



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Northeast Regional Office • 150 Presidential Way Woburn, MA 01801 • 978-694-3200

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September 19, 2023

Mark Loring  
c/o Brooke Charter School  
190 Cummins Highway  
Roslindale, MA 02131

RE: WETLANDS/BOSTON  
DEP File #006-1931  
550 Morton Street  
**INFORMATION REQUEST**

Dear Mark Loring,

As you know, the Northeast Regional Office of the Massachusetts Department of Environmental Protection, Wetlands Program (MassDEP) is reviewing the above-noted project in preparation for issuance of a Superseding Order of Condition (SOC). Based on observations made during the June 16, 2023 site visit, as well as review of the Notice of Intent (NOI) and project plans, MassDEP requests the following additional information and plan revisions.

Upon review of the project plan titled, "Site Plan, sheet L200," prepared by Warner Larson, dated March 29, 2023, the project proposes to construct walkways consisting of stone dust, wood, asphalt, and concrete. In accordance with the Stormwater regulations pursuant to 310 CMR 10.05(6)(k)(m), stormwater management standards shall apply to the maximum extent practicable to footpaths, bike paths, and other paths for pedestrian and/or nonmotorized vehicle access. Upon review of the plan titled, "Site Utility Plan, sheet C-3," prepared by Warner Larson, last revision date July 21, 2022, and Stormwater Report, dated September 21, 2022, sections of the proposed asphalt and concrete walkways, located within the Buffer Zone to Bordering Vegetated Wetland (BVW), do not appear to be constructed with stormwater management systems to treat and manage stormwater runoff to the maximum extent practicable. Please provide MassDEP with a proposal to address stormwater management issues associated with these sections of walkways.

In Volume 2, Chapter 2 of the MassDEP Stormwater Handbook, under Structural BMP Specifications, it states that permeable paving techniques, including porous pavement, may be used for walkways, patios, plazas, parking stalls, and overflow parking. While porous pavement can provide peak flow attenuation, recharge, and 80% TSS removal, it is required to be setback at least 100 feet from a surface water, which includes Bordering Vegetated Wetlands (BVW). Upon review of the project plans associated with the NOI, the proposed driveway will be constructed with porous pavement and is located within 100 feet of a surface water. Therefore,

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

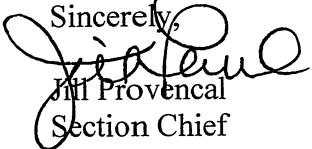
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the driveway will need to be relocated or an alternative infiltration or detention Best Management Practice (BMP) selected.

In accordance with 310 CMR 10.58(4)(d)2, any work proposed within twenty-five (25) feet of the Riverfront Area, shall limit alterations to the maximum extent practicable by preserving or establishing a corridor of undisturbed vegetation of a maximum feasible width. Upon review of the plan titled, "Site Preparation Plan, Sheet L100," prepared by Warner Larson, dated March 29, 2023, it appears that clearing and grubbing will occur within the 25' Riverfront Area. MassDEP requests that existing vegetation in this area be maintained and/or replaced with native vegetation if invasive species are present in order to preserve a corridor of undisturbed vegetation.

In accordance with the Wetlands Regulations at 310 CMR 10.05(7)(f)2, additional information must be submitted within 70 days of MassDEP's request. MassDEP understands that more time may be necessary to gather the additional information and will consider any reasonable request for additional time if it is requested prior to the deadline. Please note that all information submitted to MassDEP must be sent to all other parties to the appeal at the same time. MassDEP also reserves the right to request additional information if required as the result of this submittal.

Should you have any questions regarding this matter, or you require additional time to respond to this request, please do not hesitate to contact me at [jill.provencal@mass.gov](mailto:jill.provencal@mass.gov)

Sincerely,  
  
Jill Provencal  
Section Chief  
Wetlands Program- NERO

cc: Boston Conservation Commission, City Hall, Room 805, Boston, MA 02201  
Resident Group, c/o Aalana Feaster, 22 Senator Bolling Circle, Dorchester, MA 02124  
John Schmid, c/o Nitsch Engineering, Inc., 2 Center Plaza, Suite 430, Boston, MA 02108