

EcoTec, Inc.
ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street, Suite 110
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

Electronic Submittal to City of Newton
Certified Mail to MassDEP-NERO

July 6, 2023

Newton Conservation Commission
City of Newton Planning and Development Department
Attn: Jennifer Steel
1000 Commonwealth Avenue
Newton, MA 02159-1499

RE: -Notice of Intent under the Massachusetts Wetlands Protection Act and Newton Floodplain/Watershed Ordinance
-Construction of Rear Lot Subdivision and Associated Site Features Partially in Buffer Zone to Bordering Vegetated Wetlands; 19 Staniford Street, Newton, Massachusetts
-Applicant: Kane Built Inc. (Roger Kane)

To the Commission:

This Notice of Intent (NOI) has been filed with the Newton Conservation Commission electronically under the Massachusetts Wetlands Protection Act and the Newton Floodplain/Watershed Ordinance. Two checks made payable to the City of Newton: (1) \$262.50 for the City Share of the Act Fee, and (2) \$50.00 for the filing fee under the Ordinance have been provided to Conservation Commission Staff by hand on July 5, 2023.

Please have the legal notice billed to EcoTec, Inc. (John Rockwood; jrockwood@ecotecinc.com; 508-752-9666 ext. 3).

Submitted Materials:

This submittal consists of the following:

1. This Cover Letter, which includes the
 - a. Wetland Resource Evaluation with
 - 1) City of Newton Locus Map;
 - 2) BVW Determination Forms for Wetland Flag A2;
 - 3) Flood Insurance Rate Map, Map No. 25017C0551E, dated June 4, 2010 with site indicated;

- 4) City of Newton GIS Browser with site and mapped resources identified;
 - 5) USGS Map, Boston South, 1987 with site indicated;
 - 6) Massachusetts NHESP Atlas (15th Edition), August 1, 2021 with site indicated;
 - 7) Resume;
 - b. Project Description and Analysis;
 - c. Compliance Evaluation under the Regulations;
 - d. Conclusions;
2. City of Newton Cons.Com. Wetland Application Coversheet/Checklist and Copy of Ordinance Filing Fee Check (redacted);
 3. The Notice of Intent Form, Fee Transmittal Form, and Copy of Act Filing Fee Checks (redacted);
 4. Abutter Request, List, Map, Notification, and Affidavit of Service;
 5. Soil and Stormwater Information:
 - a. Soil Logs, Staniford Street, prepared by Stephen Poole, SE 1955, dated February 6, 2023, including Form 11 and Form 12 and Soil Mapping Information;
 - b. **Lot 14A** (#19) Staniford Street, Newton, MA, Storm Water Analysis & Control Facility Design, prepared by Dr. Edward T.T. Chaing, PE, dated January 18, 2022, revised February 8, 2023, stamped by Tsung Ting Chaing, PE;
 - c. Operations and Maintenance Plan, 19 Staniford Street – **Lot 14A**, Newton, Massachusetts, prepared by Bibbo Brothers & Associates, dated June 20, 2023, stamped by Tsung Ting Chaing, PE;
 - d. **Lot 14B** (#19) Staniford Street, Newton, MA, Storm Water Analysis & Control Facility Design, prepared by Dr. Edward T.T. Chaing, PE, dated January 18, 2022, revised February 8, 2023, stamped by Tsung Ting Chaing, PE;
 - e. Operations and Maintenance Plan, 19 Staniford Street – **Lot 14B**, Newton, Massachusetts, prepared by Bibbo Brothers & Associates, dated June 20, 2023, stamped by Tsung Ting Chaing, PE;
 6. Site Plan Set:
 - a. Plan of Land – Newton, MA Showing Existing Conditions at # 19 Staniford Street (AKA Lot 14), Sheet 1 of 4, Scale 1" = 10', prepared by Bibbo Brothers and Associates, dated June 20, 2023, signed and stamped by Robert Bibbo, PLS;
 - b. Plan of Land – Newton, MA Showing Proposed Conditions at # 19 Staniford Street (AKA Lot 14), Sheet 2 of 4, Scale 1" = 10', prepared by Bibbo Brothers and Associates, dated June 20, 2023, signed and stamped by Robert Bibbo, PLS and Tsung Ting Chaing, PE;
 - c. Plan of Land – Newton, MA Showing Proposed Details for **Lot 14B**, # 19 Staniford Street, Sheet 3 of 4, Scale NTS, prepared by Bibbo Brothers and Associates, dated June 20, 2023, signed and stamped by Robert Bibbo, PLS and Tsung Ting Chaing, PE; and
 - d. Plan of Land – Newton, MA Showing Proposed Details for **Lot 14A**, # 19 Staniford Street, Sheet 4 of 4, Scale NTS, prepared by Bibbo Brothers and Associates, dated June 20, 2023, signed and stamped by Robert Bibbo, PLS and Tsung Ting Chaing, PE;

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One copy of this filing and payment of \$237.50 have been sent by Certified Mail, Return Receipt Requested and Regular Mail, respectively, to the Northeast Regional Office of the Department of Environmental Protection and to the DEP Lockbox, respectively. Documentation of all payments is included in the filing.

In compliance with the Act and Regulations, all abutters within one hundred feet of the subject site have been notified of this submittal via Certificate of Mailing. Proof of timely notice to abutters shall be provided to the Conservation Commission Staff via NewGov well in advance of the hearing on this matter.

We look forward to meeting remotely with the Conservation Commission on this matter on July 27, 2023. If you have any questions, please feel free to contact me at any time.

Wetland Resource Evaluation:

On May 31, 2023, EcoTec, Inc. inspected the above-referenced property for the presence of wetland resources as defined by: (1) the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, § 40; the "Act") and its implementing regulations (310 CMR 10.00 *et seq.*; the "Regulations"); and (2) the U.S. Clean Water Act. The City of Newton does not have a Wetlands Protection Ordinance but does have a Floodplain/Watershed Ordinance (Section 22-22; the "Ordinance"). John P. Rockwood, Ph.D., SPWS conducted the inspection.

The subject site consists of 0.582± acres (25,367± square feet) of land located to the north of Staniford Street in the Auburndale section of Newton, Massachusetts (see Locus Map). The subject site was previously developed with a single-family house, significant paved driveway, and shed which have all been removed. The southern and central portions of the site are relatively flat and consist of gravel in areas where site features have been removed with the balance consisting largely of overgrown, unmaintained lawn; several trees occur in the central portion of the site. The northern portion of the site slopes moderately to steeply to the north and consists of upland forest and an area of Bordering Vegetated Wetlands. A section of chain-link fence associated with a City of Newton drainage feature is located in the northernmost portion of the site. Plant species observed in the upland forest include Norway maple (*Acer platanoides*), northern red oak (*Quercus rubra*), black cherry (*Prunus serotina*), horse-chestnut (*Aesculus hippocastanum*), apple (*Pyrus sp.*), tree-of-heaven (*Ailanthus altissima*), red maple (*Acer rubrum*), and American elm (*Ulmus americana*) trees, saplings, and/or shrubs; poison ivy (*Toxicodendron radicans*), Virginia creeper (*Parthenocissus quinquefolia*), and oriental bitter-sweet (*Celastrus orbiculata*) climbing woody vines and/or ground cover; Japanese barberry (*Berberis thunbergii*) shrubs; and grasses (Gramineae sp.), hayscented fern (*Dennstaedtia punctilobula*), woodfern (*Dryopteris sp.*), nettles (*Urtica sp.*), garlic mustard (*Alliaria petiolata*), and a small patch of Japanese knotweed (*Polygonum cuspidatum*) ground cover. Metal, wooden, plastic, and other debris were observed on the slope in the northern portion of the site. Temporary construction fencing and erosion

control barrier were noted around the perimeter of the southern and central portions of the site. The wetland resources observed on and/or near the subject site are described below.

Wetland Resource Evaluation: Methodology

The subject site and the adjacent area to the north were inspected, and areas suspected to qualify as wetland resources were identified. The boundary of Bordering Vegetated Wetlands was delineated in the field in accordance with the definition set forth in the regulations at 310 CMR 10.55(2)(c). Section 10.55(2)(c) states that “The boundary of Bordering Vegetated Wetlands is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist.” The methodology used to delineate Bordering Vegetated Wetlands is further described in the *Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands*, Second Edition, produced by the Massachusetts Department of Environmental Protection, dated September 2022. As recommended by the Department, the plant taxonomy used in this letter is based on the *National List of Plant Species that Occur in Wetlands: Massachusetts* (Fish and Wildlife Service, U.S. Department of the Interior, 1988). Federal wetlands were presumed to have boundaries conterminous with the delineated Bordering Vegetated Wetlands. One set of *Bordering Vegetated Wetland Determination Forms* completed for observation plots located in the wetlands and uplands near flag A2 is attached. The table below provides the Flag Numbers, Flag Type, and Wetland Types and Locations for the delineated wetland resources.

Flag Numbers	Flag Type	Wetland Types and Locations
Start A1 to A10 Stop Fence	Blue Pin Flags	Boundary of Bordering Vegetated Wetlands located near the northern site boundary that is associated with an off-site stream.

Note: Newton GIS Browser (attached) shows a large wetland system to the north/northwest of the site that is mapped as Newton Wetland Restriction #1; the mapped Wetland Restriction is located entirely off-site.

Wetland Resource Evaluation: Findings

Land Under Water Bodies and Waterways, Bank, and Bordering Vegetated Wetlands: Wetland A (i.e., A-series flags), which is located in the northernmost portion of the site and off-site to the north and northwest, consists of large off-site marsh/meadow that is fringed by forested swamp. Plant species observed within the forested swamp on and near the site include red maple (*Acer rubrum*), American elm (*Ulmus americana*), and black willow (*Salix nigra*) trees, saplings, and/or shrubs; poison ivy (*Toxicodendron radicans*) climbing woody vines and/or ground cover; and skunk-cabbage (*Symplocarpus foetidus*), spotted touch-me-not (*Impatiens capensis*), golden-rods (*Solidago sp.*), woodfern (*Dryopteris sp.*), and common reed (*Phragmites australis*) ground cover. Evidence of wetland hydrology, including hydric soils, inundation, high groundwater, saturated soils, and pore linings, was observed within the delineated wetland. The vegetated wetland borders an off-site stream and ultimately the Charles River; accordingly, the vegetated wetlands

would be regulated as Bordering Vegetated Wetlands and the stream would be regulated as Bank and Land Under Water Bodies and Waterways under the Regulations. A 100' Buffer Zone extends horizontally outward from the edge of Bordering Vegetated Wetlands under the Regulations.

Bordering Land Subject to Flooding and Section 22-22 Floodplain: Bordering Land Subject to Flooding is an area that floods due to a rise in floodwaters from a bordering waterway or water body. Where flood studies have been completed, the boundary of Bordering Land Subject to Flooding is based upon flood profile data prepared by the National Flood Insurance Program. Section 10.57(2)(a)3. states that "The boundary of Bordering Land Subject to Flooding is the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm." Based upon a review of the Flood Insurance Rate Map (FIRM), Map Number 25017C0551E, Effective Date June 4, 2010 (attached), the site is largely mapped as Other Areas: Zone X, which is defined as areas located outside of the 0.2% annual chance flood (i.e., outside of 500-year floodplain). The FIRM does show a mapped Zone AE (100-year floodplain) with a 100-year flood elevation of 38 feet NAVD 1988 (44.5 feet City of Newton Datum) in/near the northern portion of the site. Based upon a site-specific survey (see Existing Conditions Plan), the 38-foot contour is contained entirely within the delineated Bordering Vegetated Wetlands; as such, Bordering Land Subject to Flooding would not occur on the site. Bordering Land Subject to Flooding does not have a 100-foot Buffer Zone under the Regulations.

The Ordinance identifies two Ordinance Floodplains/ Watersheds on or near the site. The first is a floodplain associated with the Charles River which is consistent with the above-described FEMA floodplain [(g)1.(13) Norumbega bridge-Route 30 to Newton/ Waltham boundary west]] with a 100-year floodplain elevation of 44.5 feet City of Newton Datum (38 feet NAVD 1988; see Newton GIS Browser, attached); the other is a watershed associated with Flowed Meadow [(g)4.(20) Flowed Meadow, Auburndale]; in this case, all lands below elevation 46 feet City of Newton Datum (39.5 feet NAVD 1988) are subject to jurisdiction under the Ordinance. Section 22-22 does not establish any form of buffer zone. Both of these areas are identified on the Existing Conditions Plan included as part of this Notice of Intent.

Riverfront Area: Based upon a review of the current USGS Map, Boston South Quadrangle, dated 1987 (attached), there are no mapped streams located on or within 200 feet of the site. The Charles River is located well off-site to the northwest. The outlet to an apparent stormwater basin/outfall to the north of the site is located to the northwest of the site. Given the above, Riverfront Area would not occur on the site. Newton GIS does not show a mapped Riverfront Area on or in the vicinity of the site. Riverfront Area does not have a 100' Buffer Zone under the Act and Regulations.

Estimated Habitat and Certified/Potential Vernal Pools: The Regulations require that no project may be permitted that will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures set forth at 310 CMR 10.59. Based upon a review of the *Massachusetts Natural Heritage Atlas*, 15th edition, valid from August 1, 2021 (NHESP

Interactive Viewer Screenshot attached), there are no Estimated Habitats [for use with the Act and Regulations (310 CMR 10.00 *et seq.*)], Priority Habitats [for use with Massachusetts Endangered Species Act (M.G.L. Ch. 131A; "MESA") and MESA Regulations (321 CMR 10.00 *et seq.*)], or Certified or Potential Vernal Pools on or in the immediate vicinity of the subject site.

The reader should be aware that the regulatory authority for determining wetland jurisdiction rests with local, state, and federal authorities. A brief description of my experience and qualifications is attached.

Project Description and Analysis:

The project consists of the construction of a two-lot rear subdivision including two single-family houses with two-car garages, an open porch, a bulkhead, and a deck and/or patio; paved driveway; front walk; utilities; and associated lawn and landscaping. It is EcoTec's understanding that the pre-existing house, driveway, and shed were removed under an Administrative Approval. The proposed house on the rear lot (i.e., Lot 14B) is located 75 feet from the Bordering Vegetated Wetlands; the proposed house on the front lot (i.e., Lot 14A) is located 160 feet from the Bordering Vegetated Wetlands.

The existing perimeter construction fence and erosion controls will be removed and relocated as shown on the Site Plan. The majority of the rear house, the rear deck and patio, a small portion of the proposed driveway, and a portion of the front walk for the rear house are located within the 100' Buffer Zone. The proposed erosion controls on the rear lot include an entrenched silt fence fronted by 12"-diameter compost sock at and near the top of slope and 12"-diameter compost sock elsewhere. The front house and the balance of the proposed site features on both lots are located outside geographical jurisdiction under the Act and Ordinance but are detailed in this filing for purposes of completeness. It should be noted that the front lot has its own independent erosion control barrier of 12"-diameter compost sock. The measures taken to protect the adjacent resource areas from the work proposed within the 100' Buffer Zone will also serve to protect the adjacent wetland resources from the work proposed outside of the 100' Buffer Zone.

The proposed project results in increased impervious surfaces on the site and in the 100' Buffer Zone compared to the pre-existing conditions/existing conditions. All pre-existing and proposed impervious surfaces were/are located greater than 50 feet from the Bordering Vegetated Wetlands. Under the pre-existing condition, runoff from impervious surfaces (e.g., the former roof, driveway, and shed) were not controlled or treated and were directed to the ground surface. Under proposed conditions, there are independent stormwater improvements proposed on each lot. Driveway runoff is pretreated through catch basins and infiltrated; roof and patio runoff are collected and directed to infiltration systems. Again, the proposed stormwater systems on each lot are independent, details for each lot are provided on separate Detail Sheets, addressed in separate Storm Water Analysis & Control Facility Design documents, and have separate stand-

alone Operations and Maintenance Plans. All of these documents are referenced above in this Cover Letter and are included with this Notice of Intent. The proposed stormwater systems have been designed to comply with requirements under the Newton Stormwater Ordinance.

The project proposed removal of seven (7) trees totaling 131 caliper inches including two trees totaling 33 caliper inches within the 100' Buffer Zone. Under this filing, a total of thirteen (13) saplings of five native deciduous and evergreen species totaling 38 caliper inches are proposed within the 100' Buffer Zone (see Site Plan). The balance of the tree removals is outside the purview of this filing; the applicant will need to demonstrate compliance through a filing under the Newton Tree Ordinance. The trees that are proposed to be retained on the site are located outside of the proposed erosion controls and will be protected. No formal enhancement areas are proposed as part of this project; that said, the thirteen saplings will be monitored annually for two growing seasons with 100 percent survival the success threshold. The existing street tree, which is located outside of jurisdiction, will be protected in coordination with the Tree Warden.

Metal, wooden, plastic, and other debris were observed on the slope between the proposed project and the downgradient Bordering Vegetated Wetlands. These materials are proposed to be removed by hand under the direction of a qualified wetland scientist and disposed of properly off-site as part of the proposed project. No machinery will be allowed past the proposed perimeter erosion control barrier; however, certain objects located on the slope may need to be carefully pulled up the slope using a cable or rope. After these materials are removed from the slope, the perimeter erosion control at the access point will be repaired/replaced.

As part of this project, six stone bounds with conservation markers are proposed to be installed at or just outside of the 50-foot Buffer Zone. These markers do not establish any form of restriction on use of the property but simply make the owner aware that wetland resource areas occur downslope and that some form of Conservation Commission approval under the Act and/or Ordinance would be required for work proposed within areas subject to Conservation Commission jurisdiction.

Any disturbed lawn and landscaped areas will be minimally graded and will be loamed and seeded with a grass seed mixture to provide permanent cover or will be landscaped. Alternatively, sod may be used to establish lawn areas. Any existing landscaping located within the limit of work is proposed to be removed as part of this project. The proposed limit of work will be demarcated in the field by the relocated erosion control barrier as shown on the Site Plan. Soil will be temporarily stored in covered stockpiles outside of the 100' Buffer Zone within the limit of work on each lot with excess soil trucked from the subject site. The Site Plan also shows a concrete washout area on each lot and a single proposed construction entrance. There are no existing catch basins within Staniford Street proximate to the subject site; catch basin inlet protection has been proposed for catch basins proposed to be installed on-site as part of the project. The details for these features are provided on the Site Plan.

No work is proposed within any wetland resource area under the Act or Ordinance. Work within the 100' Buffer Zone includes construction of a majority of the rear house, the rear deck and patio, a small portion of the proposed driveway, a portion of the front walk for the rear house, and the removal of two trees. As detailed below, the proposed project has been designed to comply with the narrative standard for work within the 100' Buffer Zone set forth at 310 CMR 10.53(1) and the Newton Conservation Commission 25' Naturally Vegetated Buffer (NVB) Policy. Again, no work is proposed within any wetland resource area subject to jurisdiction under the Act or Ordinance. With the exception of the removal of existing metal, wooden, plastic, and other debris from the inner 50 feet of the 100' Buffer Zone, no work is proposed within 50 feet of the Bordering Vegetated Wetlands.

Compliance Evaluation under the Regulations:

Narrative Standard for Work in the Buffer Zone:

Section 10.53(1) of the Regulations provides a narrative standard for work in the Buffer Zone and states:

...If the issuing authority determines that a resource area is significant to an interest identified in M.G.L. c. 131, § 40 for which no presumption is stated in the Preamble to the applicable section, the issuing authority shall impose such conditions as are necessary to contribute to the protection of such interests. For work in the buffer zone subject to review under 310 CMR 10.02(2)(b)3., the issuing authority shall impose conditions to protect the interests of the Act identified for the adjacent resource area. The potential for adverse impacts to resource areas from work in the buffer zone may increase with the extent of the work and the proximity to the resource area. The issuing authority may consider the characteristics of the buffer zone, such as the presence of steep slopes, that may increase the potential for adverse impacts on resource areas. Conditions may include limitations on the scope and location of work in the buffer zone as necessary to avoid alteration of resource areas. The issuing authority may require erosion and sedimentation controls during construction, a clear limit of work, and the preservation of natural vegetation adjacent to the resource area and/or other measures commensurate with the scope and location of the work within the buffer zone to protect the interests of the Act. Where a buffer zone has already been developed, the issuing authority may consider the extent of existing development in its review of subsequent proposed work and, where prior development is extensive, may consider measures such as the restoration of natural vegetation adjacent to a resource area to protect the interest of the Act. The purpose of preconstruction review of work in the buffer zone is to ensure that adjacent resource areas are not adversely affected during or after completion of the work.

As indicated in the Preface to the 2005 Revisions to the Regulations, "This standard is intended to provide better guidance to applicants, conservation commissions and DEP by identifying the

measures that will ensure that adjacent wetland resource areas are not adversely affected during or after completion of the work.”

Prior to the start of earth moving activities associated with this project, the existing temporary construction fence and erosion control barriers will be removed and will be replaced with the erosion control barrier as specified and located on the Site Plan. This erosion control barrier will also serve as the Limit of Work. A secondary erosion control barrier will be installed around the front lot as shown on the Site Plan to limit work on that lot to the area indicated on the Site Plan. These erosion control barriers will be maintained until the work areas are stabilized. Approval of the issuing authority will be received prior to the removal of the erosion control barriers.

Under existing conditions, the southern and central portions of the site are relatively flat sloping very gradually to the north; the northern portion of the site, which is currently upland forest, slopes more steeply to the north. The proposed project will be limited to the southern and central portions of the site; the northern portion of the site will not be disturbed except to remove man-made debris from the area by hand under the supervision of a qualified wetland scientist. As shown on the Site Plan, the intent of the project is to fit the proposed project into the existing topography; as such, proposed grade lines are consistent with the existing grade lines. Work on the site is proposed in areas with relatively flat topography that are located in excess of 50 feet from the Bordering Vegetated Wetlands. The existing upland forest within the inner 50 feet of the Buffer Zone is not proposed to be disturbed. Two trees totaling 33 caliper inches will be removed from the outer Buffer Zone; a total of thirteen native deciduous and evergreen saplings are proposed to be established within the 100' Buffer Zone with eight of these saplings proposed along the northern edge of the proposed development. A formal enhancement area is not warranted or proposed. Six stone bounds with conservation markers are proposed to be installed at or just outside of the 50' Buffer Zone. These bounds are informational in nature and do not in any way restrict the use of the property. Work within the Commission's jurisdiction requires approval from the Commission under the Act and/or Ordinance. Upon completion of the project, the Buffer Zone will be stabilized by building, pavement, pavers, lawn, landscaping, and native sapling plantings. As such, the proposed project will serve to protect the applicable statutory interests of the downslope Bordering Vegetated Wetlands.

City of Newton 25-foot Naturally Vegetated Buffer (NVB) Policy:

This Policy was implemented in June 2019 and is intended to protect the functions of Newton's wetland resource areas by protecting and or re-establishing a naturally vegetated buffer proximate to protected wetland resource areas. The project has been designed to protect the land within 50 feet of the Bordering Vegetated Wetlands. The only work proposed within 50 feet of the Bordering Vegetated Wetlands is the removal by hand under the supervision of a qualified wetland scientist with proper off-site disposal of the metal, wooden, plastic, and other debris located on the slope in the northern portion of the site. The slope within 50 feet of the Bordering Vegetated Wetlands is naturally vegetated as an upland forest with Norway maple a dominant component of the vegetational community; as such, no plantings are proposed within this area as part of this

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project. Six stone bounds with conservation markers are proposed at or just outside of the 50-foot Buffer Zone. These markers are for informational purposes and do not establish any form of restriction on use of the property. As required by the Act, and work or activity proposed within geographic jurisdiction under the Act or Ordinance require pre-construction approval of some form from Commission Staff or the Commission.

Conclusions:

In conclusion, work associated with the proposed project will not occur in wetland resource areas subject to protection under the Act or Ordinance. Work is proposed within 100' Buffer Zone and outside of the 100' Buffer Zone. Work on Lot 14A, with the exception of the removal of debris from the slope, is not proposed within geographic jurisdiction under the Act or Ordinance. Work on Lot 14B, with the exception of the removal of debris from the slope, is proposed only within the outer Buffer Zone. As detailed above, the proposed work has been designed to comply with the standards for work in such areas and will represent an improvement in such areas compared to the pre-existing/existing conditions. As such, it is EcoTec's opinion that the proposed project complies with the applicable provisions of the Act and Regulations and the Ordinance will serve to protect the applicable statutory interests.

Cordially,
ECOTEC, INC.



John P. Rockwood, Ph.D., SPWS
Principal Environmental Scientist

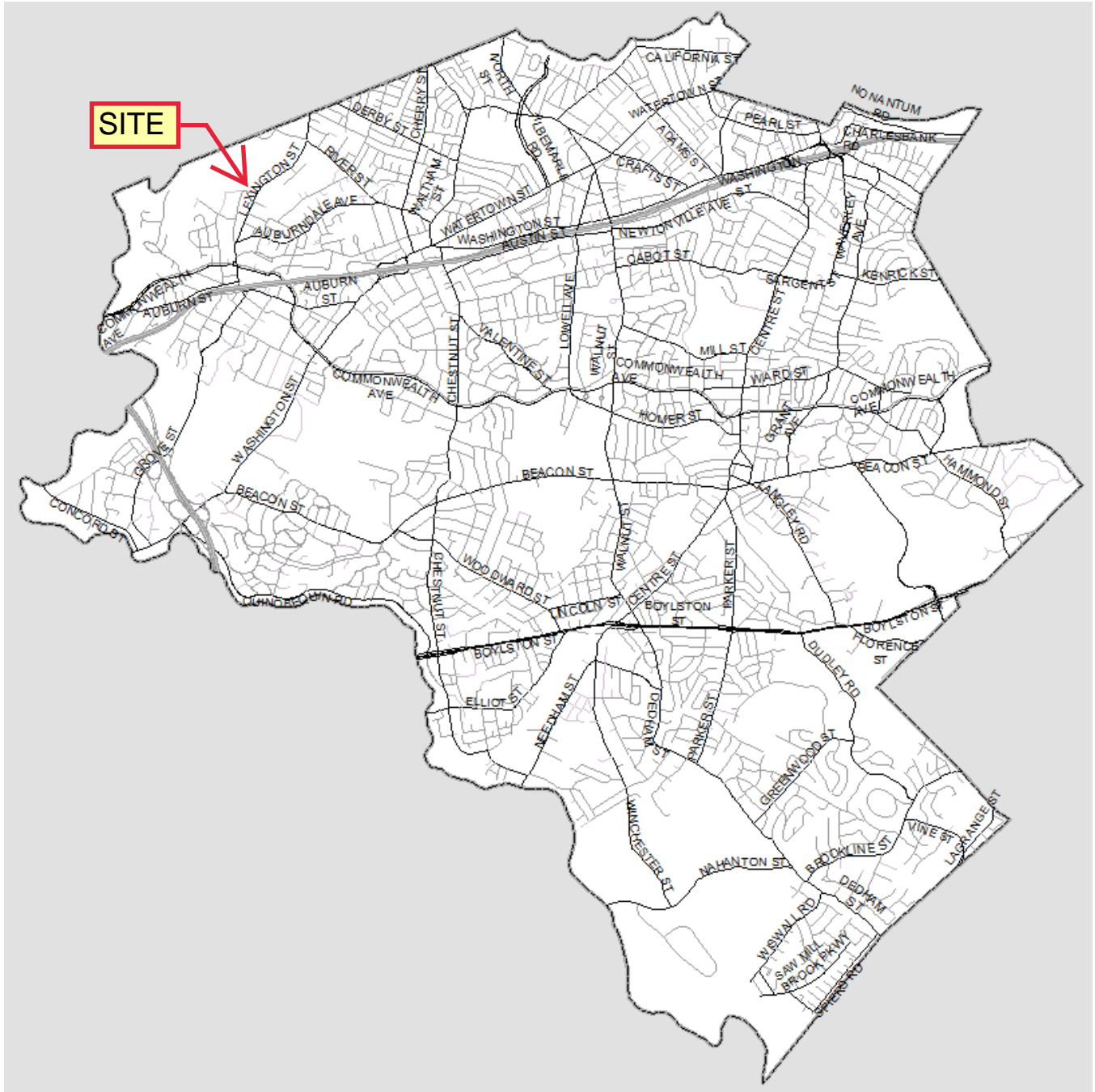
Cc: Department of Environmental Protection, Northeast Regional Office (by Certified Mail /Return Receipt Requested)
Kane Built, Inc. (Roger Kane, Via Email)
Bibbo Brothers and Associates (Via Email)

18/w/NEWTON 19 STANIFORD CL WRE PD COMP CON

EcoTec, Inc.

NEWTON LOCUS MAP

19 STANIFORD STREET



BORDERING VEGETATED WETLAND DETERMINATION FORM

Project/Site: 19 Staniford Street City/Town: Newton Sampling Date: 5/31/2023
 Applicant/Owner: _____ Sampling Point or Zone: A2 UP
 Investigator(s): John P. Rockwood, Ph.D., SPWS Latitude / Longitude: 42.355 / -71.246
 Soil Map Unit Name: Freetown Muck, 0-1% Slopes NWI or DEP Classification: WS1

Are climatic/hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks)
 Are Vegetation , Soil , or Hydrology significantly disturbed? (If yes, explain in Remarks)
 Are Vegetation , Soil , or Hydrology naturally problematic? (If yes, explain in Remarks)

SUMMARY OF FINDINGS – Attach site map and photograph log showing sampling locations, transects, etc.

Wetland vegetation criterion met?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland?
Hydric Soils criterion met?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Wetlands hydrology present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Remarks, Photo Details, Flagging, etc.:			
Plot on slope upgradient of wetland.			

HYDROLOGY

Field Observations:		
Surface Water Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> Depth (inches) _____
Water Table Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> Depth (inches) _____
Saturation Present (including capillary fringe)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> Depth (inches) _____
Wetland Hydrology Indicators		
Reliable Indicators of Wetlands Hydrology	Indicators that can be Reliable with Proper Interpretation	Indicators of the Influence of Water
<input type="checkbox"/> Water-stained leaves <input type="checkbox"/> Evidence of aquatic fauna <input type="checkbox"/> Iron deposits <input type="checkbox"/> Algal mats or crusts <input type="checkbox"/> Oxidized rhizospheres/pore linings <input type="checkbox"/> Thin muck surfaces <input type="checkbox"/> Plants with air-filled tissue (aerenchyma) <input type="checkbox"/> Plants with polymorphic leaves <input type="checkbox"/> Plants with floating leaves <input type="checkbox"/> Hydrogen sulfide odor	<input type="checkbox"/> Hydrological records <input type="checkbox"/> Free water in a soil test hole <input type="checkbox"/> Saturated soil <input type="checkbox"/> Water marks <input type="checkbox"/> Moss trim lines <input type="checkbox"/> Presence of reduced iron <input type="checkbox"/> Woody plants with adventitious roots <input type="checkbox"/> Trees with shallow root systems <input type="checkbox"/> Woody plants with enlarged lenticels	<input type="checkbox"/> Direct observation of inundation <input type="checkbox"/> Drainage patterns <input type="checkbox"/> Drift lines <input type="checkbox"/> Scoured areas <input type="checkbox"/> Sediment deposits <input type="checkbox"/> Surface soil cracks <input type="checkbox"/> Sparsely vegetated concave surface <input type="checkbox"/> Microtopographic relief <input type="checkbox"/> Geographic position (depression, toe of slope, fringing lowland)
Remarks (describe recorded data from stream gauge, monitoring well, aerial photos, previous inspections, if available): None were observed at upland plot.		

This form is only for BVW delineations. Other wetland resource areas may be present and should be delineated according to the applicable regulatory provisions.

VEGETATION – Use both common and scientific names of plants.

<u>Tree Stratum</u>		<u>Plot size 30' Radius</u>		Indicator Status	Absolute/ Relative % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name*	Scientific name						
1. Norway Maple	<i>Acer platanoides</i>	UPL	38.0/34.5	Yes	No		
2. Northern Red Oak	<i>Quercus rubra</i>	FACU-	20.5/18.6	Yes	No		
3. Black Cherry	<i>Prunus serotina</i>	FACU	20.5/18.6	Yes	No		
4. Red Maple	<i>Acer rubrum</i>	FAC	20.5/18.6	Yes	Yes		
5. American Elm	<i>Ulmus americana</i>	FACW-	10.5/9.5	No	Yes		
6.							
7.							
8.							
9.							
<u>110</u> = Total Absolute Cover							
<u>Shrub/Sapling Stratum</u>		<u>Plot size 15' Radius</u>		Indicator Status	Absolute/ Relative % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name*	Scientific name						
1. Norway Maple	<i>Acer platanoides</i>	UPL	20.5/100.0	Yes	No		
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
<u>20.5</u> = Total Absolute Cover							
<u>Herb Stratum</u>		<u>Plot size 5' Radius</u>		Indicator Status	Absolute/ Relative % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name*	Scientific name						
1. --							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
<u>0</u> = Total Absolute Cover							

* 1988 Plant List

VEGETATION – continued.

<u>Woody Vine Stratum</u>		Plot size <u>30' Radius</u>			
Common name*	Scientific name	Indicator Status	Absolute/ Relative % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
1. Oriental Bitter-sweet	<i>Celastrus orbiculata</i>	UPL	10.5/100	Yes	No
2.					
3.					
4.					
			<u>10.5</u> = Total Absolute Cover		

* 1988 Plant List

Rapid Test: Do all dominant species have an indicator status of OBL or FACW?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Dominance Test:	Number of dominant species	Number of dominant species that are wetland indicator plants	Do wetland indicator plants make up ≥ 50% of dominant plant species?
	6	1 1/6 = 16.7%	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Prevalence Index:		Total % Cover (all strata)	Multiply by:
	OBL species		X 1 = 0.0
	FACW species		X 2 = 0.0
	FAC species		X 3 = 0.0
	FACU species		X 4 = 0.0
	UPL species		X 5 = 0.0
	Column Totals	(A) 0.0	(B) 0.0
Prevalence Index		B/A = 0.0	Is the Prevalence Index ≤ 3.0? Yes <input type="checkbox"/> No <input type="checkbox"/>
Wetland vegetation criterion met?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Definitions of Vegetation Strata

- Tree - Woody plants 3 in. (7.62 cm) or more in diameter at breast height (DBH), regardless of height
- Shrub / Sapling - Woody plants less than 3 in. (7.62 cm) DBH and greater than or equal to 3.3 ft. (1 m) tall
- Herb - All herbaceous (non-woody plants, regardless of size, and woody plants less than 3.3 ft. (1 m) tall
- Woody vines - All woody vines greater than 3.3 ft. (1 m) in height

Cover Ranges	
Range	Midpoint
1-5 %	3.0 %
6-15 %	10.5 %
15-25 %	20.5 %
26-50 %	38.0 %
51-75 %	63.0 %
76-95 %	85.5 %
96-100 %	98.0 %

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators)								
Horizon/ Depth	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Location ²		
A / 0-6	10 YR 3/2						Loam	-
Bw / 6-20	10 YR 5/6						Loamy Sand	-

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains ²Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators (Check all that apply)			Indicators for Problematic Hydric Soils		
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Polyvalue Below Surface (S8)	<input type="checkbox"/> 2 cm Muck (A10)			
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Thin Dark Surface (S9)	<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)			
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1)	<input type="checkbox"/> Dark Surface (S7)			
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Polyvalue Below Surface (S8)			
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Thin Dark Surface (S9)			
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Redox Dark Surface (F7)	<input type="checkbox"/> Iron-Manganese Masses (F12)			
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Depleted Dark Surface (F8)	<input type="checkbox"/> Mesic Spodic (A17)			
<input type="checkbox"/> Sandy Mucky Mineral (S1)		<input type="checkbox"/> Red Parent Material (F21)			
<input type="checkbox"/> Sandy Gleyed Matrix (S4)		<input type="checkbox"/> Very Shallow Dark Surface (TF12)			
<input type="checkbox"/> Sandy Redox (S5)		<input type="checkbox"/> Other (Include Explanation in Remarks)			
<input type="checkbox"/> Stripped Matrix (S6)					
<input type="checkbox"/> Dark Surface (S7)					

Restrictive Layer (if observed) Type: _____ Depth (inches): _____

Remarks:
Terminated at 20 inches; groundwater/saturation not observed.

Hydric Soils criterion met? Yes No

BORDERING VEGETATED WETLAND DETERMINATION FORM

Project/Site: 19 Staniford Street City/Town: Newton Sampling Date: 5/31/2023
 Applicant/Owner: _____ Sampling Point or Zone: A2 WET
 Investigator(s): John P. Rockwood, Ph.D., SPWS Latitude / Longitude: 42.355 / -71.246
 Soil Map Unit Name: Freetown Muck, 0-1% Slopes NWI or DEP Classification: WS1

Are climatic/hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks)
 Are Vegetation , Soil , or Hydrology significantly disturbed? (If yes, explain in Remarks)
 Are Vegetation , Soil , or Hydrology naturally problematic? (If yes, explain in Remarks)

SUMMARY OF FINDINGS – Attach site map and photograph log showing sampling locations, transects, etc.

Wetland vegetation criterion met?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the Sampled Area within a Wetland? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hydric Soils criterion met?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Wetlands hydrology present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Remarks, Photo Details, Flagging, etc.: Plot within wetland beyond the toe of slope.			

HYDROLOGY

Field Observations:		
Surface Water Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> Depth (inches) <u>4</u>
Water Table Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> Depth (inches) <u>0</u>
Saturation Present (including capillary fringe)?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> Depth (inches) <u>0</u>
Wetland Hydrology Indicators		
Reliable Indicators of Wetlands Hydrology <input checked="" type="checkbox"/> Water-stained leaves <input type="checkbox"/> Evidence of aquatic fauna <input type="checkbox"/> Iron deposits <input type="checkbox"/> Algal mats or crusts <input checked="" type="checkbox"/> Oxidized rhizospheres/pore linings <input type="checkbox"/> Thin muck surfaces <input type="checkbox"/> Plants with air-filled tissue (aerenchyma) <input type="checkbox"/> Plants with polymorphic leaves <input type="checkbox"/> Plants with floating leaves <input checked="" type="checkbox"/> Hydrogen sulfide odor	Indicators that can be Reliable with Proper Interpretation <input type="checkbox"/> Hydrological records <input checked="" type="checkbox"/> Free water in a soil test hole <input checked="" type="checkbox"/> Saturated soil <input type="checkbox"/> Water marks <input type="checkbox"/> Moss trim lines <input type="checkbox"/> Presence of reduced iron <input type="checkbox"/> Woody plants with adventitious roots <input type="checkbox"/> Trees with shallow root systems <input type="checkbox"/> Woody plants with enlarged lenticels	Indicators of the Influence of Water <input checked="" type="checkbox"/> Direct observation of inundation <input type="checkbox"/> Drainage patterns <input type="checkbox"/> Drift lines <input type="checkbox"/> Scoured areas <input type="checkbox"/> Sediment deposits <input type="checkbox"/> Surface soil cracks <input type="checkbox"/> Sparsely vegetated concave surface <input type="checkbox"/> Microtopographic relief <input checked="" type="checkbox"/> Geographic position (depression, toe of slope, fringing lowland)
Remarks (describe recorded data from stream gauge, monitoring well, aerial photos, previous inspections, if available): Portions of plot subject to inundation.		

This form is only for BVW delineations. Other wetland resource areas may be present and should be delineated according to the applicable regulatory provisions.

VEGETATION – Use both common and scientific names of plants.

<u>Tree Stratum</u>		<u>Plot size 30' Radius</u>		Indicator Status	Absolute/ Relative % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name*	Scientific name						
1. Black Willow	<i>Salix nigra</i>	FACW+	20.5/100.0	Yes	Yes		
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
			<u>20.5</u> = Total Absolute Cover				
<u>Shrub/Sapling Stratum</u>		<u>Plot size 15' Radius</u>		Indicator Status	Absolute/ Relative % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name*	Scientific name						
1. Black Willow	<i>Salix nigra</i>	FACW+	10.5/100.0	Yes	Yes		
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
			<u>10.5</u> = Total Absolute Cover				
<u>Herb Stratum</u>		<u>Plot size 5' Radius</u>		Indicator Status	Absolute/ Relative % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name*	Scientific name						
1. Common Reed	<i>Phragmites australis</i>	FACW	20.5/100.0	Yes	Yes		
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
			<u>20.5</u> = Total Absolute Cover				

* 1988 Plant List

VEGETATION – continued.

<u>Woody Vine Stratum</u>		Plot size <u>30' Radius</u>		Indicator Status	Absolute/ Dominant? Relative % (yes/no) Cover	Wetland Indicator? (yes/no)
Common name*		Scientific name				
1.	Virginia Creeper	<i>Parthenocissus quinquefolia</i>		FACU	10.5/100.0	Yes No
2.						
3.						
4.						
<u>10.5</u> = Total Absolute Cover						

* 1988 Plant List

Rapid Test: Do all dominant species have an indicator status of OBL or FACW? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
Dominance Test:	Number of dominant species	Number of dominant species that are wetland indicator plants	Do wetland indicator plants make up ≥ 50% of dominant plant species?
	4	3 3/4 = 75.0%	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Prevalence Index:		Total % Cover (all strata)	Multiply by: Result
	OBL species		X 1 = 0.0
	FACW species		X 2 = 0.0
	FAC species		X 3 = 0.0
	FACU species		X 4 = 0.0
	UPL species		X 5 = 0.0
	Column Totals	(A) 0.0	(B) 0.0
	Prevalence Index	B/A = 0.0	Is the Prevalence Index ≤ 3.0? Yes <input type="checkbox"/> No <input type="checkbox"/>
Wetland vegetation criterion met? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			

Definitions of Vegetation Strata

- Tree - Woody plants 3 in. (7.62 cm) or more in diameter at breast height (DBH), regardless of height
- Shrub / Sapling - Woody plants less than 3 in. (7.62 cm) DBH and greater than or equal to 3.3 ft. (1 m) tall
- Herb - All herbaceous (non-woody plants, regardless of size, and woody plants less than 3.3 ft. (1 m) tall
- Woody vines - All woody vines greater than 3.3 ft. (1 m) in height

Cover Ranges	
Range	Midpoint
1-5 %	3.0 %
6-15 %	10.5 %
15-25 %	20.5 %
26-50 %	38.0 %
51-75 %	63.0 %
76-95 %	85.5 %
96-100 %	98.0 %

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators)								
Horizon/ Depth	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Location ²		
A / 0-10	10 YR 2/1						Mucky Loam	Pore Linings
Bg / 10-20	10 YR 5/2		7.5 YR 5/6	5	C	PL	Sand	-
			10 YR 6/1	5	D	M		
¹ Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains ² Location: PL=Pore Lining, M=Matrix								
Hydric Soil Indicators (Check all that apply)						Indicators for Problematic Hydric Soils		
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Polyvalue Below Surface (S8)			<input type="checkbox"/> 2 cm Muck (A10)				
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Thin Dark Surface (S9)			<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)				
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1)			<input type="checkbox"/> Dark Surface (S7)				
<input checked="" type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)			<input type="checkbox"/> Polyvalue Below Surface (S8)				
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Depleted Matrix (F3)			<input type="checkbox"/> Thin Dark Surface (S9)				
<input checked="" type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Redox Dark Surface (F7)			<input type="checkbox"/> Iron-Manganese Masses (F12)				
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Depleted Dark Surface (F8)			<input type="checkbox"/> Mesic Spodic (A17)				
<input type="checkbox"/> Sandy Mucky Mineral (S1)				<input type="checkbox"/> Red Parent Material (F21)				
<input type="checkbox"/> Sandy Gleyed Matrix (S4)				<input type="checkbox"/> Very Shallow Dark Surface (TF12)				
<input type="checkbox"/> Sandy Redox (S5)				<input type="checkbox"/> Other (Include Explanation in Remarks)				
<input type="checkbox"/> Stripped Matrix (S6)								
<input type="checkbox"/> Dark Surface (S7)								
Restrictive Layer (if observed) Type: _____ Depth (inches): _____								
Remarks: Terminated at 20 inches.								
Hydric Soils criterion met? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>								

National Flood Hazard Layer FIRMette



71°15'4"W 42°21'28"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000
 Basemap: USGS National Map; Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, A99
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*

OTHER AREAS OF FLOOD HAZARD

- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS

- NO SCREEN
- Area of Minimal Flood Hazard *Zone X*
- Effective LOMR
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance Water Surface Elevation

- 20.2
- 17.5
- 8
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary

OTHER FEATURES

- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **5/31/2023 at 12:34 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

19 STANIFORD ST, AUBURNDALE



Layers

Flowed Meadow
Conservation Area

Mapped FEMA Floodplain
Mapped Ordinance Floodplain

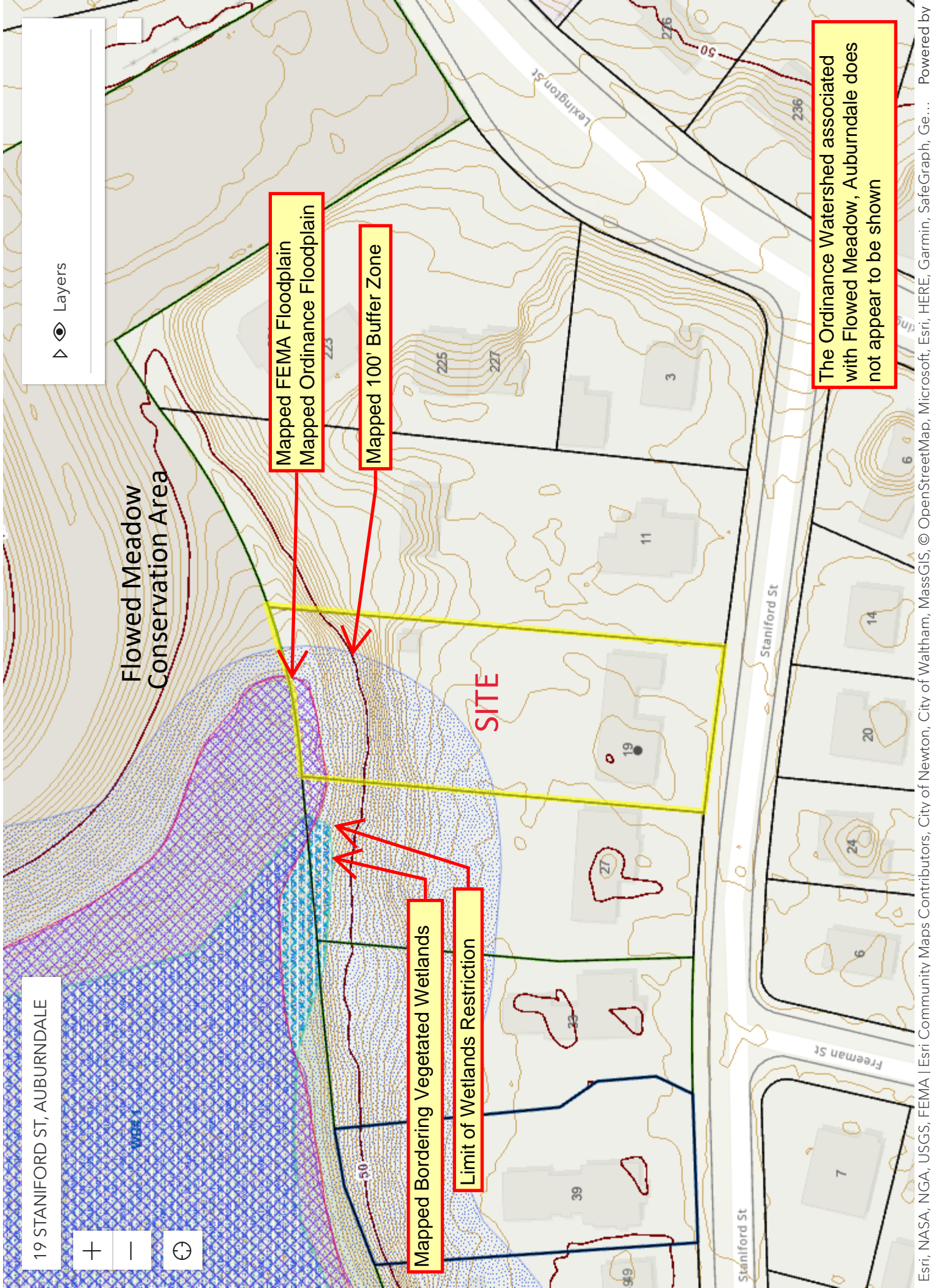
Mapped 100' Buffer Zone

Mapped Bordering Vegetated Wetlands

Limit of Wetlands Restriction

SITE

The Ordinance Watershed associated with Flowed Meadow, Auburndale does not appear to be shown

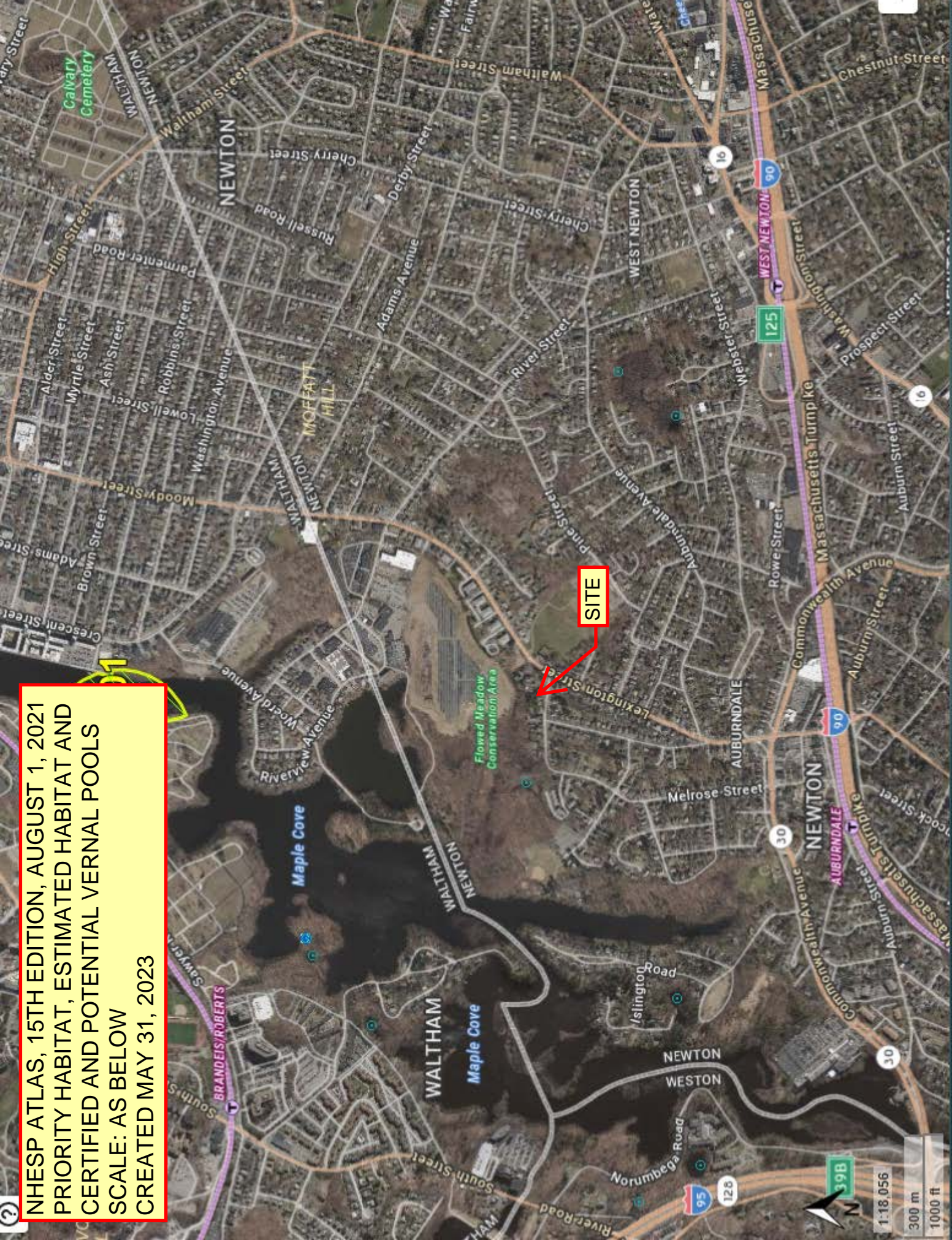


USGS TOPOGRAPHIC MAP
BOSTON SOUTH QUADRANGLE
1987
ENLARGED
SCALE 1:12,500



TO INTERSTATE 495
TO INTERCHANGE 15

NHESP ATLAS, 15TH EDITION, AUGUST 1, 2021
PRIORITY HABITAT, ESTIMATED HABITAT AND
CERTIFIED AND POTENTIAL VERNAL POOLS
SCALE: AS BELOW
CREATED MAY 31, 2023



EcoTec, Inc.
ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

John P. Rockwood, Ph.D., SPWS
Principal Environmental Scientist

Dr. John P. Rockwood has been a Staff Scientist with EcoTec, Inc. since October 1999. He was previously a Chief Environmental Scientist at Sanford Ecological Services, Inc. of Southborough, Massachusetts from September 1990 to October 1999. Dr. Rockwood was certified in August 2002 and recertified in March 2008, January 2013, and June 2018 as a Professional Wetland Scientist (PWS) by the Society of Wetland Scientists Professional Certification Program (SWSPCP), and in April 2020, he was made a Senior Professional Wetland Scientist (SPWS) and recertified as such on February 23, 2023 by the SWSPCP. His project experience includes wetland resource evaluation, delineation, and permitting at the local, state, and federal levels; wildlife habitat evaluation; pond and stream evaluation; vernal pool evaluation, certification, construction/replication, and monitoring; rare species habitat and impact assessment; wetland replacement, replication, and restoration area design, construction, and monitoring; invasive species removal and treatment protocols and monitoring; and expert testimony preparation. He has served as a consultant to municipalities, conservation commissions, the development community, engineering and survey firms, industry, and citizen's groups. He has managed and participated in a wide variety of wetlands-related projects ranging in scope from single-family house lots to subdivisions, commercial developments, mixed use developments, golf courses, a water park, MBTA commuter train station, and a regional mall. He has assessed the potential impacts of stormwater runoff, landfill leachate, and/or hazardous waste disposal sites on rare vertebrate and/or invertebrate species, and has conducted and/or directed surveys, delineated actual habitat, conducted habitat evaluations, and/or developed mitigation strategies necessary to protect rare vertebrate, invertebrate, and plant species and their habitats from proposed development-related impacts. He has designed and conducted drift fence studies for rare vertebrates. He has conducted and led preconstruction sweeps for the spotted turtle, wood turtle, and eastern box turtle. He has filed MESA Project Review Checklists for numerous species and has prepared applications for Conservation and Management Permits and Amendments for the eastern box turtle and marbled salamander under MESA. He has submitted rare animal and plant observation forms to NHESP for several vertebrate, invertebrate, and plant species. He has conducted environmental impact assessments and has prepared MEPA documentation related to an office park, an MBTA commuter train station, water park, residential subdivisions, skating rink facility, landfill, and regional mall. Dr. Rockwood also has extensive experience in environmental site assessment related to possible oil and/or hazardous material contamination. He has conducted numerous environmental assessments, several including subsurface investigations, for sites located in Massachusetts, and has conducted preliminary environmental assessments for properties located in New York, New Hampshire, and Rhode Island. He has conducted ecological risk assessments (i.e., Stage I Environmental Screenings and Stage II Environmental Risk Characterizations) for a number of disposal sites in Massachusetts, including several disposal sites that had the potential to affect state-listed vertebrate and invertebrate species, and has utilized the EPA Rapid Bioassessment Protocol for macroinvertebrates to assess potential impacts of disposal sites and hazardous material releases on streams and rivers in Massachusetts and New York. He has served as the environmental contractor to the Franklin Consolidated Office of the Federal Deposit Insurance Corporation (FDIC-FCO) for 16 months, where he reviewed environmental reports, prepared scopes-of-work for site assessments, and provided technical advice to FDIC employees related to environmentally compromised assets. Dr. Rockwood has designed, conducted, and evaluated numerous surface water and groundwater monitoring programs. His prior research includes laboratory studies of the effects of low pH and aluminum on dragonfly nymphs and a field survey of the impact of chlorinated sewerage effluent on algal periphyton community dynamics. Dr. Rockwood is the co-author of a textbook on aquatic biology and is the principal author of three peer-reviewed research publications in the field of aquatic toxicology that address the effect of low pH and aluminum on nymphs of the dragonfly *Libellula julia*. Dr. Rockwood served as the as the Editor of the AMWS Newsletter from November 2004 to October 2010 and as Assistant Editor from May 2003 to November 2004 and October 2010 to January 2012. He served as President of the Association of Massachusetts Wetland Scientists from November 2013 to December 2015 and as Immediate Past President from December 2015 to December 2017. He was twice awarded by AMWS with their President's Award.

Education: Doctor of Philosophy (Ph.D.): Aquatic Pollution Biology – Plant and Soil Sciences
University of Massachusetts at Amherst, 1989
Bachelor of Science (B.S.): Environmental Sciences, *Summa Cum Laude*
University of Massachusetts at Amherst, 1984

Professional Affiliations: Society for Freshwater Science (formerly North American Benthological Society)
Sigma Xi, Full Member
Association of Massachusetts Wetland Scientists, Voting Member
Society of Wetland Scientists
Massachusetts Association of Conservation Commissions

Certifications: Society of Wetland Scientists Senior Professional Wetland Scientist, Certification Number 1349
OSHA Health and Safety Training, 40-Hour Training, 29 CFR 1910.120
OSHA Health and Safety Training, 8-Hour Supervisor Training
OSHA Health and Safety Training, 8-Hour Refresher Training
State Ethics Commission Conflict of Interest Law Training
NPDES Construction Inspector Training under Part 6.3.b. of CGP



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
 Department of Planning and Development
 1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
 Telefax
(617) 796-1086
 www.newtonma.gov

Barney S. Heath
Director

Conservation Commission Wetland Application Coversheet/Checklist

Date For 7/11/2023 Deadline

Fill in all white cells completely

Parcel		Applicant name	Kane Built Inc. (Roger Kane)		
Address	19 Staniford Street	Address	P.O. Box 620-636, Newton, MA 02462		
Sec/Block/Lot	41 / 031 / 0021	Email	kanebuilt@comcast.net		
Book & Page	77938 & 158	Phone	978-875-0222		
Owner name	Kane Built Inc.	Representative	John P. Rockwood, Ph.D., SPWS		
Address	P.O. Box 620-636, Newton, MA 02462	Address	EcoTec, Inc. 102 Grove Street, Worcester, MA 01605		
Email	kanebuilt@comcast.net	Email	jrockwood@ecotecinc.com		
Phone	978-875-0222	Phone	508-752-9666		
Legal Ad Payor	Please identify which party will pay for the Legal Ad.		John Rockwood, EcoTec, Inc. 508-752-9666 jrockwood@ecotecinc.com		
Wetland type	Buffer Zone	sf/cf affected	--	Relevant Perf. Standards	10. <u>53(1)</u>
Wetland type		sf/cf affected		Relevant Perf. Standards	10. _____
Wetland type		sf/cf affected		Relevant Perf. Standards	10. _____

Components of a Complete NOI Application

State Form: NOI Form 3	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Engineered Plan* title(s) Plan date Plan stamped by <small>*if legible, plans should be 11"x17"</small>	See NOI Cover Letter for a complete listing of materials included as part of this filing.
Narrative	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
Proof that all relevant perf. standards are met	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
Locus map	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
Delineation lines (backup material)	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
Fees	
● Fee Transmittal form	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
● City portion of state filing fee <u>\$262.50</u>	Included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Checks hand-delivered to Conservation Staff on July 5, 2023
● City's separate filing fee <u>\$50</u>	Included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Copies of Redacted Checks attached to Forms
Abutter Information	
● Certified abutters list (within 100')	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
● Newton's Abutter notification form	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
● Affidavit & proof -- bring to hearing	<i>Present them at the hearing</i> To be submitted via NewGov
Other Attachments, e.g.	
Planting Plan	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable See Site Plan
Floodplain analysis	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable See Site Plan and Cover Letter
Stormwater analysis	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable See Drainage Reports, Test Pit Data, and Site Plan
Riverfront Area Alternatives Analysis	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable
Restoration or mitigation summary	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable See Site Plan and Cover Letter
Phasing/Sequencing plan, O&M plan, etc.	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable See O & M Plans

Conservation Commission Wetland Permit Process

RDA	NOI	Steps in Permitting Process		
1.	1.	Get a certified list of all abutters within 100' of property lines from the Newton Assessor's Office.		
	2.	Submit applications by noon of the Tuesday deadline (16 days before the desired hearing) to: <ol style="list-style-type: none"> a. <u>Newton Conservation Commission</u>: <ul style="list-style-type: none"> • Complete NOI or RDA application packet via electronic submission through NewGov. For NOIs use the application checklist to ensure completeness. <ul style="list-style-type: none"> • Application coversheet, state forms, narrative, photocopies of checks, ALL attachments • Plans (11"x17" format, if legible) stamped by engineer if any aspect of the project requires engineering. • Application fees via mail to Newton Conservation Office, 1000 Commonwealth Ave., Newton, MA 02459. For NOIs use the application checklist to ensure completeness. <ul style="list-style-type: none"> • Check to City of Newton for city portion of the state filing fee • \$50 check to City of Newton for city filing fee b. <u>Mass DEP Northeast Regional Office</u>: Wetlands Division, 150 Presidential Way, Woburn, MA 01801 (1 paper copy) <ul style="list-style-type: none"> • Complete NOI or RDA application packet (hard copy) AND Photocopy of the two state filing fee checks c. <u>DEP Lock Box</u>: Box 4062, Boston MA 02211 <ul style="list-style-type: none"> • Check to Commonwealth of Mass. for state portion of the state fee <u>AND Fee transmittal form</u> 		
			<i>The Conservation Agent will determine application completeness and assign a public hearing/meeting date and time.</i>	
	3.	Once you have the date and time of the hearing, using the City's " Notification to Abutters Form ", notify all abutters within 100' of the property line via certified mail, certificate of mailing, or hand delivery with signatures.		
			<i>The Conservation Agent will place a legal ad in the Boston Herald and the Applicant will receive an email with instructions to pay.</i>	
	4.	Stake the project. 2 weeks in advance of the public hearing, stake all proposed structures, erosion control barriers, stormwater systems, etc. within Con Com jurisdiction.		
			<i>The Conservation Agent will perform a site visit before the public hearing to confirm existing conditions and proposed work. If you wish to be informed of the time of the visit, please contact the Con Com office.</i>	
			<i>One week prior to the meeting, when the agenda is posted, the Conservation Agent will send all Applicants detailed Conservation staff notes and recommendations (from the Conservation Commission's detailed agenda).</i>	
	5.	Applicants may submit revised materials (via NewGov) by the Tuesday prior to the meeting (to be reviewed and discussed at the meeting) or may request a continuation to a future Conservation Commission meeting.		
	2.	6.	Attend the public hearing/meeting. The applicant or representative is expected to provide proof of abutter notification , briefly present the project , and answer any questions about possible impacts on wetlands . At the end of the hearing, the Con Com will either: <ul style="list-style-type: none"> • Issue a Determination of Applicability ("negative" determination means no further permitting is needed), • Issue an Order of Conditions (OOC) approving or denying the project, or • Approve a continuation of the public hearing, to allow time for additional information to be provided. 	
	3.	7.	Receive and read the decision and understand the conditions. Contact the Con Com if you have any questions. Some conditions are temporary (such as maintaining erosion controls), and some are perpetual (such maintaining restoration planting areas or limiting the use of fertilizers and outdoor lighting).	
			8.	Wait-out the 10-Day appeal period. A decision of the Con Com can be appealed to MassDEP by any abutter, applicant, or 10-citizen group within 10 business days of the decision.
			9.	Record the Order at the Registry of Deeds. Provide proof of recording to the Conservation office.
		10.	Install MassDEP file number sign and erosion controls.	
		11.	Schedule and attend a pre-construction site visit. Contact the Conservation office to schedule the site visit.	
4.	12.	Execute the project. The project must be completed within 3 years, unless an extension of the permit is issued.		
		13.	Request a Certificate of Compliance (COC) via NewGov. Once the project is complete and all conditions have been satisfied, request a COC from the Conservation office by submitting: (1) DEP Form 8a , (2) a stamped as-built plan , and (3) a letter from the engineer stating that everything is in substantial compliance with the approved plans and OOC.	
		<i>The Con Com will perform a site visit to ensure compliance, and will issue a COC if appropriate.</i>		
		14.	Record the Certificate of Compliance (COC) at the Registry of Deeds to remove the cloud from the title. Provide proof of recording to the Conservation office.	



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Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
 Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

<u>19 Staniford Street</u>	<u>Newton</u>	<u>02466</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>42.35432</u>	<u>-71.24585</u>	
d. Latitude	e. Longitude	
<u>41 031</u>	<u>0021</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Roger</u>	<u>Kane</u>	
a. First Name	b. Last Name	
<u>Kane Built Inc.</u>		
c. Organization		
<u>P.O. Box 620-636</u>		
d. Street Address		
<u>Newton</u>	<u>MA</u>	<u>02462</u>
e. City/Town	f. State	g. Zip Code
<u>978-875-0222</u>	<u>--</u>	<u>kanebuilt@comcast.net</u>
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

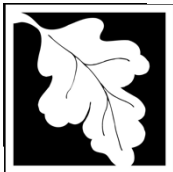
<u>Roger</u>	<u>Kane</u>	
a. First Name	b. Last Name	
<u>Kane Built Inc.</u>		
c. Organization		
<u>P.O. Box 620-636</u>		
d. Street Address		
<u>Newton</u>	<u>MA</u>	<u>02459</u>
e. City/Town	f. State	g. Zip Code
<u>978-875-0222</u>	<u>--</u>	<u>kanebuilt@comcast.net</u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>John</u>	<u>Rockwood, Ph.D., SPWS</u>	
a. First Name	b. Last Name	
<u>EcoTec, Inc.</u>		
c. Company		
<u>102 Grove Street</u>		
d. Street Address		
<u>Worcester</u>	<u>MA</u>	<u>01605</u>
e. City/Town	f. State	g. Zip Code
<u>508-752-9666 x3</u>	<u>--</u>	<u>jrockwood@ecotecinc.com</u>
h. Phone Number	i. Fax Number	j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

<u>\$ 500.00</u>	<u>\$ 237.50</u>	<u>\$ 262.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

The project consists the construction of a single-family home and associated site features and the removal of two trees in the 100' Buffer Zone to BVW on the rear lot of a two lot rear subdivision at 19 Staniford Street. The project includes erosion controls, stormwater management features, and tree replacement (see Site Plan and Cover Letter).

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

--

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

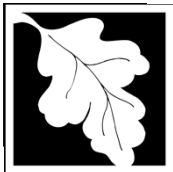
8. Property recorded at the Registry of Deeds for:

Middlesex South	--
a. County	b. Certificate # (if registered land)
77938	158
c. Book	d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	-- 1. linear feet	-- 2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	-- 1. square feet	-- 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	-- 1. square feet -- 3. cubic yards dredged	-- 2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	-- 1. square feet -- 3. cubic feet of flood storage lost	-- 2. square feet -- 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	-- 1. square feet -- 2. cubic feet of flood storage lost	-- 3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	-- 1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project:
square feet

4. Proposed alteration of the Riverfront Area:

<u> </u>	<u> </u>	<u> </u>
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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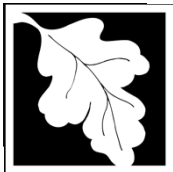
City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	-- 1. square feet	
	-- 2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	-- 1. square feet	-- 2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	-- 1. square feet	-- 2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	-- 1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	-- 1. square feet	
h. <input type="checkbox"/> Salt Marshes	-- 1. square feet	-- 2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	-- 1. square feet	
	-- 2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	-- 1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	-- 1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	-- 1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	-- a. square feet of BVW	-- b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings	-- a. number of new stream crossings	-- b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

- Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

August 1, 2021
b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

c. Submit Supplemental Information for Endangered Species Review*

- Percentage/acreage of property to be altered:

(a) within wetland Resource Area	--	
	percentage/acreage	
(b) outside Resource Area	--	
	percentage/acreage	

2. Assessor's Map or right-of-way plan of site

- Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
 - Project description (including description of impacts outside of wetland resource area & buffer zone)
 - Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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C. Other Applicable Standards and Requirements (cont'd)

(c) [] MESA filing fee (fee information available at https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review).
Make check payable to "Commonwealth of Massachusetts - NHESP" and mail to NHESP at above address

Projects altering 10 or more acres of land, also submit:

(d) [] Vegetation cover type map of site

(e) [] Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1. [] Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. [] Separate MESA review ongoing.
a. NHESP Tracking #
b. Date submitted to NHESP

3. [] Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
a. [x] Not applicable – project is in inland resource area only
b. [] Yes [] No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

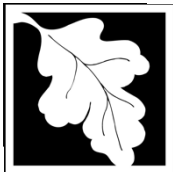
Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

c. [] Is this an aquaculture project?
d. [] Yes [x] No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

C. Other Applicable Standards and Requirements (cont'd)

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 --
 b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 a. Yes No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
 b. No. Check why the project is exempt:
 1. Single-family house
 2. Emergency road repair
 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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D. Additional Information (cont'd)

- 3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
- 4. List the titles and dates for all plans and other materials submitted with this NOI.

A complete list of materials included in this filing is provided in the Cover Letter.

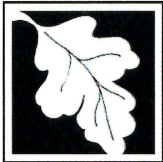
- 5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 8. Attach NOI Wetland Fee Transmittal Form
- 9. Attach Stormwater Report, if needed.

E. Fees

- 1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

26810	June 5, 2023
2. Municipal Check Number	3. Check date
26808	June 5, 2023
4. State Check Number	5. Check date
Kane Built, Inc.	--
6. Payor name on check: First Name	7. Payor name on check: Last Name



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F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

See Next Page

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

John Rockwood

7/5/2023

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



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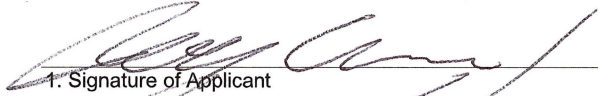

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I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

	7/5/2023
1. Signature of Applicant	2. Date
	7/5/2023
3. Signature of Property Owner (if different)	4. Date
5. Signature of Representative (if any)	6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

19 Staniford Street	Newton
a. Street Address	b. City/Town
26808	\$ 237.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Roger	Kane	
a. First Name	b. Last Name	
Kane Built Inc.	c. Organization	
P.O. Box 620-636	d. Mailing Address	
Newton	MA	02462
e. City/Town	f. State	g. Zip Code
978-875-0222	--	kanebuilt@comcast.net
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

Roger	Kane	
a. First Name	b. Last Name	
Kane Built Inc.	c. Organization	
P.O.Box 620-636	d. Mailing Address	
Newton	MA	02462
e. City/Town	f. State	g. Zip Code
978-875-0222	--	kanebuilt@comcast.net
h. Phone Number	i. Fax Number	j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection
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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
2a. Single-family Home and Associated Activities in Buffer Zone	1	\$ 500.00	\$ 500.00

Step 5/Total Project Fee: \$ 500.00

Step 6/Fee Payments:

Total Project Fee:	\$ 500.00
State share of filing Fee:	a. Total Fee from Step 5 \$ 237.50
City/Town share of filing Fee:	b. 1/2 Total Fee less \$12.50 \$ 262.50
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Mailing Address
Assessing Department
1000 Commonwealth Ave.
Newton, MA 02459

**Assessment Administration
City of Newton, MA**

Phone Numbers
Main Office: 617-796-1160
Facsimile: 617-796-1179

**REQUEST FOR ABUTTERS LIST
AND MAILING LABELS**

Purpose: (check one)

- Conservation Commission Filing
- Filing for Victualler's/Restaurant or Liquor License
- Other: _____
(Ordinances, laws, or regulations that require a citizen/organization to send a notice by mail to "parties of interest.")

Name of organization: EcoTec, Inc.

Person filing request: John Rockwood, Ph.D. **Title:** Principal Scientist

Address: 102 Grove Street, Worcester, MA 01605

Telephone no. during day: 508-294-2548 (to notify for pick-up)

Subject property: 19 Staniford Street (SBL 41 031 0021)

Abutters list requires owner names and addresses of: (check all that apply)

- Abutters to subject property and abutters to abutters
- Abutters within user-specified distance from property line: within 100 feet
- Abutters along one or more streets (list below):

Please verify spelling of street on City map on wall near front door of Assessors office.

Mailing labels for abutters (as above): (Charge: \$.50 per label sheet)

- 1 set
 - 2 sets
- I do not require labels. Please email letter, list, and map to rockwood@ecotecinc.com when ready.*

Fees: Staff preparation time if request takes 2 hours or more to complete.

Staff Fee: \$ 23.75 /hour (or portion thereof)

Mailing labels: \$.50 per label sheet
Total: *Calculated upon completion*

Please allow ten (10) business days for completion of this request.

Signature: John P. Rockwood **Date:** 05/31/2023

**Assessing Department, 1000 Commonwealth Ave, Newton, MA 02459
Main Office: 617-796-1160 FAX No: 617-796-1179**

Abutters List[print this list](#)

Date: May 31, 2023

Subject Property Address: 19 STANIFORD ST Newton, MA
Subject Property ID: 41-031-0021

Search Distance: 100 Feet

Owner: DAMBROSIO P V & A S L/E
Co-Owner: P V DAMBROSIO FAMILY TRUST
Prop ID: 41-030-0021
Prop Location: 6 FREEMAN ST Newton, MA
Mailing Address:

6 FREEMAN ST
AUBURNDALE, MA 02466

Owner: YANG CHENGDA
Co-Owner: YU WEIQIAN
Prop ID: 41-030-0022
Prop Location: 24 STANIFORD ST Newton, MA
Mailing Address:
24 STANIFORD ST
AUBURNDALE, MA 02466

Owner: LO ENG H
Co-Owner: CHU PEYLINA
Prop ID: 41-030-0023
Prop Location: 20 STANIFORD ST Newton, MA
Mailing Address:
20 STANIFORD ST
AUBURNDALE, MA 02466

Owner: HERLIHY DAVID A
Co-Owner: SWEET MARTHA L
Prop ID: 41-030-0024
Prop Location: 14 STANIFORD ST Newton, MA
Mailing Address:
14 STANIFORD ST
AUBURNDALE, MA 02466

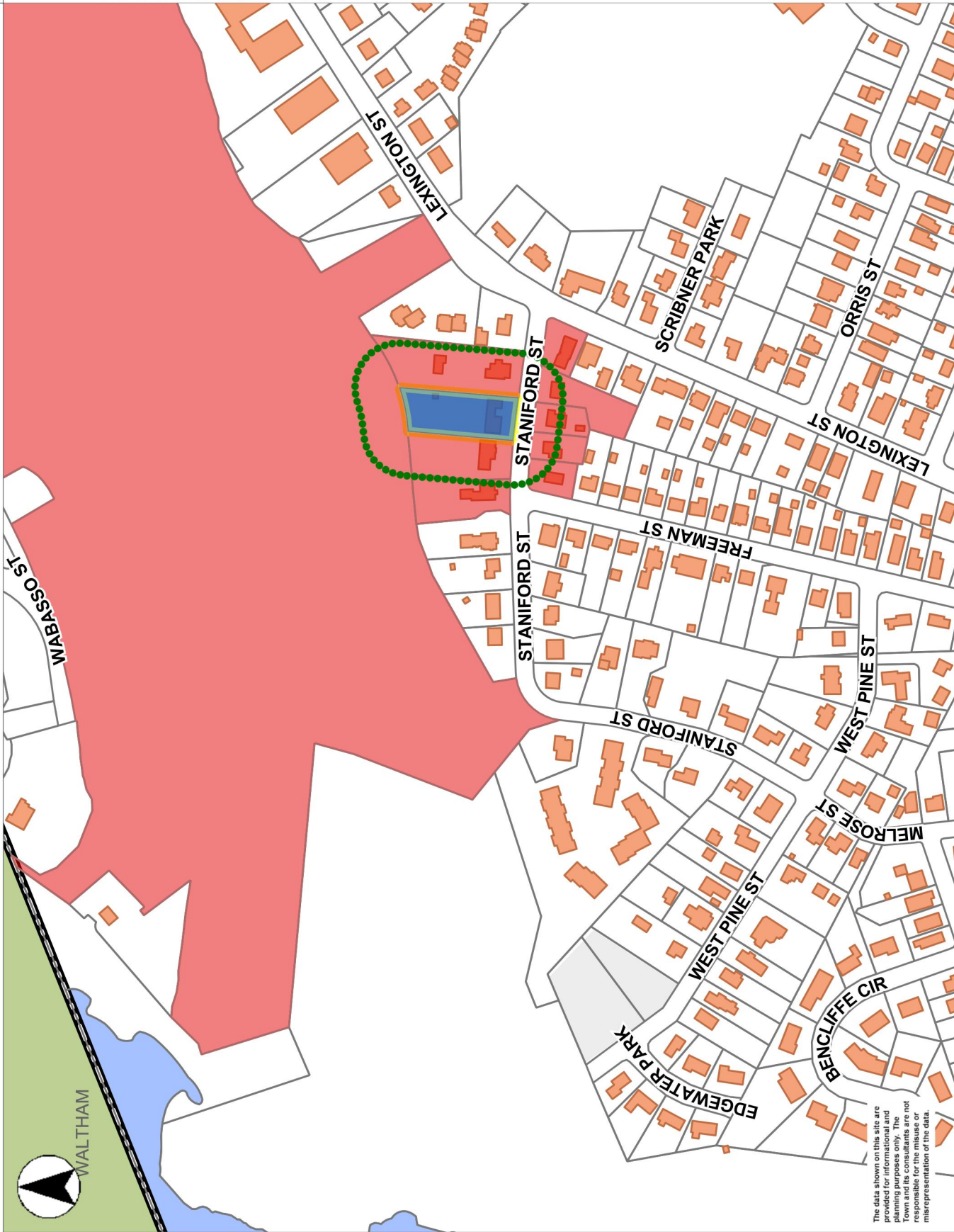
Owner: NICOLAZZO JOHN & ANNA TRS
Co-Owner: A & J REALTY TRUST
Prop ID: 41-030-0025
Prop Location: 6 STANIFORD ST Newton, MA
Mailing Address:
251 LEXINGTON ST
AUBURNDALE, MA 02466

Owner: CARUSO GIOVANNI L/E
Co-Owner: TOCCI NICOLE & CARUSO JOSEPH TRS
Prop ID: 41-031-0019
Prop Location: 11 STANIFORD ST Newton, MA
Mailing Address:
11 STANIFORD ST
AUBURNDALE, MA 02466

Owner: LUO YUXIA LISA
Co-Owner: ZHANG YUHUA GEORGE
Prop ID: 41-031-0022
Prop Location: 27 STANIFORD ST Newton, MA
Mailing Address:
11 DANVILLE ST
WEST ROXBURY, MA 02132

Owner: ASHAI ZAID AHMAD
Co-Owner: RAHMAN SARAH
Prop ID: 41-031-0023-A
Prop Location: 33 STANIFORD ST Newton, MA
Mailing Address:
33 STANIFORD ST
AUBURNDALE, MA 02466

Owner: CITY OF NEWTON
Co-Owner: CITY LANDFILL
Prop ID: 41-031-0043
Prop Location: 211 LEXINGTON ST Newton, MA
Mailing Address:
1000 COMM AVE
NEWTON, MA 02459



- Address Numbers
- Buildings
- Parcels
- Parking Lots
- EOP
- MA Highways
- Interstate
- US Highway
- Numbered Routes
- Streets
- Town Boundary
- Abutting Towns (Opaque)
- Abutting Towns
- Streams
- Surface Water



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



Printed on 05/31/2023 at 03:16 PM

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act
and the City of Newton Floodplain Protection Ordinance**

In accordance with the second paragraph of Massachusetts Wetlands Protection Act (MGL Ch. 131, §40) and the City of Newton Floodplain Protection Ordinance (Section 22-22), you are hereby notified of the following:

- A. The name of the applicant is **Kane Built, Inc.**
- B. The applicant has filed a Notice of Intent with the **Newton Conservation Commission** seeking permission to remove, fill, dredge, or alter an Area Subject to Protection Under the Wetlands Protection Act. **No work is proposed within any wetland resource area; work is proposed within the 100' Buffer Zone to Bordering Vegetated Wetlands and outside of the 100' Buffer Zone.**
- C. The address of the lot where the activity is proposed is **19 Staniford Street, Newton, Massachusetts (Assessor's Reference: Section 41, Block 031, Lot 0021).**
- D. **The Public Hearing on this matter will be held remotely via Zoom on Thursday, July 27, 2023 at 7:00 pm.**

During the COVID-19 outbreak, Gov. Baker issued an Emergency Order on March 12, 2020, allowing public bodies greater flexibility utilizing technology in the conduct of public meetings under the Open Meeting Law. The City of Newton implemented remote participation procedures allowed under Gov. Baker's Emergency Order for all boards, committees, and commissions.

The Zoom link for the public hearing will be posted on the Conservation Commission website "Meeting Documents" tab 48 hours in advance of the hearing: <https://www.newtonma.gov/government/planning/boards-commissions/conservation-commission/meeting-documents>.

- E. An electronic copy of the submittal may be requested from the applicant's representative at jrockwood@ecotecinc.com. Alternatively, a copy of the Notice on Intent can be found on the Newton Conservation Commission's website "Meeting Documents" tab: <https://www.newtonma.gov/government/planning/boards-commissions/conservation-commission/meeting-documents>.
- F. Questions can be directed to: the Newton Conservation Commission by calling 617-796-1134 or emailing jsteel@newtonma.gov or emenounos@newtonma.gov.
- G. Printed notice will be published at least five (5) days in advance in **The Boston Herald** or another paper with local distribution.

NOTE: Notice of the public hearing, including its date, time, and place, will be posted on the City Hall bulletin board or equivalent not less than forty-eight (48) hours in advance of the hearing.

NOTE: You also may contact the nearest Department of Environmental Protection Regional Office for more information about this application or the Massachusetts Wetlands Protection Act. To contact the DEP, call the Northeast Region at 978-694-3200.

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act
and City of Newton Floodplain Ordinance

I, John P. Rockwood, Ph.D., SPWS, hereby certify under the pains and penalties of perjury that on July 6, 2023, I gave notification to abutters in compliance with the Massachusetts Wetlands Protection Act and City of Newton Floodplain Ordinance in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act and Newton Floodplain Ordinance by Kane Built, Inc. with the Newton Conservation Commission on July 6, 2023 for property located at 19 Staniford Street, Newton, Massachusetts.

The form of the notification and a list of the abutters to whom it was given and their addresses, are provided with this Affidavit of Service.



John P. Rockwood, Ph.D., SPWS

July 6, 2023_____

Date