

DeVellis Zrein Inc.

PO Box 307
Foxboro, MA 02035
Tel. (508) 473-4114 Fax. 774-215-0631
www.develliszrein.com

City of Newton Conservation Commission
Attn: Jennifer Steel, Chief Environmental Planner
1000 Commonwealth Ave
Newton Centre, MA 02459

September 23, 2024

Re: 24 Warren Street Home Addition , NOI

Dear Ms. Steel and Members of the Commission:

Pursuant to **M.G.L. Chapter 131, Section 40** and **N Newton Wetlands Protection By-Law**, on behalf of our client Jeffrey Goldman (Owner and Applicant), DeVellis Zrein, Inc. with Jessalyn Jarest Landscape Architecture LLC are hereby submitting a Notice of Intent (NOI) for the an addition to his single family home. The project is within 100 feet of Thompson Brook which bisects the property.

In 2009 a NOI was submitted and approved for the house construction. Over the past 15 years, Mr. Goldman has been a steward of the land with respect to conservation and preservation. The project is equipped with an extensive drainage system that captures all the roof runoff with a series of drywells, infiltration piping and a large 10,000-gallon collection. Geothermal wells, a green roof, extensive tree planting and preservation is throughout the site. The addition is being built into the hill furthest from Thompson Brook.

Being submitted through Newton's online portal process:

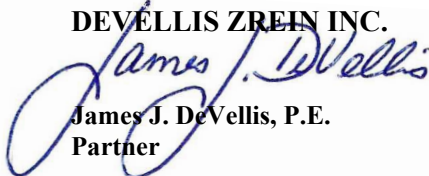
- City of Newton Wetland Application Checklist
- Signed WPA forms
- Copy of State Filing Fee
- Locus Map
- Certified Abutter List
- Abutter Notification Form
- Memo: Project Narrative with Drainage Summary
- C-1 Site Plan, L-1 Planting Plan
- Landscape Memo

In compliance with the Massachusetts Wetlands Protection Act and Newton's Wetland Protection By-Law, notification to 100-foot abutters regarding this Notice of Intent will be made by certified return receipt mail by our office.

Should you have any questions concerning this submittal or require additional information, please do not hesitate to contact me at (781) 771-8104 or at jim@develliszrein.com. Thank you in advance for your continued assistance. We look forward to presenting this project on **October 10th** to your Commission.

Sincerely,

DEVELLIS ZREIN INC.



James J. DeVellis, P.E.
Partner



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	
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Fill in all white cells completely

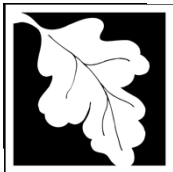
Parcel Address Sec/Block/Lot Book & Page	24 Warrent Street 65003 0011 Bk 50411 Pg 431	Applicant name Address Email Phone	Jeff Goldman 24 Warren Street Jeffsgoldman7@gmail.com (617) 312-6964
Owner name Address Email Phone	Jeff Goldman 24 Warren Street Jeffsgoldman7@gmail.com (617) 312-6964	Representative Address Email Phone	James J. DeVelli, PE DeVellis Zrein, Inc.(DZI) jim@develliszrein.com (781) 771 - 8104
Legal Ad Payor	Please identify which party will pay for the Legal Ad.	Representative (DZI)	
Wetland type	BVW/bank	sf/cf affected	0
Wetland type		sf/cf affected	
Wetland type		sf/cf affected	
		Relevant Perf. Standards	10. _____
		Relevant Perf. Standards	10. _____
		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>	C-1 Site Plan L-1 Planting Plan Sept 19, 2024 James J. DeVellis, PE
Narrative	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proof that all relevant perf. standards are met	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No
Locus map	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Delineation lines (backup material)	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Fees ● Fee Transmittal form ● City portion of state filing fee \$67.50_ ● City's separate filing fee _\$50_	No Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No No Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Included? <input checked="" type="checkbox"/> Yes
Abutter Information ● Certified abutters list (within 100') ● Newton's Abutter notification form ● Affidavit & proof -- bring to hearing	<input type="checkbox"/> No Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>Present them at the hearing</i>
Other Attachments, e.g.	
Planting Plan	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
Floodplain analysis	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NotApplicable
Stormwater analysis	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
Riverfront Area Alternatives Analysis	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NotApplicable
Restoration or mitigation summary	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NotApplicable
Phasing/Sequencing plan, O&M plan, etc.	Included? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NotApplicable

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 AND Fee transmittal form 		
			<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.	



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Newton

City/Town

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>24 Warren Street</u>	<u>Newton</u>	<u>02458</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>65003 0011</u>	<u>42.3277081</u>	<u>-71.1833481</u>
f. Assessors Map/Plat Number	d. Latitude	e. Longitude
	<u>65003 0011</u>	
	g. Parcel /Lot Number	

2. Applicant:

<u>Jeffrey</u>	<u>Goldman</u>	
a. First Name	b. Last Name	
c. Organization		
<u>24 Warren Street</u>		
d. Street Address		
<u>Newton</u>	<u>MA</u>	<u>02458</u>
e. City/Town	f. State	g. Zip Code
<u>(617) 312-6964</u>	<u>jeffsgoldman7@gmail.com</u>	
h. Phone Number	i. Fax Number	j. Email Address

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

same

a. First Name b. Last Name

c. Organization

d. Street Address

e. City/Town f. State g. Zip Code

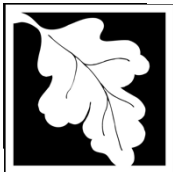
h. Phone Number i. Fax Number j. Email address

4. Representative (if any):

<u>James</u>	<u>DeVellis, PE</u>	
a. First Name	b. Last Name	
<u>DeVellis Zrein, Inc.</u>		
c. Company		
<u>Po Box 307</u>		
d. Street Address		
<u>Foxborough</u>	<u>MA</u>	<u>02035</u>
e. City/Town	f. State	g. Zip Code
<u>781 771 8104</u>	<u>jim@develliszrein.com</u>	
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$110</u>	<u>\$42.50</u>	<u>\$67.50</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 of a single family home addition with stormwater mitigation

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 County

a. County

50411

c. Book

b. Certificate # (if registered land)

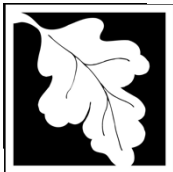
431

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	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	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:

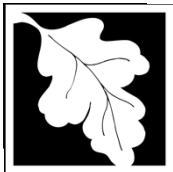
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
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5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

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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Newton

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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. 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.

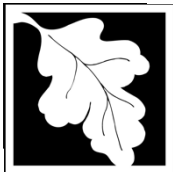
a. square feet of BVW

b. square feet of Salt Marsh

5. Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



Massachusetts Department of Environmental Protection
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WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:	
MassDEP File Number	_____
Document Transaction Number	_____
Newton	_____
City/Town	_____

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**

2008 _____
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*

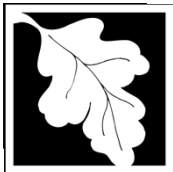
- Percentage/acreage of property to be altered:
 - (a) within wetland Resource Area _____ percentage/acreage
 - (b) outside Resource Area _____ percentage/acreage
- Assessor's Map or right-of-way plan of site

- 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 **
 - (a) Project description (including description of impacts outside of wetland resource area & buffer zone)
 - (b) 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. 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:

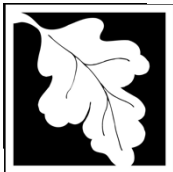
Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

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 No

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



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WPA Form 3 – Notice of Intent

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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.

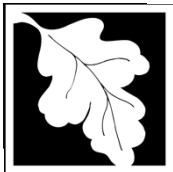
D. Additional Information

- 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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Newton

City/Town

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.

C-1 SITE PLAN, L-1 PLANTING PLAN DATED 09-19-24

a. Plan Title

DeVellis Zrein Inc.

James J. DeVellis, PE

b. Prepared By

c. Signed and Stamped by

1"=20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

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:

2511

2. Municipal Check Number

09-19-24

3. Check date

2512

4. State Check Number

09-19-24

5. Check date

09-19-24 DeVellis Zrein Inc.

6. Payor name on check: First Name

James J. DeVellis, PE (DZI)

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent


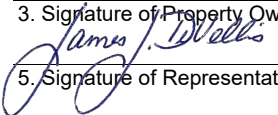
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Newton
City/Town

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.

 (agent for Jeffrey Goldman)	09-19-24
1. Signature of Applicant	2. Date
3. Signature of Property Owner (if different)	09-19-24
4. Date	09-19-24
 (if any)	09-19-24
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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
category 1: Work on single family lot; addition	1	\$110	\$110
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee:			\$ 110
Step 6/Fee Payments:			
Total Project Fee:			\$110
			a. Total Fee from Step 5
State share of filing Fee:			\$42.50
			b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:			\$67.50
			c. 1/2 Total Fee plus \$12.50

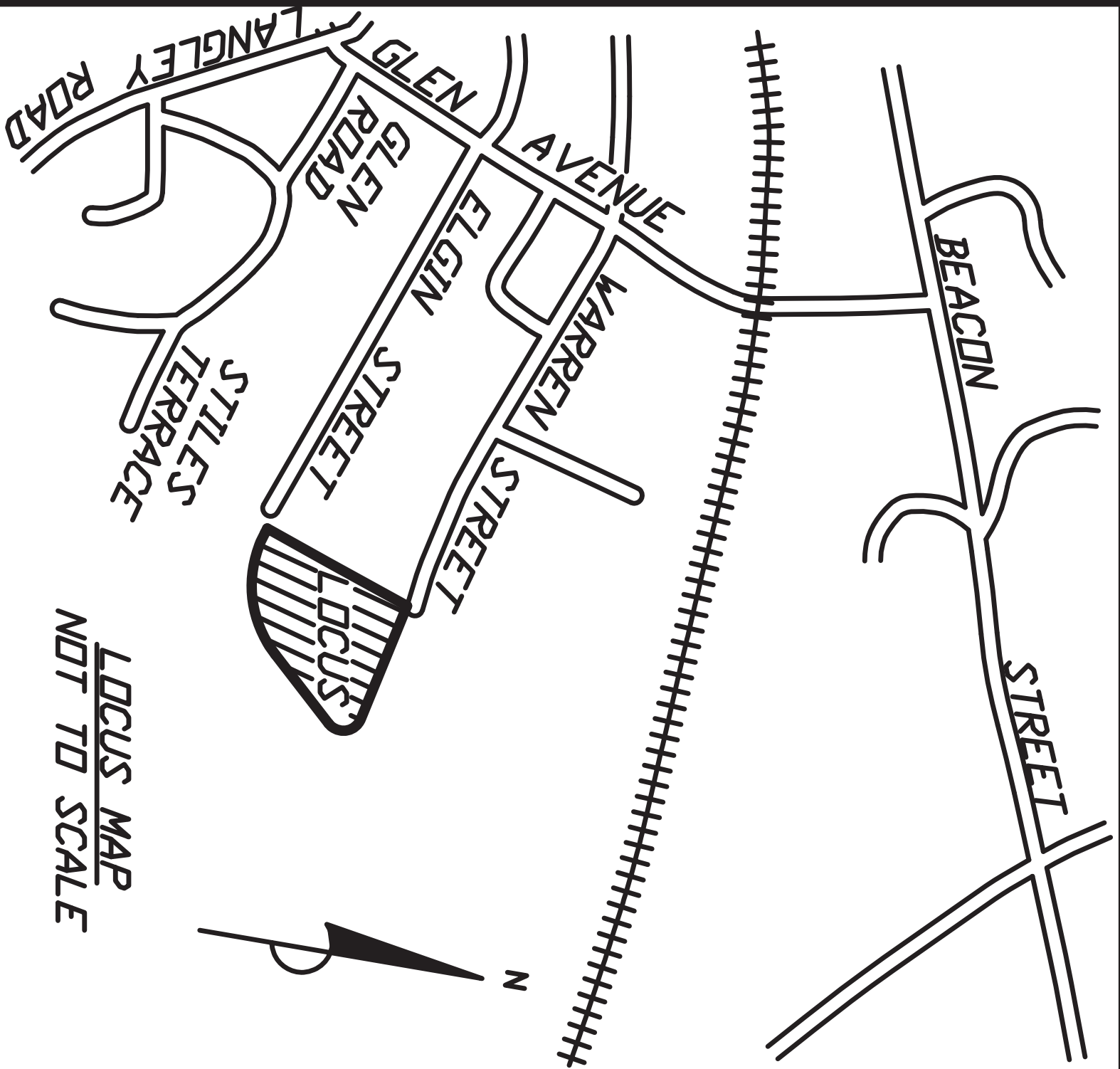
C. Submittal Requirements

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.

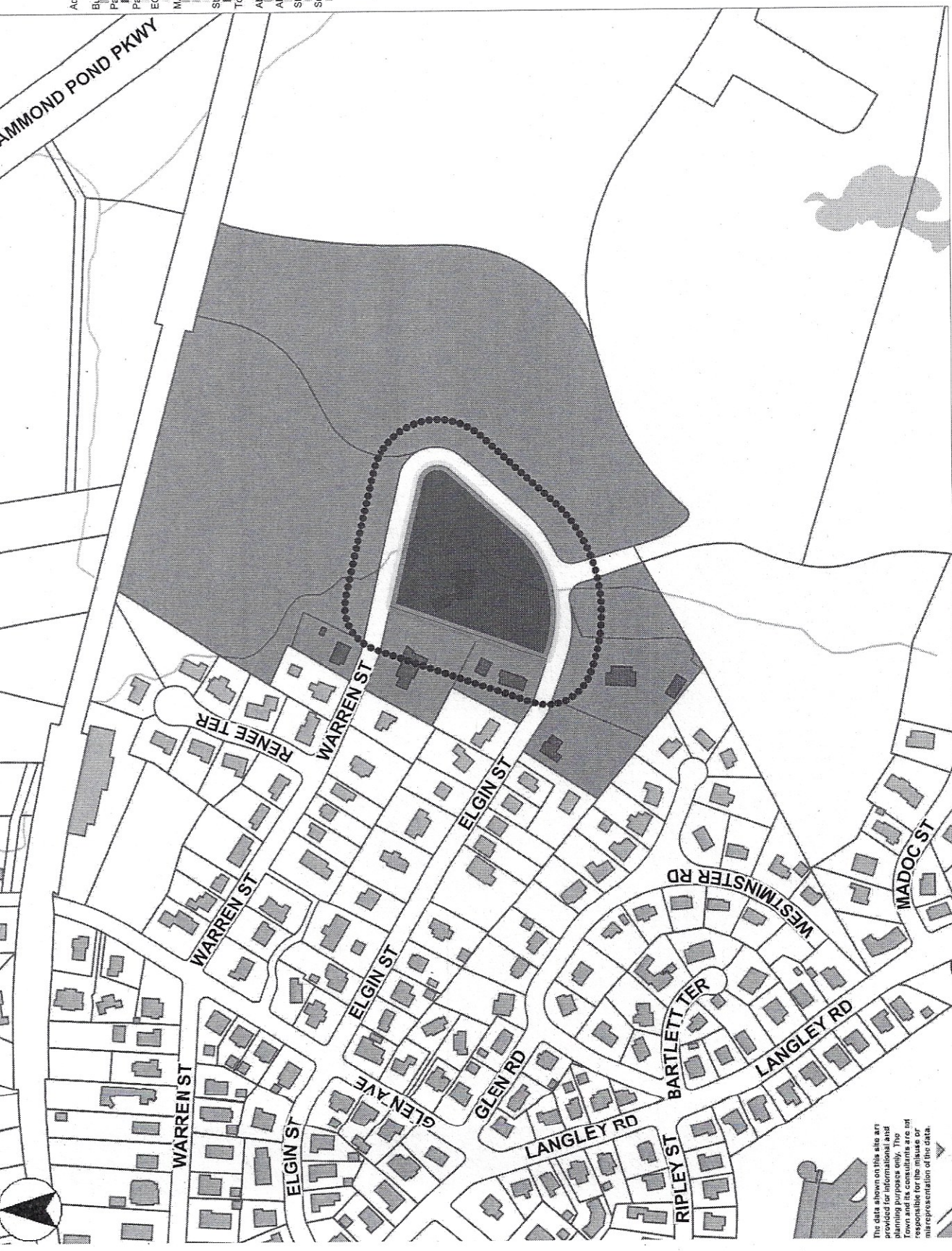
Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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.)



LOCUS MAP
NOT TO SCALE



- 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 city boundaries are for informational purposes only and do not constitute a representation of the data.



Printed on 06/12/2024 at 02:13 PM

Newton, MA DPW - MapsOnline

[print this list](#)**Abutters List**

Date: June 12, 2024

Subject Property Address: 24 WARREN ST Newton, MA
Subject Property ID: 65-003-0011

Search Distance: 100 Feet

Owner: CINTOLO MICHAEL TR
Co-Owner: 39 WARREN STREET TRUST
Prop ID: 65-002-0012
Prop Location: 39 WARREN ST Newton, MA
Mailing Address:

24 WARREN ST
NEWTON CENTRE, MA 02459-2359

Owner: CITY OF NEWTON
Co-Owner: RECREATION DEPT
Prop ID: 65-002-0013
Prop Location: WARREN ST Newton, MA
Mailing Address:
1000 COMM AVE
NEWTON, MA 02459

Owner: FRIEDLANDER LYNNE
Prop ID: 65-003-0010
Prop Location: 40 WARREN ST Newton, MA
Mailing Address:
40 WARREN ST
NEWTON, MA 02459

Owner: FORTE ROBERT J & DANIELLE Q
Prop ID: 65-003-0012
Prop Location: 175 ELGIN ST Newton, MA
Mailing Address:
175 ELGIN ST
NEWTON CENTRE, MA 02459

Owner: ROBERTS JUSTIN
Co-Owner: POPKAVE DANA
Prop ID: 65-004-0040
Prop Location: 170 ELGIN ST Newton, MA
Mailing Address:
170 ELGIN ST
NEWTON, MA 02459

Owner: ALTMAN RORY
Co-Owner: MAYNE REBECCA
Prop ID: 65-004-0041
Prop Location: 180 ELGIN ST Newton, MA
Mailing Address:
180 ELGIN ST
NEWTON, MA 02459

Owner: CITY OF NEWTON
Prop ID: 65-004-0042
Prop Location: 190 ELGIN ST Newton, MA
Mailing Address:
1000 COMMONWEALTH AVE
NEWTON, MA 02459

Owner: CITY OF NEWTON
Co-Owner: PARK LAND
Prop ID: 65-008-0002
Prop Location: ELGIN ST Newton, MA
Mailing Address:
1000 COMM AVE
NEWTON, MA 02459

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

I, **James J. DeVellis, PE** of **DeVellis Zrein Inc.** hereby certify under the pains and penalties of perjury that on **September 23, 2024** I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws, Chapter 131, Section 40 and the DEP Guide to Abutter Notification in connection with the following matter:

A one-story addition(s) to a single family home located at 24 Warren Street.

The project includes grading, drainage, tree removal, tree planting and landscaping.

A Notice application was filed under the Massachusetts Wetlands Protection Act by **DeVellis Zrein, Inc. on behalf of Jeffrey Goldman** with the Newton Conservation Commission on September 23, 2024 for the property located at **24 Warren Street in Newton, MA.**

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

James J. DeVellis

signature

09-23-24

date



MEMORANDUM

Date: September 23, 2024
To: City of Newton Conservation Commission
From: James J. DeVellis, P.E.
Project: 24 Warren Street Home Addition Notice of Intent (NOI)
Re: Project Narration and Drainage Summary

Project Narration

Jeffrey Goldman (owner and applicant) is proposing a one floor bedroom addition and a garage storage area to his home at 24 Warren Street where he resides.

The addition for the one floor bedroom is proposed at the southwest area of his home and a garage storage area is proposed at the northwest corner of the current garage.

In 2009 Mr. Goldman a NOI to construct his house and the intent of the design was to only build one house on land that could have been developed into many homes. Extensive tree protection measures have been implemented as well as other conservation and green design measures such as a green roof, geothermal wells, an extensive rainwater collection system consisting of drywells and stone infiltration trenches and a large 10,000-gallon underground storage tank for storage and irrigation to supplement wells and eliminate potable water use.

Wetland Resources

Thompson Brook and its 100-foot buffer bisects the property. In 2009 extensive plantings and restoration to the banks to address the past development prior to the purchase were approved by the Commission and the area has thrived. The additions to the home are proposed furthest from the brook and into the hill to minimize disturbance. Refer to the Landscape Memo prepared by Jessayn Jarrest Landscape Architecture LLC for planting description. No changes to the brook are proposed, the banks and wetland limits remain as was in the 2009 approvals.

Drainage Summary

In 2009, the NOI provided a drainage system consisting of drywells, infiltration piping and a large 10,000-gallon underground collection tank. Both proposed rooftops will be collected with gutters and downspouts and 100% of the proposed rooftop will connect into this existing system. Collection pipes are designed around the development areas to tie directly into the system. There will not be any increase in peak runoff and the irrigation system will continue to accept all the runoff should the drywells and infiltration piping allow extra runoff into the tank. The conservation commission had extensive review in 2009 and there is no change to runoff since approval and construction.



Jessalyn Jarest

Landscape Architecture

MEMO

TO: Jennifer Steele, Town of Newton

FROM: Jessalyn L Jarest

DATE: 09.23.2024

RE: NOI – Landscape Memo

PROJECT No: 2G1S-563

The proposed additions to the existing home will require work within the 100' buffer zone. The client is committed to developing a landscape plan that is both ecologically diverse and beautiful. The plan was developed using a planting palette of native and improved native plants as well as the guidance from the Newton Conservation Commission's Mitigation/Restoration Planting Consolidated Guidelines. The planting approach along the south side of the property uses native evergreen plantings and thickets of Clethra and Redtwig Dogwood to provide screening into the property from the adjacent walking paths. The groundcover layer is a mix of fern and sedge. This placement allows for the removal of euonymus groundcover and other invasive weeds in this area of the property.

The planting becomes more detailed as you move closer to the house and the proposed addition. With a mix of trees, shrubs, and groundcovers; we are developing a robustly diverse habitat for wildlife. The plan utilizes native berry producing shrubs like Viburnums and Hollies in the landscape as well as canopy trees such as Pin Oaks and Nyssa. The diversity carries through with a mixed groundcover planting of ferns, sedges, and flowering plants. Groundcovers are proposed on average of 2' o.c. and shrubs have been located using their average growth spread. Canopy trees and understory trees are positioned in the landscape to provide replacement for the 3 trees that will be removed as a part of this project.

During our site walk we discovered Beech Leaf Disease as well as Beech Bark Disease. Our client is interested in working with his arborist to try to save the Beech trees on his property. We would like to propose a Beech tree management plan as another measure to offset the removal of the trees on the property. While this treatment is still experimental, our client would like to give them a fighting chance. We hope you and the Tree Warden will see this as a viable landscape solution to offset the tree removals on the property.