



April 25, 2019

Daniel Hill, Esq.
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By Email

**Subject: Wetlands & Stormwater Review #3 for
Sterling Road 40B Project, Lancaster**

Dear Dan:

I am submitting a third peer review of the proposed Sterling Road 40B project, based on the findings of the recent CEI peer review requested by the town. I have three major points, enumerated below. These are in addition to my previous comments, which stand.

❖ Comments

1. Vernal Pools

I have emphasized repeatedly, both in letters and public comments, that the site is likely to contain vernal pools (VPs). Goddard in his March 2019 wildlife analysis notes that none were found. Goddard also conducted his work 30-45 days too early to make any such determination.

Following Goddard's work, CEI during their April 2019 site inspection found multiple egg masses in areas beside the intermittent stream. These were found in several locations. Because of site flooding at the time, CEI could not reach a conclusive finding that the egg masses were in a VP. **The firm needs to be authorized by the town to return to the site in the next 45 days to make a final determination.**

That said, the likelihood of these areas being VPs is extremely high. Multiple egg masses are rarely found outside of VPs, and the Board should proceed on the assumption that these areas are critical, protected resource areas.

Also of importance, multiple egg masses were found directly beside, and possibly in, a proposed detention basin. This creates two problems. One, if a VP exists in that location, the detention basin cannot be built there. Two, if the VP exists beside the proposed basin, any outflow from the basin during storm events will destroy the viability of said VP, as effluent will contain salts, hydrocarbons and herbicides/pesticides. In either case, a detention basin in said location is not permitted.

2. Wetland Water Budget

As have emphasized in previous letters to the Board, the proposed project fails to include a water budget for wetlands--a basic requirement to ensure that no impacts occur. As designed, proposed post-development water volume increases dramatically and runoff decreases. These volumetric fluctuations are due to the increase in impervious area.

The probable existence of nearby VPs makes a water budget critical. This requirement has been

affirmed in recent MassDEP adjudicatory cases.

3. Intermittent Stream and Stormwater Discharges

I previously noted that stormwater for the project is controlled by the use of detention basins. Three of the proposed basins are within ten (10) feet of the edge of BVW. Outflows from the basins will discharge directly into the intermittent stream on site. Because the proponent has not designed any water quality filtration, discharges will contain salts, hydrocarbons and herbicides/pesticides.

The downgradient receptor for the stream is Goodridge Brook, a designated cold-water fishery. Essentially, as currently designed, the project will release pollutants into the intermittent stream which will be carried into the coldwater fishery.

Either the three basins that discharge into the stream should be moved so that said discharges do not occur, or extensive water quality filtration must be provided so that the water quality of the stream on site is not impaired.

The applicant has been aware of these concerns for months and has not responded.

Please contact me with any questions or comments.

Very truly yours,

A handwritten signature in black ink, appearing to read "Patrick Garner", written in a cursive style.

Patrick Garner
Wetland Scientist & Hydrologist