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April 4, 2025

Ms. Donna Brewer
Partner
Harrington Heep LLP
40 Grove Street, Suite 109
Wellesley, MA 02482

Reference: **Peer Review Report**
35-37 Interlaken Road, Stockbridge

Via: **Email to dbrewer@harringtonheep.com**

Dear Ms. Brewer:

Our office appreciates the opportunity to provide this peer review for the project referenced above, and provide recommendations and commentary to the Town of Stockbridge Select Board. We have conducted this review based on the following documents supplied to our office by Harrington Heep LLP:

- Special Permit Applications for Interlaken, Prepared for 35-37 Interlaken Road Realty Trust, dated November 2024
- Plans to Accompany Permit Applications Prepared for 35-37 Interlaken Road Realty Trust, prepared by SK Design Group, Inc., no date provided, 14 Sheets.
- Stormwater Report, prepared by SK Design Group, Inc., dated November 2024.
- Architectural Plans, prepared by SK Design Group, Inc., dated November 2024.

Our office has also utilized the following Town of Stockbridge By-Laws and Regulations:

- Zoning Bylaws of the Town of Stockbridge
- Town of Stockbridge Conservation Commission Wetlands Bylaw Regulations
- Town of Stockbridge Regulations Under the Berkshire Scenic Mountains Act
- Massachusetts DEP Stormwater Management Handbook

Introductory Comments

The purpose articulated in Subsection 6.6.1 of the Zoning Bylaw encourages "the preservation, restoration or improvement of the original features and character of [the] Principal Buildings, associated outbuildings and structures, open spaces, views, landscape features, gardens and recreational facilities" of Cottage Era Estate Adaptive Re-Use or Rehabilitation projects. We believe this is the critical lens through which the Select Board must analyze this proposal. The Proposed Project has a number of components that respond to this purpose, and relative to the Applicant's

original proposal, the current Proposed Project represents an effort to address the Town's concerns, with reductions in site density and limits of clearing.

However, we believe more can be done. Since it is likely not possible to preserve the entirety of the Principal Building, given the structural and other deficiencies articulated in the Structural Review Letter, extra attention must be paid to the "open spaces, views, landscape features, [and] gardens." We provide suggestions below for alterations to the Site Plan that could maximize the preservation of the scenic great lawn at the front of the site.

There are also a number of zoning and engineering issues that the Applicant must address before the Select Board can make a decision. Some of these require judgment and interpretation by Town officials. Others require additional analysis, drawings, or clarification from the Applicant. We provide an outline of the most significant of these issues below, followed by specific comments on planning and zoning, traffic impacts, stormwater management, and the civil/site plans.

Primary Issues

- The Applicant seeks relief under Subsection 6.1.2 for extension of a nonconforming structure: the Principal Building on the site exceeds the 35-foot height limit in the R2 District, and the project proposes additions to the Principal Building and new buildings that match the height of the Principal Building. The Select Board has the discretion to grant relief for these additions as extensions of a nonconforming structure. We believe that the Applicant should provide more information to explain the nature of the building connections and the distinction between the two additions to the Principal Building and the other similarly connected buildings. We note that Subsection 6.6.3.d would allow the configuration shown on the Site Plan if the Principal Building were in the R-4 zoning district, but it is in the R-2 district. The question of whether these buildings represent additions also has implications for compliance with Subsection 6.6.4.j, which prohibits new buildings within 200 feet of the Principal Building.

  It is not clear that the Select Board has the discretion to grant relief for the new buildings under Subsection 6.1.2, since they are not a "change, extension, alteration or reconstruction of a pre-existing nonconforming structure." They are new buildings, detached from the Principal Building. We provide additional commentary on this issue below.

- We provide a number of comments below about the need for additional drawings and clarifying information, the general purpose of which are to help the Select Board better understand the relationship of the proposed buildings to one another and their consistency with the Zoning Bylaw's requirements around the preservation of historic and architectural features and the Proposed Project's aesthetic impacts on the physical character of the neighborhood and Town. The Zoning Bylaw requires additional elevation diagrams and information about materials that are not provided. We also believe that drawings or renderings that depict the Proposed Project from ground-level, including views into the site from Interlaken Road, would be very effective in showing how the proposed additions and new buildings interact with the Principal Building and the grounds of the site.

- Section 6.6 allows hotel use but does not allow multi-family residential use. The hotel residences in the Proposed Project could be construed as Dwelling Units in a multi-family building under the Zoning Bylaw's definitions. The Applicant should provide additional information about the distinction between their proposal and a multi-family building. See additional commentary below.

- Section 6.3.8 requires a Site Plan to be prepared by a professional engineer or a registered landscape architect. The plans do not bear a professional seal and lacking a seal do not demonstrate that the Plans have been prepared or under direct charge and supervision of a Professional Engineer. Furthermore, as required in 250 CMR 5.02.(c) a registrant shall approve, sign or seal only those Instruments of Service that conform to 250 CMR and generally accepted engineering and land surveying standards. As the letter details, there are numerous locations where we do not believe the design conforms to generally accepted engineering standards.

- Section 6.3.8.a requires a grading and drainage plan and for the drainage to be analyzed utilizing TR-20 or TR-55 method as well as demonstrate compliance with the Commonwealth of Massachusetts Stormwater Management Policy. The applicant indicates in their Stormwater Management Report, Section 1.0, Introduction that *"The Stormwater Management Report has been prepared to demonstrated compliance with the Massachusetts Stormwater Management Standards… and Water Quality Certification Regulations", however in the same section indicated that "This report is preliminary and intended to accompany a land use permit for the property. Should the permit be issued, the permit drawings and stormwater design will be finalized and submitted to the Stockbridge Conservation Commission for review and approval under a separate application."* The Applicant goes further to state that *"The design and calculations are 75%+/- design stage. Once Zoning Approval is granted the design will advance to support a PE certification and preparation of the MDEP Stormwater Checklist".* The applicant has not demonstrated compliance with the Massachusetts Stormwater Management Policy and has not provided a complete set of plans or stormwater design to document compliance as the Town Bylaw requires.

Planning and Zoning Comments

General Planning and Zoning Comments

PZ Comment 1 - As alluded to above, the preservation of historic and scenic features on the site, both structural and landscape, is fundamental to the purpose of Section 6.6 of the Zoning Bylaw. The Applicant has pledged to preserve the façade of the Principal Building, and to attempt to preserve other architectural features if possible. While we are hopeful that additional preservation is possible (and make recommendations elsewhere for the Select Board to monitor this issue), we cannot assume that much more can be done on the sides and rear of the Principal Building. To assist the Select Board in making a determination on the adequacy of preservation efforts and to make the required findings regarding detriment to adjacent uses, we recommend here and elsewhere that the Applicant provide drawings of the Proposed Project from ground level, including from Interlaken Road.

Given the size of the open space in front of the Principal Building and the scale of existing development on the property, it can be argued that the scenic views from Interlaken Road are the defining aesthetic features of the site. The Applicant does not propose many changes to the front of the site, but they are significant, including:

- A driveway to connect North and South Gate Roads, with a loading area, 23 parking spaces, and a short driveway onto the lawn in front of the Principal Building
- A wooden fence along North and South Gate Roads and the driveway and also enclosing an event space on the lawn
- Temporary grass-on-gravel parking areas totaling 174 spaces

While these improvements are not considered structures, which would largely be prohibited by Section 6.6, they would impact the scenic views of the property. The fence and parked cars would certainly be visible, and the lawn would have a decidedly different character on occasions when an event was taking place. Even a handful of large events with parking could cause damage to the lawn. We believe that certain changes to the Site Plan could avoid any changes to the front of the property and would preserve a significant amount of programmatic space for the Proposed Project. Those changes include:

- Running the driveway between North and South Gate Roads behind the Principal Building, rather than in front. This would avoid having a significant amount of paving and parking in front of the Principal Building, maintaining its current appearance.
- Connecting Buildings B and E to the rear of the Principal Building, rather than the current narrow connections. Although they would still be large in size, these additions would read as a single building while still allowing the Principal Building to stand front and center. This would also solidify compliance with Subsection 6.6.4.j and Subsection 6.1.2.
- Eliminating the fence and parking areas in the front lawn

We understand that these are not small changes and could entail the alteration of some elements of the Proposed Project's program. We believe that keeping the front of the site in its historic condition best meets the purpose of the bylaw. The Applicant should also clarify whether they intend to preserve the existing entrance gates at North and South Gate Roads, which are character-defining features at the front of the site.

PZ Comment 2 - There are number of uses in the Proposed Project which are not covered in Section 6.2 Off-Street Parking Requirements. In the Impact Statement, the Applicant provides proposed parking requirements for these uses using the Institute of Transportation Engineers demand method, which we believe is appropriate to put a general figure on estimated parking demand.

See PZ Comment 35 below for a potential discrepancy in the parking count numbers. The Impact Statement says that 670 spaces would be required according to zoning requirements and estimates for uses not outlined in the zoning. The Applicant provides 782 spaces. The Applicant should justify the need for additional spaces. Given that there are several different uses on the site with parking demand that may overlap or may peak at different times of the day or season, the Select Board should encourage the Applicant to analyze the potential to share parking among the different uses to potentially reduce the total amount of spaces and impervious surface. The Select Board could also consider allowing some required parking to be allowed curbside on the driveway throughout the site. Any reduction in

impervious space would allow for greater stormwater infiltration, landscaping, or more efficient use of programmatic space.

PZ Comment 3 - The workforce housing units are a good addition to the Proposed Project, but more information is needed. While the Commonwealth does not have a formal definition of "workforce housing," MassHousing's Workforce Housing Initiative classifies it as "housing with rents affordable to individuals and families with incomes of generally between 60% and 120% of Area Median Income (AMI)." The Applicant should clarify what range of income levels it intends to target.

The Applicant should also provide more information on how it intends to market and sell the units. Income-restricted units require a lottery, which entails an Affirmative Fair Housing Marketing Plan, deed restrictions, regulatory agreements, and other formal measures between the Applicant, the Town, and the eventual owners of the units.

The Commonwealth's 40B Guidelines require that any units approved under the Local Initiative Program (which we believe would be the regulatory program for the proposed workforce housing units) "shall be indistinguishable from market-rate units as viewed from the exterior unless the project has an approved alternative development plan." In the case of the Proposed Project, the workforce housing units are in a townhouse configuration, while the market rate homes are detached single family units. The 40B Guidelines also state that "Affordable units must be proportionately distributed throughout a Project, in terms of both location and unit size/type." In the Proposed Project, the workforce units are clustered in the northwest corner of the site, while the market rate units span the entire western edge of the project site.

PZ Comment 4 - The Proposed Project includes work in the 100-foot buffer around a Bordering Vegetated Wetland and requires review by the Stockbridge Conservation Commission.

PZ Comment 5 - No work is proposed in Scenic Mountain Act Regulated Areas.

PZ Comment 6 - The plantings on the Landscaping Plan are generally shown at full maturity. This is not uncommon or inappropriate for site plans at this stage of development, but it underscores the importance of maintaining new plantings and ensuring their survival in the first several years of the project. The Select Board should consider conditions to monitor and replace failed plantings until the site landscaping can fully establish itself.

Comments on Section 6.6 Cottage Era Estate Adaptive Re-Use or Rehabilitation

We note below where the Proposed Project complies with the zoning bylaw, where we believe it does not, or where additional information is needed.

Subsection 6.6.1 Purpose

PZ Comment 7 - The Project Site lies in both the R2 and R4 district and proposes adaptive reuse of a Cottage Era Estate as defined in Section 2.2. See PZ Comment 1 above for additional commentary on the purpose of the bylaw.

Subsection 6.6.2 Applicability

PZ Comment 8 - *Subsection 6.6.2.a*: The project proposes 24 single family homes. While the site has space to accommodate one house per two- or four-acre lot as contemplated by Section 4.11.A.1, the Proposed Project lays them out in a clustered fashion without drawing new lot lines.

PZ Comment 9 - Subsection 6.6.2.b: The Application Narrative proposes open space and recreational amenities that may include walking trails, tennis, swimming, and lawn games. While significant portions of the site are dedicated to open space or left in their natural condition, the Site Plan does not show pools or tennis courts. If these may be aspects of the Proposed Project, they should be shown on the Site Plan so the Town can determine compliance with setback and other dimensional requirements.

PZ Comment 10 - Subsection 6.6.2.c: The Project proposes a hotel with nine suites and three residences in the existing mansion, and 129 hotel residences in additions and new buildings. The project will also include restaurant space. More information is required about the distinction between hotel "suites" or "rooms" and hotel "residences." Section 2 – Definitions of the Zoning Bylaw defines a "Dwelling Unit" as "One or more rooms constituting a separate, independent housekeeping establishment with cooking, living, sanitary and sleeping facilities for the use of one (1) family." Section 2 defines "Dwelling, Multi-Family" as "A residential building designed for or occupied by three (3) or more families, with not more than one (1) family in each unit." Section 2 defines "Hotel" as "A building with six (6) or more rooms in which lodging is offered to paying guests with customary hotel services including feeding in a central dining room on a transient or permanent basis." Although the floor plans are not labeled, it does appear that the hotel residences proposed for most of the new buildings and portions of the Principal Building have cooking, living, sanitary, and sleeping facilities, which would be consistent with the Zoning Bylaw's definition of "Dwelling Unit." Each of the buildings in the Proposed Project has more than three units, which would be consistent with the definition of "Dwelling, Multi-Family." The bylaw's definition of "Hotel" does not preclude units with cooking facilities (akin to an extended stay suite), nor does it preclude lengthy tenures by guest (see the term "permanent basis" in the definition of "Hotel"). However, multi-family housing is not an allowed use under Section 6.6. Given the overlap between the various definitions that could apply to the hotel residences, the Applicant must supply additional information about the meaningful distinction between their proposal and a series of multi-family buildings.

PZ Comment 11 - Subsections 6.6.2.d-e: The Project proposes agricultural space for what it describes as "community agriculture and gardening," and the Application Narrative states that "Produce from this area will supply the homes and dining facilities on the Property and will provide a unique amenity to residents and visitors."

PZ Comment 12 - Subsection 6.6.2.f: The Project proposes indoor and outdoor event space for weddings and corporate functions (and potentially other events).

PZ Comment 13 - Subsection 6.6.2.h: See PZ Comment 10 above regarding Hotel, Restaurant, and Conference/Retreat use. The definition of Resort use in this subsection appears to encompass a combination of those uses which are proposed by the Project.

Subsection 6.6.3 Procedure

PZ Comment 14 - Subsection 6.6.3.b: The Application includes plans that contain property lines, building footprints, and significant site features. Only front elevations of the Principal Building and new buildings are provided. No elevations for the proposed demolished portions of the Principal Building or side and rear elevations for new buildings are provided. Side or rear elevations would show the treatment of the entrance to the parking garages, for which there is no information currently provided in the plans or narrative. No materials are identified on the elevation diagrams. Elevation diagrams for the single-family buildings show all four sides, but do not indicate materials. The Applicant should provide elevation diagrams for all four sides of each building, and indicate the materials proposed to be used.

PZ Comment 15 - Subsection 6.6.3.d: This subsection is largely inapplicable; the Principal Structure is entirely in the R2 district, not the R4 district. As noted elsewhere, the height of each of the new proposed buildings, at approximately 40 feet, exceeds the maximum building height requirement of 35 feet. The final clause of this subsection requires that no addition or new building exceeds the Principal Building in gross floor area. The Application does not include a tabulation of the gross floor area of either the Principal Building or the proposed new buildings, except for the single-family houses. By our estimates, the gross floor area of the buildings shown on the site plan is as follows:

- Principal Building: approximately 22,500 square feet
- Buildings A and C: approximately 50,676 square feet
- Buildings B, E, F, G, and H: approximately 36,220 square feet
- Building D: approximately 37,420 square feet

New buildings that exceed the floor area of the Principal Building are not allowed per this subsection. The Applicant should provide an accurate tabulation of the gross floor area of each of the proposed new buildings and the Principal Building before compliance with this subsection can be determined.

Subsection 6.6.4 Required Findings

PZ Comment 16 - Subsection 6.6.4.a: The Project Site is in the R2 and R4 districts, is greater than 80 acres, and has a principal one-family dwelling built in the 1890s.

PZ Comment 17 - Subsection 6.6.4.b: The Town's GIS mapper shows that the Project Site is composed of two parcels: Parcel # 207-032-000 (a 310-acre parcel at 37 Interlaken Road) and Parcel #207-031-000 (an abutting 4-6-acre parcel at 35 Interlaken Road). The parcels are in common ownership, and the site plans represent the Project Site as a single parcel.

PZ Comment 18 - Subsection 6.6.4.c: No new structures are proposed for the area in front of the Principal Building.

PZ Comment 19 - Subsections 6.6.4.d-h: The Structural Review letter indicates potentially significant issues with the existing foundation, walls, and floors throughout the mansion house. Adaptive reuse from a single-family residential use to a commercial hotel/multi-family residential use, combined with the requirements of modern building and energy codes, could require major replacement or demolition of existing building elements. The Select Board could consider conditioning its approval on the completion of a more detailed survey of the condition of exterior architectural features of the Principal Building. The Select Board could also consider a monitoring scheme to ensure that as demolition and construction occur, salvageable architectural elements and materials are catalogued and restored where possible.

Most of the new development is proposed for the area behind the principal dwelling. The proposed design of the new hotel buildings appears to be consistent with the Principal Building, although additional elevation diagrams are needed. The Applicant should provide more information on proposed materials for both the new buildings and the restoration of the Principal Building facade.
Most of the site is proposed to be preserved in its existing state, except for some clearing in the middle portion of the site for agricultural uses. See PZ Comment 1 above for more on the proposed alterations to the grounds at the front of the site.

PZ Comment 20 - Subsection 6.6.4.i: Most of the parking areas are proposed to be under or screened by new buildings and landscaping. A small amount of new off-street parking is proposed for the area directly in front of the Principal Building, off the proposed new driveway. See PZ Comment 1 above regarding our recommendation for relocating this parking area.

PZ Comment 21 - Subsection 6.6.4.j: Buildings B and E are within 200 feet of the Principal Building; the application narrative states, "The Applicant proposes to construct additions to the main house, which will be designed to reflect the style, character, and workmanship of the existing structure." We provide comments above and below about the status of these buildings as detached structures or additions, particularly in relation to relief under Subsection 6.1.2.

Building G is approximately 160 feet from the Principal Building.

PZ Comment 22 - Subsection 6.6.4.k: Proposed lighting fixtures are DarkSky International–approved with shielding and dimming functions available.

The Lighting Plan shows small areas of light trespass (0.1 footcandles in a handful of locations) over the northerly and southerly property lines.

PZ Comment 23 - Subsection 6.6.4.m: Subsection 6.16.1.b limits driveways to 500 feet. While North and South Gate Roads are existing access drives into the site, the driveways in front of the Principal Building and through the site would exceed 500 feet. The bylaw allows relief from this 500 foot limit by special permit "if a greater length is necessitated by topography or special conditions for the public

good which may include conservation, scenic landscape, or agricultural considerations." The Applicant should request this relief directly, with a rationale based on the conditions in Subsection 6.16.1.b.

The new hotel buildings are proposed to be approximately 40 feet tall, in excess of the 35-foot height limit in the R2 zone. See PZ Comment 54 below for additional commentary regarding compliance with Subsection 6.1.2.

Comments on Section 6.3 Special Permits

Subsection 6.3.6 Findings Required

PZ Comment 24 - *Subsection 6.3.6.a*: The uses proposed by the project are consistent with Subsection 6.6.2. See Comments on Subsection 6.6.2 for more on zoning compliance.

PZ Comment 25 - *Subsection 6.3.6.b-c*: These findings are fundamental questions for the Select Board. The Application Narrative asserts that the "project will provide significant public benefits, including: (i) restoration and preservation of the main house to the extent practicable; (ii) creation of much needed housing opportunities, including workforce housing; (iii) substantial tax revenue for the Town; (iv) preservation of large portions of the Property as open space, including creation of agricultural opportunities; and (v) creation of additional infrastructure to support the Town's tourism economy." We find these to be accurate descriptions of the potential benefits of the project (see comments elsewhere on preservation of the property). That said, judgments on whether a project is "desirable" and will not be "detrimental . . . to the established or future character of the neighborhood" are ultimately subjective and rest with the Select Board.

PZ Comment 26 - *Subsection 6.3.6.d:* Regarding pedestrian safety, there are no sidewalks to speak of on Interlaken Road. Sidewalks are provided within the site between the hotel buildings, restaurant, and central parking area. No sidewalks are provided between the single-family houses and the programmatic areas of the site.

The traffic impact analysis shows no significant impacts on capacity—as measured by volume-to-capacity ratio, delay, and Level of Service—at the critical intersection of Route 183 and Route 102, except for the Saturday peak hour. When comparing the 2031 No-Build condition to the 2031 Build condition, the Saturday peak hour is the only time period where the intersection is operating beyond capacity (v/c = 1.01), represents an almost doubling in delay per vehicle, and represents a degradation in Level of Service from E to F. The Applicant should provide further information on the practical effects of the projected impacts and propose mitigation measures.

Comments on Subsection 6.3.8 Site Plan Required

PZ Comment 27 - *Subsection 6.3.8:* A site plan is required by be prepared by a registered professional engineer or registered landscape architect on a 1" =40' scale. We did not receive a copy

of plans stamped by a registered professional engineer or registered landscape architect, and the plans have been prepared with a scale of 1" =60', not a scale of 1" =40'.

PZ Comment 28 - *Subsection 6.3.8.a*: This section of the bylaw requires the following:

"Grading and drainage plan showing existing and proposed contours. Two (2) foot contour intervals shall be required on areas proposed for development and five (5) foot contours shall be required elsewhere on the property. Drainage shall be analyzed utilizing either the TR-20 or TR-55 method and the plan shall show compliance with the Commonwealth of Massachusetts Stormwater Management Policy."

We have made comments in the Stormwater section of this letter relative to the information and documentation required to demonstrate compliance with the Commonwealth of Massachusetts Stormwater Management Policy.

PZ Comment 29 - *Subsection 6.3.8.b*: The Site Plan shows the location of proposed and existing structures to be preserved. Preliminary Architectural Plans show the heights of the proposed buildings. There is no tabulation of the gross floor area of the existing or proposed buildings. The Applicant should provide this information.

As mentioned elsewhere, only façade elevations are provided for the Principal Building and the new hotel buildings. Elevations for all sides of these buildings should be provided. There is no information regarding height or size for the barn and restaurant building. The Applicant should provide elevation diagrams for all sides of these buildings, as well as a list of proposed materials if they are to be renovated or altered.

PZ Comment 30 - Subsection 6.3.8.c: The size and height of signs are outlined in the Impact Statement. The Impact Statement proposes two signs, but only one is shown on the Site Plan. If there are two
signs proposed, they should both be shown on the Site Plan. If sign(s) are to be illuminated, they should be shown on the Lighting Plan and the specifications for fixtures should be provided.

PZ Comment 31 - *Subsection 6.3.8.d*: A Landscaping Plan is provided in the application.

PZ Comment 32 - *Subsection 6.3.8.e*: An Open Space Plan is provided in the application.

PZ Comment 33 - *Subsection 6.3.8.f*: The applicant is proposing to connect to the Town of Stockbridge's existing sewer main and we did not note any disposal systems which would require soil or percolation tests. We have provided further comments on utilities in the utility section of this letter.

PZ Comment 34 - *Subsection 6.3.8.g*: The applicant is proposing to connect to the Town's water supply and the applicant indicates the property is serviced by a private booster station and a 6" water main. The applicant further indicates that the current system does not provide adequate flows for fire

protection and provides a potential solution. It is unclear whether this solution has been reviewed by the Town's Water Department to be confirmed suitable in demonstrating that the development will have an adequate water supply.

PZ Comment 35 - *Subsection 6.3.8.h*: Parking and circulation are shown on the Site Plan.

The Impact Statement states that 333 covered spaces are provided for the Hotel Residences. These appear to be within the footprint of the new buildings, labeled A through H on the Site Plan. The parking counts shown on the Site Plan only add up to 225 covered spaces. The Applicant should clarify which number is accurate.

The Impact Statement shows the parking provided for the Restaurant Building and the Hotel Units and Main House Residences. The floor plans for the Principal Building also show restaurant space. The Applicant should clarify whether this restaurant space is meant to be exclusively for hotel guests. If that is the case, then parking for this restaurant should already be accounted for in other uses on-site. If the restaurant is meant to be open to the public, the Applicant should indicate where parking for this use is provided.

It is not immediately clear from the Site Plan whether the parking internal to the new buildings is surface-level or underground. We assume that it is underground, since the floor plans show units and other programmatic space on the first floor. If that is accurate, the Applicant should provide plans for the parking level of each new building, showing the entrance/exit ramps, parking stall dimensions, and drive aisle widths. The Applicant should also provide section diagrams that indicate the relationship between the below-grade parking and the surrounding topography.

PZ Comment 36 - Subsection 6.3.8.h.1: The Impact Statement describes the parking generating characteristics of the uses.

PZ Comment 37 - *Subsection 6.3.8.h.2*: The Preliminary Architectural Plans show floor areas for the Principal Building and the new hotel buildings, but there are no dimensions on these plans (although they are to scale). There are no floor plans or designs for the restaurant or barn buildings.

PZ Comment 38 - Subsection 6.3.8.h.3: In the parking generation section of the Impact Statement, the hotel use is assumed to have 12 employees, and the restaurant use is assumed to have 12 employees. There is no calculation for staffing for events or meetings, unless these are meant to utilize the usual hotel and restaurant staff.

PZ Comment 39 - *Subsection 6.3.8.h.4*: The Impact Statement does not indicate how many hotel, restaurant, or event/conference patrons are expected. It does show the calculation for parking provided based on parking generation rates for the various uses. Parking generated by the restaurant use is measured by total seats (150 seats). Parking generated by the event/conference use is measured by total capacity of the facilities (825 people). Parking generated by the hotel use is measured by rooms (141 rooms).

PZ Comment 40 - *Subsection 6.3.8.i*: The Lighting Plan shows the location of all the proposed lights, and the Site Lighting Specification sheets have details on the fixtures.

PZ Comment 41 - *Subsection 6.3.8.j.1*: Parking spaces and access routes are generally shown on the Site Plan, however the ADA spaces for the Mansion, Restaurant, and to the west of Building D do not include a connected sidewalk, and the accessible route would otherwise appear to be through a drive aisle, which we do not believe is appropriate. The applicant should clarify the number of ADA accessible spaces for each building, and what the accessible route would be.

PZ Comment 42 - *Subsection 6.3.8.j.1*: The ADA parking spaces to the northeast of the mansion appear to be on a slope exceeding 10%, where the maximum allowable slope through ADA parking spaces cannot exceed 2%. The applicant should provide greater detail on how the ADA parking spaces will be located on a slope complying with the State and Federal ADA regulations, and what the slope of the accessible route to the mansion will be.

PZ Comment 43 - *Subsection 6.3.8.j.2*: Curbing and wheel stops are not shown on the Site Plan, and the detail of the "Typical Road & Paving" appear to show a lip along the edge of the pavement. It is unclear where curbing is to be provided.

PZ Comment 44 - *Subsection 6.3.8.j.3*: Directional arrows are shown on the Site Plan; it is unclear if these are meant to be pavement markings. Markings for parking spaces are shown on the Site Plan.

PZ Comment 45 - *Subsection 6.3.8.j.4*: Surfacing is shown in various diagrams on the Details sheets.

PZ Comment 46 - *Subsection 6.3.8.j.5*: Screening and landscaping is shown on the Landscape Plan.

PZ Comment 47 - *Subsection 6.3.8.j.6*: Lighting is shown on the Lighting Plan and the Site Lighting Specification sheets.

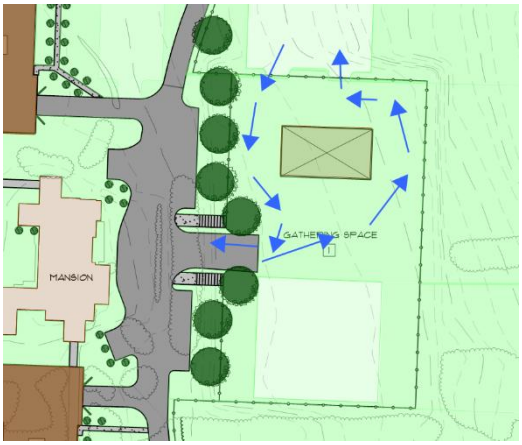
PZ Comment 48 - Subsection 6.3.8.j.7: As discussed further in this letter, the drainage provisions lack adequate detail and do not currently comply with the Massachusetts Stormwater Management Standards.

PZ Comment 49 - Subsection 6.3.8.j.8: Loading areas are shown on the plan—in front of the Principal Building, near the restaurant building, and to the rear of the barn—but more information is needed to determine the adequacy of their size and location. The Applicant should clarify what types of loading activities they anticipate at each location and the size of trucks they anticipate using the loading zones. As shown on the plan, with the exception of the barn, there is no paved connection between the loading areas and the buildings they serve.

PZ Comment 50 - Subsection 6.3.8.j.9: The Applicant indicates that a proposed wooden fence is to be installed around the event space to the east of the mansion. No detail is provided on the plans to indicate height, material, design, etc. of the fence. Furthermore, the Applicant indicates a grass on gravel area to the north of the proposed fence, but there does not appear to be any gates provided. The applicant should indicate and provide detail on how access will be provided through the fence.

PZ Comment 51 - Subsection 6.3.8.j.9: The plans indicate proposed sidewalks, but no detail is provided on the type of sidewalk proposed (concrete, asphalt, etc.)

PZ Comment 52 - Subsection 6.3.8.j.9: The plans indicate numerous locations where grass parking area is to be located on a gravel base. The plans do not provide grass on gravel to reach the parking areas and it is unclear why the parking area is to receive the grass on gravel where the lane to reach these areas do not shown generally in the screenshot below showing a potential circulation. The applicant should justify why the parking areas would receive grass on gravel whereas a drive lane to them would not.



PZ Comment 53 - *Subsection 6.3.8.l*: The Traffic Impact Study does not address traffic generation or levels of service during the construction period. The Applicant should provide this data. The Traffic Impact Study does model traffic impacts out to 2031 in a No-Build and a Build condition, which is consistent with MassDOT guidance on traffic impact assessments.

Comments on Subsection 6.1.2 Requirements for Extension, Reconstruction or Change in Use

PZ Comment 54 - The Select Board will need to make a judgment as to the scope of this section, its relationship to Section 6.6, and whether the Proposed Project complies. Section 6.1.2 appears to give the Select Board the broad authority to approve by special permit a change in use. However, the Applicant does not need relief from the Zoning Bylaw for a change in use, since Section 6.6 allows all of the uses proposed in this special permit application. Relief under Section 6.1.2 is necessary because the Applicant proposes to expand a nonconforming structure with additions (the Principal Building on the site exceeds the maximum height requirement of 35 feet).

The nature of the proposed "additions" is unclear. The Site Plan indicates connections between buildings, shown as thin light gray areas with circular elbows, although these are not labeled and it is not clear that they are enclosed, conditioned spaces. (The Applicant testified at a recent Select Board

meeting that these would indeed be enclosed spaces, although no drawings were provided to our knowledge.) The architectural drawings show façade elevations and floor plans as separate buildings, so it is unclear how each building is connected to another. We note in other comments the need for elevations, plans, and materials for these connections in order to more fully understand how these proposed additions interact with the primary building.

Since Sheet A-001 in the Mansion Hotel section of the architectural plans has a scope of work that references the "new construction of (2) additions," we assume that to be Buildings B and E. If this is the case, the Board has discretion under Subsection 6.1.2 to approve them at their proposed heights as extensions of an existing nonconforming structure if they are considered to be additions to the principal structure. The Applicant has not provided more detailed architectural diagrams or a statutory- or code-based definition of what constitutes an addition. That information is necessary for the Board to make an informed judgment as to whether Buildings B and E are additions and hence eligible for relief under this subsection.

We question whether relief under Subsection 6.1.2 can extend to the other new structures which, at 40 feet in height each, would all exceed the maximum height requirement of 35 feet. These additional structures cannot be construed as a "change, extension, alteration or reconstruction of a pre-existing nonconforming structure," since they are detached and distinctly separate structures from the Principal Building. Under a strict interpretation of Section 6.1.2, these new structures should not be allowed at the proposed heights.

Stormwater Comments

As noted in "**PZ Comment 28**", … the plan shall show compliance with the Commonwealth of Massachusetts Stormwater Management Policy. The Applicant has indicated in their Stormwater Management Report, Section 1.0, Introduction, that:

> *"The Stormwater Management Report has been prepared to demonstrated compliance with the Massachusetts Stormwater Management Standards… and Water Quality Certification Regulations", however in the same section indicated that "This report is preliminary and intended to accompany a land use permit for the property. Should the permit be issued, the permit drawings and stormwater design will be finalized and submitted to the Stockbridge Conservation Commission for review and approval under a separate application."* The Applicant goes further to state that *"The design and calculations are 75%+/- design stage. Once Zoning Approval is granted the design will advance to support a PE certification and preparation of the MDEP Stormwater Checklist".*

While the Applicant has suggested that they have demonstrated compliance with the Massachusetts Stormwater Management Standards, in the same introductory section the Applicant states that they have not provided full and complete design and calculation package. Lacking a complete design, a complete review is not possible, and consequently the Applicant has not demonstrated compliance with the Massachusetts Stormwater Management Standards.

The following section of this letter provides a breakdown on how the Applicant has not demonstrated compliance with the applicable Stormwater Management Standards.

MassDEP Stormwater Standard 1 – No New Untreated Discharges or Erosion to Wetlands

SW Comment 1 - The Applicant has indicated on page 6 of the Stormwater Management Report

> *"… The peripheral areas including the easterly watershed and the single-family homes along the westerly edge of the development area are open systems with limited or no stormwater conveyances and no point discharges…*

It is unclear why these statements have been made, as there is little to what is indicated above shown on the plans. For example, the Applicant indicates that the peripheral areas including the easterly watershed and the single-family homes along the westerly edge of the development area are open systems with limited or no stormwater conveyances and no point discharges. According to the HydroCAD report the infiltration component which captures runoff from the homes and surrounding areas has a footprint of approximately 12,700 SF. The plans do not show or mention a system of this size, so it is unclear how it would function.

SW Comment 2 - The Applicant has indicated on page 6 of the Stormwater Management Report the following:

> *"…All new outfalls are designed with flared end sections and rip rap protection to prevent erosion to wetlands or receiving appurtenances. Stormwater runoff will be treated by deep sump catch basins, a forebay, and an infiltration basin before discharging off-site…"*

We did not locate a single outfall on the plans indicated to be constructed with a flared end section and no detail of a flared end is provided on the plan. Furthermore, other than the riprap protection indicated for the basin spillway (which lacks sufficient detail and discussed further below) we did not locate any riprap protection at any outfall location.

SW Comment 3 - As noted in SW Comment 2, the Applicant indicates stormwater runoff will be treated *by "deep sump catch basins… before discharging off-site"*. As provided in Volume 2, Chapter 2, of the Stormwater Management Handbook, page 3, Special Features,

> *"All deep sump catch basins must include hoods"*

The Applicant has provided a typical catch basin detail on Sheet 14 of 14, however the catch basin does not include a hood, and should not be counted in providing treatment.

SW Comment 4 - As noted in SW Comment 2, the Applicant indicates stormwater runoff will be treated *by "a forebay… before discharging off-site"*. As provided in Volume 2, Chapter 2, of the Stormwater Management Handbook, page 15, Design, there are various requirements for designing a sediment forebay, such as some of the following:

- A sediment forebay is required to hold the 0.1-inch/impervious acre to pretreat the water quality volume.
- When routing the 2-year and 10-year storms through the sediment forebay, design the forebay to withstand anticipated velocities without scouring.

- Unless part of a wet basin, post construction sediment forebays must be designed to dewater between storms. The bottom of the forebay should be set a minimum of 2 feet above seasonal high groundwater…

The Applicant has not provided a calculation demonstrating the forebay is sized to hold the required water quality volume, has not demonstrated the forebay will withstand anticipated velocities without scouring, has not demonstrated the forebay is a minimum of 2 feet above seasonal high groundwater, etc. It should be further noted that the Grading Plan indicates the forebay has no depth, does not contain any riprap, and is approximately four feet lower than the adjacent wetland, which suggests that the forebay may be constructed within the groundwater table.

SW Comment 5 - As noted in SW Comment 2, the Applicant indicates stormwater runoff will be treated *by "an infiltration basin … before discharging off-site"*. As provided in Volume 2, Chapter 2, of the Stormwater Management Handbook, page 88, there are various site criteria requirements for designing an infiltration basin, such as:

Table IB.1 - Site Criteria for Infiltration Basins
1. The contributing drainage area to any individual infiltration basin should be restricted to 15 acres or less.
2. The minimum depth to the seasonal high water table, bedrock, and/or impermeable layer should be 2 ft. from the bottom of the basin.
3. The minimum infiltration rate is 0.17 inches per hour. Infiltration basins must be sized in accordance with the procedures set forth in Volume 3.
4. One soil sample for every 5000 ft. of basin area is recommended, with a minimum of three samples for each infiltration basin. Samples should be taken at the actual location of the proposed infiltration basin so that any localized soil conditions are detected.
5. Infiltration basins should not be used at sites where soil have 30% or greater clay content, or 40% or greater silt clay content.
6. Infiltration basins should not be placed over fill materials.
7. The following setback requirements should apply to infiltration basin installations: • Distance from any slope greater than 15% - Minimum of 50 ft. • Distance from any soil absorption system- Minimum of 50 ft. • Distance from any private well - Minimum of 100 ft., additional setback distance may be required depending on hydrogeological conditions. • Distance from any public groundwater drinking supply wells - Zone I radius, additional setback distance may be required depending on hydrogeological conditions. • Distance from any surface drinking water supply - Zone A • Distance from any surface water of the commonwealth (other than surface water supplies and their tributaries) - Minimum of 50 ft. • Distance from any building foundations including slab foundations without basements - Minimum of 10 ft. downslope and 100 ft. upslope.

It is unclear where the infiltration basin is on the site, however it appears that the Applicant is utilizing the words detention and infiltration interchangeably as only one basin is shown at the southwestern corner of the Grading Plan. The Applicant should clarify whether there are multiple basins or whether there is one infiltration basin or one detention basin. According to the HydroCAD report there is one pond modeled and labeled as "Det Basin". The report shows this basin with an infiltration rate of 0.70 in/hr so it is unclear why it is labeled as detention. The Applicant has not documented or fails to meet many of the site criteria requirements shown above such as:

- Providing at least a two feet depth to the seasonal high-water table, bedrock to the bottom of the basin. It should be noted that the basin is located approximately four feet lower than the adjacent wetland.
- The Applicant has not provided a minimum of three test pits within the infiltration basin (with an additional test pit for every 5,000 S.F. of basin area if needed).
- A 50' distance from the adjacent wetland is not provided. The inside of the berm is less than 40 feet from the wetlands in some locations and does not meet the required separation from the wetland boundary.

In addition to the above, the Applicant has not demonstrated compliance with the design of an infiltration basin as provided in Volume 2, Chapter 2, Page 89, Design. A few examples are as follows:

- Design pretreatment BMPs to pretreat runoff before stormwater reaches the infiltration basin. This will be discussed further in Standard 4.
- The infiltration basin must exfiltrate in no less than 72 hours and no calculation has been provided.

- An infiltration must have an emergency spillway capable of bypassing runoff from large storms without damage to the impounding structure. The HydroCAD calculations indicate that the basin attenuates flow from the 100-year storm, which indicates that the spillway is not utilized as an emergency spillway and is instead being used as a spillway active during many different storms. The spillway should be designed as an emergency, which does not activate during storms in which it is intended to attenuate.
- The only note on the Grading Plan of the spillway is that it is "10' spillway". The Applicant should provide more information and a detail on the spillway such as elevation, riprap depth, riprap size, riprap extent (We do not believe it is acceptable to end the riprap above the toe of the slope, which could cause a failure plane).
- Access is provided on the basin; however, it is scaled to be approximately 5' wide contrary to the 15' requirement, and does not meet the requirement.
- Outlet structure – The basin on the plans does not include an overflow outlet as required in the guidance, which is contrary to the HydroCAD. The calculations indicate a 15" culvert is being used along with the spillway. The culvert is shown at elevation 1050, which is the bottom of the basin, and the spillway is at elevation 1055. It is unclear why the plan does not match these calculations.
- The basin forebay is indicated to be utilized as a temporary sediment basin during construction contrary to the Handbook which states *"never use infiltration basins as temporary sediment traps for construction activities."* We do not believe it is acceptable to utilize any part of the basin as a sediment trap during construction, which could impact its long-term functionality.

SW Comment 6 - A hydrologic analysis has not been provided demonstrating that the pipes are adequately sized, to not cause erosion to the wetlands from unintended directions of stormwater flow. Furthermore, the watershed map and HydroCAD report show the wetland freely flowing over the access driveway in the rear of the site. Based on the topography provided, it appears that water may flow under the roadway as opposed to over. The size of the culverts should be analyzed to ensure there is adequate space.

MassDEP Stormwater Standard 2 – Peak Rate Attenuation

SW Comment 7 - The Applicant states in the Stormwater Report, page 7, Standard 2, that the project has been designed to comply with Standard 2 yet does not provide the peak rate attenuation for the northern portion of the site. The proposed plans are introducing impervious coverage to that area, and it is unclear whether this complies with the standard. Calculations should be provided to ensure that post peak rates are less than the existing.

SW Comment 8 - Land coverage types have not been identified in either of the watershed maps, and it is unclear whether the descriptions for each subcatchment in the HydroCAD report are accurate.

SW Comment 9 - Time of concentration lines for all subcatchments should be drawn and easily depicted in the watershed maps. The time of concentration lines for the eastern watershed seem to differ greatly. The watershed areas appear to stay relatively the same from pre to post development, however the time of concentration is significantly longer in the post development. It is unclear why or how that the time of concentration increases in the post development condition.

SW Comment 10 - Subsurface systems are shown on the plans for buildings constructed on the eastern portion of the site, but the subcatchment lines cut these buildings in half. Peak rate attenuation cannot be determined until subcatchments are properly depicted.

SW Comment 11 - The plans show many gravel/grass parking areas throughout the site. The HydroCAD report does not differentiate between grass and gravel/grass. The Applicant is assuming the curve number to be the same for both surfaces. The detail shown on Sheet 13 of 14 for the grass on gravel parking is incomplete, and does not indicate what the gravel fill would consist of, and it unclear whether the gravel would be compacted in a manner that could potentially render this area as impervious.

SW Comment 12 - The Massachusetts Stormwater Handbook, Chapter 3, Checklist for Redevelopment Projects, Page 4, requires the applicant to determine whether there are improvements of the existing conditions such as: "Does the project reduce the volume and/or rate of runoff to less than current estimated conditions?" Volumes of stormwater runoff should be provided for both conditions of the site.

MassDEP Stormwater Standard 3 – Stormwater Recharge

SW Comment 13 - The plans show removal of existing impervious areas and construction of new impervious areas. In the stormwater report, the net impervious area is being used to determine the required recharge volume. However, in Table 7 of the Stormwater Report the areas are spit up into two "DP's" and does not include the top portion of the site. It is unclear whether this subcatchment is being considered a part of the redevelopment, as there is new impervious area being constructed here, which would not be reconsidered a redevelopment. The recharge calculations should be revised to clearly demonstrate how the new impervious surfaces comply with Standard 3, and how the redeveloped

impervious surfaces comply with Standard 3 to the maximum extent practicable in accordance with the redevelopment checklist.

SW Comment 14 - The plans indicate that there is an impervious stormwater runoff which does not drain to infiltration systems. It is unclear whether this is being considered as part of the redevelopment. If there are new impervious surfaces not being conveyed to the infiltration systems outside of the redevelopment area, a capture area adjustment factor would be required.

SW Comment 15 - The Stormwater Report, Page 8, Standard 3, states that the provided recharge for the eastern portion of the site is provided by one system containing "40 Chambers". The plan shows two systems, one with 16 chambers and the other with 24 chambers. These are not provided in the HydroCAD report. It is unclear how the recharge volume for these systems were calculated.

The recharge on the western side of the site is shown in HydroCAD as 512 chamber system. These chambers could not be located on the plans. It is unclear whether the "Detention Basin" is being used for recharge, as the HydroCAD shows a pipe at the bottom, but the plans do not. The calculated required recharge volume should be provided for the site as a whole with individual recharge volumes provided per infiltration system.

SW Comment 16 - For the same system noted in the comment above, the Infiltration BMP identified in HydroCAD as Pond 8P: Infiltration BMP, has an exfiltration rate of 0.60 inches per hour exfiltration rate x 16.00 over the surface area. It is unclear how the infiltration system would exfiltrate at an infiltration rate multiplied by 16 as circled in red from the HydroCAD report below. The applicant should justify this factor.

Summary for Pond 8P: Infiltration BMP

Inflow Area = 6.738 ac, 20.27% Impervious, Inflow Depth > 0.75" for 2 yr event
Inflow = 2.88 cfs @ 12.66 hrs, Volume= 0.420 af
Outflow = 2.82 cfs @ 12.75 hrs, Volume= 0.420 af, Atten= 2%, Lag= 5.2 min
Discarded = 2.82 cfs @ 12.75 hrs, Volume= 0.420 af
Primary = 0.00 cfs @ 5.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Peak Elev= 1,050.03' @ 12.73 hrs Surf.Area= 0.291 ac Storage= 0.004 af

Plug-Flow detention time= 0.9 min calculated for 0.420 af (100% of inflow)
Center-of-Mass det. time= 0.7 min (851.3 - 850.6)

Volume	Invert	Avail.Storage	Storage Description
#1A	1,050.00'	0.260 af	**54.83'W x 231.04'L x 2.83'H Field A** 0.824 af Overall - 0.173 af Embedded = 0.651 af x 40.0% Voids
#2A	1,051.00'	0.173 af	**ADS_StormTech SC-310 +Cap** x 512 Inside #1 Effective Size= 28.9"W x 16.0"H => 2.07 sf x 7.12'L = 14.7 cf Overall Size= 34.0"W x 16.0"H x 7.56'L with 0.44' Overlap 512 Chambers in 16 Rows
		0.434 af	Total Available Storage

Storage Group A created with Chamber Wizard

Device	Routing	Invert	Outlet Devices
#1	Primary	1,050.50'	**4.0" Round Culvert X 16.00** L= 15.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 1,050.50' / 1,048.00' S= 0.1667 '/' Cc= 0.900 n= 0.012, Flow Area= 0.09 sf
#2	Discarded	1,050.00'	**0.600 in/hr Exfiltration X 16.00 over Surface area** Conductivity to Groundwater Elevation = 8.00'

Discarded OutFlow Max=2.82 cfs @ 12.75 hrs HW=1,050.03' (Free Discharge)
2=Exfiltration (Controls 2.82 cfs)

Primary OutFlow Max=0.00 cfs @ 5.00 hrs HW=1,050.00' (Free Discharge)
1=Culvert (Controls 0.00 cfs)

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SW Comment 17 - The infiltration rates provided for the infiltration systems were 0.6 in/hr and 0.7 in/hr, for the chambers and the "Detention Basin" respectively. It is unclear how these infiltration rates were determined as we did not locate test pits within the footprint of the Detention Basin, the location of the chambers is not known, and these values do not match Rawl's Rates. The Applicant should confirm how the infiltration rates were determined and where the infiltration practices are proposed.

SW Comment 18 - The Stormwater Report, Page 8, Standard 3, states, "The infiltration SCMs are designed to drain completely within 72 hours". No calculations have been provided to confirm this statement, and it's unclear how this has been determined without any test pits.

MassDEP Stormwater Standard 4 – Water Quality

SW Comment 19 - The Applicant must ensure the stormwater BMPs are sized to capture the required water quality volume determined in accordance with the Massachusetts Stormwater Handbook. There are no water quality volumes provided to confirm the BMPs are adequately sized for any of the proposed systems such as the infiltration basins, subsurface infiltration chambers, tree wells, etc.

SW Comment 20 - The TSS removal calculations show a treatment train containing an infiltration basin. The only basin in the plans is a detention basin and in HydroCAD and basin has a culvert at the bottom of the basin which provides zero water quality volume.

SW Comment 21 - The Stormwater Report, Page 9, Standard 3, states that the easterly portion of the site is treated through tree box filters. On the plans, it appears water is draining directly off the roadway into grassed areas without treatment. The roadway detail does not show a curb to contain the water in the roadway. There is "3/4" Crushed Stone Surrounded by Fabric and 4" Perf. Sub-Drain If Required" noted on the detail. This does not provide adequate treatment and is not shown on treatment trains. It is unclear how this water will be treated.

MassDEP Stormwater Standard 5 – Land Uses with Higher Potential for Pollutant Loads

The Applicant states that peak use at the property will include peak traffic and parking that could potentially be considered a LUHPPL. As the Applicant has indicated, since the use could be considered a LUHPPL, the calculations should demonstrate compliance with Standard 5. The following comments are relative to this Standard.

SW Comment 22 - In the Handbook, Volume 3, Chapter 1, Standard 5, Land Uses with Higher Potential Pollutant Loads, a source controls and pollution prevention measures to minimize or eliminate the exposure of any LUHPPLs to rain, snow, snow melt, and runoff must be identified in the Long-Term Pollution Prevention Plan. No long-term pollution prevention plan has been provided documenting compliance.

SW Comment 23 - BMPs determined to be suitable for treating runoff from LUHPPL must be used. As documented in this letter, the plans and calculations lack detail to confirm the BMPs are suitable for treating runoff from a LUHPPL.

SW Comment 24 - The one-inch rule applies when calculating required water quality volume. It is unclear where the extent of the LUHPPL is being considered, and no calculations have been provided demonstrating the water quality treatment devices have been sized to handle one inch of runoff (see further commentary in Standard 4 – Water Quality of this letter).

SW Comment 25 - Pre-treatment of 44% TSS removal must be achieved before discharging to an infiltration structure. No calculations have been provided documenting the pre-treatment water quality volume or flow rates have been achieved (see further commentary in Standard 4 – Water Quality of this letter).

SW Comment 26 - The stormwater report states that the grassed parking areas include LID treatment including rain gardens integrated into the landscape. The rain gardens are not shown on the plans, and it is unclear how these measures will be incorporated into the design.

MassDEP Stormwater Standard 6 – Critical Areas

The project does not appear to discharge near or to a critical area and concurs Standard 6 is not applicable.

MassDEP Stormwater Standard 7 – Redevelopment

SW Comment 27 - The Applicant states in the Stormwater Report, page 11, Standard 7, Redevelopment that they believe the project is a redevelopment project, the entire site is a redevelopment area, and the project meets to the maximum extent practicable all standards.

A redevelopment project is defined in the Handbook, Volume 2, Chapter 3, page 1 to be defined to include:

> Redevelopment is defined to include
>
> - Maintenance and improvement of existing roadways, including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing drainage systems, and repaving;
> - Development rehabilitation, expansion and phased projects on previously developed sites, provided the redevelopment results in no net increase in impervious area; and
> - Remedial projects specifically designed to provide improved stormwater management, such as projects to separate storm drains and sanitary sewers, and stormwater retrofit projects.
>
> Components of redevelopment projects that include development of previously undeveloped sites do not meet this definition. The portion of the project located in a previously developed area must meet Standard 7, but project components within undeveloped areas must meet all the Standards.

We do not agree with the statement that the entire site is a redevelopment area. We believe the redevelopment area could include existing paved areas and the buildings, but do not believe the existing grassed areas should be developed for the purpose of this section of the Stormwater Standards as can be seen in the screenshot above. Furthermore, bullet 2 of the redevelopment definition notes that *"…provided the redevelopment results in no net increase in impervious area; and…"*. The Applicant notes that the existing impervious area measures approximately 130,400 S.F. and the proposed impervious area is approximately 401,477 S.F. In accordance with the definition from the handbook, only a maximum of 130,400 S.F. of impervious area could be considered as redevelopment and the new 271,000 +/- S.F. of impervious area would be considered new development. The Applicant must comply with the recharge standard for the new impervious area and must demonstrate how they have met to the maximum extent practicable recharge for the existing impervious surfaces. The checklist for Redevelopment Projects found in the Handbook, Volume 2, Chapter 3, should be adhered to in justifying that they have complied "to the maximum extent practicable", and what alternatives have been analyzed confirming compliance is not feasible.

SW Comment 28 - The Applicant in the Stormwater Report, Page 11, Standard 7, Redevelopment has indicated that the project is a redevelopment project, and the entire site is a redevelopment area. As noted in the Handbook, Volume 3, Chapter 1, Standard 7, Redevelopment, the following are the required Computations or Demonstrations, as well as a breakdown of whether they have been provided.

- Submit a Source Control and Pollution Prevention Plan as required by Standard 4
    - See comments in Standard 4 of this letter on compliance.
- Submit a Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan as required by Standard 8
    - See comments in Standard 8 of this letter on compliance.
- Submit an Operation and Maintenance Plan as required by Standard 9
    - See comments in Standard 9 of this letter on compliance.
- Submit an Illicit Discharge Statement as required by Standard 10
    - See comments in Standard 9 of this letter on compliance.
- Demonstrate that there are no new discharges that cause or contribute to erosion of wetlands or waters of the Commonwealth. Standard 1.
    - See comments in Standard 1 of this letter on compliance.
- Complete computations to determine whether proposed structural BMPs fully meet the requirements of Standards 2 through 6. At a minimum, demonstrate that proposed stormwater management system meets Standards 2, 3, and the structural BMP requirements of Standards 4, and, if applicable, 5 and 6 to the maximum extent practicable. Demonstrate that measures have also been proposed to improve existing conditions. The "Redevelopment Checklist" set forth in Volume 2 Chapter 3 may be used to make these demonstrations.

SW Comment 29 - See comments in Standards 2 through 6 of this letter on compliance. The Applicant is suggesting that the capture of impervious area for groundwater recharge is the only item not met, however no justification has been provided on why groundwater recharge is not feasible.

MassDEP Stormwater Standard 8 – Construction Period Controls

SW Comment 30 - The Applicant indicates on page 11 of the Stormwater Report, Standard 8 the following:

> *"A plan to control construction-related impacts, including erosion, sedimentation, and other pollutant sources during construction and land disturbances activities (construction period erosion, sedimentation, and pollution prevention plan) shall be developed and implemented."*

The Applicant in the last paragraph of section of the Stormwater Report states:

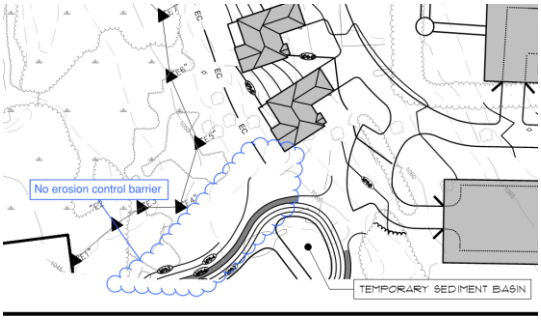
> *"The project will disturb one or more acres of land; therefore, the project will require coverage under the NPDES Construction General Permit (CGP) and associated Stormwater Pollution Prevention Plan (SWPPP). The SWPPP follows the requirements of this stormwater standard and complies with the NPDES CGP.*

The Applicant appears to be contradicting the first paragraph of the section on Standard 8 with the final section of Standard 8 where they suggest the SWPPP follows the requirements of this stormwater standard and complies with the NPDES CGP. We do not have a copy of the SWPPP, and one should be provided to confirm it complies as the Applicant has stated.

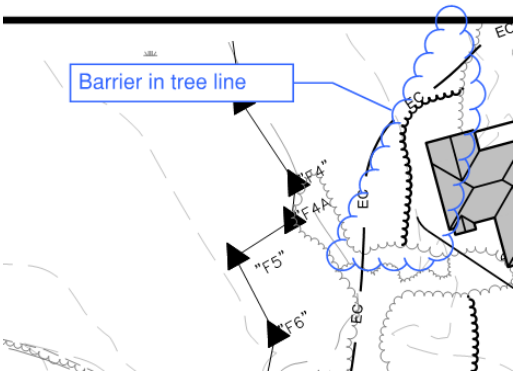
SW Comment 31 - The Applicant also indicates the erosion and sedimentation control plans for the project are shown on the project plans and include straw wattle/ silt fence, filters at drain inlets, sedimentation basins, energy dissipaters, etc. We note the following:

SW Comment 32 - Straw wattle/ silt fence (erosion control barrier) – The erosion control barrier appears to generally follow along the edge of the development area, however it is unclear how the location of the erosion control barrier was determined, and the Applicant should justify how the extent of the silt fence was determined. A few examples are as follows:

- No silt fence is provided around the detention basin at the southwestern corner of the site.



- No erosion control barrier is provided to the east of the Detention Basin.
- Within the field adjacent to Interlaken Road, where the Applicant is proposing to construct a grass on gravel parking lot, no silt fence is proposed on the downstream side of the grass on gravel, which could lead to sediments migrating towards Interlaken Road.
- The erosion control barrier in a couple locations at the northwestern corner of the site is called to be installed inside the tree line. The Applicant should clarify why the silt fence would be installed in the tree line. One example screenshot is provided below:



- Filters at drain inlets – We did not locate a single filter at a drain inlet on the plans. Additionally, the drainage system itself (other than the Detention Basin) is not shown on the plans, and no detail has been provided to clarify what this filter would consist of.

SW Comment 33 - Sedimentation basins – The Applicant indicates in the Stormwater Report that there are multiple sedimentation basins through the plurality of the word basin. We located one sediment basin on the plans, which we have previously noted that we do not believe it is an appropriate location as it is may be intended to be an infiltration basin, and an infiltration basin should not be utilized as a sedimentation basin as previously discussed in this letter. The Applicant should indicate whether there are other sedimentation basins anticipated on the property, where the locations would be, or whether this is a typo.

SW Comment 34 - Energy dissipators – As we have previously noted in this letter, the only riprap protection on the plans potentially indicated on the plans is the 10' spillway from the Detention Basin. No detail or calculations are provided on the spillway to determine whether the riprap is adequately sized. Furthermore, no riprap protection (if necessary) is provided from any of the outlet pipes. The Applicant should clarify what the energy dissipators area.

SW Comment 35 - Etc. – The Applicant has indicated that there are additional measures other than what has been discussed to provide erosion control measures, though they were unclear to us. There are some fundamental erosion control features typically provided on erosion control plans that we did not note such as:

- Confirm whether the only construction entrance will be the southern entrance as no "tracking pad" is provided at the northern entrance, and what measures will be taken to ensure both entrances are not used provided no tracking pad is installed at the northern entrance. It appears that the temporary stabilized construction entrance detail provided on the Erosion Control Plan is the "tracking pad". The Applicant should ensure that the labeling is consistent.
- The Applicant indicates the temporary stabilized construction entrance is to be constructed of 4" trap rack for a minimum thickness of 6". This suggests that the entrance will be constructed of 1-1.5 layers of 4" trap rock, and we do not believe the thickness is of adequate size given the size of the rock selected. Furthermore, in accordance with the Massachusetts Erosion and

Sediment Control Guidelines for Urban and Suburban Areas dated 1997 and reprinted May 2003, we noted the following:

- The stone for a stabilized construction entrance should be 1 to 3-inch stone
- The pad should extend the full width of the construction access road, which is scaled to be approximately 30' on the plan view but is shown as 12' on the detail.
- A geotextile filter fabric should be placed between the stone fill and the earthen surface below.

- Stockpile locations and measures that will be taken to prevent erosion of stockpiles.
- Concrete washout areas and a detail of how the concrete washout area will be constructed.
- What measures will be taken to prevent erosion/sedimentation into the tree wells.

- No riprap inlet or outlet protection is provided. No calculations have been provided to determine whether riprap would be justified.
- Should dewatering be required during construction, the Applicant should provide a detail on how the discharge will address sediments, for example whether a filter bag would be used.

MassDEP Stormwater Standard 9 – Operation and Maintenance Plan

SW Comment 36 - In accordance with the Massachusetts Stormwater Handbook Volume 3, Chapter 1, Documenting Compliance, an Operation and Maintenance Plan as required by Standard 9 **must** be submitted with the information set forth in Volume 1, Chapter 1 and Volume 2, Chapter 1. As no Plan has been submitted, and the Applicant indicates a plan will be developed and implemented, the Applicant has documented **this Standard has not been met**.

MassDEP Stormwater Standard 10 – Illicit Discharges to Drainage System

As noted in the MassDEP Handbook, Volume 1, Chapter 1, Page 25,

> *"Proponents of projects within Wetlands jurisdiction must demonstrate compliance with this requirement by submitting to the issuing authority an Illicit Discharge Compliance Statement verifying that no illicit discharges exist on the site and by including in the pollution prevention plan measures to prevent illicit discharges to the stormwater management system, including wastewater discharges and discharges of stormwater contaminated by contact with process wastes, raw materials, toxic pollutants, hazardous substances, oil, or grease."*

The Applicant has also stated the following in on page 12 of the Stormwater Report, Standard 10:

> *"All illicit discharges to the stormwater management system are prohibited… The Long-Term Pollution Prevention Plan, provided in Appendix E, includes measures to prevent illicit discharges."*

As noted above, the applicant has indicated the plans submitted with this report document that the project has been designed in full compliance with Standard 10, the project area does not have any known illicit discharges, and a long-term Pollution Prevention Plan has been provided with measures to prevent illicit discharges. As is noted in this letter, the plans are incomplete, have been designed to "25%", are missing detail and information, and a screenshot from Appendix E indicates the following:

Appendix E: O&M Plan and LTPPP

- Stormwater Management System Operation and Maintenance (O&M) Plan
- Long-Term Pollution Prevention Plan (LTPPP)

These documents will be prepared as part of the final document drawing and specification preparation after all zoning permits are obtained.

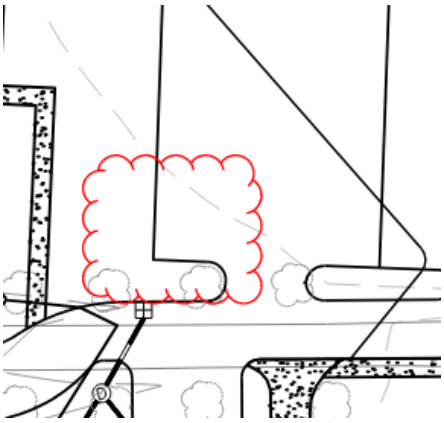
Standard 10 allows for an illicit discharge compliance to be submitted prior to the discharge of any stormwater to post-construction BMPs, which could be a condition should a permit be issued, however a Long-Term Pollution Prevention Plan is required to be submitted, which includes measures to prevent illicit discharges. At this time, **this Standard has not been met**.

SW Comment 37 - The watershed maps are currently drawn at different scales and viewports and are difficult to review. The watershed maps should clearly identify subcatchment boundaries, time of concentration lines, land coverage types, hydrologic soil groups, stormwater features, and proposed grades. As an example, Subcatchment 5S of the post-development watershed model has a longer time of concentration the pre-development model. While this may be possible, without the time of concentration lines clearly depicted on the watershed maps, it is unclear why the time of concentration in the post-development is longer than the pre-development. Should the time of concentration been inadvertently made longer than the pre-development model, the peak rates of runoff may be reported lower than what would be anticipated.

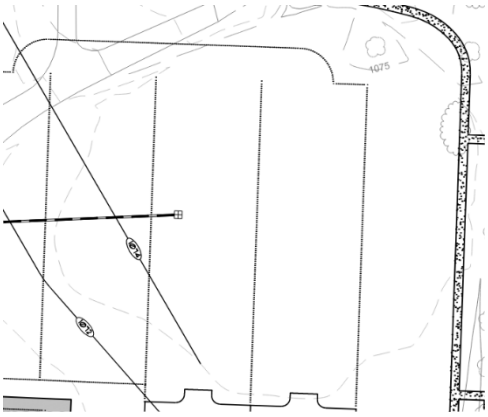
SW Comment 38 - The Post-Development HydroCAD report currently states that there is an Infiltration BMP which takes all the runoff from Subcatchment 7S. The grading and drainage plans do not show the location of this system, or how water will all be diverted to this system. It is unclear whether this is feasible based on the current testing and layout.

Additional Stormwater Comments

SW Comment 39 - The plans show multiple locations in parking areas where there are low points but no catch basins. Below is an example of this. The applicant should clarify how these various low points will be addressed to provide proper stormwater management.

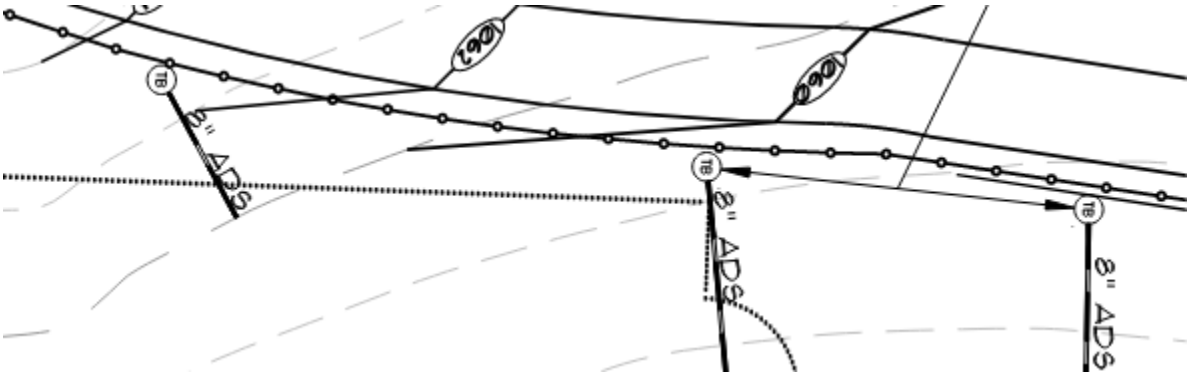


SW Comment 40 - The plans show a low point in one of the temporary grass and gravel parking areas, but it is unclear how the area will drain due to lack of contours. The catch basin does not appear to have a tributary watershed area.

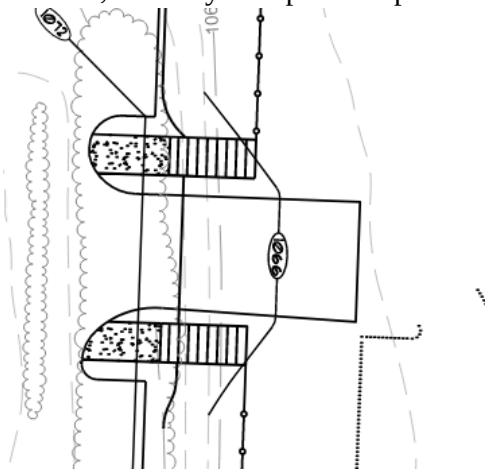


SW Comment 41 - Along the entrance roadway there is 500' of proposed road with no drainage structures. This a long path for water to travel without some sort of treatment structure as water will accumulate the whole stretch of the road. It is unclear how this water is captured before Interlaken Road.

SW Comment 42 - The plans show multiple tree box filters that don't appear to collect any water. Further detail should be provided to show how water is collected in the structures.



SW Comment 43 - It is unclear how water is treated in this area to the east of the existing mansion. As shown in the screenshot below, stormwater appears to sheet down a steep slope towards a grassed area, where this transition from pavement to grass does not include any noted stormwater management features, and may be a possible point of erosion from a steep paved area meeting grass.



SW Comment 44 - All drainage structures and pipes on the plan should show rims, inverts, lengths, and slopes. The plans currently do not include any labels, and review of the functionality of the system is not possible.

SW Comment 45 - The plans show do not include stormwater features to manage the driveways into/out of the site from Interlaken Road. Stormwater would appear to sheet in excess of 750 feet without any proposed catch basins, tree filter boxes, etc. to collect, treat, and convey the stormwater. While standard engineering practice allows for 250 feet between catch basins, the applicant far exceeds this standard, and the stormwater would appear to discharge directly into Interlaken Road and could cause ponding issues. It is unclear why the applicant has not proposed adequate stormwater management controls for these driveways, which do not comply with the Massachusetts Stormwater Management Standards.

SW Comment 46 - The applicant indicates a culvert replacement within the public way at the intersection of Interlaken Road with the northern driveway entrance. Standard information and details should be provided such as size, length, material, etc. to confirm the pipe has adequate cover and has been properly sized. As previously noted, no riprap is shown for this culvert, and it is unclear whether riprap inlet or outlet protection is needed.

SW Comment 47 - The detail sheets show a typical road and paving detail, but do not specify if there is a lip or curb along the edges. It is difficult to determine if water is free flowing off the roadway, as no detail or labels have been provided in the plan set. Furthermore, the detail shows a subdrain at the bottom of crushed stone, but only if required. The Applicant clearly indicate when this subdrain would

be required. The crushed stone is only shown on one side of the driveway, however it is unclear what side this would translate to on the plans.

SW Comment 48 - The detail sheets show a parking lot detail with a 6" high curb, but do indicate where the curbing would be installed on the Site Plan. The detail also shows the curb on top of the binder, but below the finished grade. The Applicant should clearly depict the reveal of the curb and where it is proposed to be installed.

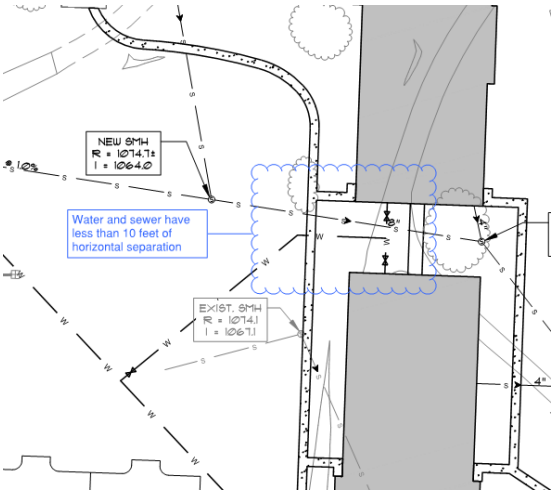
SW Comment 49 - The detail sheets show a tree box filter detail, but do not specify the capacity of the structure or the depth of the sand/soil mix. These are shown to have an open bottom; therefore, the general depth of groundwater should be provided to confirm adequate separation. The applicant also notes in the detail that a perforated pipe is to be surrounded by a 24" layer of crushed stone. It is unclear whether the crushed stone would be washed, and should it not be washed may be subject to clogging.

SW Comment 50 - Sheet 14 of 14, Details indicate a Stormceptor STC 450i, but there are not any shown in the grading and drainage plans. The applicant should confirm the purpose of the Stormceptor unit.

Utility Comments

UT Comment 1 - If gas, electric, telecom, etc. services are to be proposed for the site, the plan should identify all proposed locations of these utilities.

UT Comment 2 - There are locations where water and sewer mains/services are separated by less than 10 feet. Water and sewer should be separated horizontally by at least 10 feet (see screenshot to the right).



UT Comment 3 - The Applicant should confer with the Stockbridge Sewer Department to confirm whether the existing public sewer system has the capacity to handle anticipated flows from the proposed development and provide documentation to the Board.

UT Comment 4 - The utility plan does not differentiate between the water main and services, and the plans do not indicate the size of the respective service. The plans should clearly demonstrate the size and material on the plan view.

UT Comment 5 - It appears, though it is not clear, that the water service is intended to connect to an existing water main from Quiet Knoll Road. The Applicant should add a notation to the plan on the connection(s) point to the existing main. Additionally, it is unclear whether there is an easement allowing for this connection, as the water main crosses private property. Documentation on the easement should be provided.

UT Comment 6 - It appears that the water service may abandon the existing water service running along the western portion of the site adjacent to the wetland. We also noted numerous locations where existing utility poles were located within the proposed driveway. The Applicant should provide a plan demonstrating what utility services will be abandoned, removed, re-located, re-used, etc. as clarity for the board.

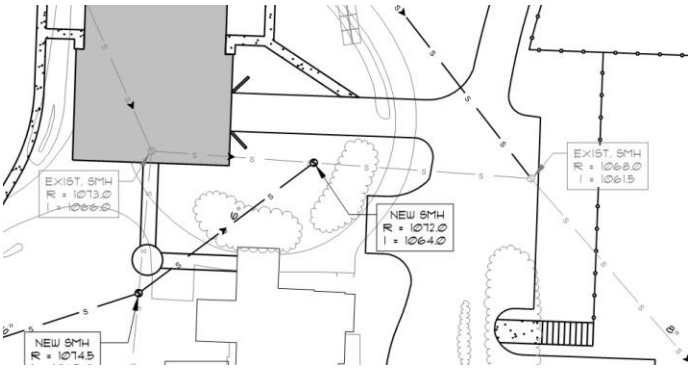
UT Comment 7 - The Applicant should provide documentation to the Board that there is adequate water capacity to support the development and fire protection services (though as noted in the next comment, there are no fire hydrants proposed).

UT Comment 8 - We did not locate any fire hydrants proposed for the development. We do not believe it is appropriate to have a development such as this without a single fire hydrant. The Applicant should provide documentation from the fire department that it is acceptable to not have any hydrants.

UT Comment 9 - The Utility Plan view indicates that there are two new grease traps, however no inverts, size, or other information is provided. We noted a detail on Sheet 14 of a 2,000 gallon grease trap, however it should be clarified whether this is intended to be the final size.

UT Comment 10 - The Applicant indicates that there will be a number of sewer pump station, however no details are included on the plans, and it is unclear why numerous pump stations are proposed.

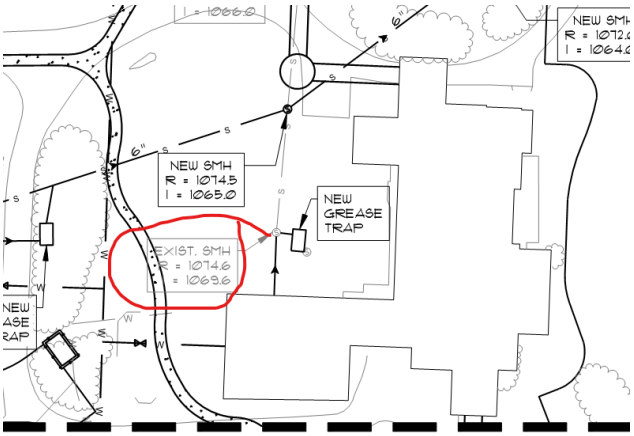
UT Comment 11 - The plans appear to indicate re-using numerous locations of the existing gravity sewer system; however, inverts are not provided for the various inverts into a sewer manhole, and only one invert is provided on the Utility Plan. It is unclear whether the invert refers to the invert into the manhole, out of the manhole, or at the center of the manhole. As an example, an existing sewer manhole is shown on the existing sewer line on the northern side of the existing mansion. By interpolating between the two existing manholes, the invert of the existing sewer main is elevation 1064.7+/-, yet the invert label indicates elevation 1064.0 as can be seen in the screenshot below.



As another example between Buildings A and B, there is a new SMH with a rim elevation of 1071.7 and an invert of 1062.8. A sewer service appears to be coming from the building to the north, however no label is provided, no invert at the face of the building is provided, and the slope of the 4" service is unknown. It is unclear what the design intent is at these locations and numerous other locations across the site without slopes, inverts at manholes from the various directions, and a clear plan demonstrating which pipes are to be protected, removed, or abandoned.

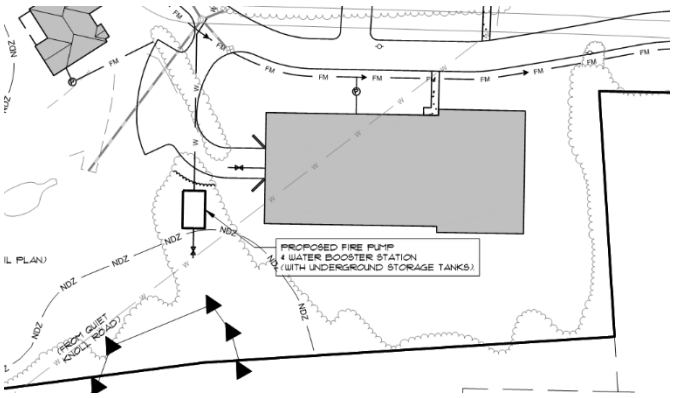
UT Comment 12 - There are a few locations where there will be a utility conflict. As a few examples, on the eastern side of Building B, a 4" and 8" sewer line intersects a proposed groundwater infiltrator for the rooftops. As another example, on the western side of Building B, a water line goes through a catch basin. The plans should remove these types of conflicts.

UT Comment 13 - On the western side of the mansion, there is an existing sewer manhole with less than 5' of cover, which may not provide sufficient frost protection.



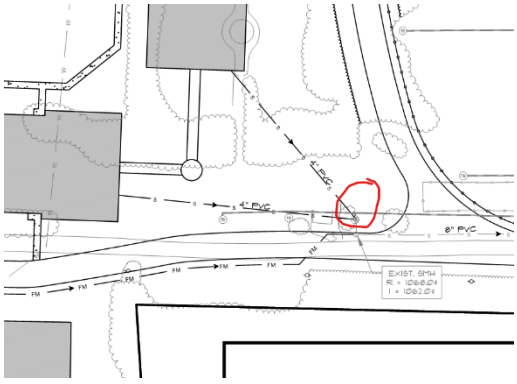
UT Comment 14 - A fire pump and water booster station are proposed within the tree line on the western side of Building H. It is unclear how the tree line will be maintained with the proposed fire pump and booster station. Additionally, it appears that the plan is only showing the proposed pump house, however the detail provided on Sheet 6 indicates an external 11,000 gallon, 8' diameter pipe to be installed on the outside of the pump house. The location of both 11,000-gallon pipes should be shown on the plan view. Additionally, the prefabricated dead men appear to be within the zone of influence of the footing of the pump house. The Applicant should confirm whether it is constructable to have the dead men in close proximity and below the footing of the pump house.

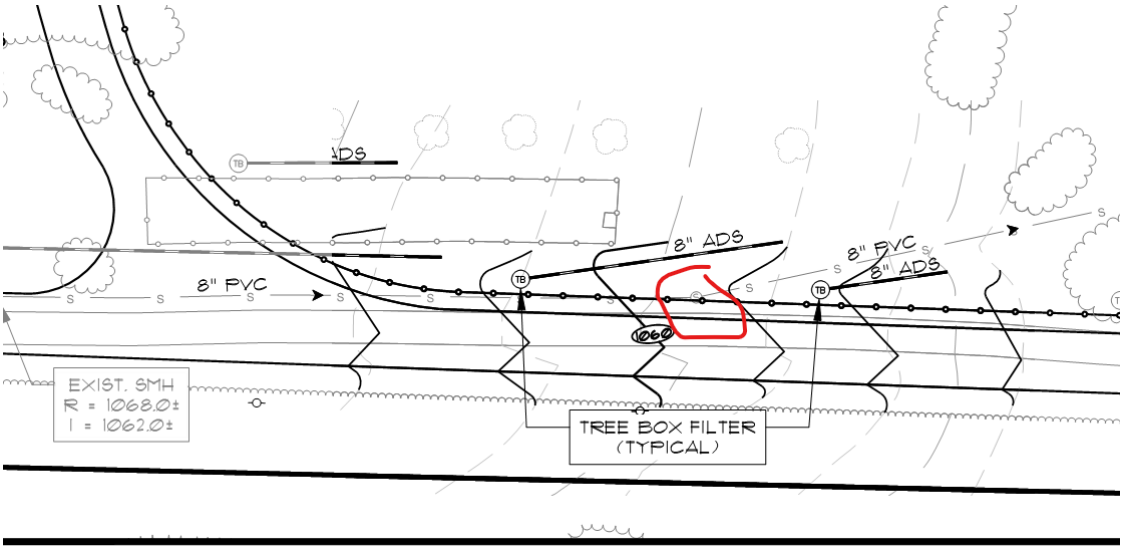
UT Comment 15 - The Applicant indicates in the special permit narrative that there is sufficient capacity to provide water service for the project as proposed, however the existing booster pumps do not provide adequate flow for fire protection and require replacement. The plans should note where the existing booster pumps are located, and whether they are to be removed.



UT Comment 16 - A tree well is proposed on the location of an existing sewer manhole to the east of Building F.

UT Comment 17 - A sewer manhole appears to be within the swale adjacent to the southern access drive near the intersection with Interlaken Road. We do not believe it is appropriate to have the manhole within the swale as it may cause stormwater to enter the sewer system.





Based on our review of the provided project documentation and plans, our office has identified a number of key components which must be clarified or submitted to the Select Board for the project's review to continue. As currently documented, we do not believe the project meets the Town of Stockbridge requirements for the reasons noted in this report.

If you have any questions or comments on these matters, please do not hesitate to contact our office.

Sincerely,

Beals Associates, Inc.

Tim Czerwienski, AICP
Director of Land Planning

Devin P. Howe, P.E.
Professional Engineer

Todd P. Morey, P.E.
Principal

Cc: C-1294 Project File