

Southern Tier responses to MVC Comments / Questions

From

January 19, 2023

Documents:

- Elevation drawings and floorplans for the buildings with additional dormer units, including (if proposed) any revisions to the floorplans to account for the open landing as suggested by Ben Robinson.
 - Attached are the updated drawings related to the 4-unit layout. We have reviewed the concept of incorporating the stair and landing into the 4th unit as mentioned by Ben Robinson and have found that it is not feasible without significant redesign of the building. A memo from the architect regarding this analysis is also attached.
- Section plan through the knoll, as shown on 1/19.
 - The plan is attached
- Any other new slides that were shown by the applicant on 1/19.
 - The only other slide presented beyond the 4-unit plans and section plan through the knoll mentioned above was our written responses to the first meeting which is attached.
- Any other revised or updated plans resulting from the MVC review.
 - No other revisions have been made as a result of the MVC review.

Other information:

- Updated nitrogen calculation and mitigation to account for the dormer units.
 - Updated nitrogen calculations are attached. The additional nitrogen for the 3 units takes our mitigable nitrogen from 32.18 kg/year to 33.67 kg/year. A difference of 1.49 kg/year.
- Proposed restriction on events at the community house (noise, hours, exterior lighting, etc.).
 - The exterior lighting of the community house is already determined as part of the submitted plans. We have included an offer related to hours of operation to ensure compliance with the town's noise by-law.
- Confirmation from the town as to whether there could be access to the 24-acre lot via Quantapog Road.
 - We have been informed that Quantapog Road is a private road.
- Any other written offers.
 - Updated offers are submitted with this response.

Questions

- Is it possible to transplant any of the existing native groundcover for use in the proposed landscaping? Has this been considered?

- It is infeasible to uproot plants of this nature and maintain their health during the course of construction until the landscaping is completed towards the end of the project (16 months later).
- Please confirm who will own and maintain the underground utilities from the street.
 - The streets and all infrastructure within Southern Tier will be privately owned and maintained by the developer.
- Besides the preservation of the knoll, what other options are there to mitigate headlight intrusion from the access road?
 - We have offered to create a walking path and vegetated border along the eastern edge of the property, subject to Massachusetts Division of Fisheries and Wildlife approval. By installing a vegetated buffer at this time in the project, there would be ample opportunity for the plants to develop ahead of any potential road along the east side of the property.
- Archeological Documentation: Do you folks have any survey records or similar documentation that would reflect some level of archeological review of the project site? There may be a geologic feature of Native American significance on the periphery of the project site. This would need to be confirmed. Also, there may be other features of archeological significance at or near the periphery of the project site. This too would need to be confirmed. Whether or not such archeological features exist at or near the border of the project site, it would be prudent and proper to compile and share records you folks might have relative to any archeological study, survey, or examination of the project site itself.
 - We have submitted a Project Notification Form (PNF) to the Massachusetts Historic Commission regarding our site and the potential for impact to known areas of importance. We have been notified that no such area exists within our site (see attached PNF). We are aware of a significant rock near the northern edge of our site, and while on our property, it does fall within the 50' setback of a Special Way. We have purposely avoided any work near that location. In fact, our closest building in Phase I is over 250' from the rock and our closest building in Phase II is over 160' from the rock. Placing a road to access the Town's 24-acre parcel in that area of our property would put that road and its disturbed construction area closer to this significant geologic feature.
- Plant List(s): Could you folks please offer greater clarity regarding the plant list or lists you have already provided the MVC. First off, could you please share any records that describe what specific plants inhabit the project site? Could you also clarify how any of those specific plants, if any, relate to the state's Natural Heritage & Endangered Species Program through project strictures, parameters, or agreements? Concerning the plants that will be used in the landscaping of the project, the list appears broad and potentially variable. Could you please share with greater specificity what plants you folks intend to use in the project's landscaping?
 - On March 21, 2022, Horsley Witten Group (HW) ecology staff performed a site visit to assess the general habitat characteristics and to identify any unique features. As noted, the Southern Tier parcel consists of undeveloped forested land with a plant composition comprised of species a canopy of pitch pine and mixed oak (*Quercus alba*, *Q. velutina*, *Q. coccinea*). The understory is dominated

by black huckleberry (*Gaylussacia baccata*) with patches of sheep laurel (*Kalmia angustifolia*) and lowbush blueberry (*Vaccinium angustifolium*) interspersed with patches of wintergreen (*Gaultheria procumbens*) and trailing arbutus (*Epigaea repens*), and occasional bracken fern (*Pteridium aquilinum*). A sparse shrub layer creates an open landscape. HW observed a small amount of chokeberry (*Aronia* sp.) along the road and occasional scrub oak (*Quercus ilicifolia*); otherwise, the plant community is fairly uniform throughout the site, with variable concentrations of pitch pine and oaks. Snags and fallen dead trees (boles) as well as narrow wildlife paths are located throughout the site. The duff layer (fallen leaves, small branches) is approximately 4-6 inches

- Attached is our application to the Division of Fisheries and Wildlife related to our NHESP approval for reference to the specific plants found on the property as described above and specifically the pitch pine which is critical to the Imperial Moth habitat as detailed on page 11-12 of the PDF.
- The list of potential plants derived from the Polly Hill Arboretum is meant to ensure that any plant selection would be compatible to the site and not pose a threat to the environment of the Island. Final plant selections will ultimately rely on availability and budget.

Additional Information from Applicant

- Attached is a document detailing the numerous meetings open to the public and official filings related to the Southern Tier development. As one can see, this town-initiated project has been in the development stages for a significant period of time. There have been over a dozen public meetings regarding the project prior to our first commission hearing on January 5, 2023 including the town's RFP Community Meetings during 2021 and our own community meeting held on December 12th where abutters were directly noticed and invited to attend. The MVC review comes at the end of a lengthy process with ample opportunity for concerned citizens to comment on its design along the way.
- We are attaching a letter from our ecologist regarding the protected open space in our plan and its importance to the Imperial Moth habitat. It includes an aerial view of the property where illustrating how the protected open space on our property connects to the remaining 200+ acres of the Southern Woodlands. Given the importance of contiguous habitat, placing the road on the eastern edge of our property produces the least impact to the Imperial Moth habitat. The definition of a Take per the Massachusetts Endangered Species Act is as follows:

Take, ... Disruption of nesting, breeding, feeding or migratory activity may result from, but is not limited to, the modification, degradation or destruction of Habitat.

By segmenting the preserved priority habitat with a road through the center of the property, we would have created a Take of not only the area in which we are actively building, but also the lost contiguous habitat as it would be significantly degraded by its lack of connection to other priority habitat. This Take would result in necessary mitigation measure of preserving 2x the land included in the Take of suitable habitat for the Imperial Moth and would make the project infeasible.