EDWARD P. SINNI, JR.
21-4 Concord Greene
Concord, MA. 01742

July 2, 2020
c/o Edward Nardi NRC
c/o Kristen Ferguson and Burton Flint, Planning Board Chairs
c/o Elizabeth Akehurst-Moore, ZBA Chair
c/o Tim Alexander, West Concord Advisory Committee Chair
Town of Concord
141 Keyes Road
Concord, MA. 01742

Dear NRC, Planning Board, West Concord Advisory Committee and ZBA Membership,

Having reviewed most of the Chase Bank proposal to replace the building at 1134 Main Street in West Concord we submit the following for your review and consideration due to the egregious nature of the oversights. We also have two questions: Why is the Town allowing the proponent to rush its proposal through the approval process and why is the Town supporting another bank when what the community needs is a park for the surrounding young and growing families and the senior citizens of Concord Greene and south of Main Street? Here are our comments:

1. We all should be in agreement that clarity regarding impervious surface facts is of the utmost of importance in our Town's Wetlands. Such clarity remains elusive in the Chase Bank proposal presented to the Town for consideration as best we can tell. The proponent should be asked to provide specific details as to how it will achieve a decrease in impervious surface. This is particularly required because there are two figures submitted by the proponent, both of which are probably inaccurate, for impervious surface improvement and we can approximate an increase. In the Stormwater Management Report it is detailed without supporting evidence as "approximately 300 sq. ft." reduction in impervious without supporting diagrams and calculations; on the Preliminary Site Plan it is detailed at 65 sq. ft (13,380 sq ft existing minus 13,315 sq ft proposed). "Approximately" is unacceptable when referring to our Wetlands and its impervious surface. These conflicting numbers make the proposal highly suspect at best in all categories and cast a dark shadow on all submitted proposal supporting data. The proponent should be required to support their impervious numbers in diagram and tabulation formats and electronically for independent checking. For example the proponent should clarify the exact extent of the site's existing impervious areas with a diagram(s) including size and the proponent should note when each of these existing areas were constructed. A second similar set of diagrams should be prepared by the proponent showing the size and type of proposed impervious area in detail. This will allow the Natural Resources Commission (and potentially the Planning Board and the ZBA) and concerned

residents to address the above confusion and execute their responsibility to protect our Wetlands.

2. Further, the Commission should have the proponent also submit an electronic tabulation detailing the following breakdown of impervious surface for the proposed and existing conditions: a) a breakdown of the building with all building overhangs distinctly listed like awnings, drainage overhangs etc. b) all walkways c) all pavement, d) all curbing, e) and any extraneous other ground coverings like unexplained building dashed areas, base foundations for all pole lighting or if pavers are to be utilized in certain walkways present their construction for examination. The proponent has not shown based upon our review the necessary details of paver construction and therefore one cannot verify whether or not they result in a decrease in impervious area. Such diagrammatic plans should be presented in hard copy and electronic format to allow the existing and proposed impervious areas to be altered and the areas to be restored to each be clearly labeled including all riverfront/riparian zone dimensions. This will allow the Commission and other interested parties (the Town staff in particular) to verify the information and provide clarity, a verification shown to be imperative given the conflicting data identified in item 1 above.
3. The reduction in impervious surface should also be detailed within an Alternative Analysis to show there is not an economically equivalent alternative that shows less impact (impervious surface) to the riverfront area. While the proponent has a single desired alternative proposed, a bank with a drive thru, other development types may be economically equivalent and be in conformance with the requirements of the River's Protection Act. Therefore the proponent should demonstrate to the NRC that the portion of the site closest to the river is being improved upon. This alternative test is often overlooked but the proponent has to prove that it cannot (even in its own alternative preference of a bank with a drive thru) get an equivalent outcome with a higher degree of environmental protection, which in this case is an increased offset to the river (See Items 5 and 9).
4. From what is presented in sketch format it is unclear that the proposed site does not extend closer to the river than the existing degraded site as alterations closer to the river are not allowed by 310 CMR 10.58 (5)(d). The requested alternative analysis and electronic diagrams with tabulations will allow such scrutiny to occur.
5. The proponent proposes to have site poles between 10 and 18 feet in height and other miscellaneous lighting active from 30 minutes after sunset to 30 minutes before sunrise and details only a lighting plan diagram for this situation while not depicting a lighting plan for the existing condition. This should be required by the Planning Board and the ZBA. What is proposed for lighting is dramatically more severe than both the previous Citizen's Bank and the current dormant situation with surrounding street lighting. This will present the neighbors and the bordering Wetlands with a significant nuisance far worst than what has been existing for many decades. For example, the Citizen's Bank had 6 to 8 low intensity bulbs mounted on the rear of the building active from dark to first light. That was all that was necessary for security and even that was found to be unnecessary. The existing drive thru, rather than standing alone as is proposed,

was hidden by the building as well so light was further muted in the adjacent areas. Leaving the drive thru separate creates another offensive through-the-night light source which can be eliminated. Compounding this is the fact that it is not known what impact this lighting will have on wildlife. A single statement in its proposal is the proponent's answer to dismiss the issue, again a lacking argument. In the surrounding area there have been identified American Bitterns (endangered), Peregrine Falcons (endangered), Sharp-Shinned Hawks (species of special concern) and Blackpoll Warblers (species of special concern) in part by a Concord conservationist. The NRC should require an updated Wildlife Habitat Evaluation Study performed as detailed by the Department of Fish and Game in the DEP.

6. Additionally the Night Sky must be protected. As detailed in the lighting proposal the sky will be severely negatively impacted and the Town Lighting Bylaw will be violated. The bylaw requires minimally that such commercial sites be extinguished at 11PM (the neighboring TD Bank shuts down at 10PM and we do not want to start a competition of the lighted banks; that would destroy the neighborhood including the Wetlands) and not lighted before 7AM with minimal site lighting for safety (for areas of stairways of which that are not any depicted or walk ups). The Citizen's Bank night lighting installation was for the most part sensitive to this although the rear building lighting was proven to be excessive and finally extinguished. All pole lights should be capped at 8 feet and properly shielded to support town regulation requirements and extinguished during bank closed hours not later than 11PM but preferably earlier (10PM) to protect the surrounding residential neighborhoods and Wetlands wildlife.
7. The soil on site has a very high probability of contamination as at 1112 Main Street, across Baker Ave and prior to the TD Bank installation, there existed a Mobil gas station. This station was built in the 1950s and had a history of serious fuel leakage contamination into the ground as recognized and detailed by both state and federal agencies. This leakage went unnoticed and unattended to for decades. That fuel has a high probability of seepage to the proposed site within proximity and at a lower altitude. The ZBA, the Planning Board and the NRC should request that the proponent perform soil testing to insure there are no contaminants and if there are such the site should be decontaminated. This will require dewatering as there may be required remediation in accordance with applicable MassDEP requirements. Now is the time to make reparations if the Town is serious about its commitment to the environment.
8. A 21E Report should be requested by the Commission. If one does not exist the Commission should require its completion and submission. We did not find any such submission in the documentation.
9. The proposed building placement and orientation on the site appears to be selfishly for commercial and competitive reasons. This relates back to the Alternative Analysis review in Item 3 above. Having a building entrance and exit on Baker Ave as proposed will create a far more dangerous traffic environment than which currently exists which in an of itself it extremely dangerous at certain times of day. An alternative would have the building placed on the site of the existing former Citizen's Bank building as one alternative and not crowded

toward Main Street as is proposed. Its entrance could then face Main Street as the existing condition details and not face Baker Ave. If done thoughtfully, this would allow for a more efficient parking layout, perhaps with few spaces, and a corresponding decrease in impervious surface. This has not been mentioned at all in the proposal and should be detailed in all Alternative Analyses.

10. Continuing with traffic and alternatives: First an independent Traffic Study must be performed. Traffic in the area has become extremely heavy to the point of dangerous due to all the construction along Baker Ave and the Extension in the last 8 to 10 years continuing today. Entering and exiting Concord Greene is impossible during rush hours. Exiting TD Bank is similarly dangerous. The light at Main Street and Baker Ave is busy to the point of confusion and danger. Allowing entrances and exits to remain on the site onto Baker Ave will further aggravate this dangerous congestion on Baker Ave and deleteriously impact the quality of life, standard of living and health of the residences across Baker Ave, at Concord Greene and to the south of Main Street while also detrimentally impacting the riverfront area, wildlife and the serious congestion at the traffic light.
11. Entrances and exits can be easily accommodated on Main Street without utilizing Baker Ave; that is close off all access and egress from and to the site by efficiently utilizing the detailed easement and as such the riverfront area and residences should not suffer increased detrimental impact and the site will be improved upon. Entrance and exit to the site should also be considered with a single entrance from Baker Ave only from the southbound side (direction toward the light) and a single exit with a second entrance to/from Main Street which would be designed to utilize the easement thereby further decreasing impervious surface and congestion as an alternative. The proposal does not engage effectively its ability to use the easement but it must.
12. We need to keep in mind that the entrance to the TD Bank site across Baker Ave is on Main Street while an exit and only an exit is onto Baker Ave for safety reasons. Here we can utilize an entrance from one direction as described in Item 11 and also achieve improved safety. Of all alternatives the most attractive is entrance and exit to and from the site on Main Street without utilizing Baker Ave; that is close off all access and egress from and to the site at Baker Ave by utilizing the easement effectively. This is most appealing and will provide the most improvement to the riverfront area by decreasing the impervious surface and simultaneously helping to mitigate the dangerous intersection at the Main Street/Baker Ave traffic signal. For the record, that signal causes traffic leaving the area on Baker Ave to back up from the light to beyond the railroad tracks. This encourages impatient traffic leaving Baker Ave toward the light to dangerously enter an opposite lane of traffic to move from a single lane of roadway to the fifteen feet of double lane roadway at the light. We add that in the direction headed away from Main Street toward the Extension many times during the day traffic makes a left immediately after the center island following the railroad tracks into 300-310-320-330 Baker Ave (Concord Meadows) site which causes queued unsuspecting vehicles to be stopped on the tracks. Additionally at 277 Baker Ave there is a contemporaneous renovation taking place in an old

office/warehouse with significant parking for fifty (50) cars that will soon be active and also very busy. Adding an active 277 Baker Ave site to the area proposed for the Chase Bank site will further aggravate this dangerous congestion. There are also today five buildings (54, 86, 130, 150 and 200 Baker Ave) on the Baker Ave Ext which are predominantly vacant. When they populate they too will present a further very significant and possibly insurmountable traffic challenge at Main Street. This is very serious and needs thoughtful addressing. These alternatives have not been examined but must be examined; with the constraints detailed and addressed for the Town. The boards should provide guidelines to the site plan or risk causing unrecoverable damage to West Concord. Again, an independent Traffic Study is of the utmost importance.

13. The size of the proposed building at 2200 sq ft is excessive and intrusive, putting aside the facts that the floor plan wastes space like for a living room, 4? ATMs, 3 meeting rooms in addition to the platform desks and other unexplained areas. This proposed site building should be held to the existing condition of 1270 sq ft. This would further allow for the alternatives to be designed and easily implemented and eliminate impervious surface. The site's architecture should be in the colonial tradition and not logo (cookie-cutter) architecture as can be seen elsewhere which are so offensive to the Town. These changes will undoubtedly allow for the elimination of significant impervious surface and as a responsible and environmentally sensitive Town and its boards, we must require it.
14. The site should be required to have trash picked up during normal business hours to avoid any disruption to the Wetlands and the adjacent residential community.
15. The Fire Department and the Police Department should be asked to input to the alternatives as they compare to the proposal and the existing condition to highlight improvements and deteriorations.
16. The Town of Concord through the ZBA, Planning Board and NRC should consider proposing to take the property by eminent domain to address the issues presented herein. Also the Concord Land Trust should be approached by the ZBA to purchase the site. Both options would allow the development of a park given the very concerning issues, the large number of surrounding young families and the senior citizen population with limited mobility. This would be a strong indicator of Concord's commitment to beautifying West Concord, supporting its residents and their well being as well as indicate its commitment to the environment. The ZBA should present the eminent domain solution at Town Meeting if necessary with the overall area problems plaguing this proposal also presented to the Board of Selectmen.

All of the above makes this proposal require further careful analysis by the Town, after considerable work is developed by the proponent and checked by the Town staff or independent community sources. Alternatives are imperative and now is the time to address the issue of both an entrance and an exit to/from Baker Ave and an entrance and exit to/from Main Street to further improve the riverfront. The Town should stop the progress of this proposal until all questions are answered as detailed herein and independently checked to its satisfaction and eminent domain is seriously considered.

Sincerely,