



**TOWN OF COHASSET  
DEPARTMENT OF PUBLIC WORKS**

41 Highland Avenue  
Cohasset, Massachusetts 02025

May 4, 2022

Conservation Commission  
Town Hall  
c/o Charlotte Pechtl  
41 Highland Avenue  
Cohasset, MA 02025

**RE: Emergency Status Request  
Treat Pond Stormwater Outfall  
Cohasset, Massachusetts**

Dear Commissioners,

The Town of Cohasset is requesting emergency certification status for the improvements to Treat Pond hydrologic system. Please see attached Figure 1 for locus map and Figure 2 for environmental receptors map for proposed project location. Treat Pond receives a high volume of runoff due to the impermeable soils and surfaces within the watershed. The pond is drained by an 18-inch culvert that flows in a north-easterly direction to Sandy Cove. The existing outlet pipe is often buried by coastal sediments, affecting the rate at which Treat Pond is able to drain following precipitation events. While the Highway Department regularly clears the outfall pipe, the pipe is quickly covered by accreting sands from tidal action, which may completely restrict flow. The Fire Chief, Police Chief, Building Inspector, and Board of Health have all sent letters in support of certifying this as an emergency.

Moreover, the inlet of the outfall pipe from Treat Pond does not currently have a headwall or grate structure. Discharge to the pipe collects from the bottom of the pond. This discharge is heavily laden with sediment and debris, which tends to gather in the discharge pipe, restrict flow, and may prevent the pond from draining. Thus, it is requested that this project be considered for emergency certification status to allow for immediate work to improve these conditions. This letter serves to address the regulations outlined in 310 CMR 10.06: Emergencies, that states:

any person requesting permission to do an emergency project shall specify why the project is necessary for the protection of the health or safety of the citizens of the Commonwealth and what agency of the Commonwealth or subdivision thereof is to perform the project or has ordered the project to be performed. If the project is certified to be an emergency by the conservation commission or the Commissioner, the certification shall include a description of the work which is to be allowed and shall not include work beyond that necessary to abate the emergency. A site inspection shall be made prior to certification.

The effect of the buried outfall and current inlet configuration is the backup of Treat Pond, which causes stormwater flooding of nearby residential properties. The backflow is a murky, stagnant discharge with a putrid odor. The backflow is of objectively poor quality and incurs property damage. It clearly presents a

significant public safety, health, and environmental threat. In addition, it should be noted that the Cohasset Department of Public Works must excavate out the sand and debris that accumulate over the current pipe outlet to temporarily rectify the situation. The trench is dug through the middle of a private beach, which could also be considered an active nuisance and public safety risk since those on the beach could fall into this trench, resulting in injury.

Following a recent storm event, representatives from Weston & Sampson and the Town of Cohasset visited the area and spoke with one of the abutters near the pond. The representatives observed that both his property and his neighbor's property were flooded with 2 - 4 inches of water that had backed up from the pond. The abutter said that the water had entered his crawlspace and that he had filed an insurance claim for water damage. This abutter has lived at the property since 1964 and has reported that the current flood, water quality situation, and its resultant property damage is the worst he has ever seen. Water levels have been exacerbated this year due to unprecedented amounts of rain (e.g., over 11 inches of rain in July); however, backup is reported to occur with more moderate rainfall as well.

As mentioned above, to relieve the backup of Treat Pond, the Cohasset Department of Public Works must excavate out the sand and debris that accumulate over the current pipe outlet at the approximate head of Sandy Beach. To do this, a 4-foot-deep trench (roughly to the top of the pipe outlet) is excavated from the end of the outlet down the beach, approximately 200 feet in length, to mean highwater. The backed-up water then rises into the trench and discharges to the cove.

Unfortunately, this trenching excise needs to recur frequently as the trench tends to slough and refill with sand, which clogs the outlet and prevents draindown of Treat Pond. Because the pipe only discharges during brief periods, when its outlet is uncovered by the Highway Department, the discharge is also very foul-smelling and water quality is apparently poor. The pipe discharges the stagnant contents of the pond bottom, which contributes to pollution of the beach, and poses a nuisance and health concern to users of the beach. Recurring excavation of the trench and discharge of stagnant flow presents a disturbance of the resource area; however, the alternative is to allow backup of Treat Pond into nearby properties, which presents an even more significant environmental, public health, and public safety threat, not to mention the risk of property damage.

The proposed project would include extending the outfall pipe into the water, below the low tide line, and improve the headwall to allow increased water transport through the outfall pipe. The outfall pipe work will include the creation of a ditch in the beach and into Land Under Ocean with the outfall being below the high tide line. This work will require work both from land, using an excavator, and from the water, using a barge. The excavation trench will be backfilled at the end of the day with the area being returned to pre-construction conditions by the end of the project. Impacts will be temporary in nature. Environmental resource area impacts include:

- Beach impacts: 4,333 sf
- Land under ocean impacts: 2,305 sf
- Land subject to coastal storm flowage: 4,333 sf
- Bordering Vegetated Wetland: 473 sf

Please see attached plans for design components and impact areas.

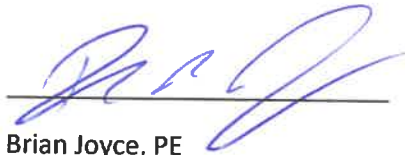
The headwall improvements will include the addition of a new headwall at the slab outlet. The existing pipe will remain in its present location and the new box will extend into the wetland outward from the face of the pipe. The area that the box will sit on is area marsh wetlands that that will be below water level. During the headwall improvement work, it is estimated that approximately 473 square feet (SF) of

bordering vegetated wetlands marsh) will be temporarily impacted since the existing outfall is within BVW. As this impact and structure will be below water levels, the area will appear unchanged and replication is not proposed as the marsh will continue to function as it did prior to headwall construction.

This project will eventually require MassDEP Ch 91, MEPA and MESA approvals (as well as Army Corps of Engineers approval) due to "dredging" in land under mean high water / mean high tide due to the placement of the extended outfall pipe. The Town does not feel that it can wait for the standard reviewing process required to obtain an Order of Conditions before starting this work as additional property damage and continued threat to public health (open trenches) will continue to impact the residents. As such, the Town would like this project to be considered necessary to avoid a serious and immediate threat to public health and safety (as noted above) and be able to permanently address the stormwater infrastructure improvements that are required for this area. Once emergency certification is issued by the conservation commission, the proponent will then submit for emergency status with the reviewing agencies mentioned above.

It is the hope of Weston & Sampson and the Town of Cohasset that you take into account the possible ramifications of delaying this work, and therefore consider giving this project emergency certification status.

Sincerely,



Brian Joyce, PE

Town of Cohasset Department of Public Works

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Cohasset, MA 02025

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**Legend**  
Proposed Storm Drain Outlet  
Existing Drain Easement

**FIGURE 1**

Treat Pond  
Cohasset, MA

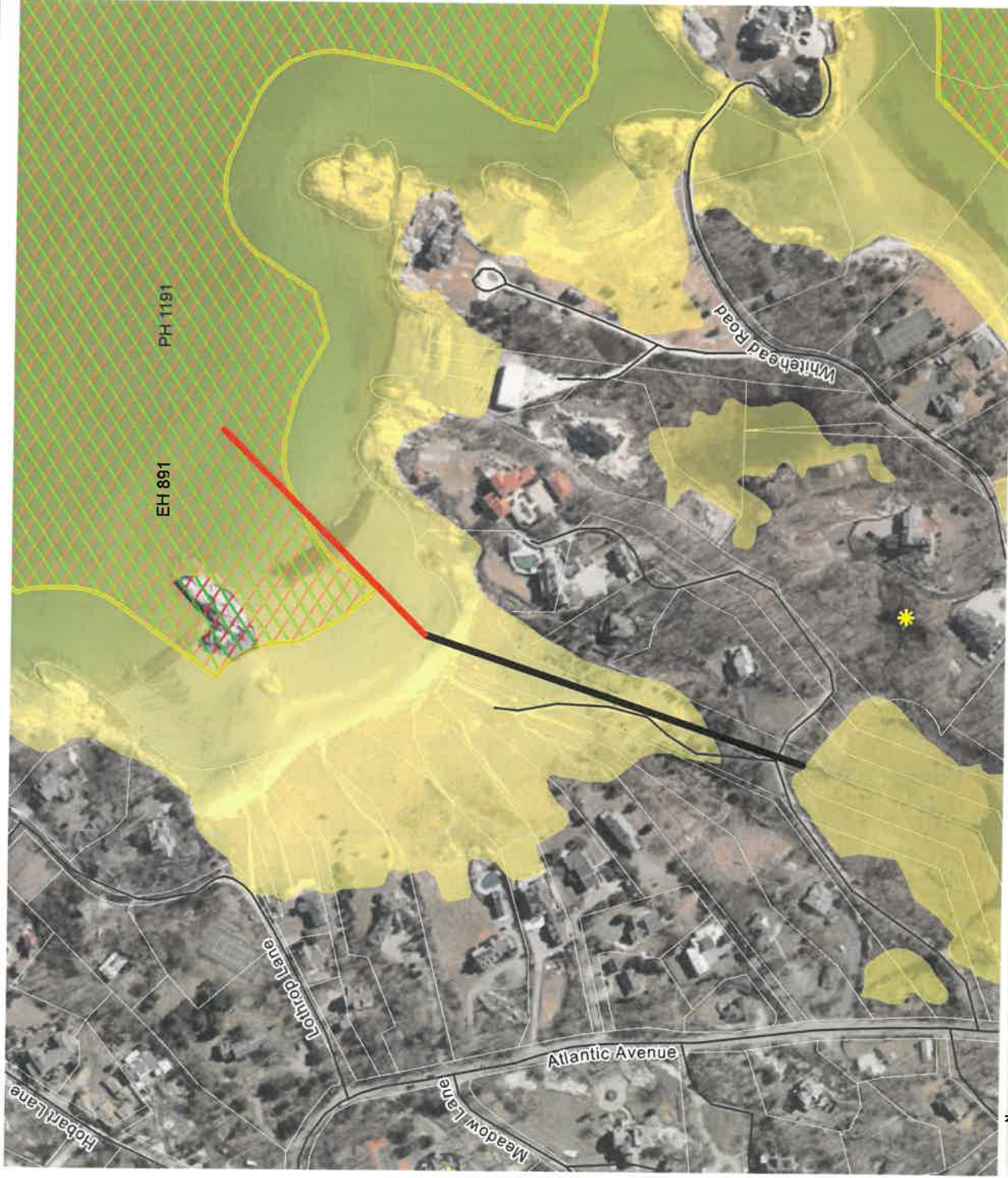
Locus Map



Data Source: Office of Geographic and Environmental Information (MassGIS),  
Commonwealth of Massachusetts Executive Office of Environmental Affairs



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**Legend**

- Proposed Storm Drain Outlet
- Existing Drain Easement
- Perennial Stream
- Intermittent Stream
- DEP Wetlands
- ACECs
- ACECs
- NHESP Habitats
- NHESP Estimated Habitats of Rare Wildlife
- NHESP Priority Habitats of Rare Species
- NHESP Certified Vernal Pools
- NHESP Potential Vernal Pools
- Outstanding Resource Waters**
- Public Water Supply Contributor
- ORW for ACEC
- ORW for both Water Supply and Other

**FIGURE 2**

Treat Pond  
Cohasset, MA

Environmental  
Resource Map



Data Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs

