



January 28, 2025

Ms. Marie Clarner, Chair
Town of North Attleborough Planning Board
43 Washington Street
North Attleborough, MA 02760

Via: Email to mclarner@nattleboro.com

Reference: Application for Plan Approval 2nd Supplemental Review
Kelley Boulevard Smart Growth Overlay District (KBSGOD)
582 Kelley Boulevard
North Attleborough, Massachusetts
B+T Project No. 2241.92

Dear Ms. Clarner and Members of the Planning Board:

Beals and Thomas, Inc. is pleased to assist the Town of North Attleborough Planning Board (the Board) with the second supplemental review of the Application for Plan Approval for the proposed development at 582 Kelley Boulevard (the Site) within the KBSGOD. We understand that MCP 582 Kelley LLC (the Applicant) proposes to construct a Chapter 40R multi-family housing development comprised of 304 units (the Project). The Project includes six (6) 4-story buildings; 489 parking spaces; a detached clubhouse with centralized courtyard and pool; and, associated site improvements including landscaping, utility connections and a stormwater management system.

B+T issued a letter to the Board dated December 12, 2024, which presented the findings of our review of the initial documentation submitted by the Applicant. As a result of our initial comments, the Applicant submitted supplemental documentation. B+T issued a letter to the Board dated January 10, 2025, which presented the findings of our supplemental review of the additional documentation submitted by the Applicant. As a result of our supplemental review comments, the Applicant has submitted the following additional supplemental documentation, which served as the basis for our current review:

- *Application for Plan Approval Supplemental Review, Kelley Boulevard Smart Growth Overlay District (KBSGOD), 582 Kelley Boulevard, North Attleborough, Massachusetts, B+T Project NO. 2241.92, dated January 15, 2025, prepared by Bohler Engineering (3 pages)*
- Revised post-development HydroCAD outputs, dated January 22, 2025, prepared by Bohler Engineering (69 pages)
- *Propose Site Plan Documents for Marus Partners Proposed Residential Development, Location of Site: 582 Kelley Boulevard, Town of North Attleborough, Bristol County, Massachusetts, Map #35, Lot #3, dated September 18, 2024, revised through January 15, 2025, prepared by Bohler Engineering (45 sheets)*

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- Truck Turning Exhibit, dated December 2, 2024, prepared by Bohler Engineering (1 sheet)

We continue to note for the Board's information that this Project occurs within jurisdiction of the MA Wetlands Protection Act and implementing regulations and will therefore be subject to a Notice of Intent filing with the Conservation Commission. The Conservation Commission is also the Stormwater Authority relative to implementation of the Stormwater Management and Land Disturbance Regulations.

We have reviewed the documentation submitted by the Applicant with respect to the Zoning of the North Attleborough Bylaws (the Zoning Bylaw), specifically Chapter 290-9 - KBSGOD; the Stormwater Management and Land Disturbance Regulations (the Regulations); the Massachusetts Department of Environmental Protection (MassDEP) Stormwater Regulations and Handbook (the Handbook); and, particularly with respect to our supplemental comment letter dated January 10, 2025.

Review Format

To maintain clarity for the Administrative Record, we have included the comments from our initial comment letter, dated December 12, 2024, followed by a summary of the Applicant's responses in *italicized* font, followed by our supplemental comments in standard font followed by our current comments in **bold** font to document the status of our original comment. To reduce redundancy, comments that were fully addressed as of our January 10, 2025 letter have been removed; however, the comment number convention has been maintained for consistency.

Waiver Comments

1. Section 7.1(5)(a) of the Regulations requires a minimum roadway width of 24-ft. The Applicant is requesting a waiver to have 22-ft wide access driveways. B+T does not take exception to the waiver; however, emergency response access should be a consideration. Accordingly, we request that the Applicant meet with North Attleborough Fire Department personnel relative to the adequacy of the emergency access provided.

Applicant's Response: Acknowledged. The North Attleborough Fire Department has been involved in the permitting processes for the proposed project. The requested waiver has been added to the Variance/Waiver Request list on sheet C-301.

B+T Response: We defer to the Board regarding the granting of the requested waiver and the ongoing coordination with North Attleborough Fire Department personnel.

2. Section 7.3(6)(e) of the Regulations requires structural soil to be placed under parking areas. The Applicant is requesting a waiver from this requirement as structural soils are more typical in landscape applications and support root growth. The Applicant proposes to use a subbase more typical to support asphalt pavement. B+T does not take exception to the waiver being requested, provided the Applicant demonstrates suitability of the proposed pavement design is based on the recommendation of a geotechnical engineer.

Applicant's Response: Acknowledged. The Pavement details provided are per the recommendations from the project's geotechnical engineer.

B+T Response: We defer to the Board regarding the granting of the requested waiver.

3. §290-9G(1) of the Bylaws requires a minimum rear yard setback of 115-ft. As proposed, Building 3 has a 100-ft setback to the rear property line. B+T does not take exception to the waiver being requested from a technical standpoint. However, we defer to the Board on the appropriateness of the waiver being requested.

Applicant's Response: Acknowledged. The waiver has been coordinated with the Board and has been added to the Variance/Waiver Request list on sheet C-301.

B+T Response: We defer to the Board regarding the granting of the requested waiver.

4. §290-9G(1) of the Bylaws requires a minimum rear yard setback of 140-ft for accessory structures. Within their zoning analysis table, the Applicant indicates they are seeking relief from this requirement. It is unclear on the plans where this relief is being requested. We request that the Applicant clarify the intent of the waiver being requested.

Applicant's Response: This relief is being requested for the trash enclosure. Per the town regulations, due to the usage of CMU walls for the enclosure, this is considered an accessory structure. The requested waiver has been added to the Variance / Waiver Request list on sheet C-301.

B+T Response: Acknowledged. B+T does not take exception to the waiver being requested from a technical standpoint; however, we defer to the Board on the appropriateness of the waiver being requested.

General Comments

5. Previously addressed.

6. §290-7E(4) of the Bylaws stipulates that the Board can require a Development Impact Statement (DIS) in accordance with §290-30 of the Bylaws for construction activities within the Aquifer Protection District. A DIS has not been provided. We defer to the Board relative to the need for the referenced documentation by the Applicant.

Applicant's Response: The Board has not requested a Development Impact Statement for the proposed project.

B+T Response: Acknowledged. We continue to defer to the Board relative to the need for the referenced documentation.

7. §290-1(4) of the Bylaws stipulates requirements for phased development. Given the scale of the Project, a phased approach may be implemented; however, it is not addressed in the documentation provided. We request that the Applicant clarify the intent for the anticipated Project schedule and if a phasing approach will be implemented.

Applicant's Response: The Phasing Plan prepared by Wood Partners is included with this submission.

B+T Response: We acknowledge the referenced documentation provided. We note for the benefit of the Board that the Project is proposed to be constructed in a continuous buildout without phasing.

8. §290-19C of the Bylaws requires that parking spaces have dimensions 10-ft x 20-ft. The Applicant is proposing 9-ft x 18-ft parking spaces. We request that the Applicant clarify the design intent for the parking spaces provided and document compliance with the referenced section of the Bylaws or request a formal waiver from the required design standard.

Applicant's Response: Relief from the parking dimensions has been added to the Variance /Waiver Request list on sheet C-301.

B+T Response: Acknowledged. We now understand that 9-ft x18-ft parking spaces are permitted within the KBSGOD pursuant to Kelley Boulevard Smart Growth Overlay District Regulations and Design Standards. No further action is required.

9. §290-25 of the Bylaws stipulates requirements for signage. The Applicant appears to be proposing a monument sign at the George Leven access driveway, but the not Kelley Boulevard access driveway. A detail for the sign has not been provided. We request that the Applicant clarify the design intent for the signage and document compliance with the referenced section of the Bylaw.

Applicant's Response: An example for the monument sign is included with this submission. Please note the final design for this sign is still pending.

B+T Response: We acknowledge the sample sign provided. As currently proposed, it appears to be compliant. However, we defer formal review and approval of the sign to the Building Permit review process.

10.Previously addressed.

11. The Applicant has not provided a swept path analysis for larger emergency response vehicles including unarticulated fire trucks. We request that the Applicant provided the referenced analysis and defer to North Attleborough Fire Department personnel relative to the adequacy of the emergency access provided.

Previous Applicant Response: A swept path analysis for the North Attleborough fire truck has been provided in an earlier submission to the Planning Board.

Previous B+T Response: The referenced swept path analysis has not been provided to B+T. Accordingly, we continue to defer to North Attleborough Fire Department personnel relative the adequacy of the emergency access provided.

Current Applicant Response: A swept analysis has been provided to the town. It is our understanding that the Planning Director will forward along for your review.

Current B+T Response: We understand the Deputy Chief Chabot has reviewed the swept path analysis and is comfortable with the access provided. This comment has been addressed by the Applicant.

12. The Applicant has provided a photometric lighting plan for the Project. Throughout the perimeter of the Project, de minimis light trespass would occur over the property line. Given the non-residential nature of the area, we do not consider the minimal light trespass to be a critical concern. However, we note the referenced design condition for the benefit of the Board and defer to the Board whether the on-site lighting coverage should be restricted to the property line.

Applicant's Response: Acknowledged.

B+T Response: We continue to defer to the Board relative to the adequacy of the lighting design proposed and the resulting de minimis light trespass over at the property lines.

13. As noted herein, given the Site's proximity to adjacent wetland resource areas, the Applicant will need to file a Notice of Intent (NOI) with the Conservation Commission. We note that the entirety of the western-most parking area is within the 100-ft buffer zone. We note this for the benefit of the Board and defer to the future NOI review process.

Applicant's Response: A Notice of Intent (NOI) has been filed with the North Attleborough Conservation Commission. The next hearing for this project is scheduled for January 21st.

B+T Response: We defer to the ongoing NOI review process.

14. Previously addressed.

15. There appears to be an abutting encroachment on the Site. The property owner at 93 George Leven Drive (Map 35 Lot 218) appears to be occupying and maintaining vehicle storage over the property line. There does not appear to be reference to any resolution of this matter within the plan set. We request that the Applicant provide an update to the Board relative to the coordination and resolution of the noted encroachment with the respective property owner.

Applicant's Response: Applicant has requested more information from the current property owner regarding the encroachment. Applicant will work with the current property owner to understand the extent of the encroachment and work with the current property owner to address the encroachment with the abutting property owner and continue those efforts once Applicant obtains title to the property.

B+T Response: We defer to the ongoing coordination process; however, we note the existing condition for the benefit of the Board.

16. Previously addressed.

Stormwater Comments

17. Section 7A of the Regulations requires a Land Disturbance Permit for projects subject to the Regulations. We request that the Applicant submit a Land Disturbance Permit Application in accordance with the referenced Regulations.

Previous Applicant Response: A Land Disturbance Permit Application has been submitted.

Previous B+T Response: A Land Disturbance Permit Application has not been submitted with the revised documentation. The Conservation Commission is the Stormwater Authority, and the application documentation may have been submitted to their attention. We defer to the Board relative to the status of the Land Disturbance Permit application following confirmation by the Applicant.

Current Applicant Response: The Land Disturbance Permit was submitted to the Conservation Commission.

Current B+T Response: This comment has been addressed by the Applicant.

18. Previously addressed.

19. Previously addressed.

20. Previously addressed.

21. Previously addressed.

22. Section 8.E.12. of the Regulations requires that the stormwater management system pipes be sized to accommodate the 25-year storm event and maintain velocities between 2.5 and 10 feet per second using the Rational Method. Drainage pipe sizing calculations do not appear to be provided in the stormwater report. We request that the Applicant document compliance with the referenced section of the Regulations.

Applicant's Response: See response to comment #21. While not explicitly stated in the referenced section, this requirement is typically in the context of pipes flowing full. Therefore, the flowing-full velocities are presented accordingly in the revised drainage report. See Appendix F.

B+T Response: We acknowledge the calculations provided. There appear to be some analysis points that fall outside the referenced velocity range. However, noting the Project will remain private and the long-term operation and maintenance will remain the burden of the Applicant, we consider the intent of the comment to have been addressed by the Applicant.

23. Section 8.E.18. of the Regulations stipulates that catch basins adjacent to curbing shall be built with a granite curb inlet as required by the Department of Public Works. We request that the Applicant document compliance with the referenced section of the Regulations.

Previous Applicant Response: Notes have been added to the Town of North Attleborough Catch Basin Detail referencing Section 8.E.18. See sheet C-902.

Previous B+T Response: We acknowledge the inclusion of the reference to "... see Note 7" within the catch basin detail. However, a Note 7 does not appear to be included within that sheet. We request that the Applicant clarify the reference and revise the plans as may be applicable.

Current Applicant's Response: After review, Note 7 was included within the previously updated plans. To clarify, Note 7 is included within the notes on the specified detail. Please see sheet C-902.

Current B+T Response: This comment has been addressed by the Applicant.

24. Section 9 of the Regulations and Standard 8 of the Handbook require construction period pollution prevention and erosion and sedimentation controls. Being over one acre of disturbance, the Project will be subject to the requirements of an EPA NPDES General Permit. This permitting requires the development of a Stormwater Pollution Prevention Plan (SWPPP). The Applicant intends to use the SWPPP to comply with the requirements of referenced standards. The Applicant indicated that a SWPPP will be provided prior to construction. We request that the Applicant prepare a draft SWPPP for review prior to approval to satisfy the above requirements, and as a potential condition of approval, we recommend that a final compliant SWPPP be provided for review prior to construction.

Previous Applicant Response: A draft SWPPP has been compiled and included with this submission. A final SWPPP will be completed prior to construction.

Previous B+T Response: We acknowledge the draft SWPPP provided. We continue to recommend as a potential condition of approval that a final draft SWPPP be provided for review prior to construction.

Current Applicant Response: Acknowledged.

B+T Response: We continue to recommend as a potential condition of approval that a final SWPPP be provided for review prior to construction.

25. Section 10.B.3 of the Regulations includes stipulations for the required Stormwater Management Agreement. A management agreement does not appear to have been provided with the Applicant's documentation. We request that the Applicant document compliance with the referenced section of the Regulations.

Previous Applicant Response: The Stormwater Management Agreement will be submitted after approval of project by the Town of North Attleborough and property closing is completed.

Previous B+T Response: We defer to the Board relative to the adequacy of this approach and as a potential condition of approval.

Current Applicant Response: We ask that the Board to make this a condition of the approval that will be executed prior to the start of construction.

Current B+T Response: We continue to defer to the Board relative to the adequacy of this approach and the requested potential condition of approval.

26. Standard #10 of the Handbook requires that Illicit Discharge Statement be provided. We acknowledge the Illicit Discharge Statement provided; however, it is not signed by the Applicant or landowner. We request that the Applicant document compliance with the referenced standard of the Handbook.

Previous Applicant Response: An illicit discharge statement will be submitted after approval of project by the Town of North Attleborough and property closing is completed.

Previous B+T Response: We defer to the Board relative to the adequacy of this approach and as a potential condition of approval.

Current Applicant Response: We ask that the Board to make this a condition of the approval that will be executed prior to the start of construction.

B+T Response: We continue to defer to the Board relative to the adequacy of this approach and the requested potential condition of approval.

27. Previously addressed.

28. The modeling of western bioretention area (Pond 1.12) is inconsistent with the plans. The diameter, length and inverts of the primary outlet pipe do not appear to correlate. The underdrain diameter is modeled at 6"; however, it is depicted as 4" on the plans, and furthermore the lengths and inverts noted cannot be confirmed on the plans. We request that the Applicant clarify the design intent for Pond 1.12 and revise the documentation as may be applicable.

Previous Applicant Response: The detail on C-904 is revised to reference the plans for pipe diameter. The plans have been updated to harmonize with the HydroCAD model. Please see sheet C-453. The bioretention basin (Pond P1.12) provides pretreatment prior to Above ground basin P1.10. As the bottom of the filter is within 2' vertical separation to estimated seasonal high groundwater (ESHGW), the basin discharges via filtration through the media, into the underdrain to the outlet control structure.

Previous B+T Response: The noted inconsistencies appear to remain. The modeling includes a 15-in diameter pipe with a 10-ft length. The plans indicate a 12-in diameter pipe with a 122-ft length. The outlet invert of 199.75 in the modeling also cannot be verified on the plans. Accordingly, we reiterate the intent of our previous comment.

Current Applicant Response: The previously updated plans are correct, and the modeling has been updated accordingly for consistency. Please note with these revisions to the modeling, the peak flows and volumes remain the same as previously submitted.

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Current B+T Response: This comment has been addressed by the Applicant.

29. Previously addressed.

30. Previously addressed.

We appreciate the opportunity to assist the North Attleborough Planning Board with the review of the Project. Please do not hesitate to contact our office with any questions.

Sincerely,

BEALS AND THOMAS, INC.



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

cc: Gil Hilario, Town Planner (via email to gilhilario@nattleboro.com)
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