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SITE REPORT TO SUPPLEMENT NOTICE OF INTENT

**145 Warren Street
Newton, Massachusetts**

Prepared for:

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Prepared by:



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INTRODUCTION

This Notice of Intent has been filed under 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 the Newton Floodplain Ordinance (Section 22-22; the “Ordinance”). The City of Newton does not have a wetlands protection ordinance.

A Notice of Intent was filed for a similar project on this site on April 1, 2019. The Newton Conservation Commission issued an approval Order of Conditions for that project on April 19, 2019 under DEP File No.: 239-0833. The Order of Conditions has been recorded at the South Middlesex Registry of Deeds at Book 76444, Page 85. The Order of Conditions was subject to Administratively Approved Minor Plan Changes on November 15, 2019 which reduced the scope of the work approved under the Order of Conditions within the 100-foot Buffer Zone. As work has not been initiated on this project, a Request for a complete Certificate of Compliance for the project approved under DEP File NO.: 239-0833 will be submitted for review once the Order of Conditions for the currently proposed project has been issued.

The subject site consists of 0.537± acres of land located to the north of Warren Street in eastern Newton, Massachusetts. The subject site is largely previously developed with a single-family house with a detached garage, paved driveway, flagstone front walk, chain-link fencing, and associated poorly-maintained lawn with peripheral trees and landscaping. The house was constructed in 1916 and is deemed “preferably preserved” by the Newton Historical Commission. A drainage easement is located on the site along the western and northern property boundaries. Railroad tracks are located to the north of the site. The wetland resources observed on or near the site are described in the Wetland Resource Evaluation, prepared by EcoTec, Inc., dated March 25, 2019, a copy of which is included as part of this Notice of Intent. The intermittent stream boundary described in the Wetland Resource Evaluation and shown on the proposed site plan is the same as was approved under DEP File No.: 239-0833.

PROJECT DESCRIPTION AND DISCUSSION

The proposed project consists of the demolition of the existing detached garage and associated site features; the renovation of the existing single-family house into a residential unit with a one unit addition to the rear; the construction of two additional residential units in the northern portion of the lot which are connected to the two southern units by an elevated concrete deck over shared garaged-parking; various decks, landings, and walkways; paved driveway/access to the east of the proposed structure; significant stormwater infiltration systems; utilities; and associated grading, lawn, and significant landscaping. Please see the attached reduced architect plan sheets (i.e., Cover Sheet and Sheets A1 to A5) for additional information regarding the proposed residential structure configuration. The project proposed under this filing is a scaled-back version of the project approved under DEP File No.: 239-0833. The proposed building is located further from the wetlands and rear property line and grading in the 25-foot Buffer Zone is reduced compared to the previously approved plan.

The proposed project results in increased impervious surface on the site and in the 100-foot Buffer Zone compared to existing conditions. According to the Stormwater Report, prepared by VTP Associates, Inc., under existing conditions, 5,879± square feet of the site is covered by impervious surfaces consisting of the house, detached garage, and paved driveway. None of this existing impervious area is located within the 100-foot Buffer Zone. Under proposed conditions, 11,255± square feet of the site will be covered by impervious surfaces consisting of the residential structure, paved driveway, and walkways compared to 11,862± square feet for the previously approved plan. The proposed plan has a larger building area at 7,876± square feet and a smaller driveway area at 2,766± square feet than the previously approved project with 7,513± square feet of building and 3,484± square feet of driveway. For the proposed plan, approximately 2,660± square feet of building, retaining walls, stairs, and walkways is proposed within the 100-foot Buffer Zone; the previously approved plan had 3,920± square feet of impervious surfaces including building and pavement in the 100-foot Buffer Zone. Under the proposed plan, the driveway is located entirely outside of the 100-foot Buffer Zone.

Under existing conditions roof and driveway runoff is directed to the ground surface. Under proposed conditions, roof runoff will be directed to various infiltration systems and driveway runoff will be collected and pretreated through a catch basin and discharged to an infiltration system. Although impervious surfaces on the site will increase because of the proposed project, the proposed stormwater management systems have been designed to control the post-development runoff to pre-development levels.

The proposed project will require the removal of a number of trees on the site and within the 100-foot Buffer Zone. Two larger trees (20 and 28" diameter), an 8" tree, and a 7" tree located near the intermittent stream are located outside of the erosion control barrier/limit of work and will be retained and protected under the proposed plan. A number of the trees proposed to be removed are Norway maples. In addition, in order to prepare the inner Buffer Zone for the proposed robust native landscape plan, Norway maple saplings and shrubs and honeysuckle shrubs will be removed. The proposed Landscape Plan includes significant sapling, shrub, and fern/forb plantings in the 100-foot Buffer Zone in the northern portion of the site intended to stabilize the area and provide for enhance wildlife habitat value in this area compared to the existing condition. A listing of plant materials is provided on the Landscape Plan. Compliance with the Newton Tree Ordinance regarding the removal of a total of eleven trees 8" and larger with a total of 140 caliper inches will be addressed with the City of Newton Tree Warden. The Landscape Plan provides for 198 caliper inches of replacement by trees species.

The generalized construction sequence for the proposed project, subject to modification, is as follows:

1. Prepare site for construction: Install construction entrance, as necessary, perimeter fencing; erosion controls; maintain extra supply of erosion control materials (i.e., silt fence, stakes; compost sock, etc.) on site;

2. Install tree protection for trees outside the limit of work to be saved in the northern portion of the site;
3. Demolish existing garage, partially demolish existing house, as necessary, to allow for proposed work to commence; dispose of debris;
4. Remove specified trees within Limit of Work; grub the root balls; dispose of debris;
5. Remove existing driveway; dispose of debris;
6. Install stormwater infiltration systems, with associated drainage lines and inlet protection, as required;
7. Install subsurface utilities;
8. Rough grade site; rough-out proposed driveway; install driveway retaining wall;
9. Excavate for foundation, pour footings and foundation walls, and backfill foundations; install retaining walls;
10. Install driveway base;
11. Install framing, windows and doors, exterior siding and trim, roof shingles, and gutters and downspouts, connecting to drainage system;
12. Install trees, saplings, shrubs and other landscaping plantings within the Limit of Work;
13. Complete driveway paving;
14. Complete final site grading; seed or hydroseed; and
15. Complete interior finishes of the residential units.

No work is proposed within any wetland resource area under the Act and Regulations or the Ordinance. A portion of the proposed project will occur within the 100-foot Buffer Zone to a largely off-site intermittent stream. As detailed below, the proposed project has been designed to comply with the narrative performance standard for work within the 100-foot Buffer Zone set forth at 310 CMR 10.53(1) and the Newton Conservation Commission 25-foot Naturally Vegetated Buffer (NVB) Policy.

NARRATIVE PERFORMANCE 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, an erosion control barrier consisting of entrenched siltation fence fronted by compost sock, which will also serve as the Limit of Work, will be located around the site perimeter as shown on the Site Plan. The erosion control barrier has been located to protect the larger trees to be saved in the northern portion of the site. This erosion control barrier will be maintained until the site is stabilized by building, pavement, or vegetation. Approval of the issuing authority will be received prior to the removal of the erosion control barrier. The topography of the site under both existing and proposed conditions slopes gradually to the north. The proposed retaining walls will generally decrease the slope to the north across the site. The proposed project results in increased impervious surface on the site and in the 100-foot Buffer Zone. However, the proposed stormwater management systems have been designed to control the post-development runoff to pre-development levels. The proposed project will remove a number of trees, including invasive Norway maples; will remove invasive Norway maple saplings and shrubs and tartarian honeysuckle shrubs; and will provide significant sapling, shrub, and fern/forb plantings as part of a significant landscaping effort on the site. This will help to stabilize the northern portion of the site and will provide for enhance wildlife habitat value in this area compared to the existing condition.

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 existing resource is a partially ballast filled stream channel located to the rear of the site at the toe of a ballast slope associated with railroad tracks. The intent of the landscaping plan is to preserve larger native trees in the rear of the site; remove invasives in the area such as Norway maples and honeysuckle; and to re-establish a vegetative buffer proximate to the ditch. The proposed site plan shows very limited grading within the 25-foot Buffer Zone and the grading shown is very near the 25-foot Buffer Zone boundary. The proposed minimal grading, the preservation of the larger native trees in the area, the removal of invasives, and the planting of new woody and herbaceous species in this area (and beyond) will preserve and enhance the shading in the area, allow for infiltration

and release of precipitation, allow for flood storage should the stream become blocked, allow for the uptake and breakdown of pollutants and nutrients, provide light and sound buffering from the development, and provide for enhanced upland habitat for various wildlife species.

CONCLUSIONS

In conclusion, work associated with the proposed project will not occur in wetland resource areas subject to protection under the Act, Regulations, or Floodplain Ordinance. Work is proposed within the 100-foot Buffer Zone under the Regulations. As described above, the work has been designed to meet the narrative performance standards for work in the 100-foot Buffer Zone and the City of Newton 25-foot Naturally Vegetated (NVB) Policy. Significant native landscaping is proposed in the northern portion of the site, particularly in the area between the proposed structure and the largely off-site stream. No portion of the Floodplain Ordinance applies to the site. As such, it is EcoTec's opinion that the proposed project complies with the applicable provisions of the Act and Regulations and will serve to protect the applicable statutory interests.

Attachments