



*Charles River Watershed Association*

BY FAX AND MAIL

February 21, 2006

Stephen R. Pritchard, Secretary  
Executive Office of Environmental Affairs  
MEPA Unit  
251 Causeway Street, Suite 900  
Boston, MA 02114

Attn: William Gage

Re: Draft Environmental Impact Report, Chestnut Hill Square, EOEA No. 12928

Dear Secretary Pritchard:

The Charles River Watershed Association (CRWA) submits the following comments regarding the above referenced Draft Environmental Impact Report (DEIR).

CRWA is particularly interested in the redevelopment of this site because of its location in the headwaters area of Saw Mill Brook, a tributary to the Charles River that has been significantly impacted by historical development, and an area that remains under considerable development pressure today. The site currently drains via Newton's stormdrain system, into an unusual and sensitive wetland and pond area comprising Kennard Park and Conservation Area in Newton, the Lost Pond Conservation Area in Brookline, and the Massachusetts Department of Conservation and Recreation (DCR) Lost Pond Reservation, and then on into the Saw Mill Brook.

The DEIR does not contain sufficient information about several key elements of project design to determine what the final environmental impacts of this project will be. In addition, we believe there are many design elements that should be included in the project that do not appear to have been evaluated.

While some elements of this project, notably traffic management, have received significant attention in the MEPA review process, and the alternatives, impacts and design details for transportation demand management are well documented in the DEIR, other project elements, including some that are most important for regulatory review and environmental compliance, need to be significantly expanded upon in the Final Environment Impact Report (FEIR).

In general, the FEIR should provide significantly more detail on the stormwater management system, including an analysis of the site's potential for recharge, and design elements that could be incorporated to increase recharge; more detailed plans for sustainable site provisions, including energy and materials use, and recycling; and an analysis of opportunities to incorporate Low Impact Development (LID) techniques appropriate for urban areas such as green roofs, vegetated filter strips, and bioretention areas.

#### Stormwater Management

The DEIR fails to address two requirements of the Secretary's February 7, 2003 Certificate on the ENF with regard to stormwater: drainage calculations do not appear to be included in the DEIR (only a summary of model predictions is provided); and there is not an analysis of the impacts of alternative stormwater management approaches.

The alternatives analysis for this site is of particular importance and should not be approached merely as a formality. There are several important issues that should be resolved before a final stormwater design is adopted. First, CRWA believes there is significant potential on site for stormwater recharge, especially given that an existing on-site subsurface disposal (septic) system exists on the north border of the site. Yet other commenters have raised concerns about the project elevating groundwater levels and thereby causing problems off-site. The FEIR should provide detail about the subsurface conditions of the site, and the predicted impacts to ground- and surface water flows based on different stormwater management approaches. The project should be designed to maximize infiltration unless an analysis shows this would have adverse consequences on nearby residences. If infiltration is undesirable, or is not feasible, then retention and water quality enhancements should be the primary stormwater management goals.

In addition, the FEIR should examine in detail the feasibility and impacts of different stormwater BMPs to improve water quality. This site drains into a drainage system that passes through a small residential area and then out into an area of considerable environmental value and importance to the City of Newton, the town of Brookline, the City of Boston, DCR, and the Charles River watershed. In addition to examining alternatives to maximize recharge, the FEIR should evaluate the feasibility of including water quality BMPs such as swales, bioretention areas, vegetated filter strips, catch basin inserts and a variety of particle separator designs.

Several other specific elements to stormwater management should be included in the FEIR. As requested by DEP in their comments on the ENF, an Emergency Response/Spill Plan should be developed and included, as well as a snow management

plan. A description of stormwater management specifically for loading dock and solid waste management areas should be developed. A more detailed Operation and Maintenance (O&M) Plan should also be developed that will include maintenance for any recommended BMPs and design elements such as green roofs and other “soft” BMPs. The owner should maintain a log of maintenance activities and identify more specifically the party responsible for overseeing O&M activities.

### Sustainability

The FEIR should include an analysis of sustainable design elements. The DEIR contains only general references to these elements of project design. Again, a genuine alternatives analysis is important for this site as many sustainable design elements may prove cost effective if evaluated over a longer time period. Additionally, many sustainable design elements have multiple benefits. For example, green roofs can improve stormwater management, improve energy efficiency, improve protection of roofing materials, and can even be used as public space if designed as such. The FEIR should provide details on the development of sustainable building design and construction measures, including the use of recycled materials, increased energy efficiency, and educational opportunities to promote energy and water conservation.

We also suggest the proponent evaluate the possibility of using a cistern collection system to be used for irrigation and cooling water rather than using public water supply for this purpose. Such a system could reduce the water demand for the development by almost 35,000 gallons per day (a 27% reduction in daily water demand) while reducing stormwater runoff.

### Low Impact Development (LID)

While there is significant overlap between LID, stormwater management and sustainability, we suggest the FEIR should specifically address the potential for using LID techniques. The LID approach is comprehensive, encouraging consideration of an entire site for opportunities to reduce impervious cover, reduce road widths, use permeable paving materials, identify small pockets or strips of land that could be used for stormwater management, open space and/or pedestrian pathways, and generally develop a site with a minimal impact.

CRWA supports the redevelopment of this site as an environmentally friendly project. We believe “green” design elements and management programs will in fact be a market asset in the community this site serves, which is generally an environmentally conscious community. Developing this site in ways that significantly exceed local and state mandates will help mitigate some of the unavoidable impacts that redevelopment of this site will inevitably have on the community.

We look forward to working with the proponents as project design moves forward in an effort to ensure that the final design avoids, minimizes and mitigates environmental impacts. Please feel free to contact me should you have any questions.

Sincerely,

Kate Bowditch

cc: Steven G. Lipman, Mass DEP  
Michael J. Kruse, Newton Planning & Development  
Jeff Levine, Brookline Planning & Community Development  
Mark Draisen, MAPC  
Martha Horn, Newton Conservation Commission  
Tom Brady, Brookline Conservation Commission