

Valerie Oorthuys – Planning Director  
**Stow Planning Board**  
380 Great Road  
Stow, Massachusetts 01775

March 11, 2024

RE: Bransfield Tree Company  
63 & 65 White Pond Road  
Major Modification

- Earth Removal Special Permit
- Contractors Yard and Erosion Control Special Permit
- Site Plan Approval

Dear Ms. Oorthuys,

Hannigan Engineering, Inc. is in receipt of comments from Places Associates, Inc. dated January 8, 2024 along with public comments relative to the proposed modification of a Special Permit for Contractor's Yard at 63 and 65 White Pond Road in Stow, Massachusetts. Additionally in response to comment from the Board, a trip generation letter was prepared by Greenman-Petersen, Inc (GPI) relative to the project and its expected traffic. We offer the following responses to their comments:

*Comment#1: Require any gasoline powered equipment or equipment with hydraulic fluids be stored under cover in the carports.*

**Response: Per the provided Standard Operating Procedure (SOP) that will be utilized on the property all gasoline powered equipment and equipment with hydraulic fluids are to be stored within the carports.**

*Comment #2: Require regular inspections of the entire site by the property management, including in the carport areas. (suggest weekly when site is active)*

**Response: A requirement that weekly inspections be performed has been incorporated into the Operation and Maintenance Plan**

*Comment #3: Recommend emergency contact information be posted on site in the event of a spill.*

**Response: Emergency contact information for any invent is provided within the Operation and Maintenance Plan.**

**Comment #4:** *Recommend a copy of the Long-Term Pollution Prevention Plan be included with lease agreements in the appropriate language for the tenant or have them sign a copy to acknowledge the contents.*

**Response:** **A copy of the Operation and Maintenance plan can be provided with the SOP. These documents will be provided with the general lease agreements that tenants will be agreeing to.**

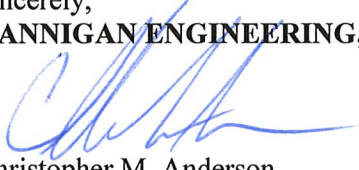
**Comment #5:** *This office recommends that the bottom of the basin be covered with ¾" to 1 ½" washed stone as the loam will have a tendency to silt up with the intense rainfalls. If the applicant wants loam, the exfiltration rate in the drainage calculations should be reduced to 2.41 in/hour rather than the 8.27 which is reflective of sand soils for below grade recharge*

**Response:** **It has not been the intent to loam and seed the basin bottom for permanent stabilization, rather use a layer of peastone to enhance infiltration. Nonetheless the detail has been revised to use washed stone**

Comment #6's responses are provided by the applicant and attached to this review.

Hannigan Engineering, Inc. is providing this information for your consideration in the approval of this Site Development Plan. Hannigan Engineering, Inc would like to thank the Planning staff, and the Board for its continued cooperation during the review of this project

Sincerely,  
**HANNIGAN ENGINEERING, INC.**

  
Christopher M. Anderson  
Vice-President, Engineering

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To Whom it may concern,

The following below are responses to the Landscape Plan review provided by Places Assoc. Inc. 1/8/2024. Please reach out with follow up questions.

Jonathan Bransfield

3/7/2024



*a. Zone A) Eastern Red Cedar is a Cedar Apple Rust host and should not be planted within a mile of an orchard.*

—Eastern Red Cedars are an integral part of the local ecosystem and are host to multiple native wildlife species. Apple orchards are compelled to manage disease pressures throughout the year and are already surrounded by various pest and disease vectors including thousands of red cedars. Jonathan Bransfield, with Bransfield Company has executed many native planting plans in the 30 years as an arborist and this is the first time an objection has arisen when using eastern red cedar in a landscape. As such it is the opinion that the use of Eastern Red Cedar is appropriate in this situation.

*b. Zone A: Black Spruce is not a native plant, and Stow is at its southern end of its USDS growing zone. It specifically does not like heat and is not appropriate for a "sunny exposure"*

—Black Spruce (*Picea Mariana*) is a native New England tree, and well suited to this environment.. The available options for native species of trees with dense evergreen foliage that will not overgrow the location and are resistant to deer browse is minimal. If it is of the Board's opinion, Black Spruce could be substituted with American Holly (*Ilex opaca*), .

*c. Zone B specified facultative wetland plants. Dogwoods are not facultative wetland plants.*

— Zone B on the planting plan is not located within a wetland area. The topography is very steep with a underlaid well drained soil. As such Florida dogwood will be completely successful throughout the area. As noted within the landscape plan: "It is important to note that while the planting sites are, in part, in wetland buffers, none of the proposed planting sites are wetland, and will not be inundated with water. All the plant choices reflect this fact."

*d. Zone B and C: Virginia Creeper and Poison Ivy are non-compatible species. Why preserve poison ivy as it will discourage maintenance of the other plants from invasives like bittersweet.*

— Poison ivy and Virginia creeper are currently presiding throughout the designated areas and it is typical that the two plants coexist with one another It is the intent to preserve the poison ivy as it is a native plant that provides food and habitat to local wildlife, alternatively the removal of poison ivy would require herbicides in order to remove the extant plant

*e. Zone C: Winged Sumac likes dry hillsides, open woods and rocky slopes, not adjacent to wetlands as shown.*

—Zone C as shown on the Landscape plan is indicated to be "Mostly Flat, Well Drained, Mixed sun and shade", and not located within a wetland area.. Winged sumac typically thrive will this type location. As



noted within the landscape plan:: "It is important to note that while the planting sites are, in part, in wetland buffers, none of the proposed planting sites are wetland, and will not be inundated with water. All the plant choices reflect this fact."

*f. The plans do not indicate size, quality or specifications of plant material. How big, how healthy? Nursery grown? If not then they can dig up and plant from the site. —*

*g. Plantings will typically be* in the 3-10 gallon container size range with typical heights varying from 24" to 48" based on species and nursery stock.

*g & h) No requirement for replacement if they die after 1 year. Monitoring? Who reviews plant placement?*

—As noted within the landscape plan: "The exact location of all plants will be determined by a Massachusetts Certified Arborist at the time of installation to maximize a natural aesthetic, survivability of the plants, and retaining any nascent, native "volunteers" already in situ. The plantings will be a described within the Landscape Plan relative to the exact numbers of plants and will ensure there are no gaps in plant coverage. It is preferable that the planting placement be flexible as to conform to site conditions at time of installation. All post planting care, including water and deer repellents will be managed by a Mass Certified Arborist for a minimum of 3 years after installation, with no fertilizer application being required.

*j) What is the Invasive Management Plan? Specifications? Methods complying with regulations? What is acceptable management - 10%? Time based 2 years? Who monitors compliance?*

—As noted in the Landscape Plan, the process and timing of the Invasive Management Plan "Wetland Buffer Zone Invasive Management Plan" and "Wetland Buffer Revegetation Plan".

The monitoring of compliance is typically performed in coordination with the Stow Conservation Commission.

*k) No lawn/slope seed mix or wildflower seed specifications. What are the requirements for establishment.*

—As noted in the Landscape Plan, sheet 4: "There are very robust populations of Virginia Creeper, Poison Ivy, Northern Dewberry, Hay Scented Fern, Wood Fern, and Pennsylvania Sedge both extant on the proposed planting areas and just beyond, we propose to encourage these plants to continue to spread over the floor of the planting areas though the ongoing elimination of the invasive plants in the areas. We believe that the combination of coarse woody mulch on the planting sites and the spread of existing herbaceous ground cover plants is superior to a loam bed and conservation seed mix, as it is a continuation of processes already naturally underway and it is a superior erosion control method. No exposed mineral soil will be allowed, all areas will be mulched."

*l. There are no plantings or green around the building to soften the appearance or to break up the heat island. The Board may want to consider requiring some landscaping adjacent to the building.*

— The area around the site is forested with an existing White Oak immediately to the west of the proposed project, which as it currently stands, cast a significant shadow that cools the site. It is also the intent to plant three 2" caliper trees within the area of the existing tree as means of succession planting, for when the original tree needs to be removed. The heat island effect on the surrounding pavement is minimized through the implementation of the proposed stormwater system which retains the entirety of the anticipated stormwater flows. As such the discharge off-site to temperature sensitive areas, such as wetlands, is not expected to occur during typical storm events.





To Whom it may concern,

The following are a set of guidelines and rules that will be added to the lease contract between tenants and Money Brook Farm LLC. These rules are intended to provide governance over the storage and deployment of vehicles, equipment, and materials at MBF LLC.

It is clear to me that there has been a cultural and communication barrier with some of the occupants at 65 White Pond Road, and the worst violations of material and vehicle storage standards have occurred due to language barriers and ignorance of potential hazards. Put plainly, most of the people performing home improvement and maintenance services that the homeowners of Stow and the surrounding communities hire (like masonry, landscaping, and tree work) are newly arrived from Central and South America where awareness of the hazards presented by petroleum and other industrial chemicals is very low. I clearly understand that it is my duty to educate these new members of the community on the methods and practices necessary to ameliorate those hazards, and to provide them with nearly frictionless means to comply with these enlightened environmental expectations. I am personally very motivated to protect and expand the environmental integrity of the land upon which I exist, and I now see that operating a contractors yard at 65 WPR is an opportunity to bring a host of other business operators into an understanding of their responsibility to respect the land upon which they work as well —I welcome and cherish this opportunity.

Demand for the home improvement and maintenance services performed by people who rent from MBF LLC is not going away, and the people who perform these services is not likely to change. Someone must educate them and help them to comply; I welcome that opportunity and responsibility.

As I have stated in previous hearings, demand for sites to store equipment and materials for outdoor home services for Stow and surrounding communities is very high. It will be very easy to enforce compliance with our rules and expectations if eviction is the penalty for unwillingness to cooperate. These rules are not difficult or expensive to follow.

Money Brook Farm LLC has an application with the EPA for a VSQG (very small quantities generator ) identification number. This will allow us to easily dispose of any oil soaked boom, pads, clay or gravel with local EPA approved waste management sites. Assignment of our identification number is expected to occur in late March - early April 2024.

Sincerely,  
Jonathan Bransfield  
3/5/2024

At MBF we care about the integrity of the natural environment and the neighborhood in which we exist. **The following practices are mandatory and any repeated violation of these rules will result in the immediate cancelation of your tenancy at MBF.** These rules are not difficult or expensive to follow, and MBF LLC is your partner in helping you to abide by them. Any demonstration of an unwillingness to abide by these rules means that you are not the professional type of business operator that we wish to have on our property with us. These rules will be posted at your rental space and you will be responsible for explaining them to all who visit your space.

## **Environmental Integrity Rules:**

**Petroleum products are pollutants.** Gasoline, diesel, brake fluid, hydraulic fluid, motor oil, anti-freeze, DEF fluid, etc are all pollutants when they escape from their containers, tanks, or reservoirs. You must park any vehicle or machine that could leak petroleum inside your canopy on its paved surface. Any vehicle or machine that is leaking *any* fluids must be repaired immediately. In the interim between discovery of a leak and its repair, said machine or vehicle **MUST** be parked inside your canopy and have absorbent clay and/or absorbent pads under them to catch the leak—**boom, pads, and clay will be supplied to you by MBF LLC.**

*We DO NOT want any petroleum leaked onto the ground because we do not want that petroleum to make it to the groundwater aquifer under our property.*

In the event that a petroleum product is spilled outside your paved canopy floor, that spill must be dug up immediately and placed in a bucket or barrel. MBF LLC will take that material from you and see to its proper disposal. Inspect your trucks and machines daily to look for “wet” components. We will be observing your vehicles for leaks as well.

**Petroleum Storage.** Petroleum products stored outside of machine or vehicle reservoirs (tanks) **MUST** be stored in DOT approved containers and said containers **MUST** be either in the fire-proof cabinet supplied for you in your canopy or on a truck or trailer. Fuel containers **MUST NEVER** be left on the ground where they can be run over or otherwise ruptured and have their contents released.

**Landscape Materials.** Bulk landscape materials such as ice melting salts & lawn fertilizers **MUST NOT** be stored outside of your canopy. They **MUST** be inside your canopy and on the paved surface. Any pool or water-feature chemicals, paints, solvents, or pesticides **MUST** be stored in an OSHA approved, locked cabinet inside your canopy. And you must report the presence of these materials to MBF LLC.

**Hazardous Materials.** Under no circumstance should any hazardous materials be stored at 65 White Pond Rd. Solvents, lead, asbestos, old construction waste **MUST NOT** be stored at 65 White Pond Rd regardless of whatever containers they are in. Those materials should go directly from your job-site to an appropriate facility for such materials. Old construction demo materials are a hidden source of hazardous materials, **DO NOT** bring them to 65 White Pond Rd. If you have any doubt or question about the hazard status of a material, the answer is ‘don’t bring it here’. Take it to a sanitary waste disposal depot.

**Repairs & Maintenance.** Your rental space is *not* a repair shop. Any repairs that involve petroleum fluids (Gas, diesel, hydraulic fluid, brake fluid, antifreeze etc) must be performed at a proper repair shop. Bodywork that involves paint or paint solvents is also prohibited. Washing salt and dirt off of vehicles is allowed. *Engine washing or steam cleaning off grease is not allowed.*



## Neighborhood Rules:

65 White Pond Rd is a small country road that exists within a small residential neighborhood. This neighborhood is filled with people and families living their lives and trying to enjoy their own personal property. White Pond Rd is also frequented by many people walking or cycling to the adjacent woodlands. It is our responsibility to be careful, considerate, and peaceful when operating our vehicles on this road and in this neighborhood.

These rules apply to you and *any other visitor* you bring to your rental space, whether they be in your work trucks or their own personal vehicles coming to and from the site. White Pond Rd is a small country road frequented by other vehicles, pedestrians, and cyclists; no one wants to be a part of an accident, altercation, or close call with other travelers. The following applies to any and all vehicles traveling on White Pond Rd:

ALL vehicles MUST observe a strict 20 mph speed limit. Speeding on White Pond Rd could gain a driver a maximum 5-10 seconds of time savings. Risking lives or compromising the peace of the neighborhood is not worth that tiny amount of time. You MUST make this clear to *anyone* visiting your site—White Pond Rd is a slow road.

ALL vehicles MUST be in safe working order and have current vehicle inspection sticker.

ALL vehicles must be quiet. No loud exhaust or loud music. Make it clear to anyone visiting your site that no one on White Pond Rd wants to hear their music or loud exhaust. We will be listening.

Larger trucks shall refrain from using engine brakes or Jake brakes when coming down White Pond Rd. Make this clear to any delivery trucks visiting your space.

DO NOT park or idle on White Pond Road. While it is tempting to pause on White Pond Road to set your GPS or make a phone call etc, there is no where this can be done that will not have your truck idling in front of someones private home.

## **STORMWATER OPERATION, MAINTENANCE AND POLLUTION PREVENTION PLAN**

**Money Brook Farm  
#65 Whites Pond Road  
Stow, MA**

### **RESPONSIBLE PARTY DURING CONSTRUCTION:**

**Money Brook Farm, LLC  
CO JONATHAN BRANSFIELD  
6 Sandy Brook Drive  
Stow, MA 01775  
978-760-1882**

### **RESPONSIBLE PARTY POST CONSTRUCTION:**

**Money Brook Farm, LLC  
CO JONATHAN BRANSFIELD  
6 Sandy Brook Drive  
Stow, MA 01775  
978-760-1882**

### **BEST MANAGEMENT PRACTICES**

To prevent the migration of soils, Best Management Practices (BMP's) shall be employed. During construction, hay bales and silt fence will be installed as shown on the plans and also at additional locations on an as needed basis to provide sufficient erosion controls on the site. These components shall be installed to catch and trap the migrating soil materials and pollutants.

All applicable BMP's listed below and in the Department of Environmental Protection's Stormwater Management Handbooks (Volume 1: Overview of Massachusetts Stormwater Management Standards and Volume 2: Technical Guide for Compliance with Massachusetts Stormwater Management Standards) dated January 2008 (as amended), shall be incorporated in this project. This Plan shall be followed by the Homeowners Association and residents as required and amended by the Massachusetts Department of Environmental Protection's Stormwater Management Regulations

### **INSPECTION AND MAINTENANCE (DURING CONSTRUCTION)**

1. At all times, hay bales, siltation fabric fencing and wooden stakes sufficient to construct sedimentation control barrier a minimum of 50 feet long will be stockpiled on the site in order to repair established barriers which may have been damaged or breached.
2. Necessary erosion controls shall be in place prior to any clearing or construction on the site. Construction sequence shall be phased in such a manner that the on-site detention basins are stabilized and functioning prior to the establishment of any new impervious areas on the site. The Contractor shall provide temporary stilling or settling basins as needed to catch and trap any migrating soil materials and pollutants from the construction areas.



3. An inspection of all erosion control and stormwater management systems shall be conducted at least once every fourteen (14) calendar days and following significant storm events. Where sites have been finally or temporarily stabilized, or runoff is unlikely due to winter conditions, such inspections shall be conducted at least once every month. (EPA SWPPP IS REQUIRED FOR THIS PROJECT)  
In case of any noted breach or failure, the General Contractor shall immediately make appropriate repairs to any erosion control system and notify the engineer of any problems involving storm water management systems.  
  
A significant storm event shall be defined as all or one of the following thresholds.
  - a. Any storm in which rain is predicted to last for twelve consecutive hours or more.
  - b. Any storm for which a flash flood watch or warning is issued.
  - c. Any single storm predicted to have a cumulative rainfall of greater than one inch.
  - d. Any storm not meeting the previous three thresholds but which would mark a third consecutive day of measurable rainfall.
4. If site inspections identify BMPs not operating effectively, maintenance must be performed as soon as possible and before the next storm event.
5. If BMPs need modification or additional BMPs need to be added, implementation must be completed before the next storm if practicable. If implementation before the next storm event is impracticable, the situation must be documented in the construction log and alternative BMPs must be implemented as soon as possible
6. The General Contractor shall also inspect the erosion control and stormwater management systems at times of significant increase in surface water runoff due to rapid thawing when the risk of failure of erosion control measures is significant.
7. In such instances as remedial action is necessary, the General Contractor shall repair any and all significant deficiencies in erosion control systems within two days.
8. The Department of Public Works and/or Conservation Commission shall be notified of any significant failure of storm water management systems and erosion and sediment control measures and shall be notified of any release of pollutants to a water body (stream, brook, pond, etc.).
9. The General Contractor shall remove the sediment from behind the fence of the sedimentation control barrier when the accumulated sediment has reached one-half of the original installed height of the barrier.

## **INSPECTION AND MAINTENANCE (POST-CONSTRUCTION)**

It is the agreement of the responsible parties to finance, inspect, and perform (respectfully) the long-term maintenance of the erosion control devices and the stormwater management systems within the limits stated below.

1. A visual inspection of all erosion control and stormwater management systems shall be conducted by the above identified person(s) a minimum of once per month and after every major storm during the first six months of operation (a portion of that time must be in the growing season). Thorough investigations shall be conducted twice a year. Monthly maintenance requirements may be adjusted based upon the results obtained from the first year of operation.
2. Roads and parking lots shall be swept at least twice per year and on a more frequent basis depending on sanding operations. All resulting sweepings shall be collected and properly disposed of off-site in accordance with MADEP and other applicable requirements.
3. Accumulated sediment shall be removed a minimum of one time per year by means of a clamshell bucket or equivalent from the bottom of the deep sump catch basins and manhole. Disposal of accumulated sediment and pollutants must be in accordance with local, state, and federal guidelines and requirements.
4. All resulting sweepings or sediment removed from catch basins, and manhole connections shall be collected and properly disposed of off-site in accordance with MADEP and other applicable requirements.
5. Reference to this Operation and Maintenance Plan will be made within the chain of title by reference or recorded within the initial deed transfer if this is to occur prior to construction. This Plan shall be followed by subsequent landowners as required and amended by the Massachusetts Department of Environmental Protection's Stormwater Management Regulations.
6. It shall be the responsibility of the land owner to ensure that the Operation and Maintenance of all stormwater structures is performed as outlined in the provided Maintenance Schedule and to provide full funding of the required tasks.



## 7. Maintenance Schedule

<u>Structure Type</u>	<u>Inspection</u>	<u>Maintenance</u>	<u>Task</u>	<u>Cost Estimate</u>	<u>Owner</u>
Deep Sump Catchbasin	Quarterly and at the end of the foliage and snow removal seasons	Quarterly, or whenever the depth of deposits is greater than or equal to one half the depth from the bottom of the invert of the lowest pipe	Clean/Remove Debris and Sediment	\$1,000* (\$1,000/Year)	Land Owner
Rip/Rap Aprons	Every 2 Years	Every 10 Years	Clean/Add Stone	\$500* (\$50/Year)	Land Owner
Infiltration Basin	Monthly (May-Oct)	Monthly (May-Oct)	Mow Grass Areas	\$600* (\$600/Year)	Land Owner
Outfall Structures	Every 2 Years	Every 10 Years	Clean/Add stone	\$50* (\$50/Year)	Land Owner
Total Annual Estimated Cost				\$1,700/Year	Land Owner

### NOTES:

\*Cost estimate per RS Means: Site work & Landscape Cost Data, Includes Mobilization, Material and Installation costs for work

### LONG TERM POLLUTION PREVENTION PLAN

1. Access drives to the site shall be swept on an annual basis with a commercial cleaning unit. Any sediment removed shall be disposed of in accordance with applicable local and state requirements.
2. Trash and other debris shall be removed from the drives periodically as needed. Full inspection of the site shall be made on a semi-annual basis to ensure clean and neat appearance to the site. This measure will help in the overall performance of the onsite systems.
3. Trash and other debris shall be removed from landscaped and planted areas periodically as needed. Full inspection of the site shall be made on a semi-annual basis to ensure clean and neat appearance to the site. This measure will help in the overall performance of the onsite systems.
4. Reseed any bare areas as soon as they occur. Erosion control measures shall be installed in these areas to prevent deposits of sediment from entering the drainage system
5. Grass shall be maintained at a minimum blade height of two to three inches and only 1/3 of the plant height shall be removed at a time.

6. The use of pesticides will be kept at a level consistent with typical residential use. Where possible mechanical methods (i.e. pest traps) or biological methods (i.e. beneficial insects) of pest control shall be implemented.
7. Herbicide treatment shall be performed by *licensed applicator only*, and be consistent with recommend treatment rates per State requirements or Manufacturer specifications, whichever be more stringent.
8. Pet waste shall be disposed of in accordance with local regulations. Pet waste shall not be disposed of in a storm drain or catch basin.
9. All chemically based materials (i.e. pesticides, herbicides, de-icing chemicals, etc...) shall be stored within an enclosed shelter and not exposed to the weather. All such materials shall also be stored per the manufacturer requirements or recommendations.
10. Vehicles shall be stored in designated or within sheltered areas, including carports and/or garages. All carports and vehicle storage areas shall have an appropriate Spill Response Kit provided, in the case of spillage. In the event of a spill Money Brook Farm, LLC representative shall be immediately informed.
11. All Vehicles or equipment shall be maintained and in good working order, to ensure there are no significant leaks on a regular basis. In the event of minor/periodic leaking appropriate containment features shall be provided for, including and not limited to capture trays and/or buckets.
12. The industrial holding tank shall be inspected on a regular basis and pumped as necessary per the requirements of 314 CMR 18.000.
13. There shall be no outdoor washing or rinsing of vehicles or equipment permissible on the property.
14. Property Management and/or owner shall perform weekly inspections of the site to ensure compliance with Standard Operating Procedure (SOP) is being followed.



Inspection Log

Money Brook Farm  
#65 Whites Pond Road, Stow, Massachusetts

<u>DATE</u>	<u>ACTION</u>	<u>RESULT</u>	<u>PERFORMED BY</u>

## Maintenance Log

Money Brook Farm  
#65 Whites Pond Road, Stow, Massachusetts

<u>DATE</u>	<u>ACTION</u>	<u>PERFORMED BY</u>