included herein to illustrate conditions at the Site and to provide context for our comments.



View of location of the proposed stream crossing.



Typical soil erosion and exposed tree roots observed throughout the Site.





View of location of Basin F-4



View of location of Basin R-1





View of mature trees to remain On Northampton Street

MassDEP Technical Review Comments

We have included MassDEP's technical review comments (MassDEP File No. 151-0322) in italicized font followed by B+T's commentary for each.

 Cross sections of the stream crossing should indicate the "Boundary" of "Bank (Inland)" and all other applicable "Resource Area[s]". Providing this information would be helpful in demonstrating that the crossing meets the "Massachusetts River and Stream Crossing Standards".

We concur with this comment and request that the Applicant provide the representative cross sections. Please refer to Comment Number 10 for additional technical commentary on the cross sections.

2. The Manhan River is considered a "Cold-water Fishery" and "Critical Areas". Preventing sediment from entering the water and maintaining and/or increasing shading of the water column is important to protecting this valuable resource. A Cold-water Fishery is a waterbody (stream, river, or tributary thereto) used by reproducing cold-water fish to meet one or more of their life history requirements. Cold-water Fisheries are particularly sensitive habitats.



> Since the Project proposes stormwater discharges to a tributary of a Cold-water Fishery, which is considered a Critical Area, the Project shall meet the requirements of MassDEP Stormwater Standard 6 requiring the use of the specific stormwater best management practices, additional pretreatment, and increased water quality requirements.

NOI and Plan Comments

- 3. The plan set provided to B+T is not stamped by a professional engineer or professional land surveyor. In accordance with 250 CMR 5.03 (15), the professional shall stamp plans and documents filed with public authorities. We request that documents provided bear the seal of the responsible professional.
- 4. Although a proposed tree line is shown on the plan, the drawings do not appear to show perimeter sediment controls, nor is a proposed limit of disturbance presented. Therefore, we cannot accurately evaluate the proposed impacts to resource areas and buffer zones. We hold further comment on impacts until additional information is provided.
- 5. The WPA Form 3 notes that the Project qualifies as 'buffer zone Only' in Section B and no Bank impacts are reported. Similarly, Section B.1 of the Project Narrative indicates that there is no proposed work within any resource area. We request clarification as to how Bank impacts are avoided with the crossing, especially given that the stream channel shown on the plan set intersects with one of the footings proximate to flag A-13 (where the stream is shown up-gradient of the BVW line).



Screenshot from Sheet C-2.2



- 6. We request that the Applicant provide additional information as to how resource area impacts will be avoided during the installation of the bridge footings. It appears that the distance between the bridge footings and the BVW boundary is approximately two feet in some locations. In our experience, with the possibility of construction field error and site preparation needs, we presume that temporary impacts of the BVW or Bank would be required, even with the installation of steel shoring as shown in the cross section.
- 7. Based on the information contained in the Delineation Report, we understand that flags B-5 through B-6 and A-12 through A-13 delineate BVW and not Bank. Although a measurement of bankfull conditions was reported in the response to the Massachusetts River and Stream Crossing Standards, it is unclear if this is a measurement of the BVW or an interior Bank line. For the purposes of reviewing the stream crossing, we request that the interior Bank be delineated and presented on the plan for review.
- 8. The NOI makes reference to the approved restoration plan which includes the removal of an existing bridge crossing. We understand that it is the Applicant's intent to utilize this temporary bridge in accessing both sides of the proposed crossing. We recommend that the Applicant provide documentation as to how the temporary bridge can support the intended use by construction vehicles. Further, we also request that the Applicant indicate whether Bank impacts will occur from the subsequent removal of the temporary bridge and how the impacts (if any) will be mitigated.
- 9. The Applicant reports that the measured bankfull width is 15' 4" measured at the crossing location. However, the MA River and Stream Crossing Standards recommends that at least three measurements be taken to report this width. Specifically, "Bankfull width should be determined as the average of at least three typical widths, ideally measured at the proposed structure's location, and then upstream and downstream of the proposed structure." We request that the Applicant undertake these additional measurements to demonstrate whether this structure meets the bankfull width requirements.
- 10. The 'Existing Stream Cross-Sections' depict an average width of distance between the BVW delineation and Bank line reported is fifteen feet, less than the measured width noted above. Additionally, it is unclear as to how this was determined absent a Bank delineation. We request that the Applicant provide clarification/additional information.



Stormwater Management Review Comments

11. Section 12-79.b.9 of the Ordinance requires the use of Low Impact Design (LID) site planning design strategies and that open space and natural areas be preserved to the maximum extent feasible. Though the stormwater management system is comprised largely of structural best management practices (BMPs) in lieu of LID practices, each of the dedicated residential buildings includes a rain garden as part of the landscape design. Though the rain gardens are not incorporated into the modeling analysis to estimate their respective performance, it appears that the Applicant has demonstrated an effort to include them as LID measures.

Regarding the preservation of open space, the Site is encumbered with an intermittent stream, BVW, and associated buffer zones. Though the Applicant intends to maintain these areas, they are largely undevelopable with regard to the Regulations. It appears that the majority of remaining upland areas will be impacted by the development, but the Applicant has committed to preserving three (3) existing trees along the Northampton Street frontage. We request that the Applicant explore additional opportunities to maintain existing mature vegetation and open space within the upland areas.

- 12. Natural erosion and exposed tree roots were observed throughout the site. With the removal of a significant portion of the existing vegetation, and the positioning of stormwater basins adjacent to slopes, site stability is a concern. We request that the Applicant incorporate slope stabilization strategies into the design.
- 13. Section 12-80.a of the Ordinance requires that components of the Stormwater Management Plan be stamped and endorsed by a Professional Engineer (PE) registered in the Commonwealth of Massachusetts. The stormwater management report and MassDEP Stormwater Report Checklist provided to B+T are not stamped. We request that the Applicant submit final documents with the appropriate endorsements in accordance with the referenced section of the Ordinance.
- 14. Section 12-80.b.11 of the Ordinance requires that all estimations of estimated seasonal high groundwater elevation (ESHGWE) be completed between November and April. A series of the test pit were performed in October of 2008. Though these investigations were completed outside of the required window, they do not appear to have been used to directly correlate to the ESHGWE analysis. We further note that correspondence between the Applicant and Commission indicated that additional test pit information would be acquired on March 13, 2023. We request that this information be provided to B+T for review.



- 15. Section 12-81.d.2 of the Ordinance specifies design criteria for infiltration systems. The Project includes seven (7) stormwater basins, three (3) of which are identified as infiltration basins (Basins R-1, F-1 and F-4). We note the following inconsistencies relative to the design criteria of the Ordinance:
 - a. Infiltration systems shall be equipped with clean stone or filter fabric. Neither are depicted in the detail cross section.
 - b. Infiltration systems greater than 3-ft deep shall be located at least 10-ft from structure walls. Basin F-4 directly abuts proposed commercial units.
 - c. Infiltration systems shall not be used as sedimentation control during construction unless specific plans are included to restore these areas. Given the phased nature of the Project, it is unclear how installed infrastructure will be maintained during construction.
 - d. Infiltration systems are required to have 3-ft of vertical separation to ESHGWE. Based on the test pit information provided by the Applicant, the proposed basins do not have the required separation. Additionally, the ESHGWE is to be determined by a Certified Soil Evaluator. The test pit logs provided do not indicate who performed or witnessed the explorations.
 - e. Provisions shall be made for safe emergency overflow from these systems. Basin F-4 is depicted with an emergency spillway, while Basins R-1 and F-1 are not.

We request that the Applicant clarify the design intent for the infiltration basins and address the noted design inconsistencies.

- 16. Section 12-81.d.6 of the Ordinance limits basin side slopes to 4:1. All proposed infiltration and detention basins appear to be designed with 3:1 interior slopes. We request that the Applicant clarify the design intent and document compliance with the referenced section of the Ordinance.
- 17. Section 12-81.d.8 of the Ordinance requires documentation relative to the on-site storage of hazardous materials. The specific uses of the commercial units are unknown and therefore documentation relative to the use and storage of hazardous materials is not provided. As a potential condition of approval, we recommend the Commission restrict the storage of hazard materials unless the requirements of the referenced section of the Ordinance are met at a future date.



- 18. Section 16.c of the Ordinance requires that sizing calculations associated with temporary erosion and sedimentation controls be provided. The plans depicted multiple settling basins without the required calculations. We request that the Applicant document compliance with the referenced section of the Ordinance.
- 19. Section 16.d of the Ordinance requires that schedules and sequences of development relative to the erosion and sedimentation control plan be provided. Understanding that the Applicant has not yet submitted the required Stormwater Pollution Prevention Plan (SWPPP), we recommend that a fully compliant SWPPP including the referenced schedule information be provided to the Commission for review prior to construction; this could be included as a condition of approval.
- 20. Stormwater Standard 3 of the Regulations requires calculations relative to the volume of recharge required for and provided by the Project. We acknowledge the recharge volume calculations provided; however, we note the following:
 - a. The impervious area noted does not appear to directly correlate to the modeling provided. We request that the Applicant clarify the inconsistency.
 - b. It is unclear from the modeling provided how the maximum storage volume provided by each basin was derived. We request that the Applicant document the volumes provided with adequate backup for the maximum elevation of the basins prior to discharge.
 - c. The inconsistencies noted herein will also impact the results of the drawdown calculations. We further note that the bottom area used for Basin R-1 is inconsistent with the modeling. We request that the Applicant update the drawdown calculations as applicable.
 - d. In accordance with the Handbook, infiltration basins should be a minimum of 50-feet from slopes greater than 15%. Basins R-1 and F-1 do not appear to meet this criterion. We note the vertical membrane being proposed in the basin berm; however, that only accounts for approximately half the offset required. We request that the Applicant clarify the design intent relative to the location of the basins near steep slopes.
- 21. Stormwater Standard 4 of the Regulations requires calculations relative to the water quality volume required for and provided by the Project. In conjunction with Comment #13 above, the impervious areas and volumes utilized do not appear to directly correlate to those used in the recharge calculations or the modeling. We request that the Applicant clarify and revise the calculations as applicable.



22. Stormwater Standard 6 of the Regulations requires additional provision for stormwater management systems within a Zone II well protection zone. A large portion of the Project west of the stream falls within the Zone II protection zone shown in the excerpt from the MassGIS online database below. The Regulations highly recommend infiltration basins as an infiltrative BMPs. Of the four (4) basins proposed on this side of the Project, only two are designed to be infiltrative. The Applicant should evaluate further use of additional infiltrative BMPs within the Zone II protection zone.



- 23. Stormwater Standard 10 of the Regulations requires that an executed Illicit Discharge Statement be provided. The Illicit Discharge Statement was provided unsigned. As a potential condition of approval, we recommend that a fully executed Illicit Discharge Statement be submitted to the Commission.
- 24. The infiltration basin bottoms appear to be within 4 vertical feet of the ESHGWE and the recharge system is proposed to attenuate the peak discharge from a 10-year or higher 24-hr storm; therefore, a mounding analysis is required by the Handbook. We request that the Applicant provide the required calculations.



25. The Applicant indicates that the hydrologic modeling analysis has been executed with respect to the NOAA Atlas 14 rainfall event estimates. The values used in the modeling appear to be inconsistent with the NOAA 14 estimates. We request that the Applicant perform the analysis using the values outlined below.



NOAA Atlas 14, Volume 10, Version 3 Location name: Easthampton, Massachusetts, USA* Latitude: 42.2777°, Longitude: -72.6717° Elevation: 182 ft** * source: ESRI Maps ** source: USGS



POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Sandra Pavlovic, Michael St. Laurent, Carl Trypaluk, Dale Unruh, Orlan Wilhite

NOAA, National Weather Service, Silver Spring, Maryland

PF tabular PF graphical Maps & aerials

PF	ta	b	ul	а	r

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches) ¹							ches) ¹			
Duration	Average recurrence interval (years)									
Duration	1	2	5	10	25	50	100	200	500	1000
5-min	0.330	0.392	0.494	0.578	0.694	0.782	0.873	0.972	1.11	1.22
	(0.253-0.425)	(0.300-0.506)	(0.377-0.638)	(0.439-0.753)	(0.512-0.945)	(0.565-1.09)	(0.614-1.26)	(0.652-1.44)	(0.719-1.71)	(0.773-1.92)
10-min	0.467	0.555	0.699	0.819	0.983	1.11	1.24	1.38	1.57	1.73
	(0.358-0.602)	(0.426-0.716)	(0.534-0.905)	(0.622-1.06)	(0.725-1.34)	(0.800-1.54)	(0.869-1.78)	(0.923-2.04)	(1.02-2.42)	(1.10-2.72)
15-min	0.550	0.653	0.822	0.962	1.16	1.30	1.46	1.62	1.85	2.04
	(0.422-0.708)	(0.501-0.843)	(0.627-1.06)	(0.732-1.25)	(0.853-1.57)	(0.942-1.81)	(1.02-2.10)	(1.09-2.41)	(1.20-2.85)	(1.29-3.21)
30-min	0.754	0.897	1.13	1.32	1.59	1.79	2.00	2.23	2.55	2.80
	(0.579-0.972)	(0.688-1.16)	(0.864-1.46)	(1.01-1.73)	(1.17-2.17)	(1.30-2.50)	(1.41-2.89)	(1.50-3.31)	(1.65-3.93)	(1.77.4.41)
60-min	0.959	1.14	1.44	1.69	2.03	2.28	2.55	2.84	3.25	3.57
	(0.736-1.24)	(0.875-1.47)	(1.10-1.86)	(1.28-2.20)	(1.49-2.76)	(1.65-3.18)	(1.79-3.68)	(1.91-4.22)	(2.10-5.00)	(2.26-5.62)
2-hr	1.22	1.45	1.83	2.14	2.57	2.89	3.23	3.62	4.20	4.68
	(0.944-1.56)	(1.12-1.86)	(1.41-2.35)	(1.64-2.76)	(1.91-3.48)	(2.11-4.01)	(2.30-4.67)	(2.44-5.36)	(2.73-6.44)	(2.97-7.34)
3-hr	1.40	1.66	2.10	2.47	2.97	3.34	3.74	4.22	4.94	5.56
	(1.08-1.78)	(1.29-2.12)	(1.63-2.69)	(1.90-3.17)	(2.22-4.02)	(2.45-4.64)	(2.68-5.42)	(2.85-6.22)	(3.22-7.56)	(3.54-8.68)
6-hr	1.73	2.10	2.69	3.18	3.86	4.36	4.91	5.60	6.66	7.59
	(1.36-2.19)	(1.64-2.65)	(2.10-3.41)	(2.47-4.06)	(2.92-5.21)	(3.24-6.04)	(3.56-7.13)	(3.79-8.20)	(4.34-10.1)	(4.84-11.8)
12-hr	2.11	2.61	3.43	4.10	5.03	5.72	6.47	7.44	8.97	10.3
	(1.67-2.64)	(2.06-3.27)	(2.69-4.31)	(3.20-5.20)	(3.83-6.76)	(4.27-7.89)	(4.74-9.39)	(5.05-10.8)	(5.87-13.6)	(6.61-16.0)
24-hr	2.49	3.13	4.17	5.04	6.23	7.10	8.07	9.33	11.4	13.2
	(1.98-3.09)	(2.49-3.89)	(3.30-5.21)	(3.97-6.33)	(4.78-8.32)	(5.35-9.76)	(5.96-11.7)	(6.37-13.5)	(7.46-17.2)	(8.47-20.3)

26. The modeling of the "Woods/grass combination" groundcover type in the post development condition is unclear. As this cover type is not present in the predevelopment condition, it is unclear where this ground cover type will be present in the post development condition. We request that the Applicant clarify the ground cover types and the curve numbers used.



- 27. The modeling of the stormwater basins does not appear to directly correlate to the plans. We note the following:
 - a. The berm elevation of each basin noted in the tabular detail is not reflected on the plans with contours or spot elevations. We request that the Applicant add all grading notations relative to spot elevations, etc. to the plans so that basin construction will meet the design.
 - b. For basin F-3, the bottom elevation of 159-ft is not depicted on the plans. We request that all grading information be added to the plans.
 - c. For basins R-1, R-2, R-3, F-3 and F-4, the outlet elevation is multiple feet below the basin bottom. We request that the Applicant clarify the design intent and elevations of the basin outlets.
 - d. For basins F-2, F-3, R-3, the length of the outlet pipe does not appear to correlate to the plans. We request that the modeling be revised accordingly.
 - e. For basin F-2, F-1, the downstream outlet pipe invert does not correlate to the plans. We request that the Applicant revise the modeling accordingly.
- 28. Only one (1) of the seven (7) proposed stormwater basins is depicted with an emergency spillway. This is critical infrastructure to direct overflow if the outlet control structure is overtopped during a storm event. We further note that the emergency outlets from the outlet control structures appear to be set at elevations below the berm elevation, indicating that overflow water would cycle back into the basin. All stormwater basins should be designed with emergency spillways and the design intent for all outlet control structures and overflows be clarified.
- 29. The design intent of drainage system is unclear. In multiple circumstances, catch basins are proposed in a chained configuration as opposed to discharging the drain manholes. The Handbook outlines that flow directed through catch basin structures provide the opportunity for resuspension of collected sediments. All inlets should be designed "off-line" in accordance with the Handbook to receive TSS removal credit. We request that the Applicant clarify the design intent of the drainage system and incorporate drain manholes to prevent the resuspension of sediments.
- 30. The design of the level spreaders is unclear. The plans have letter designation for the level spreaders ("B", "C", etc.). However, only a single standard detail is provided. We request that the Applicant clarify the design intent of the level spreaders and provide additional details or tabular information as applicable to ensure that the dissipation of flows and reduction of velocities meets Standard 1 of the Regulations "No new stormwater conveyances (e.g., outfalls) may...cause erosion in wetlands...".



- 31. The Applicant has not provided hydraulic pipe sizing information for the Project. We request that the Applicant document that proposed hydraulic systems will adequately convey runoff to the stormwater management basins for the design storms; the analysis should include the capacity of inlets to ensure that flow is captured without bypass during the design storms.
- 32. Though it appears the intent of the Project is to be executed in a continuous manner, phasing plans for the development are provided. Though broken into development "phases", it appears that all the stormwater management infrastructure for the entirety of the Project will be installed in Phase 1. We request that the Applicant clarify the design intent for the phases and how installed stormwater management infrastructure will be monitored and maintained in non-active phases of the development.
- 33. Based on the information provided in the NOI and the plan set, it appears that the bridge crossing meets the Optimal Standards for the MA River and Stream Crossing Standards. However, please refer to Comment No. 9 which requests further confirmation as to how bankfull width was determined.



B+T is available to attend the next Conservation Commission public hearing, upon request, to present the results of our review and be available for discussion regarding the comments listed herein.

We thank you for the opportunity to assist the Town of Easthampton with the review of this Project. Should you have any questions, please do not hesitate to contact our office.

Sincerely,

BEALS AND THOMAS, INC.



Matthew Cote, PE, SITES AP, ENV SP Senior Civil Engineer

Audrem Dorman

Andrew Gorman, CESSWI Senior Environmental Planning Specialist

AMG/MC/pat/shm/aak/344500LT001



ATTACHMENT B



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ENVIRONMENTAL ECOLOGICAL WATER CONSTRUCTION MANAGEMENT

1350 Main Street Suite 1400 Springfield, MA 01103 T: 413.726.2100 F: 413.732.1249 www.gza.com January 19, 2023 15.0167035.00

Easthampton Conservation Commission Attn: Ms. Cassie Tragert, Agent 50 Payson Avenue Easthampton, Massachusetts 01027

Re: Wetland Restoration Plan 93-97 Northampton Road Easthampton, MA

Dear Commission Members,

On behalf of the Applicant, Tasty Top Development, LLC, GZA is providing this restoration plan as requested by the Conservation Commission for fill located in a Bordering Vegetated Wetland (BVW) along a discrete segment of the eastern property boundary.

In addition, The Applicant also altered two location down gradient of BVW restoration area. The proposed project has development planned for these two locations within the 100-feet Buffer Zone; therefore, these areas will not be restored as part of the overall project. The smaller of the two Buffer Zone alteration areas will be developed with landscaping and turf grass. Therefore, additional restoration of these areas is not proposed and the current site conditions are stable and erosion has not been observed to date.

Following a wetland Peer Review of the area of concern (Restoration Area B), GZA has prepared this restoration plan to reestablish native wetland vegetation and remove excess fill that will result in the hydric soil layer being 12 inches or less from the soil surface.

We note that much of the proposed restoration area is for a BVW that has been part of a managed agricultural field and the wetland area partially contained woody vegetation in the form of shrub and tree species.

Wetland Restoration Plan

- Remove up to 4 inches of topsoil throughout the altered BVW and reposition elsewhere on-site within non-jurisdictional areas. The objective to have no more than 12 inches of soil above the hydric soil layer that is currently 16-17" below the ground surface.
- 2. Install thirty (30) woody plantings (**Table 1**) to be randomly placed throughout the restoration area. The proposed plantings are native species to Hampshire County and should restore the lost wildlife habitat value associated with the BVW.
- 3. Place straw mulch around the stem of each woody planting to include a 2-feet diameter mulch ring around each woody planting.





Common Name	Scientific Name	Type/size	Qty
Silky Dogwood	Cornus amomum	Cont./3-4 ft.	9
Pussy Willow	Salix discolor	Cont./3-4 ft.	12
Red Maple	Acer rubrum	Cont. 5-6 ft.	9
		Total	30

Table 1: Restoration Area Planting Schedule

Post-construction

- 1. For two (2) growing seasons following to completion of Restoration Area B, the Applicant will have the Restoration Area monitored once each year for two years during the peak biomass period (e.g., July).
- 2. An annual summary report will be prepared and submitted to the Easthampton Conservation Commission. The report will be provided on or before November 30th of each of the two monitoring years following the completion of Restoration Area B. The report will include photographs of the restoration area and estimate the percentage of vegetation cover and invasive plants, if present. Corrective actions, if needed, will be recommended in the yearly report.
- 3. Success Criteria: 75% of the area must have viable wetland species and no more than 10% non-native, invasive plants.

If you have any questions regarding this summary letter, please contact our office.

Sincerely, GZA GeoEnvironmental, Inc.

Daniel M. Nitzsche

Daniel M. Nitzsche, CPESC, CESSWI, SE Senior Wetland Scientist



ATTACHMENT C



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ENVIRONMENTAL ECOLOGICAL WATER CONSTRUCTION MANAGEMENT

1350 Main Street Suite 1400 Springfield, MA 01103 T: 413.726.2100 F: 413.732.1249 www.gza.com July 25, 2022 15.0167035.00

Easthampton Conservation Commission Attn: Ms. Cassie Tragert, Agent 50 Payson Avenue Easthampton, Massachusetts 01027

Re: Restoration Plan for Temporary Bridge 93 Northampton Road Easthampton, MA

Dear Commission Members,

On behalf of Frank DeMarinis, owner, GZA is providing this restoration plan as requested by the Conservation Commission. A temporary bridge was placed over the intermittent stream to replace a pole bridge system that was in place when Mr. DeMarinis purchased the land in the fall of 2021. The Commission has requested the wetland alterations be restored based upon a site inspection to review the bridge and other discrete sections of the property.

As a result of the wetland resource delineation in and around the temporary bridge crossing, it was determined that a portion of the adjacent Bordering Vegetated Wetland (BVW) was altered due to the placement of fill material including a concrete culvert. The mitigate for the BVW alteration, this restoration plan seeks to restore the approximate plant assemblage as found in the unaltered BVW upon removal of the temporary bridge by October 31, 2022.

Wetland Restoration Plan

1. Remove temporary bridge and a filled section that extends approximately 12-14 feet west of the existing bridge structure. It is assumed that a portion of the BVW was filled including the installation of a concrete culvert. The fill material will be removed down to the buried topsoil layer (dark colored) as well as the culvert.

2. Once the culvert and fill are removed, six (6) woody plantings will be installed including three (3) Northern spicebush (*Lindera benzoin*) and three (3) silky dogwood (*Cornus amomum*). The shrubs will be 3-4 feet tall and be container grown. The remaining area will be covered by a straw mulch to reduce the chance for erosion. The herbaceous plants observed in the unaltered wetland including skunk cabbage, jewelweed, and hydrophytic grass are expected to re-establish once the fill is removed and the ground is exposed to sunlight. No seed is planned as the local populations are well adapted to the site conditions.

3. The restoration area will be monitored once annually (at peak biomass-July) for two growing seasons following the completion of the restoration area (first observation assumed to be in July 2023). A written report of our observations will be provided to the Commission by November 30th of each monitoring year. The report will include photographs of the



restoration area and estimate the percentage of vegetation cover and presence of invasive plants.

- 4. Success Criteria: 75% of the area must have viable wetland species and no more than 10% non-native, invasive plants.
- 5. A Conservation Seed Mix will be hand cast on both sides of the bridge crossing within the forested section and not within the open fields on the east and west sides of the crossing.
- 6. A 9" diameter straw wattle will be installed on the western side of the bridged crossing where the edge of the agricultural field ends before the access road enters the forest.

If you have any questions regarding this summary letter, please contact our office.

Sincerely, GZA GeoEnvironmental, Inc.

Daniel M. Nitzsche

Daniel M. Nitzsche, CPESC, CESSWI Senior Wetland Scientist



July 25, 2022 Wetland Restoration Plan for Temporary Bridge 93 Northampton Road, Easthampton, MA Page | 3

Exhibit A: Restoration Plan Activities



ATTACHMENT D



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ENVIRONMENTAL ECOLOGICAL WATER CONSTRUCTION MANAGEMENT

1350 Main Street Suite 1400 Springfield, MA 01103 T: 413.726.2100 F: 413.732.1249 www.gza.com May 23, 2023 15.0167035.00

Easthampton Conservation Commission Attn: Ms. Cassie Tragert, Agent 50 Payson Avenue Easthampton, Massachusetts 01027

Re: Proposed Invasive Species Mitigation Plan 93-97 Northampton Street Easthampton, MA

Dear Commission Members,

On behalf of Tasty Top Development, LLC, GZA is providing this invasive species mitigation plan as required by the Easthampton Conservation Commission ("Commission"). A temporary bridge was placed over the intermittent stream to replace a pole bridge system that was in place when the owner purchased the land in the fall of 2021.

At the April 10, 2023, Commission meeting, Tasty Top Development, LLC was required to provide an invasive species management plan ("Plan") that would compensate for the Commission allowing the existing bridge to remain in place past a previously required removal date of October 31, 2022. The Plan provides substantial management of invasive plant species in proximity of the existing and proposed bridge crossings over the intermittent stream. A site plan has been developed (Sheet R-1) and included to depict the extent of the approximately 1.8 AC invasive species management area (ISMA).

Existing Conditions

The approximate ISMA is located upstream and downstream of the existing and proposed bridge crossings and includes a forested riparian area and shrub understory associated with the intermittent stream. The ISMA is targeting non-native invasive plant species that are principally within the upland community adjacent to the stream but may include individuals within portions of the wetland resource along the stream.

The target species includes:

- 1. Tartarian Honeysuckle (Lonicera tartarica)
- 2. Oriental Bittersweet (Celastrus orbiculatus)
- 3. Winged Euonymus (Euonymus alatus)
- 4. Multiflora Rose (Rosa multiflora)
- 5. Garlic Mustard (Alliaria petiolate)
- 6. Japanese Barberry (Berberis thunbergia)



May 22, 2023 Invasive Species Management Plan 93-97 Northampton Street, Easthampton, MA Page | 2

Methodology

Tasty Top Development, LLC is proposing to removal the woody target species by hand cutting methods that may include a handheld motorize brush cutter that cuts the vegetation to within 3 inches of the ground surface. The Commission confirmed this invaisves removal work is not dependent on permitting related to the 2022 NOI to be completed before being started. The Commission requires that this invaisves removal work begin immediately of the project review and permitting process we are unable to select a specific time period for

implementation of the Plan. However, the general intent would be to remove the vegetation during the active growing season when all species are more clearly identifiable to improve the removal success. We request that the Commission condition its approval of the Plan to allow the applicant provide notice to the Commission at least 72 hours in advance of implementation.

The expected results of invasive species removal are other species begin to increase growth due to lower competition for water, food, and sunlight resources. The potential return of the invasive plants is greatly reduced as the remaining plants expand their aerial extent.

General Work Sequence

- 1. The target species will first be marked to facilitate a substantially complete removal effort.
- 2. The vegetation will be cut flush or within 3 inches of the ground surface.
- 3. The cut vegetation shall be removed from the ISMA and disposed of outside of areas subject to the Wetlands Protection Act regulations. The Commission confirmed with Dan Nitzsche at the 5/22/2023 meeting, that no cut invasive plant material will be left on site.

It may either be burned on site (if appropriate other permitting is obtained) or removed from the site to an appropriate upland location where it will not be allowed to spread further.

Monitoring

Depending upon the completion date of the vegetation removal effort a follow-up observation of the entire ISMA shall be conducted within by an individual with experience and knowledge of invasive plant identification.

A single observation of the ISMA will be conducted in the first growing season following the completion of the vegetation removal or as agreed upon with the Commission. A field report will be provided to the Commission to document the conditions of the ISMA.

Success Criterion

As required by the Conservation Commission, the success criteria for the ISMA includes the removal of 90% of the target species listed above. If the 90% goal is not met, the applicant will implement a second cutting of target species to reduce the overall invasive plant population within the ISMA.



If you have any questions regarding this Plan, please contact our office.

Sincerely, GZA GeoEnvironmental, Inc.

Daniel M. Nitzsche

Daniel M. Nitzsche, CPESC, CESSWI, SE Senior Wetland Scientist





ATTACHMENT E

CITY OF EASTHAMPTON CONSERVATION COMMISSION 50 Payson Avenue, Easthampton, MA 01027 www.easthamptonma.gov

MEPA Review ENF Comment Letter RE: Sierra Vista Commons – EEA No. 16729 – 93, 95, 97, Northampton Street

Attachment E: Compilation of Written Public Comments Received

The following is a compilation of all written public comments received as part of the public hearing process for this application. The comments are provided in their entirety as originally received by the Commission. Each comment was read at a subsequent meeting of the continuation of the public hearing process and recordings of each meeting are available upon request. The comments are also ordered by the date they were received by the Commission from oldest comments to the most recent comments. Please contact the Conservation Agent with any questions.

Respectfully,

Cassie Tragert

Cassie Tragert Conservation Agent



Cassie Tragert <ctragert@easthamptonma.gov>

Sierra Vista Commons stormwater observations

Robert Peirent <rpeirent@gmail.com>

Thu, Dec 8, 2022 at 12:40 PM

To: Cassie Tragert <CTragert@easthamptonma.gov> Cc: Dan Murphy <dmurphy@easthamptonma.gov>, "Dan R. Buttrick" <drbuttrick@tighebond.com>, Julie Busa <julie busa@me.com>

Cassie - I just received your email regarding the Commission meeting on Monday night. I've had a chance to take a brief look at the documents that were submitted to support the project and have made the following observations. Please note that these observations are not intended to be an exhaustive review of the documents. They should still be reviewed in detail by the City's technical staff or an outside consultant retained by the Commission. If you have any questions regarding my observations, please let me know.

I am not planning to attend this Commission meeting since I believe my observations are clear enough to be understood by the Commission without further explanation. Feel free to forward them to the applicant. Note, I am not advocating for or against this project, but if it is approved it is important that it fully complies with City, state and federal stormwater requirements and is protective of public safety, public health and the environment.

1. No test pits or test borings were completed on the property to the east of the intermittent stream to confirm the published soil information as well as to gather information needed for the design of the proposed stormwater management facilities.

2. Logs are provided for eight test pits that were completed on the west side of the intermittent brook but no information is provided regarding the date, weather conditions, name or qualifications of the evaluator.

3. Figures 1 & 2, Pre and Post Development Sub Catchment Plans are missing from the stormwater report.

4. Section 1. A. references use of underground infiltration trenches for the building roof drains. This does not appear to be consistent with other language in the report and is not shown on the design plans.

5. It is stated in Section 1. B. that the subject property was previously developed with approximately 67,880 ft.² of building area. This does not appear to be correct.

6. The hydrologic soil groups listed in Section I. B. of the stormwater report should be reviewed and confirmed. The text references the soil report for Berkshire County not Hampshire County. I was able to track down a copy of the soil report for Hampshire County, Central Part (Amherst area) which indicates that the Scitico and Boxford soils are Group C not Group D. This is important because it factors into whether or not stormwater infiltration is practicable as well as significantly impacting the pre-and post runoff analyses.

City of Easthampton Mail - Sierra Vista Commons stormwater observations

7. There is no technical data to support the statement in Section D. 1. "All soils on site should be classified as HSG D". There is a statement that the soils were found to be "silt loams and compacted fine sandy loams". USDA would typically classify these soils to be Group B or C, not D. Grain size analyses or other laboratory testing should be completed to confirm the hydrologic soil group if not what is published by USDA. Visual observation alone should not be used to make this critical interpretation. Volume 3 of the Massachusetts Stormwater Handbook includes a detailed discussion of what is required to demonstrate compliance with handbook requirements as well as soil investigation and evaluation requirements.

8. Compliance with stormwater Standard 3 - Recharge is still required to the "maximum extent practicable" for sites with group C & D soils. Presence of Group C or D soils does not waive this requirement.

9. In Section IV. it is stated that the phosphorus removal requirements of Standard 4 are complied with by use of the detention basins to retain stormwater. Detention basins do not retain stormwater, instead they detain stormwater and may release it at a reduced flow rate. The City and EPA requirement to retain 1 inch of runoff as a means of achieving treatment has not been complied with. Either phosphorus treatment will need to be provided, or stormwater retention facilities such as permeable paving to infiltrate stormwater will need to be provided. Note, the EPA requirement cannot be waived by the City without the risk of noncompliance with the City's MS4 permit.

10. There are a few inconsistencies between the data presented in Table 5 in Section III. E. and the HydroCAD printouts. The conclusion that the peak rate of runoff is reduced through the use of numerous detention basins appears to be correct. Note, given the significant number of detention basins proposed to be in close proximity to dense residential development, it may be prudent to require fencing to protect public safety as well as careful review of the soil conditions in the detention basin areas to ensure that they will not retain water and lead to mosquito and other public health issues. Also, provisions for maintaining the detention basins should be incorporated in the project design.

11. Section III. E. states that the Easthampton requirement to maintain or reduce runoff volumes has been complied. Tables 8 and 9 present information that appears to support this statement. I reviewed the HydroCAD printouts provided with the stormwater management report and could not locate the source of the post-development data that is contained in these tables. Instead, the data that I found suggested that post-development runoff volumes would increase significantly as a result of the project. This is what I would expect given that the project will significantly increase the impervious area on the site and no stormwater infiltration facilities are proposed.



Conservation Shared <conservation@easthamptonma.gov>

Sierra Vista Commons - map showing ecological context

gerrit <gerrit@crocker.com> To: conservation@easthamptonma.gov Mon, Dec 12, 2022 at 6:33 PM

Dear Chair Busa:

Some of the development elements under the jurisdiction of the Conservation Commission ultimately impact surrounding areas. For this reason, it is important to consider resources beyond the boundaries of the development parcel.

Please find attached a map showing the footprint of the proposed Sierra Vista Commons development relative to wildlife, fish, and plant habitat identified in the recently released BioMap 3.

This was prepared using the proponents' site plans translated from PDF into image form, and then introduced into GIS and transformed to the best of my ability so they would overlay on to aerial photos. The accuracy of that transformation may be less than perfect.

However, the map should be sufficient to illustrate the point that the proposed project will have impacts upon surrounding natural areas, including Pascommuck Conservation Trust's Ed Dwyer Conservation Area.

Thank you for your consideration. Please let us know if you have any questions.

Sincerely,

Gerrit Stover, volunteer conservation advisor Pascommuck Conservation Trust



Tasty Top - Cons. Comm. background map - 12-12-2022.pdf 265K

Sierra Vista Commons - Environmental context



Pascommuck Conservation Trust 12-12-2022



Conservation Shared <conservation@easthamptonma.gov>

June 13th Conservation Commission Meeting

sam nelson <marine0331mos@gmail.com> To: Conservation Shared <conservation@easthamptonma.gov>

Mon, Dec 19, 2022 at 5:08 PM

So in anticipation for tomorrow night's meeting I took pictures of the "vernal pools" again. The did a poor Job of destroying them. They are refilling.

[Quoted text hidden]

5 attachments





20221219_155925.jpg 4426K











Conservation Shared <conservation@easthamptonma.gov>

June 13th Conservation Commission Meeting

sam nelson <marine0331mos@gmail.com>

Tue, Jan 3, 2023 at 6:27 PM

To: Conservation Shared <conservation@easthamptonma.gov>

I will do my best o b a he meeting on the 9th but I am having surgery on the 5th and I'm not sure how I'll be feeling after that. So I am attaching some Google maps screen shots that show the size and location of the largest of the pools destroyed. I believe these satellite photos are from winter 2021-2022. I say this because looking at my house in the shots my truck is parked in front of my house that I purchased June 2021. The pool is circled in one photo. The others have the distance legend under the pool to show the actual size whi h I believe was 170 feet long. Not small!

4 attachments



Screenshot_20230103-040835_Maps.jpg 549K



Screenshot_20230103-042111_Maps.jpg 1414K



Screenshot_20230103-041011_Maps.jpg 1087K


Screenshot_20230103-040920_Maps.jpg 1131K



Latest in the area...





Latest in the area...









Starbucks drainage design

1 message

Robert Peirent <rpre>rent@gmail.com>
To: Cassie Tragert <CTragert@easthamptonma.gov>
Cc: Dan Murphy <dmurphy@easthamptonma.gov>

Wed, Jan 4, 2023 at 12:27 PM

Cassie Tragert <ctragert@easthamptonma.gov>

Cassie - I don't think that this project required approval from the Conservation Commission but it's interesting to note that this project was able to incorporate permeable pavers and a rain garden in their project design. I would expect conditions at this site to be similar to the Tasty Top site.

See Sheet 4 from the Starbucks plans.

Bob Peirent



Sierra Commons project phasing impacts on stormwater and utilities

Robert Peirent <rpeirent@gmail.com>

Sun, Jan 8, 2023 at 12:37 PM Ci. Jeffrey Bagg </br>

As I continue to dig my way through the plans, I continue to uncover issues that have not been fully thought through.

The applicant's phasing plan does not account for the need to construct stormwater, water, and wastewater systems to support each phase when these systems are located in a future phase.

For example, before any buildings in Phase 1 can be put in use, the new sewer line extending down to the City's interceptor line must be constructed. This new sewer line extends all the way through Phase 4, past proposed apartment building #8, across property owned by Seltzer to the city's easement. Any clearing, regrading, and other site impacts proposed as part of the construction of this new sewer line should be shown as part of the Phase 1 construction and erosion control plans. If not, the Phase 1 limits of as they are currently shown on sheet P-1 as well as the phased erosion control plans are incorrect and very misleading. In addition, interim restoration of all disturbed areas should be shown, since it could be several years or longer before the following phases are constructed.

Another example is the stormwater system proposed to serve Phase 1. There are several catch basins shown along the project access road to be constructed as part of Phase 1 that connect to a stormwater system to be constructed as part of Phase 4 of the project. For these catch basins to function, either the stormwater facilities proposed as part of Phase 4 must be completed as part of Phase 1, or the Phase 1 stormwater system needs to be re-designed so that that these basins will connect to a stormwater system that will be constructed as part this phase. If the later option is chosen, the design of this system will need to be modified to account for the increased stormwater rates and volumes. A similar issue exists with the Phase 2 stormwater design. Apartment building #1, which is proposed to be constructed as part of Phase 2, is shown to be connected to a stormwater system that won't be constructed until Phase 3. Note, these are just some of the phasing issues that I have found, I expect there may be more.

Lastly, compliance with city, state, and federal stormwater requirements should be demonstrated for every phase of construction. If not, and the project does not move forward to a subsequent phase, these requirements will not have been met. A project of this size will likely be phased over quite a few years with project proponents that may change over the duration of project construction. Unless the city requires a performance bond, irrevocable letter of credit or other type of binding financial surety to ensure that stormwater systems are constructed, long term compliance may not be achieved.

I have provided these and prior comments with the hope that they will be further evaluated by the city and brought to the attention of the applicant to be addressed in their next submittal. This may reduce the need to rework this submittal at a later date.

If you have any questions, I would be very willing to meet with you to discuss what I have presented above.

Thank you

Bob Peirent Sent from my iPhone



Conservation Shared <conservation@easthamptonma.gov>

Sierra Vista Commons - map showing ecological context

gerrit <gerrit@crocker.com>

Mon, Jan 9, 2023 at 11:57 AM

To: Conservation Shared <conservation@easthamptonma.gov> Cc: Tom Lautzenheiser <tlautzenheiser@massaudubon.org>, Marty Klein <forager2@gmail.com>

Hi, Cassie,

thanks for the update on the schedule.

I'm curious -- have you or other planners had any contact with Natural Heritage (or other EOEA branches) regarding this project and MEPA review? Jesse Belcher-Timme said that one has started, but someone else has said there is no evidence that a file has been opened.

The applicant asserted that Natural Heritage had reviewed and signed off on regulatory habitat, but we haven't heard anything concerning a MEPA-level assessment of impacts on other habitat & wildlife. Knowing now that the Manhan is a designated cold-water stream makes us wonder what might transpire.

I understand there is also a CC site visit happening at some point. I'll generously volunteer Tom Lautzenheiser or Marty Klein to accompany the commissioners and provide, if asked, information about habitat and impacts on the site -- though we do understand the CC purview is limited by state law.

We've had considerable discussion about the allegedly 'intermittent stream' and what would confirm its status as intermittent or perennial. Anecdotal evidence from neighbors certainly suggests that it is perennial. It was certainly running during our June 2011 land trust visit to its confluence with the Manhan on the Seltzer/Mill Street property.

Happy New Year, to you, too -- of course!

Best,

Gerrit

On 1/5/2023 3:46 PM, Conservation Shared wrote:

Hello again,

Happy New Year! As an update, the applicant for the project has requested to continue the Commission's review to the next meeting scheduled for Monday, January 23rd as they are still generating their response to the comments/additional information requested at the December 12th meeting. As a result, the Commission will not be discussing this item as originally scheduled on Monday, January 9th. You're of course still welcome to attend on the 9th, though the Commission likely won't choose to open the hearing to public comment that evening and will just immediately continue the hearing administratively to the 23rd without discussion of the project.

I have included the final agenda in case you do decide to attend on the 9th anyways. Please note that while online attendance remains available, the in-person location has been changed to the 2nd Level (top floor) meeting area (same as where the Planning Board has been meeting) to accommodate any possible increase in in-person attendance. The updated meeting access option information is as follows:

In-Person: City Municipal Offices 50 Payson Ave, Easthampton, MA 01027 2nd Level (Top Floor) Main Meeting Area

Online Via Google Meet:
__Date/Time_: January 9, 2023 0:6:00 PM
__Meeting Link_: https://meet.google.com/gge-aekk-yhr <https://meet.google.com/gge-aekk-yhr>
__Meeting ID_: gge-aekk-yhr
__Dial-In #_: 1-914-893-5697
__PIN_: 756 395 863#

Please let me know if you have any questions and I'll be in touch again the Thursday before the January 23rd meeting with the final agenda/access details.

Thanks,

On Tue, Dec 13, 2022 at 11:01 AM Conservation Shared <conservation@easthamptonma.gov <mailto:conservation@easthamptonma.gov>> wrote:

Hi Gerrit,

Thank you for taking the time to attend last nights meeting and for presenting your comments. I will reflect them in the minutes from the meeting as well. Thank you also for this follow-up and the map. I have added both to the file and plan to present them at the continuation of this hearing on the 9th. I can read you message and present the map on your behalf, or your welcome to speak again if you'd like. I'll be in touch the Thursday before the meeting with the final agenda and meeting access information in case you choose to attend. Please let me know if you have any questions or other comments.

Thanks and I hope you have a nice holiday!

On Mon, Dec 12, 2022 at 6:33 PM gerrit <gerrit@crocker.com [Quoted text hidden] -- *Cassie Tragert, Conservation Agent* Easthampton Conservation Commission 50 Payson Avenue Easthampton MA 01027 Office Hours: 9:00am - 4:30pm Mon - Thurs

Cassie Tragert, Conservation Agent [Quoted text hidden]

Phone: 413-529-1463



Sierra View Commons submittal

Robert Peirent <rpeirent@gmail.com>

To: Cassie Tragert <CTragert@easthamptonma.gov>

Thu, Jan 19, 2023 at 4:35 PM

Cassie

Thanks for the heads up!

I may sign in remotely, but will be out of town on Monday night.

It does not appear that any updated materials have been submitted to date. Is that correct?

I spent a little more time looking at the latest submittal and estimate that more than one and a half acres of property could be added as open space if the detention basins were constructed as underground concrete chambers instead of open basins. This has become a typical practice, particularly when land area is limited. If this was done, the basins could be located in the parking areas or roadway, and the overall limit of clearing could be reduced in the area of the basins. alternatively, the concrete structures could be located where are the proposed detention basins are shown and the area could be graded level and planted above the basins. Instead of having wet, fenced off areas that can become an eyesore and health hazard, the space allocated to the detention basins could become a resource available to the residents of the project.

Just a few more thoughts for consideration.

It does not appear that the site visit has been rescheduled, is this correct?

Thanks again! Bob Peirent

Sent from my iPhone [Quoted text hidden]



Conservation Commission Agenda - 1_23_2023.pdf 427K



Sierra View Commons submittal

Robert Peirent <rpeirent@gmail.com>

Thu, Jan 19, 2023 at 4:57 PM

To: Cassie Tragert <CTragert@easthamptonma.gov> Cc: Julie Busa <julie_busa@me.com>

It would be very disappointing if the applicant brings revised plans to the meeting and does not provide any opportunity for the public, city staff, or commission members to review them in advance. If that happens, I am hereby requesting in that the commission not close the public hearing until at least the next meeting.

The documents submitted to the commission serve as the public record of the applicant's submission and are ultimately more important than any presentation that the applicant may make at the meeting. If the project is approved, they will ultimately be what is on file with the city and combined with any conditions that the commission issues will be the standard that the applicant is held to in determining whether or not compliance has been achieved.

Thanks again!

Sent from my iPhone [Quoted text hidden]

January 19, 2023 12 Plymouth Ave. Easthampton,

Julianne Busa, Chairperson And to other members of the Conservation Commission,

I am a lifelong resident of Easthampton & my husband & I purchased our home, on Plymouth Ave. back in 1970, 53 yrs. ago. The recent proposed plans submitted to you, by a Westfield Developer for the Tasty Top Site on Northampton St. have concerned us in many ways. Our first impression, as is for many in the Community, is: What is he thinking, putting all that he has planned on that beautiful property? A bit "Over the Top!" Especially with the wetlands that exist there, which all leads back to the Manhan River! And the big problem of the huge increase in traffic on Rte. 10, just from the two "Roots" buildings alone! Never mind everything else he wants to build! We have trouble getting out of Colonial Ave. now onto Rte. 10! I have heard personally from a friend, how she took her two kids to Summer "Camp" at the Roots in Westfield and the traffic in & out was very busy.

What has us most concerned is what we have been told about the reputation of "Sage Engineering." The Owner or Project Engineer, we were told (by a friend who lives in Westfield), has a "Tough" reputation for "Doing what he wants," and "Saying what people want to hear," then not adhering to the rules & regulations that were put forth or that he promised to do. That said, you may want to ask around or investigate the developers' reputation, you might find it illuminating! Granted, our City needs "Affordable Housing," and many are cheering the developer for saying that he will build them! How & who will hold him to that? Is he just using that terminology knowing that's his ticket to getting what he chooses to do!

You may not be able to consider reputation or past misdeeds as you review this project, but you should know that they exist. The things we were told, that he did, does not give us confidence and does not paint a good picture of a developer that we want involved in any project in our community. Let alone the damage that he could do to a beautiful property and most especially the Manhan River which abuts this property in the rear. One of the things we were told was, that he was told to not take down specific trees at a project in Westfield, and he took them down anyway! Another worry we have: This whole neighborhood, which that property is part of, from Highland Ave., the land slopes gently down all the way to Mill St. & the Manhan River, and many of the older homes, including ours, get water in the basements with rain storms. We fear that if the proposed Tasty Top project goes forward with all that he wants to put in there, hardscaping most of the land, that our "Water in the Basements" problem will be greatly increased! I feel like I have to speak to as many people as possible.

Thank-you for your consideration,

Sincerely,

Lucille & Larry Kostek

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Julianne Busa, Chairperson And to other members of the

I am a lifelong resident of I back in 1970, 53 yrs, ago. The the Tasty Top Site on Northam many in the Community, is: W property? A bit "Over the Top the Manhan River! And the bi "Proces? buildings along! Nor (cover a two, coto Ris. 1

Mr. and Mrs. Larry Kostek 12 Plymouth Ave Easthampton, MA 01027

20 JAN 2023 PM 5

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What has us most concerned The Owner or Project Engine reputation for "Doing what he rules & regulations that were around or investigate the dev needs "Affordable Housing," How & who will hold him to what he chooses to do!

You may not be able to co should know that they exist. not paint a good picture of a alone the damage that he cou abuts this property in the rea specific trees at a project in V This whole neighborhood, V

wates to the basements with with all that he wants to put problem will be greatly inco

Thank-you for your cons

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Updated comments - Sierra Commons project phasing impacts on stormwater and utilities

Robert Peirent <rpeirent@gmail.com>

Mon, Feb 6, 2023 at 3:36 PM .gov>. Eli Bloch

To: Jeffrey Bagg <JBagg@easthamptonma.gov>, Daniel Murphy <DMurphy@easthamptonma.gov>, Eli Bloch <ebloch@easthamptonma.gov>, Greg Nuttelman <GNuttelman@easthamptonma.gov>, Cassie Tragert <CTragert@easthamptonma.gov>

I am providing these comments in response to the phasing plan included in the 1–31-23 resubmission as well as to reiterate my previous comments re phasing (see below). These comments apply to both planning board and conservation commission submissions.

The phasing plan contained in the resubmission is a step towards identifying improvements located in a future phase that may need to be constructed as part of an earlier phase of development. These include some of the roadway, stormwater, sewer, and water improvements. However, the information shown on the plan is very limited, and does not depict the full scope of work that would be necessary to construct a particular improvement. The clearest example of this is the sewer line that will cross through the phase 4 area to connect to the city's existing interceptor sewer. Portions of the sewer line will be constructed in fill and parallel a steep slope and intermittent stream. It is very likely that the applicant will complete at least a portion of the proposed clearing and regrading in this area when the sewer line is being constructed. As I noted in my previous comments, the clearing and regrading should be clearly shown on the phase 1 plans if the work is going to be completed as part of that phase. If not, the city will be left guessing what is going to be completed as part of phase 1 and what will be left for phase 4. Also, it is imperative that the site be stabilized and revegetated at the conclusion of phase 1 since it will likely be at least several years before phase 4 is completed.

Once the scope of work to be completed as part of phase 1 is fully defined on the plans, a sediment and erosion control plan specific to these improvements will need to be developed. The S & E plan for phase 1 does not currently show the sewer line and detention basin construction that is proposed to be constructed as part of phase 1 so there is no way to determine whether or not what will the applicant may propose to do during phase 1 is acceptable.

As I noted previously, I realize that phased project like this are very complicated to review and approve. However, requiring the applicant to provide more information during the approval process can help to reduce the potential for future surprises and disputes.

What I am suggesting is doable and has been done by applicants before. We went through a similar process for the Holyoke Landing project a couple of years ago. That is the development on the Holyoke Mall access road across from Barnes & Noble. It was proposed to be constructed in 3 phases, of which 2 are now complete. The third phase, located at the rear of the site, may never be constructed but it is stable and can stay as is forever if needed. Most of the site utilities and roadway were constructed as part of phase 1 along with rough, grading, stabilization and revegetation of the phase 2 and phase 3 areas. This approach also greatly simplified the certificate of occupancy issuance process since it was clear what work be completed as part of each phase and once it was done, a full CO was issued for that phase.

Please let me know if you have any questions.

Thanks Bob Peirent

Sent from my iPhone

> On Jan 8, 2023, at 12:37 PM, Robert Peirent <rpeirent@gmail.com> wrote:

> As I continue to dig my way through the plans, I continue to uncover issues that have not been fully thought through.

> The applicant's phasing plan does not account for the need to construct stormwater, water, and wastewater systems to support each phase when these systems are located in a future phase.

>

City of Easthampton Mail - Updated comments - Sierra Commons project phasing impacts on stormwater and utilities

> For example, before any buildings in Phase 1 can be put in use, the new sewer line extending down to the City's interceptor line must be constructed. This new sewer line extends all the way through Phase 4, past proposed apartment building #8, across property owned by Seltzer to the city's easement. Any clearing, regrading, and other site impacts proposed as part of the construction of this new sewer line should be shown as part of the Phase 1 construction and erosion control plans. If not, the Phase 1 limits of as they are currently shown on sheet P-1 as well as the phased erosion control plans are incorrect and very misleading. In addition, interim restoration of all disturbed areas should be shown, since it could be several years or longer before the following phases are constructed.

> Another example is the stormwater system proposed to serve Phase 1. There are several catch basins shown along the project access road to be constructed as part of Phase 1 that connect to a stormwater system to be constructed as part of Phase 4 of the project. For these catch basins to function, either the stormwater facilities proposed as part of Phase 4 must be completed as part of Phase 1, or the Phase 1 stormwater system needs to be re-designed so that that these basins will connect to a stormwater system that will be constructed as part this phase. If the later option is chosen, the design of this system will need to be modified to account for the increased stormwater rates and volumes. A similar issue exists with the Phase 2 stormwater design. Apartment building #1, which is proposed to be constructed as part of Phase 2, is shown to be connected to a stormwater system that won't be constructed until Phase 3. Note, these are just some of the phasing issues that I have found, I expect there may be more.

>

> Lastly, compliance with city, state, and federal stormwater requirements should be demonstrated for every phase of construction. If not, and the project does not move forward to a subsequent phase, these requirements will not have been met. A project of this size will likely be phased over quite a few years with project proponents that may change over the duration of project construction. Unless the city requires a performance bond, irrevocable letter of credit or other type of binding financial surety to ensure that stormwater systems are constructed, long term compliance may not be achieved.

> I have provided these and prior comments with the hope that they will be further evaluated by the city and brought to the attention of the applicant to be addressed in their next submittal. This may reduce the need to rework this submittal at a later date.

> If you have any questions, I would be very willing to meet with you to discuss what I have presented above.

> Thank you

>

>

>

- > Bob Peirent
- > Sent from my iPhone



Sierra Vista Commons - revised stormwater design

 Robert Peirent <rpeirent@gmail.com>
 Mon, Feb 6, 2023 at 7:18 PM

 To: Cassie Tragert <CTragert@easthamptonma.gov>, Dan Murphy <dmurphy@easthamptonma.gov>, Greg Nuttelman

 <GNuttelman@easthamptonma.gov>

 Cc: Jeffrey Bagg <JBagg@easthamptonma.gov>, Julie Busa <julie busa@me.com>

Cassie - please see my comments on the revised submittal below.

Proposed stormwater detention and infiltration basin design - the revised stormwater analyses appear to generally meet applicable stormwater regulations. However, there are several design features that do not comply with the MA Stormwater Handbook. In addition, no design cross-sections of the proposed basins are provided. Additional design information should be provided.

The MA Stormwater Handbook indicates that infiltration basins should be located at least 50 feet away from slopes that are steeper than 15%. The basins shown on the plans do not appear to meet this requirement.

The infiltration basins have been raised above the groundwater elevations shown on the plans but groundwater seepage could still be a concern due to high groundwater and soil variability across the site. The infiltration basin design should include a provision for draining the basin as shown in the MA Stormwater Handbook.

The base of several of the proposed detention basins will be located well below the existing groundwater elevation shown on the plans, which will likely result in seepage into the basins. The MA Stormwater Handbook indicates that basins should not be located below the groundwater table.

Phasing of detention and infiltration basin construction - the project phasing plan has been revised to indicate that detention basins F-2 and F-3 will be constructed as part of phase 1 but no stormwater infiltration facilities are proposed to be constructed as part of this phase. Phase 2 will include construction of infiltration basin R-1 and detention basin R-3. The remaining basins, detention basin R-2 and infiltration basin F–1 will be constructed in phase 3 and phase 4, respectively. As currently proposed, the infiltration requirements for phase 1 and much of phase 3 will not be met until phase 4 is constructed. If all phases of the project are not constructed, the storm water infiltration requirements of previous phases will not be fully met. The applicant should be required to develop a phasing plan that demonstrates each phase will be in full compliance with stormwater regulations if the subsequent phases are not constructed. There is no problem providing greater detention and infiltration capacity as part of an initial phase, but there is a problem not providing enough capacity until a future phase.

City of Easthampton Mail - Sierra Vista Commons - revised stormwater design

Flow-thru catch basins - a number of the catch basins shown on the plans are designed as flow-thru basins instead of terminal basins. This will render the deep sumps in the basins ineffective as treatment measures. The piping design should either be revised so that all catch basins are terminal structures or the 25% TSS removal credit taken should be eliminated.

Basin outlet control schedule - the schedule and associated detail should be carefully reviewed and compared to the information contained in the stormwater report. There appear to be a number of items that don't fully match.

Open basins vs. subsurface basins – as mentioned previously, if the open detention and infiltration basins were replaced with subsurface basins and/or pervious pavement for infiltration, these features could be located in the areas proposed to be paved, freeing up a signification portion of the site as open space or other uses.

Please let me know if you have any questions.

Thanks

Bob Peirent



Sierra View Commons submittal

Robert Peirent <rpeirent@gmail.com>

To: Cassie Tragert <CTragert@easthamptonma.gov>, Julie Busa <julie_busa@me.com>

Fri, Feb 10, 2023 at 10:31 AM

Cassie

Thanks again for sending these along.

W/r/t the 2/6/23 response to comments, I checked the 1/31/23 plans and do not see the impermeable liner referenced in the response about basin setbacks.

Also, I do not see anything in the MA Stormwater Handbook that would allow this as a way to avoid the 50 ft setback from steep slopes.

Sent from my iPhone

On Feb 9, 2023, at 4:30 PM, Cassie Tragert <<u>CTragert@easthamptonma.gov</u>> wrote:

[Quoted text hidden]

4 attachments

- Response Letter MassDEP 2-6-23.pdf 86K
- Response Letter Perient-2-6-23.pdf 262K
- Response Letter Commission 2-6-23.pdf 2527K
- Conservation Commission Agenda 2_13_2023.pdf



Comments on Updated Sierra Vista Commons Plans provided to the Conservation Commission on 2/13/23

Robert Peirent <rpeirent@gmail.com>

Thu, Feb 23, 2023 at 2:34 PM To: Cassie Tragert <CTragert@easthamptonma.gov>, Dan Murphy <dmurphy@easthamptonma.gov>, Greg Nuttelman <GNuttelman@easthamptonma.gov>, Jeffrey Bagg <JBagg@easthamptonma.gov>, Julie Busa <julie busa@me.com>

Cassie

Please see my comments on the revised submittal below.

Updated Phasing Plans - the updated phasing plans shed a little more light on what project components are proposed to be included in each phase of construction but these plans are still lacking in a number of ways including:

As noted previously, the stormwater infiltration requirements for phase 1 and much of phase 3 will not be met until phase 4 is constructed. Due to the lengthy time interval between each phase of construction and possibility that not all phases are ultimately constructed, all stormwater requirements for each phase should be met or exceeded by the improvements that are proposed to be constructed in a current or prior phase. Compliance with stormwater regulations should not be allowed to be deferred to a future phase.

The limit of work/disturbance should be shown for each phase. This is needed to confirm that erosion and sedimentation control measures are designed correctly and located appropriately on the site. No site disturbance should be allowed outside the approved limit of work for each phase.

The applicant continues not to show any site disturbance/regrading along the route of the proposed sewer • line connection to the City's interceptor sewer. See the attached figure that illustrates at least one location where site regrading will be necessary to construct the proposed sewer line. There may be other locations where filling is needed or desired by the applicant as part of the sewer construction. As shown on this figure, the invert of the sewer line will be almost one foot higher than the existing grade. This means that the site at this location will need to be filled over 4 feet to construct the sewer line. This fill depth includes the fill required below the pipe, the pipe dimension, and a minimum of 3-feet of fill over the top of the pipe to prevent it from being damaged by frost heaving. Since this section of the sewer line is located along a steep slope only 40 feet from a mapped wetland resource area, accurately depicting the limit of site disturbance, providing proposed final grade elevations and confirming restoration requirements at the completion of this phase is critical to protecting this resource area.

2/23/23, 3:38 PM

City of Easthampton Mail - Comments on Updated Sierra Vista Commons Plans provided to the Conservation Commission on 2/1...

• Once the applicant has submitted phasing plans that better define the work and site disturbance to be completed in each phase, the applicant should develop erosion and sediment control plans that are consistent with the phased site improvement plans. As an example, the phased erosion and sediment control plan for phase 1 dated 1/31/23 do not show the proposed sewer line connection to the City's interceptor sewer or detention basin F-3.

Revised Sheet C-3.4 – Addition of a rain garden at rear of apartment buildings – it is a bit puzzling as to why the applicant has added this feature to the typical building layout since the rain garden is shown only receiving stormwater from the building roof leaders. Rain gardens are a stormwater treatment BMP per the MA Stormwater Handbook and roof drainage is typically not required to be treated. These features would be more beneficial if they are designed to receive a portion of the parking lot or walkway runoff instead of only roof runoff.

Please let me know if you have any questions.

Thanks

Bob Peirent

Proposed sewer figure SMH18 to SMH 19.pdf 524K

-29 G QB-31 26 B-30 3-280 OB-32 B-38 RMITTENT SMH-19 \ B-27℃ 6 SDR 35 Exist. Ground El. 153 +/-25+% Slope Prop. 8-in. Sewer Inv. 153.9 1 SS 25% Slope -Z: $\mathcal{S}_{\mathcal{C}}$ SMH-18 8" SDR 35 231 LF @ 2.5% 8* SDR-35 35 © 0.5% PR. TREELINE 87 LF @ 1.0% CLEANOUT-18 E urs (8) UE JE SS 18 UNIT 3-STORY APARTMENT SMH-19, Exist. Ground El. 156 +/-. . BU 100 FT Rim El. 154.0 Inv. In 151.0 SMH-18, Exist Ground El. 162.5+/-Rim El. 163.5 Inv. Out 156.8 1.0 Ś

PHASE 1 SEWER LINE CONSTRUCTION ALONG STEEP SLOPE AND WETLAND

Marty Klein 7 Stone Path Lane Easthampton, MA forager2@gmail.com

Re: Proposed development at 93, 95, 97 Northampton Street/Tasty Top

To the Conservation Commission:

I'm writing to express my concerns with you about additional environmental impacts that I expect to occur as a result of the proposed development. I don't believe these are addressed by the regulations, but would be significant nonetheless, based on the latest plan updates.

Once the project is fully built out, based on 2.5 people/unit, the residential population there will be approximately 500 people. I imagine that an unknown number of those people will say, Cool, there's a river in our backyard and will visit the sensitive riverfront areas behind the project to walk, party, litter, run their dogs, pick plants, go in the river and so on. For lack of a better term, I'm calling it the "knucklehead factor."

Based on my decades of experience with visitors at Pascommuck's properties around the City, I know the majority of people will be good citizens. But realistically, I'm anticipating hundreds (1000s?) of visitors a year to an environmentally sensitive area that has seen very few visitors for much of its history. I have little doubt that, as a result, the habitat in the riverfront area will be degraded. Unlike our other conservation areas, there will be no stewards, no rules. Not to be an alarmist, but within a few short years, the ecological value of that area will be severely diminished.

Is that the price we're willing to pay for whatever benefits the project will offer? That's a steep price. I certainly hope not.

I fully expect that a broad MEPA review will consider this in scope of their studies. I'm baffled as to why the applicant has not yet applied to MEPA (typically done very early in the process), as it will be triggered by their application for state funding and its connection to a state highway. However, I wanted to share my concerns in advance of that process.

In many ways, I feel that this proposal was not fully vetted before it saw the light of day owing to pressures to create more housing. I get that. But, for many years, in a variety of municipal documents our citizens have shown their support for open space and farmland protection, high density development, i.e. "Smart Growth" To date, this developer has shown little interest in protecting our natural resources and heritage. I have no reason to believe that will change unless we make that happen. We don't need "Dumb Growth" here.

Thank you for your dedication and hard work on our behalf.

Marty Klein

PS Given the sizable deer herd that frequents that area, the applicant's plan for protecting plantings in the wetland restoration areas with a thick layer of mulch, is bound to fail. Wire cages are needed, if those plantings are to survive.

Jim SELTZER & HOLLY PERRY 654 Amherst Road South Hadley, MA 01075 413-427-0655 e-mail: jamesseltzer@icloud.com

March 17, 2023

Cassie Tragert, Conservation Agent Easthampton Conservation Commission 50 Payson Avenue Easthampton MA 01027

Dear Members of the Conservation Commission

My wife and I own the property on 24 Mill St. Our property is adjacent to the parcel being considered for the Sierra Vista Commons. We are directly downhill from the proposed development. Our property has a single-family home and farm fields along the Manhan River

The massive scale of the development will forever dramatically ruin the nature of our property. What has been a quiet and rural location will be lost. Our property value will certainly be diminished. We recognize the need for affordable housing, but seriously question the need for this large of a development. While it would provide some affordable housing, the major part of the development is for other commercial and retail buildings and market rate apartments. We strongly urge you not to approve the application or require the developer to significantly downsize the project.

The proposed project essentially paves over acres and acres of open land that slopes directly onto our farm fields. It is impossible to imagine how this development will NOT substantially reduce our ability to farm the fields. It seems certain that pollutants from storm water runoff or leaching will end up on our property. In addition, increased saturation of our soil will make it impossible to get farm equipment onto the fields.

It also seems inevitable that the wildlife will be threatened. We regularly see bear, deer, coyote, bobcat, wood chucks, skunks, racoons, and our favorite "Charlie" the Blue Heron to name a few of the species. The fish ladder at the dam was installed to protect

fish swimming up the river, but this development is likely to decrease the water quality below the dam.

We request you consider the following steps:

1). Complete a reassessment of the storm water management design by an independent professional.

2). Complete a reassessment of the impact on wildlife from an independent professional.

(3). Require the developer to construct a fence along the length of our shared property line to limit public assess on our fields. We are concerned about trash blowing onto the fields and peoples' safety if they trespass onto our property when farm equipment is in use.

4). you cannot deny the application, please consider If withholding approval of the developer's Stage Four. This stage includes: 3 apartment buildings and 5 commercial, retail or mixeduse buildings. It represents approximately 45% of the total buildings proposed. Please consider requiring a separate approval process for Stage Four of the development that would only be considered for approval after the initial phases have been completed and occupied. This would still allow for the construction of the majority of the affordable housing units. This separate application for Phase 4 would allow the town to assess the impact of the initial development on traffic and the environment as well as assess the developer's compliance with the plans and maintenance of the systems.

We recognize that some of our requests maybe the domain of the Planning Board. This letter will be submitted to them as well. Thank you for your time and consideration.

Sincerely,

Jim Seltzer and Holly P

3/27



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City Engineer, Department of Public Works City of Easthampton MA 413-529-1423

3/27/23, 7:50 AM



Comments on Updated Sierra Vista Commons Plans provided to the Conservation Commission on 2/13/23

Robert Peirent <rpeirent@gmail.com>

Sun, Mar 26, 2023 at 12:32 PM

To: Cassie Tragert <CTragert@easthamptonma.gov>, Dan Murphy <dmurphy@easthamptonma.gov>, Greg Nuttelman <GNuttelman@easthamptonma.gov>, Jeffrey Bagg <JBagg@easthamptonma.gov>, Julie Busa <julie_busa@me.com>

Cassie

I have not had a chance to review the revised stormwater submittal but did look at the latest set of documents with a revision date of 3/13/23.

A few items of note, most that have been covered in one or more of my previous comment emails:

- The rain garden shown on Sheet C-3.4 has not been incorporated into the drainage, landscaping or grading plans so it is unclear what is intended by showing it on sheet C-3.4. Will it be installed at just one building, all buildings, how will it be incorporated in the overall design, etc.??
- The required grading at the sewer installation shown in the sketch that I attached to my previous is not reflected on the revised phasing plan. I don't see any way that this line can be installed as part of Phase 1 without completing at least a portion of the proposed regrading adjacent to the steep slope and wetland resource area. It should be shown so that adequate erosion control measures can be designed and reviewed.
- The proposed sediment and erosion control plans must be updated to match the proposed phasing plan and all site disturbance, clearing, regrading, etc. to be completed in each phase of work should be shown on these plans.

Please let me know if you have any questions.

Thank you

Bob Peirent

On Thu, Feb 23, 2023 at 2:34 PM Robert Peirent <<u>rpeirent@gmail.com</u>> wrote: [Quoted text hidden]



Seltzer project input

Robert Peirent <rpeirent@gmail.com>

To: Cassie Tragert <CTragert@easthamptonma.gov>, Julie Busa <julie_busa@me.com>

Sun, Mar 26, 2023 at 9:08 PM

See the 3/17/23 document that was submitted to the Planning Board.

https://easthamptonma.gov/DocumentCenter/View/5571/James-Seltzer-and-Holly-Perry-03_17_2023

Sent from my iPhone

James-Seltzer-and-Holly-Perry-03_17_2023.pdf 2015K

Jim SELTZER & HOLLY PERRY 654 Amherst Road South Hadley, MA 01075 413-427-0655 e-mail: jamesseltzer@icloud.com

March 17, 2023

Jeffrey Bagg, City Planner Easthampton Planning Board 50 Payson Avenue Easthampton MA 01027

Dear Members of the Planning Board:

My wife and I own the property on 24 Mill St. Our property is adjacent to the parcel being considered for the Sierra Vista Commons. We are directly downhill from the proposed development. Our property has a single-family home and farm fields along the Manhan River

The massive scale of the development will forever dramatically ruin the nature of our property. What has been a quiet and rural location will be lost. Our property value will certainly be diminished. We recognize the need for affordable housing, but seriously question the need for this large of a development. While it would provide some affordable housing, the major part of the development is for other commercial and retail buildings and market rate apartments. We strongly urge you not to approve the application or require the developer to significantly downsize the project.

The proposed project essentially paves over acres and acres of open land that slopes directly onto our farm fields. It is impossible to imagine how this development will NOT substantially reduce our ability to farm the fields. It seems certain that pollutants from storm water runoff or leaching will end up on our property. In addition, increased saturation of our soil will make it impossible to get farm equipment onto the fields. It also seems inevitable that the wildlife will be threatened. We regularly see bear, deer, coyote, bobcat, wood chucks, skunks, racoons, and our favorite "Charlie" the Blue Heron to name a few of the species. The fish ladder at the dam was installed to protect fish swimming up the river, but this development is likely to decrease the water quality below the dam.

We request you consider the following steps:

1). Complete a reassessment of the storm water management design by an independent professional.

2). Complete a reassessment of the impact on wildlife from an independent professional.

(3). Require the developer to construct a fence along the length of our shared property line to limit public assess on our fields. We are concerned about trash blowing onto the fields and peoples' safety if they trespass onto our property when farm equipment is in use.

4). If you cannot deny the application, please consider withholding approval of the developer's Stage Four. This stage includes: 3 apartment buildings and 5 commercial, retail or mixeduse buildings. It represents approximately 45% of the total buildings proposed. Please consider requiring a separate approval process for Stage Four of the development that would only be considered for approval after the initial phases have been This would still completed and occupied. allow for the construction of the majority of the affordable housing units. This separate application for Phase 4 would allow the town to assess the impact of the initial development on traffic and the environment as well as assess the developer's compliance with the plans and maintenance of the systems.

We recognize that some of our requests maybe the under domain of the Conservation Commission. This letter will be submitted to them as well. Thank you for your time and consideration.

Sincerely,

Jim Seltzer and Holly Per:



Comments on Updated Sierra Vista Commons Plans provided to the Conservation Commission on 2/13/23

Robert Peirent <rpeirent@gmail.com>

Mon, Mar 27, 2023 at 11:10 AM

To: Cassie Tragert <CTragert@easthamptonma.gov>

Cc: Dan Murphy <dmurphy@easthamptonma.gov>, Greg Nuttelman <GNuttelman@easthamptonma.gov>, Jeffrey Bagg <JBagg@easthamptonma.gov>, Julie Busa <julie_busa@me.com>

Thanks Cassie - I may listen in but don't plan to present. My comments below speak for themselves.

W/r/t the property ownership issue, I don't know how the commission can entertain discussions of improvements on property that have been proposed without the property owner's consent via signature on WPA Form 3. Based on the 3/17/23 letter on file with the city, it would appear that the property owner in question is not in favor of the project.

Thank you Bob Peirent

Sent from my iPhone

On Mar 27, 2023, at 10:57 AM, Cassie Tragert <CTragert@easthamptonma.gov> wrote:

[Quoted text hidden] <James Seltzer and Holly Perry 3-17-2023.pdf>



3-13-23 Revised Sierra Vista Commons Drainage Report

1 message

Robert Peirent <rpeirent@gmail.com>

Sun, Apr 9, 2023 at 12:28 PM

To: Cassie Tragert <CTragert@easthamptonma.gov>, Dan Murphy <dmurphy@easthamptonma.gov>, Julie Busa <julie_busa@me.com>, Jeffrey Bagg <JBagg@easthamptonma.gov>, Greg Nuttelman <GNuttelman@easthamptonma.gov>

Cassie

Recognizing that the Conservation Commission is planning to retain a peer reviewer for this project, I've limited my review of this updated report to identifying changes in the narrative portion of this report as compared to the 1/30/23 revised report. The updated report is largely the same as previous submittals with the following changes including:

- Slight changes in Table 5: Post-Development Mitigated Peak Flow Rates per Storm Event, Table 6: Summary of Peak Flow Rates per Storm Event - Analysis Point 1, and Table 7: Summary of Peak Flow Rates per Storm Event -Analysis Point 2.
- Table 5: Tss Removal Rates was revised to eliminate the credit for TSS removal in deep sump catch basins although this is still referenced in the response to Stormwater Standard 1. The TSS removal rate for the CDS Hydrodynamic Separator in Table 5: has been increased to 85%. The footnote to this table has been revised.

This submittal as well as previous submittals have referenced soil test pit evaluations completed by a certified soil evaluator although the test pit logs are lacking information regarding soil color using the Munsell system. High groundwater data is provided but the soil logs do not provide any information regarding how the high groundwater level was determined.

See the following excerpt from 310 CMR 15.103(3) that pertains to the determination of high groundwater elevation in soil test pits. These logs therefore appear to be incomplete.

(3) High ground-water elevation shall be determined by:

- (a) Soil color using the Munsell system, the abundance, size and contrast of redoximorphic features, if present;
- (b) One of more of the following methods to supplement (a) or when no redox features are present;
 - 1. Observation of actual water table during times of annual high water table

2. The use of USGS wells for correlating comparisons in water tables during times when the water table is not at the annual high range;

3. A Department-approved method for determining high ground-water elevation as contained in Open File Report 80-1205 (Frimpter)

4. A Department-approved method for determining coastal high ground-water elevation which incorporates tidal fluctuation information as contained in Frimpter and Belfit, 1992.

Please let me know if you have any questions.

Thanks Bob Peirent

April 14, 2023 12 Plymouth Ave. Easthampton, MA

Julianne Busa, Chairperson And to the other members of the Easthampton Conservation Commision,

We are sending you information pertaining to the Historical New Haven & Northampton Canal Greenway that trespasses on or near the border of the back of our property. This Historical Canal Greenway also continues on, parallel with the Manhan River, and takes a turn North at some point, towards Northampton, traversing across Jim Seltzers property, and/or the Tasty Top proposed project property. We noticed on one of the Maps of the proposed Tasty Top project that the New Haven & Northampton Canal Greenway is not in the correct place, on the Map, as it cuts through our neighborhood.

We have enclosed a copy of the front of a Book about this historic Canal, written by Robert R. Madison, published in 2016, after a lengthy Research of this Canal that went through 16 Communities, was 87 miles in length and was in operation from 1828 to 1847. Also enclosed is a copy of the Manhan Trail Map, which also shows the path of the New Haven & Northampton Canal. You'll also find copies of the Easthampton Canal History taken from the book.

Note: If anyone is interested in purchasing the Book, you may only be able to purchase through the Southwick Historical Society. The Author is a prominent member of the Society & all proceeds, from the sale of the book, go towards placing signs along the Highways & Byways of the 16 Communities, showing where the Historic Canal passed through each Community.

Why? It's historic. And, as the Author states, "Progress is slowly destroying the Canal. Maybe these historic roadside signs will alert everyone that something historic occurred in this space.

Address: Southwick Historic Society, Inc., P.O. Box 323, Southwick, MA01077 Online: <u>www.southwickhistoricalsociety.org</u>

We also included a copy of the front & back of a postcard that we received, a year ago on April 15, 2022, from the Pioneer Valley Planning Commission. It is proof that our property contains a portion of the "Hampshire & Hampden" Canal, as they called it. The postcard states that they did a walking "Survey" between May and July of 2022, gathering visual & photographic documentation, and it states the results would be incorporated into a final report of the history & existing conditions of this significant regional resource.

We sincerely hope this information will be useful to your Board.

Larry & Lucille Kostek

Lucille D. K. tok.

Postcard sent to us on 4-15-22

Pioneer Valley Planning Commission 60 Congress Street - Floor APR 15 Springfield MA 01104

KOSTEK LAWRENCE J 12 PLYMOUTH AVE EASTHAMPTON MA 01027

4.1111



Front

Rack

SWCA Environmental Consultants (SWCA), operating on behalf of the Pioneer Valley Planning Commission (PVPC) and our six municipalities, will be conducting a walking survey of the former Hampshire and Hampden Canal between May and July of 2022. In the 1800s, the Massachusetts portion of this canal connected to the Farmington Canal in Connecticut.

-

Your property likely contains a portion of the canal path, and your cooperation is requested to allow SWCA to travel by foot on your land to gather visual and photographic documentation related to the canal. The results will be incorporated into a final report on the history and existing conditions of this significant regional resource. Should you have questions or choose to opt out of participation, contact PVPC Historic Preservation Planner Shannon Walsh as soon as possible at 413.781.6045 or swalsh@pvpc.org. If you opt out, SWCA will attempt to conduct documentation from adjacent public lands.

Thank you for your support,

The Cities of Northampton, Easthampton, and Westfield and the Towns of Russell, Southampton, and Southwick

ALL PROFITS FROM THIS GUIDE GO FOR HISTORIC TRAIL SIGNS

NEW HAVEN AND NORTHAMPTON **CANAL GREENWAY**

BIKE A RAIL TRAILS FOLLOWING THE HISTORIC CANAL

BY: ROBERT R. MADISON

Front cover of Book with Brown Sign pictured @ top Rt.

EASTHAMPTON RAIL TRAIL MAP



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EASTHAMPTON HISTORY

Easthampton was settled in 1665. Prior to 1664, Easthampton was part of Northampton. As the settlement grew, areas around the Manhan River and around the Village of Pascommuck became popular areas to build homes and mill operations. Pascommuck is a Nipmuck Indian word describing 'where it bends' referring to the 'Ox-Bow' section of the Connecticut River. As late as 1809, Easthampton changed its charter and became the Town of Easthampton. In time, manufacturing became commonplace. The manufacture of buttons, elastics and rubber fabric as well as fabrics became popular because of water power.

EASTHAMPTON CANAL HISTORY

Where's the canal? The canal stays west of downtown Easthampton, US-10/South Main Street, the railroad bed and the Manhan River again crossing US-10 just northwest of Easthampton at the intersection of US-10/Northampton St and the Manhan River. The canal does not follow the railroad bed or rail-trail in Easthampton.

Canal History: According to Civil Engineer Jarvis Hurd, canal water reaching Easthampton comes from Salmon Falls, a natural waterfall in Woronoco's section of the Westfield River. Other tributaries into the Manhan River kept the canal full of water. Easthampton also shares the 60' North Manhan River Aqueduct with Southampton. Aqueducts spanned very wide rivers. They were usually built in multiples of 40' spans with diagonal reinforcing timbers supporting the heavy load. These 40' spans rested on stone piers or abutments.

The spans trunks themselves were made of six 40' 10" x 12" long chestnut timbers. The flume that carried water across the aqueduct was 14' wide with 4' of water to support canal boats. Many times, when horses were crossing aqueduct towpaths, they had to be blindfolded to prevent bolting. The canal itself was 36' wide at the top with a depth of about 6'. The tow path where horses pulled barges or packet boats was 10' wide and the opposite berm was about 7' wide rising 2' above the top of the water. The canal itself was built by hand. Trees, rocks and soil were removed by oxen, mule, and horse or by human muscles. When following hillsides, dirt was usually pulled from the high side to the low side to create both a 7' berm and a towpath on the opposite side of the canal.



Horses pull a packet off West Street (the crossing the North M north to the Connec Robert R. Madison.



This is one example c this location is north will see trash and deb

The author purposely of this rail trail book canal once connected Northampton. Over ti The purpose of the au post 'NH &N CANAL (E. Walter photograph.

188

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to 1664, Easthampton was w, areas around the Manhan ck became popular areas to muck is a Nipmuck Indian to the 'Ox-Bow' section of ampton changed its charter ime, manufacturing became s. elastics and rubber fabric of water power.

HISTORY

of downtown Easthampton, and the Manhan River again on at the intersection of US-The canal does not follow

er Jarvis Hurd, canal water 1 Falls, a natural waterfall in Other tributaries into the Easthampton also shares h Southampton. Aqueducts ally built in multiples of 40' supporting the heavy load. utments.

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Horses pull a packet boat across a field as passengers sun themselves somewhere off West Street (the painting shows the packet boat after leaving Lock 27 then crossing the North Manhan River Aqueduct and crossing Loudville Road as it travels north to the Connecticut River). Mount Tom is in the background. Watercolor by Robert R. Madison.



This is one example of all that is left of the old Hampshire and Hampden Canal: this location is north of O'Neil Street. Looking closely at this picture, the viewer will see trash and debris left behind by careless people.

The author purposely choose this picture to emphasize that the main purpose of this rail trail book is to point out that many do not realize that an 'ancient' canal once connected Long Island Sound with the upper Connecticut River in Northampton. Over time, developers and careless people are destroying the canal. The purpose of the author's book is to collect funds so local historical societies can post 'NH &N CANAL CROSSING, 1828 – 1847' signage along its path. 1992 – Carl E. Walter photograph.



4-28-23 Revised Submittals

Robert Peirent <rpeirent@gmail.com>

Sun, May 7, 2023 at 10:35 AM

To: Cassie Tragert <CTragert@easthamptonma.gov>, Dan Murphy <dmurphy@easthamptonma.gov>, Julie Busa <julie_busa@me.com>, Jeffrey Bagg <JBagg@easthamptonma.gov>, Greg Nuttelman <GNuttelman@easthamptonma.gov>

Cassie

Similar to last month, I've limited my review to identifying changes in the documents as compared to the previous submittals.

The drainage report appears to be unchanged from the 3-13-23 submittal other than inclusion of the additional O&M plan information noted in the applicant's cover letter.

The plans have been updated to include the revised sewer line location as described in the applicant's cover letter. Note, the applicant did not respond to the Commission's request to provide written permission from the adjacent property owner for the work that is proposed on the adjacent property. It should also be noted that construction of portions of the project, such as stormwater basins F-1 and F-4 will clearly require access to the adjoining property since regrading is proposed up to the property line. Similarly, approval from the adjacent property owner should be granted for this access.

A couple of things that I've mentioned previously that remain a concern include:

Incomplete soil logs to confirm estimated seasonal high groundwater table.

Incomplete erosion & sediment control plans that depict fully depict limits of work for each phase and measures to accompany work that is shown on the project phasing plan.

Lastly, the applicant's cover letter states that all street trees will have high salt tolerance. There are numerous references available that indicate red maples are sensitive to salt. The link below to the University of Minnesota is just one example.



Red maple extension.umn.edu

Please let me know if you have any questions.

Thank you Bob Peirent

Sent from my iPhone

On Apr 9, 2023, at 12:28 PM, Robert Peirent <rpeirent@gmail.com> wrote:

Cassie

Recognizing that the Conservation Commission is planning to retain a peer reviewer for this project, I've limited my review of this updated report to identifying changes in the narrative portion of this report as compared to the 1/30/23 revised report. The updated report is largely the same as previous submittals with the following changes including:

- Slight changes in Table 5: Post-Development Mitigated Peak Flow Rates per Storm Event, Table 6: Summary of Peak Flow Rates per Storm Event Analysis Point 1, and Table 7: Summary of Peak Flow Rates per Storm Event Analysis Point 2.
- Table 5: Tss Removal Rates was revised to eliminate the credit for TSS removal in deep sump catch basins although this is still referenced in the response to Stormwater Standard 1. The TSS removal rate for the CDS Hydrodynamic Separator in Table 5: has been increased to 85%. The footnote to this table has been revised.

This submittal as well as previous submittals have referenced soil test pit evaluations completed by a certified soil evaluator although the test pit logs are lacking information regarding soil color using the Munsell system. High groundwater data is provided but the soil logs do not provide any information regarding how the high groundwater level was determined.

See the following excerpt from 310 CMR 15.103(3) that pertains to the determination of high groundwater elevation in soil test pits. These logs therefore appear to be incomplete.

(3) High ground-water elevation shall be determined by:

(a) Soil color using the Munsell system, the abundance, size and contrast of redoximorphic features, if present;

(b) One of more of the following methods to supplement (a) or when no redox features are present;

1. Observation of actual water table during times of annual high water table

2. The use of USGS wells for correlating comparisons in water tables during times when the water table is not at the annual high range;

3. A Department-approved method for determining high ground-water elevation as contained in Open File Report 80-1205 (Frimpter)

4. A Department-approved method for determining coastal high ground-water elevation which incorporates tidal fluctuation information as contained in Frimpter and Belfit, 1992.

Please let me know if you have any questions.

Thanks Bob Peirent



University of Minnesota Extension extension.umn.edu

Red maple

(*Acer rubrum*) establishes easily and grows quickly. It is highly valued as a landscape tree for its flowers and fall foliage that light up spring and autumn landscapes.

Red maple trees are used as boulevard trees, shade trees, or accent and specimen plants.

The dense canopies of red maples provide shade during late spring, summer and fall.

Red maple is plentiful and common throughout its native range that includes Minnesota.

It thrives across a wide variety of climatic conditions and soil types.



Mature red maple in fall

Description

- Deciduous tree
- Height: 40 to 100 feet
- Width: 15 to 75 feet
- Medium to fast growth rate
- Various forms oval, rounded, upright, columnar

Red or magenta flowers appear before leaves emerge. Male and female flowers usually occur separately on individual branches within one tree canopy or on separate trees.



Female spring flowers develop into seed after pollination

The fruit is a winged nutlet called a samara that can be seen twirling to the ground in May and June. Seeds can sometimes become a weed issue in garden beds.

Autumn leaves turn brilliant red, orange and yellow.



Male pollen-producing flowers in spring

Growing red maple

- Hardiness zone: 3 to 9
- Full sun to partial shade
- Soil adaptable grows in sandy to clay soils
 - Average to wet
 - Well-drained to poorly-drained
 - Tolerates compacted soils
 - pH 4.5 to 6.5

Have your soil tested by the <u>U of M Soil Testing</u> <u>Lab</u> <<u>http://soiltest.cfans.umn.edu></u>.



Summer foliage of red maple

Common problems

At soil pH above 6.5, manganese deficiencies occur that cause chlorotic (yellowish) leaves, stunted growth, and may kill the tree.

Thin-barked trunks of young trees need winter protection with tree guards to prevent frost cracks and sunscald.

Maples are sensitive to salt.

Visit <u>What's wrong with my plant? – Maple</u> for a list of the most common pests and stresses in Minnesota.



Yellowing leaves with green veins are a symptom of manganese deficiency caused by high pH soils

Cultivated varieties of red maple for Minnesota

Cultivated varieties have been selected for fall color, plant form and size, and pest and stress tolerances.

- Autumn Radiance[®] Zone 4, 50 feet tall by 40 feet wide, orange-red foliage in early fall, rounded oval shape
- 'Autumn Spire' Zone 3, 50 feet tall by 25 feet wide, red foliage in fall, broadly columnar shape
- 'Brandywine' Zone 4, 50 feet tall by 40 feet wide, red to red-purple foliage in fall, oval shape, seedless
- Burgundy Belle[®] Zone 4, 45 feet tall by 45 feet wide, red to burgundy foliage in fall, oval or rounded shape, heat and drought tolerant
- Northfire ® Zone 3, 50 feet tall by 40 feet wide, red foliage in early fall, oval shape
- 'Northwood' Zone 3, 50 feet tall by 35 feet wide, orange-red foliage in fall, rounded oval shape
- 'Red Rocket' Zone 4, 40 feet tall by 15 feet wide, red foliage in fall, upright shape
- Red Sunset[®] Zone 4, 50 feet tall by 40 feet wide, long-lasting red foliage in fall, upright shape
- Scarlet Jewel[™]- Zone 3, 70 feet tall by 30 feet wide, crimson foliage in early fall, upright shape, resists frost cracking

Kathy Zuzek former Extension educator; Rebecca Koetter; and Julie Weisenhorn, Extension educator

Reviewed in 2018

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Sierra Vista Commons Project - Planning Board and Conservation Commission permit applications submitted for work on private property without the consent of the property owner

1 message

Robert Peirent <rpeirent@gmail.com>

Tue, May 9, 2023 at 2:50 PM

To: Julie Busa <julie_busa@me.com>, Barbara LaBombard <cityclerk@easthampton.org> Cc: mtanner@baconwilson.com, Jeffrey Bagg <JBagg@easthamptonma.gov>, Cassie Tragert <CTragert@easthamptonma.gov>, Nicole LaChapelle <NLaChapelle@easthamptonma.gov>

Dear Chairs Belcher-Timme (through the City Clerk) and Busa

The applicant for the above referenced project has submitted incomplete/invalid application materials to your boards since a portion of the subject project (connection to the City's sewer interceptor) is located on private property and the applicant has not obtained the consent of the private property owner to file the application or to complete the proposed work. This consent is required as part of a complete application as stated on the City's Site Plan, Special Permit, and Stormwater Management Permit application forms. See the language below.

If the Applicant is not the Property Owner of Record, then the signature of the Owner is required below:

In fact, the owner of the private property has submitted a letter to your boards objecting to the proposed project. See the attached letter dated March 17, 2023.

The applicant recently modified the project plans submitted to the Conservation Commission to remove the work in question from regulation under the Massachusetts Wetlands Protection Act, but that does not change the status of the work under Planning Board or Stormwater Authority regulations.

I hereby request that your boards reject the applications for the above referenced project as incomplete/invalid until such time as the private property owner's approval has been received.

Thank you

Bob Peirent



James Seltzer and Holly Perry 3-17-2023.pdf 2026K



The limits of work shown on the Sierra Vista Commons project plans may not be feasible, resulting in greater buffer zone impacts than represented by the applicant

Robert Peirent <rpeirent@gmail.com> To: Cassie Tragert <CTragert@easthamptonma.gov> Cc: Julie Busa <julie_busa@me.com> Wed, May 10, 2023 at 9:57 AM

Cassie

The limits of work in the buffer zone and associated tree clearing appears to be significantly underrepresented in many areas since building and other project setbacks from the proposed limits are too tight to be practical. The setbacks to the proposed tree line seem to be very narrow in some locations. When the foundations and structures are built, the canopy of trees whose limbs otherwise extend into the cleared zone will need to be cut back. In addition, if foundation drains are installed, there will be encroachments into the setbacks in order to build these and other drain outlets.

Review of the limits of work as shown by the project applicant should be completed by the peer reviewer.

Thank you

Bob Peirent



Tasty Top Comment

Marion Groves <mbgrooves@icloud.com> To: ctragert@easthamptonma.gov Thu, Jun 8, 2023 at 9:17 AM

This is the second letter I have sent to the Planning Board. I am sending it you as well.

Dear Board Members,

It is difficult to understand that there is such a focus on the almighty dollar before considering the obvious threat to our environment, quality of life and future generations. Are the board members Easthampton citizens? Please think of the long term implications of this proposed, massive, impermeable grouping of asphalt, concrete, cars and consumers. Our water supply is the most precious asset we possess. Please listen to the concerns of those who wish to protect and preserve nature. Once it's gone— it's gone.

There will come a time, unless we gain legal control and preservation of our water, farm land and environmental assets, that the quality of life in this city will diminish exponentially.

Wake up and look at the facts. Think of the generations to come.

Respectfully, Marion Groves



Tasty Top development

Natania Hume <nataniahume@yahoo.com> To: ctragert@easthamptonma.gov Mon, Jul 3, 2023 at 6:17 PM

To whom it may concern,

I've been a resident of Easthampton since 2004, and in that time the town has changed enormously Much of the change has been good, with new interesting restaurants, fun little shops, and lots of people moving to the town because of its convenient layout, natural beauty and artistic and cultural growth. However, the Tasty Top development will threaten and quite possibly ruin much of what people love about Easthampton. The town cannot support a development of that size without repercussions. It is out of proportion for the size and tenor of the town and threatens the creative and intellectual culture which has so successfully developed here over the last decade. This smacks of a plan that is in the best interest of a few while ignoring the welfare and well-being of the many. It will tax the resources of the town and its people and change the character of it forever. I am wholly against this development and would instead endorse a much smaller plan that is responsible and sensitive to the land, the town, its people, and its history.

Sent from my iPhone, which is sometimes less grammatically correct than am I.



Comment objecting to the Easthampton, MA Tasty Top/Sierra Vista Project

nancynatale <nancynatale@gmail.com>

Sun, Jul 23, 2023 at 10:43 PM

To: nicholas.moreno@mass.gov, "jbagg@easthamptonma.gov" <jbagg@easthamptonma.gov>, "ctragert@easthamptonma.gov" <ctragert@easthamptonma.gov>

As a resident of Easthampton, I am very concerned about the proposed construction of numerous apartment buildings, a bank, a recreational facility, and other structures to be built on the approximate 33-acre site. This project will have severe consequences for the city of Easthampton on its residents, its wild animal population, the forest trees and native plants now located on the parcel of land itself as well as the entire surrounding area.

I am shocked that the current plan calls for nearly 12 acres of blacktop to provide parking and roadways for the project and that the runoff from this impervious surface will go downhill directly into agricultural land and waterways. I understand that part of the 33-acre site is in active agricultural use and contains soil that is classified as prime or unique by the USDA. Our area is home to black bears, beaver, opossums, raccoons, rabbits, coyotes, deer, fish, numerous wild bird, plant and insect species, and we treasure the open space and view of the Mt Tom Range. The amount of runoff, excess lighting, noise, and construction that this project plans to generate is totally unsuitable for our small city.

Road access within and surrounding Easthampton is extremely limited due to rivers and streams that require bridges and limit roads. I understand that the proposed project will have only one point of access and that it will be on Route 10/Northampton Street. This road already suffers from traffic congestion during commuter peak times and adding an addition 3000+ additional daily trips to this road boggles my mind. Since I live on one of the access streets to Route 10, I can already envision that my street will become impassable at certain times because of backed-up traffic trying to avoid Route 10. This will certainly affect my quality of life and the value of our property as I and my family will be affected by the additional traffic, noise, dirt, pollution, and potential for accidents caused by impatient drivers.

I am also mindful that the planned construction of this major project is to take place over a period of some years and that the effect of ongoing construction and damage to our one major roadway into and out of Easthampton will be further badly involved.

Having spent most of our lives in the eastern part of the state, my partner and I relocated to western Massachusetts some 25 years ago because we wanted to escape the overwhelming traffic, noise and population. The fact that this proposed project now plans to inflict on Easthampton the same objectionable conditions that we thought we had escaped is really horrifying.

Please do not let this overwhelming project be constructed as planned to the terrible detriment of the City of Easthampton.

Nancy Natale Easthampton, MA 01027



ATTACHMENT F

MEPA Review ENF Comment Letter RE: Sierra Vista Commons – EEA No. 16729 – 93, 95, 97, Northampton Street

Attachment F: Excerpt of Minutes of Public Comments Made In-Person

The following is a compilation of excerpts of accepted minutes of the Conservation Commission meetings at which public comments were made in person. The summaries provided are not verbatim and are rather a summary generated by the Conservation Agent. Full recordings of each meeting are available upon request. Please contact the Conservation Agent with any questions.

Respectfully, assie Tragert ssie Tragert Cassie Tragert

Conservation Agent

Meeting Minutes (12/12/2022)

Public comment was also made by Gerrit Stover on behalf of Pascommuck Conservation Trust. A recording of the comment in full is available upon request. In summary, Stover expressed concern regarding negative impacts to the ecological corridor that exists on the property associated with the Manhan River with an emphasis on the loss of wildlife habitat and risks to the river itself from over development of the slopes above. He also voiced concerns for loss of natural views and experience for visitors to the Edward Dwyer Conservation Area located on the opposite bank of the Manhan River parallel to the proposed project. He noted that previous development efforts for the parcel included the creation of a Conservation Restriction and advocated for the Commission seeking confirmation of the current wetlands delineation. Lastly, he noted that the area to be developed is within the BioMap Aquatic Core Habitat designation and cited concerns related to negative impacts from increased erosion, increased litter, and increased heat effects from buildings/new paved areas.

Meeting Minutes (1/23/2023)

Marylou Dodge, Easthampton resident, made a comment at the meeting in which she requested confirmation on the amount of tree clearing to be completed and whether the original 2.5 acres was still proposed in light of the revised plans. Luke Showalter explained that the new final amount of tree clearing was not yet known, but confirmed that it had been reduced. Dodge explained her concern for mature trees being lost and noted their function as sources of carbon sequestration.

Marty Klein, Easthampton resident, made a comment at the meeting in which he raised concerns about the project in light of impacts from Climate Change such as increased storm events and rainfall amounts. Specifically, he noted that the increased paved area may increase runoff from the site to the Manhan which may be hotter than current conditions resulting in negative impacts to the Manhan as a designated cold-water stream. He read a

quote by Aldo Leopold from the "Sand County Almanac" relating to ownership of land versus respect for it and noted that the project would result in the loss of farmland soils to paving and imported soils. He noted that though the project may be found to comply with the regulations, there may still be negative impacts to the environment.

Sam Nelson, Easthampton resident, made a comment at the meeting in which he requested confirmation as to whether the Enforcement Order was still being pursued and whether the status of the central stream as intermittent had been confirmed, and whether groundwater protection is within the purview of the Commission. Commissioner Busa confirmed that remediation related to the Enforcement Order is still being pursued and the determination of the central stream as intermittent is a part of the Commissions review for this project and the status would be set with the issuance of an Order of Conditions. Additionally, Commissioner Busa confirmed that protection of groundwater is within the Commission's purview. He raised concern regarding existing issues with stormwater management in the area including drainage and noted that a new system is currently needed citing concerns for tax payers and costs.

Roger Andersen, Easthampton resident, made a comment at the meeting in which he explained that he supports both affordable housing and conservation and would like to see the eastern portion of the site preserved as much as possible and try to mitigate the cost to the developer through the creation of a Conservation Restriction or other designation. Commissioner Busa noted that his comments are likely best suited for the Planning Board review.

Meeting Minutes (2/13/2023)

Sam Nelson, Easthampton resident, made a public comment at the meeting. He requested clarification as to when and how to the Commission would have the active enforcement order resolved, particularly the remediation related to the unpermitted crossing. Commissioner Busa explained that the enforcement order would be addressed separately as the next item of the agenda. Nelson explained that he believes the central stream in the property is not intermittent, but rather runs all year in his experience. He also expressed concern regarding the quality of runoff water being contaminated with salt and other chemicals and then damaging the multiple species which inhabit the stream and the Manhan River it connects too. He noted the fish ladder and the impacts it has had on the Manhan River. Commissioner Busa explained that State Stormwater Standards 6 requires that all runoff be pre-treated before being allowed to enter the stream and that the Commission has requested more information from the applicant regarding whether they are meeting this requirement. She noted that the Commission will be seeking a peer review of the applicant's proposal to ensure that all State Stormwater Standards and the City Stormwater Ordinance are being complied with. She added that the project will undergo MEPA review after the Commission's review is completed and public comment will be allowed through that process as well. Nelson added that he does not believe that corn was planted in the field as indicated by the applicant and that only 10 rows of corn were ever planted and thus the runoff assessment would be incorrect. Commissioner Busa explained that the Commission is still planning to conduct another site visit that has not yet been scheduled. She also explained that the determination of whether a stream is intermittent versus perennial is based on the criteria listed in the Wetlands Protection Act. USGS Stream Statistics data indicates that only an area of 0.3 square miles drains to create the stream and thus it is not perennial despite possibly flowing all year. Nelson requested clarification as to how the pools (isolated vegetated wetlands) would be impacted by the proposed project and reminded the Commission that he originally brought the violation to the Commission's attention. Commissioner Busa confirmed that a large portion of the area is proposed to be impacted by the project design. She explained that because the pools are designated as Isolated Vegetated Wetlands and the City does not have a Wetlands Ordinance, the Commission only has jurisdiction over wetland areas defined in the Wetlands Protection Act which does not include protections for Isolated Vegetated Wetlands such as those on this site. She explained that only a City Wetlands ordinance which extends the Commission jurisdiction to such areas would extend protections to these areas, but one does not currently exist for the City. Nelson expressed that this was a shame because in his experience at least one pool was approximately 170ft and they were used by wildlife.

Meeting Minutes (3/13/2023)

Marty Klein also made a comment at the meeting in which he questioned what would happen to the site if the first phase with the entire stormwater system is completed but then the project does not go forward beyond that phase. Showalter explained that the first phase does not include any of the paving or added impervious surfaces associated with the project, only the grading and stormwater management structures are proposed to be completed in the first phase and all other phasing of the project remains the same as presented in the last revised plan.

Amanda Kallenbach, Easthampton resident, made a comment at the meeting in which she asked if the project would be review by the MEPA process and if so when. Nitzsche explained that the project would undergo MEPA review and they are currently working to compile a filing. Commissioner Buttrick noted that the Commission would prefer that the MEPA review be completed before an Order of Conditions is issued, however the Commission can issue an Order before the MEPA review. Agent Tragert noted that she confirmed with DEP that the applicant is not legally required to complete the MEPA review before filing with the Conservation Commission and the Commission can issue an Order before that review process is complete. She also explained that the Commission likely cannot hold the issuance of an Order if the applicant has shown to meet all other requirements just to wait until the MEPA review is completed. DeMarinis explained that they choose to wait to file for MEPA review until after filing with the local Boards and Commissions in case any significant changes were requested so that the most final version could go before MEPA review. Nitzsche noted that any changes that result from the MEPA review would likely result in the project needing to return to the Commission for additional review. Agent Tragert noted that the Commission may participate in the MEPA comment process as well as any other members of the public.

Marty Klein, Easthampton resident, added a comment that he is a lifelong gardener and raised concern about having mature trees within a community garden negatively impacting it's use. Commissioner Busa explained that the community garden is outside the Commission's jurisdiction.

Meeting Minutes (4/10/2023)

Resident Loucille Kostek of 12 Plymouth Avenue, made a comment at the meeting. She explained that her property is located down slope of the proposed project between it and the Manhan River and she is very concerned about runoff flowing towards her neighborhood. She noted that she has been at her property for 53 years and has had issues with water in her basement. She noted that other neighbors have also experienced this and that her property is on a field stone foundation. She noted that there is too much hardscape proposed and expects the project to result in increased runoff. She would like the project to reduce the amount of proposed hardscape surfaces and it is hard for her to believe that the proposed management will prevent increased runoff impacting her property. She noted that an emergency entrance to the project site is proposed off Colonial Avenue and she is concerned how they plan to prevent water from flowing along that new roadway connection to her neighborhood. She added that the stormwater regulations include the 5th objective to maintain the existing volume and rate of runoff to the river and sewer system during construction and post-construction. She asked what will be the recourse available to abutters if negative impacts are experienced to them and/or the river. She requested clarification as to the number of basins proposed on site. Showalter noted that there are 8 basins proposed for the site as part of the stormwater management system. She noted that one of the basins is located upslope of Plymouth Avenue and the river and asked what would happen if the basin were to overflow and noted that a portion of the basin design is listed on the plan as dam and it is not clear to her what its purpose is. Showalter explained that the dam is a

feature of the basin used to hold water in a section of the basin to facilitate pre-treatment and is only a foot tall. Commissioner Busa noted that the Peer Review process will cover review of the efficacy of the proposed stormwater management system to meet the State Stormwater Standards, Wetlands Protection Act requirements, and the City Stormwater Ordinance including volume and quality of runoff from the site and the possible impacts from the basins/drainage design. Kostek noted the poster in the Conservation Commission meeting room which states "Think more is better? Tell that to the fish.". She noted that she is not against development she just wishes it wasn't so large and hardscaped.

Jim Seltzer, property owner of 24 Mill Street, made a comment at the meeting. He noted that one of the basins is situated on the boundary of his property and he explained his concerns that overflow would run into his agricultural property and the river below.

Resident Mary Lou Dodge of 4 Lux Avenue and a member of the Nashawannuck Pond Committee, made a public comment at the meeting. She explained that she was "here to speak for the trees" and expressed concern for the loss of mature trees on site. She noted the USFS estimates that 5 acres of trees can function to absorb/sequester about 14 metric tons of carbon dioxide per year. She quoted a Cornell senior ecology professor that forests in this region of the country function to counteract a significant amount of Greenhouse Gas emissions.

Resident Susan Grant of 37 Northampton Street near the old water department building along the Manhan river, made a comment at the meeting. She explained that she has seen a variety of wildlife in the area (including bears and bobcats) which use the wildlife corridor of the Manhan and she noted the loss of the broad wildlife corridor on the other side of Mill Street. She wanted to highlight that there is a lot of wildlife in the area.

Resident Marty Klein of Stone Path Lane and a member of the Pascommuck Conservation Trust raised the University of Massachusetts fact sheet titled Road Salt and Trees and noted the impact to trees that document shows. Specifically, he explained that red maples are listed there as the most impacted by road salt usage. Showalter noted that there has been previous discussion with the Commission regarding road treatment and had previously determined that the applicant would propose a mix of sand and salt to reduce salt content required. Commissioner Busa asked whether there was consideration for possible tolerance to road salt treatment of proposed planting species. Showalter explained that they had not and will do so in areas of likely exposure to road salt. Klein requested clarification for the proposed lawn areas as to what chemicals and at what quantity of each used yearly. Commissioner Busa asked if this information is included in the Operations and Maintenance plan. DeMarinis explained that the current Operations and Maintenance plan just recommends the standard practices for such areas, but they will update it with that requested information. Commissioner Busa noted that they should include the application regime in sensitive areas.

Resident Tom Lautzenheiser of East Street made a comment at the meeting. He thanked the Commission for reviewing the landscaping plan. He explained that the planting list focus on red maples around the buildings is a missed opportunity to use other species and he raised concern for possible diseases as can be common for maples. He noted that it would be better to diversify the planting list to reduce the possibility of losing the plantings to disease over time and/or nursery stock issues during planting. He noted general typos exist in the plan and raised additional concern regarding the seed mix details. He explained that the plans are not clear as to the square footage and rate of application of the seed mixes is not specified for amount in each area. He also raised concern that the conservation seed mix proposed includes species which do not seem viable as they are not native to the north America. He explained that better suited conservation seed mixes are commonly available. Commissioner Busa agreed that the applicant should review the increase in diversity of the proposed planting list and that clarity is needed related to the seed mixes in terms of species, application rates, and locations of each type to be used. Showalter agreed to review and make any necessary changes to clarify.

Seltzer asked if the project would need to impact the historical canal works. Showalter explained that the canal has previously been destroyed and so their project will have no impact. DeMarinis added that this determination was made per documents from the Historical Commission. Seltzer offered to meet with DeMarinis as well as visit the property together.

Lucille Kostek made another comment that the sewer system in this area is very old and she and other neighbors have experienced back-ups. She raised concern regarding adding a new system to the existing old system and what would happen if it were to overflow into the Manhan. Commissioner Busa explained that until an impact to areas jurisdictional to the Commission occurs, the issue is not within the Commission's purview. She noted that the subject may likely be covered by the MEPA review and other City Board/Committee review processes.

Resident Paul Karella of 10 Mill Street made a comment at the meeting. He explained that he has experienced water in his basement all winter and it has not yet stopped occurring which is a new experience for him at his property. He noted that each year there is new foundation impacts, and he is concerned about increased water in his basement resulting from this project.

Resident Janet Muzzi of 3 Alden Street made a comment at the meeting. She noted that she also has been experiencing new water in her basement, so it is not only an issue for those at the end of the streets, but rather a broader area. Commissioner Busa acknowledged that there is a regional issue with water and so the peer review of the Stormwater System will be an important part of that review.

Meeting Minutes (5/8/2023)

Resident Marty Klein of Stone Path Lane and a member of the Pascommuck Conservation Trust made a public comment at the meeting. He suggested that plantings of sycamore and shadbush/juneberry be incorporated in the plantings list for the site.

Resident Teresa G. of 33 Echo Lane made a public comment at the meeting. She explained that the project is too large and the adjustments made by the Commission are not helpful. She noted that there is currently a climate crisis as well as her concerns regarding salt runoff impact on the ground and surrounding areas.

Meeting Minutes (7/10/2023)

Resident Marylou Dodge of 4 Lux Avenue made a public comment at the meeting. She requested confirmation as to the amount of trees to be removed by the project in light of the changes described. Showalter explained that originally 5.7 acres of tree clearing was proposed, though now 4.3 or 4.4 acres of tree clearing is proposed (he noted that he could provide an exact amount for the next meeting).

Gerrit Stover of the Pascommuck Conservation Trust made a public comment at the meeting. He acknowledged the improvement in shifting the buildings away to any degree. However, he noted that the building that has been removed was the least impactful to sensitive areas within and around the site in terms of possible impacts to habitat, erosion, and other critical areas. He explained that there are other buildings they would prefer to see removed from the plan or shifted in location. He also noted that the specific details of the Initial Review were appreciated and highlighted that it includes potential damage to habitat and surrounding slopes among other concerns. Stover explained that the cumulative impact of the project as a whole is a concern in light of this. He noted that cold-water fisheries are particularly sensitive to impacts and that the Manhan River and area along it is very ecologically important. Further, the risk to such areas concerning climate and potential for future flood events exist and the recent flood shows that the area is very dynamic. Resident Marty Klein of Stone Path Lane and a member of the Pascommuck Conservation Trust made a public comment at the meeting. He asked what the new total of proposed impervious surface is in light of the changes presented at this meeting. Showalter explained that he did not have the exact amount, but it can be provided and will be included in the revised Stormwater Report being generated in response to the Initial Review.

Resident Patty Covalli of 10 Maxine Circle made a public comment at the meeting. She reiterated the need to get confirmation of the amount of trees to be removed and adding that while the acreage may be known, the Commission should require the number of trees to proposed to be cut. She noted the function trees have in cleaning the air particularly in light of the recent smoke events caused by wildfires and concerns related to climate change for future health and safety. She also noted that the switch of the restaurant to a bank would still result in a large amount of paved surface. She also questioned what the meaning of the "green area" described in the plan is near the entrance. Covalli explained that her property abuts a stream and wetlands near a recent largescale solar development, and she has experienced an increase in flooding of her yard. She emphasized the need to protect wetlands and open space and that the Commission should take care to consider these impacts including those to wildlife. She added that runoff from the project could impact many other areas beyond the immediate abutters as each building added reduces the amount of land available to absorb rainwater. She questioned who would be there for those impacts if the situation becomes unlivable.

Resident Lucille Kostek of 12 Plymouth Avenue made a public comment at the meeting. She explained that her property abuts the project and the homes in the neighborhood were built primarily in the 1900s and experience water within their basements and yards due to a high water table. She is worried about the higher elevation of the project and that stormwater issued will be increased. She noted that the current flooding has resulting in extreme conditions at the Manhan River dam and nearby areas. She is worried the system will not be prepared to handle similar extreme flooding events in the future and she asks the Commission to take care to consider this.

<u>Meeting Minutes (7/24/2023)</u> (From Draft Minutes; Not Yet Formally Accepted by the Commission)

Resident Lucille Kostek of 12 Plymouth Avenue made a public comment at the meeting. She noted that the draft MEPA Comment Letter proposed by the Commission does not mention the concerns of neighbors to the project. She explained that she does not trust the developer and that at the Remote MEPA Consultation Session, comments were made expressing concern regarding the increase in hardscaping uphill of their neighborhood and possible runoff resulting from it. She also raised concerns about what contingencies exist if the system were to fail and noted the increased rain amounts due to global warming. She noted that at the MEPA Consultation Session, the applicant explained they would need to fix any failures. Kostek raised concern regarding that answer in that she understands them to still be in court for other issues and she asked how the City supervises compliance of the stormwater system into the future. Commissioner Buttrick explained that the Commission requires a bond be held during construction until the system is determined to be completed correctly by the City Engineer under the City Stormwater Ordinance. Agent Tragert also noted that the Commission's comment letter to MEPA was focused on addressing concerns outside of the Commission's purview, why issues pertaining to stormwater are within the Commission's purview.

Resident Jean Pao Wilson of 377 Main Street made a public comment at the meeting. She explained that she was in support of requesting the Commission include the comments submitted by the public in their entirety in the MEPA Comment Letter so that those comments which include concerns beyond the Commission's purview can be put to constructive use.

Resident Darleen Orvieto of 44 Cherry Street made a public comment at the meeting. She requested clarification as to how the City is pursuing the project being allowed to go forward and whether the public needed to give approval beforehand or not. Agent Tragert explained that this project is not being proposed by the City, but rather by the current private property owner and the associated private development company. Agent Tragert also explained that the City's role is for various boards and committee (such as the Conservation Commission) to review the proposed project and determine is a permit could be issued before the project is allowed to proceed.

Resident Cathy Wauczinski of 22 Overly Drive made a public comment at the meeting. She expressed concern regarding the possible increased urbanization of the City resulting from this project and noted that many residents prefer the City to be more of a "town". She asked the Commission to consider the rejection of the application proposed. She explained that the applicant should complete more than just what is required and that Easthampton would benefit more from farmland than high-rise structures that are outside of the current culture.

Resident Darleen Orvieto of 44 Cherry Street made a second public comment at the meeting. She requested clarification as to the authority of the Conservation Commission as it seems that most concerns are outside of their purview. She noted that Easthampton claims to be a "green" City, however this project is in the opposite of that direction. She explained that she is very concerned and that wetlands are part of the common wealth. She questioned why the Commission exists if it does not have purview over the protection of wildlife and that the Commission seems to have no purview over conservation of lands. She explained that the City already is not "green" and that this project is an example of that. She noted that she is also opposed to the project currently underway on Cherry Street. Agent Tragert explained the purview of the Conservation Commission and it's jurisdiction generally as well as in relation to this application.

Resident Lucille Kostek of 12 Plymouth Avenue made a second public comment at the meeting. She requested clarification as to who reviews the project during construction as well as after construction is completed and ensures they are done correctly. Agent Tragert explains that the Commission typically includes a condition in all issued Orders requiring the project to employee an Environmental Monitor to submit weekly reporting (and after every 0.25 rain event) to the Commission as to the conditions of the site/erosion controls throughout the life of the construction project and until a Certificate of Compliance is issued. Agent Tragert also explained the Certificate of Compliance review process.

Resident Jean Pao Wilson of 377 Main Street made a second public comment at the meeting. She questioned how the Commission can confirm that the current Peer Reviewer is not somehow connected or in collusion with the applicant. Commissioner Buttrick explained the Peer Review Request for Proposals process from multiple consultant firms. Agent Tragert explained how the Peer Reviewer is hired by and contracted with the Commission directly and that the applicant only provides funds to be held in escrow by the City and used by the Commission to pay the Peer Reviewer.

Mass.gov | Executive Office of Energy & Environmental Affairs (EEA)

Energy & Environmental Affairs nyironmental-affairs) Public Comments Portal An official application of the Commonwealth of Massachusetts

Nicholas.Moreno@mass.gov

https://eeaonline.eea.state.ma.us/EEA/PublicComment/UI/reviewcomment/2727be8c-1319-48b2-b412-9eb555649052

View Comment

Comment Details											
EEA #/MEPA ID 16729	First Name Janet	Address Line 1 3 Alden Street	Organization								
Comments Submit Date 8-8-2023	Last Name Muzzy	Address Line 2	Affiliation Description								
Certificate Action Date 8-9-2023	Phone 	State MASSACHUSETTS	Status Opened								
Reviewer Nicholas Moreno (617)699-4254, Nicholas Moreno (617)699-4254,	Email liztish@charter.net	Zip Code 01027									

Comment Title or Subject

Topic: Project 16729, Sierra Vista Commons, Easthampton, MA

omments																									
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Janet Muzzy																									
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BACK TO SEARCH RESULTS

Letter to MEPA

Hello Nick,

RE: EEA#16729 Sierra Vista Commons Easthampton, MA

Thank you for the opportunity to provide comments about the proposed development at 93-95 Northampton Street in Easthampton, MA, also known as the Sierra Vista Commons (subject site). I will be addressing traffic issues.

By looking at the Easthampton roadway system you can see there are limiting and potentially unresolvable constraints on the community's growth. Easthampton was developed as a mill-based economy dependent on waterways for energy and railroads for transportation. There are only a few main roads leading in and out of the community.

It is possible as much as 70% of the traffic flow into and out of Easthampton travels on three roadways: Route 10 or Northampton Street north of Downtown Easthampton to Northampton, Route 10 or Main Street through and south of Downtown Easthampton to Southampton, and Route 141 or Union Street and Cottage Street in the Downtown and Holyoke Street southeast of the Downtown to Holyoke.

The former mill town struggled for over a half century to redefine itself economically. Eventually, the City began to focus on the arts as a way to renew the Easthampton economy. Today there are former mill buildings full of creative businesses. Formerly underutilized retail properties in the downtown are home to restaurants, live entertainment, art galleries , and a wide variety of stores. Easthampton's independent businesses and art-related public events have become a regional draw. The many of the business, however, at located on narrow two-lane roads (principally on Union Street and Cottage Street or Route 141) with on-street parking and very limited off-street parking options. The traffic congestion is steadily increasing placing a strain on the businesses and patrons.

The developer suggests the proposed Sierra Vista development will increase the traffic on Northampton Street or Route 10, by 4,400 trips per day. The proposed traffic projections will increase daily traffic trips by 30% to 40%. Rendering the traffic volume on par with two local

major shopping areas. These retail-oriented roads in Northampton and Hadley are built with two to four lanes and dedicated turning lanes as well as good to excellent access to interstate

TRAFFIC IMPACT OF PROPOSED TASTY TOP DEVELOPMENT based on MassDOT Data Comparing Future Traffic on Rt 10 to Current Heavily Traveled Roadways in Area

Locations of Traffic Studies	Current Number of Trips per Day (1)	Projected # of Increased Trips Per Day when Starbucks Opens	Projected # of Increased Trips Per Day (3) when Tasty Top Parcel is Developed	Total Daily Trips Including Projected Trips (4)	# of Days Studied			
Northampton Street North of Groveland Street (4)	16,050	1,000	4,400	21,450	MTWT in July			
Northampton Street North of O'Neil Street (2)	12,213	1,000	4,400	17,613	Mon/Tues in August (5)			
Northampton Street South of O'Neil Street (2)	11,686	1,000	4,400	17,086	Mon/Tues in August (5)			
Rt 9 west of East St Hadley	18,227			18,227 (6)	Tues/Wed in February			
Rt 9 east of Rt 116 Amherst (near movie theatre)	17,243			17,243 (6)	Tues/Wed in June			
King Street south of Barrett St Northampton	16,622			16,622 (6)	Tues/Wed in February			
	(1) Based MassDO	T data.						
	(2) Traffic count was conducted prior to the opening of River Valley Co-op. Estimated 1,000 trips added to reflect increase in							
	(3) Projected traffic trip count based on developer projections as of 6/6/23.							
	(4) Increase based on 30-40% increase in traffic due to opening of Starbucks and development of Tasty Top projects as curre							

1

highway and state highway connections not available at the subject location. I have used MassDOT traffic count data in the attached spreadsheet below to make comparisons ...

Also important to note there are nearly 63 acres of undeveloped business and industrial zoned land along Northampton Street from the intersection with Main Street in Downtown to the

Northampton border. This inventory does not include underutilized properties. All of it presents opportunities for more development and more traffic.

As of the writing of this letter a Starbucks is about to open adjacent to the subject property adding 1,000 trips per day. A parcel directly across the street from the subject property is being considered for the development of a new retail business. An underdeveloped property near the intersection of Northampton Street and Florence Road has been purchased and will be upgraded as a home improvement related store.

The fragile Easthampton roadway system is heading towards the point of being overburdened. It is unclear if the issues of traffic congestion and associated pollution are being considered. If the significant scale of the subject property (about a half million square feet) is being taken seriously by the City government eager to attract economic development and meet state affordable housing goals.

Is it possible Easthampton could be victimized by a predatory developer using the affordable housing trump card (without clarity on the number and rental rates of said affordable units) to obtain the right to overdevelop the site forever changing the character of community?

Neither the City of Easthampton nor the Planning Board seem to have the power or the incentive to consider new state concerns like the Dark Sky Initiative or prioritize the protection of trees or consider the effects of allowing a site to be over developed with extensive ramifications; loss of irreplaceable open space, placing the wellbeing of wetlands and the Manhan River in the care of a private developer, and burdening roadways particularly in the Downtown unable to accommodate significant increases in traffic volume.

The Commonwealth of Massachusetts' overarching concerns (not yet enforceable) for better environmental protection and quality of life don't trickle down to low income communities with limited resources. Concern at the state level maybe the only way to preserve the quality of life for both humans and the environment in Easthampton.

Thank you,

Katherine Ahern 12 Gaugh Street Easthampton, MA 01027



Department of Environmental Protection

Western Regional Office • 436 Dwight Street, Springfield MA 01103 • 413-784-1100

Maura T. Healey Governor Rebecca L. Tepper Secretary

Kimberley Driscoll Lieutenant Governor Bonnie Heiple Commissioner

August 9, 2023

Rebecca Tepper, Secretary Executive Office of Energy & Environmental Affairs Massachusetts Environmental Policy Act Office Nicholas Moreno, EEA No. 16729 100 Cambridge Street, 9th Floor Boston, MA 02114-2524

> Re: Sierra Vista Commons Easthampton - EENF

Dear Secretary Tepper,

The Massachusetts Department of Environmental Protection (MassDEP), Western Regional Office (WERO) appreciates the opportunity to comment on the Expanded Environmental Notification Form (EENF) submitted for the proposed Sierra Vista Commons project to be constructed at 93, 95 and 97 Northampton Street (Route 10) in Easthampton (EEA #16729). The site previously held a driving range, ice cream stand, single-family home, a barn and agricultural fields. An intermittent stream bisects the site. MassDEP attended a site meeting on July 20, 2023.

The applicable MassDEP regulatory and permitting considerations regarding wetlands, wastewater drinking water, underground injection control, air pollution, solid waste, hazardous waste and waste site cleanup are discussed.

I. <u>Project Description</u>

The Proponent, Tasty Top Development, LLC, is proposing to construct a mixed-use commercial and residential center to include 202 housing units contained within 10 mid-rise buildings, a restaurant, a bank, a daycare facility, a gymnastic center, a mixed-use retail/office building with apartments above, a separate retail building and 2 warehouse/storage units. Internal roadways are proposed to be constructed for building access with 500 new parking spaces. New electrical utilities, including lighted parking lots, with two EV charging stations will be located in front of each residential building. Proposed recreational opportunities include a community pool, a playground and a community garden.

> This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282. TTY# MassRelay Service 1-800-439-2370 MassDEP Website: www.mass.gov/dep

Agricultural fields located in the rear of the property have been historically accessed via an unauthorized wooden bridge crossing over an intermittent stream. The Proponent proposes removal of the existing noncompliant stream crossing and construction of a new, compliant stream crossing; the Proponent states that work will have no direct impacts to wetland resource areas. Internal potable water and wastewater utilities will be connected to the existing Easthampton infrastructure. An on-site stormwater management system, not connected to the City stormwater system, is proposed.

Environmental Justice populations are identified within one and five-mile radii of the project site in the municipalities of Easthampton, Holyoke, South Hadley and Northampton. The categories are Income, Minority, Minority and Income, and Minority, Income and English Isolation. The Proponent posits the project will have neither short-term nor long-term environmental or public health impacts affecting Environmental Justice Populations.

The project is subject to a Mandatory Environmental Impact Report (EIR); the Proponent is requesting the Secretary allow submittal of a Single EIR.

Environmental Impacts associated with this project include:

- Total site acreage 33 acres
- New acres of land altered 4.4 acres
- Acres of impervious area existing 0.3 acres, change 12.1 acres, Total 12.4 acres
- Structures Gross square footage –new 422,000 SF, Footprint: 180,128 SF
- Number of housing units new 202 units
- Vehicle trips per day 4,382
- Parking spaces existing- 10, change 500, Total 510
- Water use (gallons per day) new- 68,820 GPD
- Wastewater generation-new 68,820 GPD

II. <u>Required Mass DEP Permits and/or Applicable Regulations</u>

Wetlands 310 CMR 10.000 Wastewater 314 CMR 7.00 Drinking Water 310 CMR 22.00 Underground Injection Control 310 CMR 27.00 <u>Air Pollution</u> 310 CMR 7.00 <u>Solid Waste</u> 310 CMR 16.00 Hazardous Waste 310 CMR 30.00 Bureau of Waste Site Cleanup 310 CMR 40.000

III. <u>Permit Discussion</u>

Bureau of Water Resources

Wetlands Protection Act

As required under the Massachusetts Wetlands Protection Act (WPA) and the associated regulation, the Proponent filed a Notice of Intent (NOI) with the Easthampton Conservation Commission in November 2022. MassDEP discourages filing an NOI until the MEPA process is complete; MassDEP recommends that the Proponent request the Conservation Commission hold any hearing open until the Secretary's Certificate is issued.

As part of an NOI, using the relevant methodology described in the regulation, the Proponent is required to identify and delineate any resource areas as defined at 310 CMR 10.04 on or near the project site. If an Order of Conditions (OOC) is issued prior to the issuance of the Secretary's Certificate, any substantive changes in the project that result in new, different, or additional impacts to resource areas and/or their buffer zone may, at the discretion of the issuing authority, require filing a new NOI or an amended NOI. The Proponent is advised to keep the Easthampton Conservation Commission fully apprised of the information gathered and any potential changes in the project design that arise during the MEPA review process. Further information on amending OOC is clarified in Wetlands Program Policy 85-4 available an at: https://www.mass.gov/guides/wetlands-program-policy-85-4-amended-orders.

In the event an Order of Conditions is issued and appealed prior to the completion of MEPA, in accordance with 310 CMR 10.07, MassDEP will not issue a Superseding Order of Conditions until the MEPA process is completed.

Limited Project

The Proponent asserts eligibility for review under the Limited Project provisions contained at 310 CMR 10.53(3)(e). As for all Limited Projects, allowance under these provisions is at the discretion of the local Commission and to the extent practicable, work must comply with the General Performance Standards for potentially affected Resource Areas. During the permitting process, the Proponent must demonstrate how the project will protect the interests of the WPA.

Resource Area Impacts

The Proponent indicates there are no proposed direct impacts to resource areas subject to the jurisdiction of the WPA. The Proponent proposes to install a bridge spanning a Bordering Vegetated Wetland (BVW) and intermittent stream. The bridge supports and footings are proposed to be installed in proximity to Bordering Vegetated Wetlands (BVW). As part of the NOI filing, the Proponent is required to demonstrate how the bridge will be installed in a manner that avoids alteration to the adjacent BVW and fully complies with the Massachusetts Stream

Crossing Standards. In addition, Plan Sheet B-1, <u>Bridge Plan</u> depicts a water line and a sanitary sewer line crossing a BVW, Bank (inland), and Land Under Water Bodies and Waterways. The Proponent should clarify how those utilities will be installed in a manner that avoids alteration to regulated resource areas. The Proponent should be aware that the WPA and associated regulations do not have a designation of "temporary impacts" to resource areas. If the installation of the utility lines meets the definition of "Alter" contained in 310 CMR 10.04, then as part of the WPA filing for the proponent is required to identify the nature and extent of the alteration and demonstrate how the proposed project will meet the performance standards.

The Proponent proposes to remove a previously installed unauthorized bridge. As part of the NOI filing, the Proponent should document how that removal will be conducted in a manner that avoids impacts to resource areas. The Proponent should clarify if any restoration of altered resource area is proposed.

Dewatering

At various stages of the project, dewatering activities may be necessary. Dewatering should be conducted such that no sediment enters resource areas. The Proponent must maintain appropriate stream flow during the work and ensure adequate capacity for bypassing the work area or provisions to accommodate heavy rain or flood events. Details of how this will be accomplished should be included as part of the WPA permitting process.

Stormwater

The Proponent proposes new impervious surface and construction of stormwater treatment structures within areas subject to the jurisdiction of the WPA. As per 310 CMR 10.05(6)(k), the Proponent is required to demonstrate compliance with the Massachusetts Stormwater Standards as part of its NOI filing for the Project. The Proponent is advised to reference the Massachusetts Stormwater Standards and the Water Quality Regulations at 314 CMR 9.00. The Proponent should consider environmentally sensitive site design and planning. Considerations should include low impact development techniques, stormwater best management practices (BMP) utilizing source control (nonstructural control measures), structural BMPs and maintenance.

The Proponent proposes land alteration within an Aquifer Protection District (DEP Zone II); therefore, stormwater runoff must be treated and infiltrated in accordance with the Stormwater Management Standards and Easthampton's Ordinance requirements. The Proponent appropriately references those standards and the ordinance regarding Stormwater Management. However, MassDEP wishes to emphasize that Stormwater discharges within the Zone II or Interim Wellhead Protection Area of a public water supply, and stormwater discharges near to any other critical area, require the use of the specific source control and pollution prevention measures and the specific structural stormwater best management practices determined by MassDEP to be suitable for managing discharges to such areas, as provided in the Massachusetts Stormwater Handbook.

The Proponent indicates that the project is subject to the requirements of the National Pollutant Discharge Elimination System regulations to prepare a Stormwater Pollution Prevention Plan (SWPPP). MassDEP recommends that the Proponent ensure that the SWPPP includes clear, concise, and enforceable provisions specific to the management and protection of the Resource Areas and their buffer zones within the project site.

Wastewater

There is no MassDEP permitting associated with the sewer connection. The facility will connect to the existing municipal sewer system and the Proponent is advised to coordinate with the local sewer authority regarding permitting the sewer connection relative to this project.

Regulation 314 CMR 12.04 (2) includes the requirement that all sewer authorities develop a plan for controlling Infiltration and Inflow (I/I) including mitigation of the volume of stormwater runoff into combined sewers when a new connection or extension is permitted. The Proponent is advised to consult with the Easthampton Department of Public Works Sewer Division as plans are finalized to ensure compliance with Easthampton's plan and any I/I removal requirements therein.

Drinking Water

Potable water for the facility will be provided through Easthampton's existing infrastructure. There are no identified MassDEP permits for this proposed work. MassDEP recommends detailed consultation with the Easthampton Department of Public Works Water Division to ensure adequate capacity and infrastructure as well as compliance with local requirements. In addition, MassDEP advises compliance with all cross-connection requirements, including coordination with Easthampton and the use of backflow prevention devices on municipal water sources throughout the facility and during construction.

Underground Injection Control

The Proponent should be aware that stormwater directed to any subsurface infrastructure is subject to the jurisdiction of the *MassDEP Underground Injection Control (UIC) Program* and the associated regulation 310 CMR 27.00 *Underground Injection Control*. These facilities are subject to a registration under the UIC program. An analysis of the capacity of the soils and depth to the water table may be required as part of the registration process. The following MassDEP website provides guidance regarding BMPs, registration and forms: <u>https://www.mass.gov/underground-injection-control-uic</u>.

Bureau of Air and Waste

Air Quality

Construction Activities

The earth moving, excavation and construction activity must conform to current Air Pollution Control Regulations. The Proponent should implement measures to alleviate dust, noise, and odor nuisance conditions that may occur during the excavation and construction activities at the site. Such measures must comply with the MassDEP's Bureau of Air and Waste (BAW) Regulations 310 CMR 7.01, 7.09, and 7.10.

Boilers/Generators/Emergency Generators

The applicant should be aware that there are air approval/permit requirements for boilers, incinerators, stationary turbines, reciprocating engines, emergency generator sets and other internal combustion engines (e.g. those associated with power generation units) that may or may not be applicable to this project. If any energy needs will be met through the combustion of liquid, gaseous, or solid fuels, then such systems may need to be certified (certain boilers depending upon

their heat input capacities, and engines and turbines depending upon their rated power outputs) by the MassDEP pursuant to 310 CMR 7.26 and 310 CMR 70.00, may comply with 310 CMR 7.03, or approved by MassDEP pursuant to 310 CMR 7.02 unless otherwise exempted in 310 CMR 7.00. In addition, major sources are subject to the operating permit program and may be subject to New Source Review requirements. The Proponent, if subject to these programs, may seek a federally enforceable restriction to limit its emissions in order to avoid certain requirements. The Proponent should refer to the aforementioned regulations to determine if any approval/permit threshold is exceeded by any on-site combustion process being proposed for the project and should evaluate its approval/permitting requirements/options.

Construction Equipment

All non-road engines shall be operated using only ultra-low sulfur diesel (ULSD) with a sulfur content of no greater than 15 ppm pursuant to 40 CFR 80.510.

Asbestos

The Proponent shall ensure that all buildings are inspected for asbestos material which must be removed prior to demolition. Asbestos removal must comply with all applicable state and federal regulations regarding asbestos handling, including testing prior to handling. Any asbestos or asbestos-cement material encountered during the work must be managed and disposed in compliance with MassDEP regulation 310 CMR 7.15 and available guidance prior to disposal in compliance with solid waste regulations as special wastes in accordance with 310 CMR 19.061.

Solid Waste

The Proponent shall properly manage and dispose of all solid waste generated by or discovered during this proposed project pursuant to 310 CMR 16.00 and 310 CMR 19.000, including the regulations at 310 CMR 19.017 (waste ban).

Soils Management

If the excavated material generated during work requires management as a hazardous or solid waste, then the disposition of materials must comply with any applicable requirements pursuant to 310 CMR 30.0000, 310 CMR 16.00 or 310 CMR 19.000 and MassDEP COMM-97-001 "Reuse and Disposal of Contaminated Soil at Massachusetts Landfills" and the "Revised Guidelines for Determining Closure Activities at Inactive Unlined Landfill Sites".

Hazardous Waste

If any hazardous waste, including waste oil, is generated, or discovered during site work, the Proponent must ensure that such generation is properly registered and managed and disposed of in accordance with 310 CMR 30.0000.

Bureau of Waste Site Cleanup

Massachusetts Contingency Plan (MCP)

There are disposal sites within a 0.5-mile radius from the project area with Response Action Outcomes (RAOs) and/or Permanent Solutions with or without conditions (PS/PSC). If soil and/or groundwater contamination is encountered during excavation activities, the Proponent should

retain a Licensed Site Professional (LSP); the MCP details procedures to follow for the parties conducting work. MassDEP staff are available for guidance.

A spills contingency plan addressing prevention and management of potential releases of oil and/or hazardous materials from construction activities should be presented to workers at the site and enforced. The plan should include but not be limited to, refueling of machinery, storage of fuels, and potential releases. This plan is of particular importance due to the proximity of work to wetlands at the construction site.

IV. Other Comments/Guidance

Greenhouse Gas Policy (GHG)

MassDEP works collaboratively with the Department of Energy Resources (MassDOER) to review the proposed GHG analysis and mitigations. MassDOER comments will be addressed under separate heading.

Section 61 Findings

There are no identified permits required from MassDEP for this proposed project. Should there be impacts identified that require mitigation and any MassDEP permits identified in future filings, Section 61 Findings must be included.

MassDEP staff is available for discussions as the project progresses. If you have any questions regarding this comment letter, please do not hesitate to contact Kathleen Fournier at (413) 755-2214.

Sincerely,

Catherine V. Skiba, P.G. for Michael Gorski Regional Director

cc: MEPA File

EEA NO.: 16729

Marty Klein <forager2@gmail.com> Wed 8/9/2023 1:43 PM To:Moreno, Nicholas (EEA) <Nicholas.Moreno@mass.gov>

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Moreno:

I am writing to share concerns I have regarding the proposed development at 93, 95, 97 Northampton Street, Easthampton, aka Sierra Vista Commons. I have been an Easthampton resident for 25 years, hold a master's degree in Regional Planning, have served on Master Plan and Open Space/Recreation Plan committees here and on the board of Pascommuck Conservation Trust for more than two decades and am recognized as a conservation leader in the community. I have been paying close attention to this project since it went public in December 2022.

This development is the largest project proposed here in the modern era. As such, its impacts will not be confined only to the immediate site but will reach into the greater community in a variety of ways. I cannot overstate the importance of high level scrutiny and oversight by the regulatory bodies who are reviewing this proposal, as a means to mitigate those impacts and safeguard our treasured community to the greatest extent possible.

I bring the following issues to your attention:

• The Manhan River, flowing just behind the site, is a hugely important ecological resource here. Serving as a critical wildlife corridor and supporting species of concern, it is essential that this cold-water fishery be protected from any impacts that could occur as a result of this development. Geologically, the site has a high water table, clay over bedrock, which increases the likelihood of harmful runoff impacting the river and surrounding areas. The amount of impermeable surfaces proposed increases the likelihood of negative effects on these sensitive areas. I have asked, but have not received an answer to my questions about what types and amounts of chemicals will be used to maintain the site.

We are well aware of the increasing impacts from climate change. I fear that data used here does not accurately account for current and future conditions. Unfortunately, I also understand that is what we have to work with, inadequate as that may be.

• This development, as currently planned, will result in habitat loss and degradation at different scales. Removing existing soils and cover over more than 20 acres and replacing it with imported soils plus extensive paving, buildings and lawns will destroy above and below ground habitats throughout the site. The existing wildlife corridor, connecting upland areas with the Manhan River and Mt. Tom will be greatly degraded. Easthampton harbors a diversity of flora and fauna found in western MA, including mammals like bear, coyote, deer, red and grey foxes, moose, bobcat, fisher, otter, beaver, porcupine, opossum, skunk, raccoon, weasel, others. A herd of approximately two dozen deer frequents the site and adjacent lands.

• As you are aware, the majority of the site is prime farmland, yet another vanishing and increasingly scarce natural commodity. In 2006-7, I led a project here that protected our largest working farm, 200 acres, on Park Hill with widespread community support. Our residents and the commonwealth have declared the vital importance of protecting important farmland. As currently planned, this project does the opposite of supporting that.

• Despite assurances from the applicant, I have concerns about the impacts of the extensive lighting proposed throughout the site, on wildlife, the surrounding neighborhoods and the night skies. In addition, noise, during/after construction and from maintenance, will also impact neighborhoods and wildlife.

• The applicant has proposed planting some 200 trees to mitigate the trees removed by construction. I have objections to many of their proposed plantings. The focus must be on native species that are appropriate for the site. Planting red maples, a salt intolerant species, along roadways, makes no sense. There has been no mention of planting endemic local species like sycamore, silver maple, box elder, red oak, boxwood and others. Native flowering plants must be included in the planting list. Presently, the applicant has proposed creating rain gardens to capture rainwater from apartment building roofs, planting with native flowering plants. In my opinion, this "off-label" approach to LEED certification is greenwashing and if not properly maintained, will result in weed filled basins within a couple of years.

• It is important that an archaeological survey be conducted on the site, despite what MA Historic Commission had to say on that point. Given its location along the Manhan, proximate to a waterfall, above the floodplain and not far from known, nearby sites having evidence of indigenous activity, this site deserves a higher level of scrutiny than what is currently proposed. It is my understanding that such a review would be part of a broader scale MEPA review than your present undertaking.

• I have some understanding of what might trigger a broader review. The applicant has been misleading about his intentions to seek state funding throughout this process. Early on he said he would be applying for housing funds, then at a subsequent meeting, said he would not and most recently, his housing consultant stated they would be applying for \$20 million in assistance from MA. That, plus the amount of impervious surfaces, loss of farmland, adding 3,000+ new daily vehicle trips to Rte. 10 and likely state funding needed for infrastructure upgrades to support the project all trigger a broad MEPA review. I urge you to ensure that this will take place.

• If this project comes to fruition as planned, how does the applicant propose to mitigate the impacts of 4-500 people occupying this site that borders on sensitive and critical habitat? If residents are allowed to have dogs, that will further add to the problems. Intrusions into buffer areas as well as noise created by residents must be controlled.

As currently proposed, this development, spread out over 33 acres degrades, destroys habitats and farmland in ways that are frankly, unnecessary. There has been no effort, on the part of the applicant nor the City to work with the conservation community here to create a more compact development here that serves the interests of both the applicant and the community. We know that conservation and development are not mutually exclusive and can coexist. This sprawling development is an insult to us. The applicant can realistically accomplish his goals and set aside conservation land on a smaller footprint here. Yet, there have been no attempts to envision an alternative scenario on the part of the applicant or the City. I am hoping (unrealistically perhaps) that MEPA and other reviews can somehow illuminate a wiser approach.

Lastly, I urge you not to judge the degree of community opposition to this project solely on the basis of comment letters you have received. Sadly, much of our community thinks the soon-to-be open adjacent Starbucks is the extent of the development. Many people are intimidated by the idea of writing a letter to the state/city or do not understand the process. I fault the City for not reaching out to the community to inform them about this project. Personally, from attendance at most Planning Board, Conservation Commission meetings and other gatherings, I know that a great many other people here share my concerns.

Thank you for your efforts.

Sincerely,

Marty Klein 7 Stone Path Lane Easthampton, MA 01027 413-529-9594



Maura Healey, Governor Kimberley Driscoll, Lieutenant Governor Gina Fiandaca, Secretary & CEO



August 9, 2023

Rebecca Tepper, Secretary Executive Office of Energy and Environmental Affairs 100 Cambridge Street, Suite 900 Boston, MA 02114-2150

RE: Easthampton: Sierra Vista Commons Project – EENF EEA #16729

ATTN: MEPA Unit Nicholas Moreno

Dear Secretary Tepper:

On behalf of the Massachusetts Department of Transportation, I am submitting comments regarding the Expanded Environmental Notification Form filed for the proposed Sierra Vista Commons Project in Easthampton as prepared by the Office of Transportation Planning. If you have any questions regarding these comments, please contact J. Lionel Lucien, P.E., Manager of the Public/Private Development Unit, at (857) 368-8862.

Sincerely,

David J. Mohler Executive Director Office of Transportation Planning

DJM/jll

Ten Park Plaza, Suite 4160, Boston, MA 02116 Tel: 857-368-4636, TTY: 857-368-0655 www.mass.gov/massdot cc: Jonathan Gulliver, Administrator, Highway Division Carrie Lavallee, P.E., Chief Engineer, Highway Division Patricia Leavenworth, P.E., District 2 Highway Director James Danila, P.E., State Traffic Engineer Pioneer Valley Planning Commission (PVPC) Town of Easthampton Planning Board


Maura Healey, Governor Kimberley Driscoll, Lieutenant Governor Gina Fiandaca, Secretary & CEO



MEMORANDUM

TO: David J. Mohler, Executive Director Office of Transportation Planning

FROM: J. Lionel Lucien, P.E., Manager Public/Private Development Unit

DATE: August 9, 2023

RE: Easthampton: Sierra Vista Commons Project – EENF EEA #16729

The Public/Private Development Unit (PPDU) has reviewed the Expanded Environmental Notification Form (EENF) for the proposed Sierra Vista Commons Project at 93, 95, and 97 Northampton Street (Route 10) in Easthampton as submitted by GZA GeoEnvironmental, Inc. (GZA) on behalf of Tasty Top Development, LLC. (the "Proponent"). The site is bounded by mixed commercial uses to the north and west, vacant land to the east, and residential neighborhoods to the south. The site currently consists of partially developed land with 332 feet of frontage along Route 10.

The Project entails the construction of a 500,000 square foot (sf) mixed-use development with a total of 510 parking spaces. Access to the Project would be provided via a curb cut on Route 10 approximately 100 feet south of Mountain View Street, a private way providing access to abutting landowners. The property frontage along Route 10 measures approximately 370 feet, which allows for flexibility in the placement of the proposed driveway. The driveway will be designed to local street standards and the approach to Route 10 will have left- and right-turn lanes,

The Project surpasses MEPA thresholds for review of an Environmental Impact Review (EIR) and an Expanded Environmental Notification Form (EENF) due to impacts on transportation per 301 CMR 11.03(6). The Project additionally requires a Vehicle Access Permit from MassDOT as it proposes site access onto Route 10, which is a state highway. The Proponent provides additional information necessary for a comprehensive Project review and requests a waiver to prepare a Single Environmental Impact Report (SEIR) rather than Draft and Final EIRs.

The EENF includes a Transportation Impact Analysis (TIA) prepared by Howard Stein Hudson (HSH) in accordance with the *EEA/MassDOT Transportation Impact Assessment* (*TIA*) Guidelines. The TIA includes an analysis of the study area that addresses Project impacts on intersection operations, safety, and bicycle, pedestrian, and transit modes. The Proponent has identified mitigation for the Project primarily limited to site access improvements. However, MassDOT is planning a Complete Streets Project #608423 along Route 10 that will address existing deficiencies, improve multimodal mobility, and help mitigate the impact of the Sierra Vista Commons Project; therefore, we encourage the Proponent to coordinate mitigation efforts with the MassDOT District 2 office in the EIR process. We offer the following comments that should be addressed in the EIR.

Study Area

Based on anticipated Project trip generation, the Proponent should include the following intersections in the study area for traffic analysis:

- Route 10//Florence Road/Highland Avenue; and
- Route 10/West Street.

MassDOT requests that the Proponent expand this study area to include the following as they appear to meet the TIA Guidelines criteria:

- Route 10/Oneil Street;
- Route 10/Pleasant Street; and
- Route 40/Union Street.

Please note that additional study area intersections should be included in the TIA if project-generated trips are anticipated to increase peak hour traffic volume by five percent or more or by more than 100 vehicles per hour.

Trip Generation

In accordance with the Institute of Transportation Engineers' (ITE) *Trip Generation Manual (11th Edition)*, the EENF outlines that the Project will utilize Land Use Code (LUC) 565 (Day Care Center), LUC 20 (Multifamily Housing Low-Rise), LUC 150 (Warehousing), LUC 822 (Strip Retail Plaza under 40ksf), LUC 932 (High-Turnover Sit-Down Restaurant), and LUC 912 (Drive-in Bank) to represent a conservative estimate of trips generated by the multiple uses included in the Project. The proposed project is anticipated to generate a total of 4,382 new trips, including 373 trips during the weekday morning peak hour and 525 trips during the weekday evening peak hour.

MassDOT finds this methodology acceptable as a conservative framework to estimate net trip generation and requests that the Proponent provides a detailed summary of all relevant data, including internal capture assumptions congruent with the *ITE Trip Generation Manual* (11th Edition), in the EIR.

Trip Distribution

The TIA additionally includes a trip distribution analysis including the direction of arriving and departing site-generated vehicle trips. Intersection turning movement counts

(TMCs) were collected at the study intersections on a weekday during peak periods (7:00 - 9:00 a.m. and 4:00 - 6:00 p.m.). Automated Traffic Recorder (ATR) data, including vehicle classification, for a 48-hour period, were also collected on Route 10 and MassDOT seasonal adjustment factors were applied to the count data as appropriate.

The trip distribution for the Project results in 39 percent of site traffic traveling to/from the site along Route 10 to the north of Florence Road/Highland Avenue, 22 percent of site traffic traveling to/from the site along Florence Road north of Route 10, 7 percent of site traffic traveling to/from the site along West Street west of Route 10, and 32 percent of site traffic traveling to/from the site along Route 10 south of West Street.

Safety

The EENF indicates that the study team obtained the last four available years of crash data (2017-2020) from MassDOT's IMPACT portal. In MassDOT District 2, where the Project site is located, the average number of crashes is 0.89 per million entering vehicles (MEV) at signalized intersections. Typically, study intersections with higher-than-average crash rates should be studied further by the jurisdictional agency.

The crash rates at both intersections are below the District 2 average rates. Note that no pedestrians were involved in these crashes. However, although the data is not within the study's crash data window, we understand that there was a crash in August 2022 on Northampton Street in the vicinity of the project that killed two pedestrians.

MassDOT notes that there is a pedestrian safety improvement plan where the pedestrian fatality took place. This particular project includes the installation of a crosswalk and sidewalk from Groveland Street to the site drive.

Traffic Operations

The TIA includes an analysis of peak hour traffic operations at study area intersections under current 2023 conditions, a 2030 No-Build Scenario, and a 2030 Build Scenario incorporating planned development projects in the surrounding study area as well as a background growth rate congruent with MassDOT planning directives and mitigation of the Project Site Driveway in which the Proponent intends to install a traffic signal or roundabout.

Under the No-build (2030) conditions the intersection of Route 10/Florence Road/Highland Avenue decreases from LOS D to LOS E during the AM peak hour and from LOS E to LOS F during the PM peak hour. The Route 10 southbound left-turn/thru approach decreases from LOS E to LOS F during the PM peak hour. Route 10/West Street continues to operate at an acceptable LOS during the AM peak hour. During the PM peak hour, the intersection decreases from LOS D to LOS F. The West Street left-turn/right-turn approach changes from LOS D to LOS F during the AM peak hour. The Route 10 southbound through/right-turn approach changes from LOS E to LOS F during the PM peak hour. Under the Build-Mitigated (2030) conditions the intersection of Route 10/Florence Road/Highland Avenue operates at a LOS D during the AM peak hour and a LOS E during the PM peak hour. The intersection of Route 10/West Street operates at a LOS C during the AM peak hour and a LOS D during the PM peak hour.

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Site Access

The Proponent proposes to install a traffic signal or roundabout on Route 10 at the Project Driveway as well as signal timing changes at Route 10/West Street and Route 10/Florence Road/Highland Avenue and these will improve site access and transportation operations in the surrounding area. The Proponent will continue to work with the City of Easthampton and MassDOT to determine if additional mitigation measures are necessary to improve site access and safety.

The EIR should include an evaluation of bicycle and pedestrian traffic within the Project study area. The Proponent should identify existing bicycle and pedestrian infrastructure serving the project site, document gaps in existing infrastructure and desire lines for future use, and recommend improvements to multi-modal site access as a component of Project mitigation. Additionally, the TIA should summarize transit operations within the Project study area and document the feasibility of transit commutation to the Project site. As a component of Project mitigation, the Proponent should consider coordination with the appropriate regional transit authority to provide any additional bus shelters within the Pioneer Valley Transit Authority (PVTA) bus network.

Transportation Demand Management

In the EIR, the Proponent should provide a detailed transportation demand management (TDM) program with the goal of reducing vehicle trips by employees of the Project. The program should at minimum consider the following measures:

- A transportation coordinator should be designated for the Project to coordinate the elements of the TDM program;
- Employee Scheduling Site operations should be designed to stagger employee shifts to minimize peak arrival and departure at the site;
- Truck Deliveries Truck deliveries and service vehicles should serve the site during the off-peak hours whenever possible to minimize the impacts on traffic operations on the surrounding roadways and intersections;
- Information regarding car sharing/carpooling services, taxis, and on-demand ridehailing services should be posted in a central location and/or otherwise made available to employees of the Project;

- Pedestrian accommodations should be incorporated into the Project and should include ADA-compliant wheelchair ramps at all pedestrian crossings that are to be constructed or modified as a part of the Project; and
- Secure bicycle parking should be provided within the Project site.

Transportation Monitoring Program

The Proponent will be required to conduct an annual Traffic Monitoring Program (TMP) for a period of five years, beginning six months after occupancy of the full-build project. The TMP will include:

- Simultaneous automatic traffic recorder (ATR) counts at the site driveway for a continuous 24-hour period on a typical weekday;
- Travel survey of employees and patrons at the site (to be administered by the Transportation Coordinator);
- Weekday AM and PM peak hour turning movement counts (TMCs) and operations analysis at "mitigated" intersections, including those involving site driveways, and;
- Transit Ridership counts.

The goals of the monitoring program will be to evaluate the assumptions made in the EIR and the adequacy of the mitigation measures, as well as to determine the effectiveness of the TDM program.

As mentioned in the Mitigation section above, the EIR should include a Draft Section 61 Finding, outlining the mitigation measures the Proponent has committed to implementing in conjunction with this project. The Draft Section 61 Finding will be the basis for MassDOT to issue a final Section 61 Finding for the Project. The Proponent should continue consultation with the Town of Easthampton and appropriate MassDOT units, including PPDU, Traffic Operations, and the District 2 Office during the preparation of the EIR for the project. If you have any questions regarding these comments, please contact William Simon at *William.M.Simon@dot.state.ma.us*.