

February 5, 2020

Newton Conservation Commission
Newton City Hall
1000 Commonwealth Ave.
Newton Centre, Massachusetts 02459

Re: Notice of Intent
10 Cumberland Road (Map 27SE Lot 33017 0013), Newton, MA

Dear Newton Conservation Commission,

Goddard Consulting, LLC is pleased to submit this Notice of Intent (NOI) Application on behalf of the applicant, David Chao, for the construction of a deck, to rebuild an existing sunroom, and to rebuild a garage on an existing single-family house within 100 feet to a Bordering Vegetated Wetland (BVW). This work is proposed to occur at the property addressed as 10 Cumberland Road (Map 27SE Lot 33017 0013) in Newton, MA. This NOI application is a filing under the MA Wetlands Protection Act (WPA).

Two copies of the NOI application and plans are enclosed. A digital copy of the entire submission has also been submitted. The titles of all the documents enclosed are as follows:

- NOI (WPA Form 3) Application Form
- NOI Wetland Fee Transmittal Form, Copy of Checks
- Conservation Commission Wetland Application Coversheet/Checklist
- Abutters List, Abutter Notification
- *Wetland Border Report*. Goddard Consulting, LLC. 9/8/20
- Orthophoto View of Site. Goddard Consulting, LLC. 9/10/20
- USGS of Locus Site. Goddard Consulting, LLC. 9/10/20
- *Plan of Land in Newton, MA*. Everett M. Brooks CO. 1/29/21

Existing Conditions:

The ±0.26-acre site is located at 10 Cumberland Road, Newton (see orthophoto view of site). The site consists of a single-family house. Wetland resource areas on site consist of Bordering Vegetated Wetland (BVW) (see attached *Wetland Border Report*).

Proposed Conditions:

The applicant proposes to construct a screen porch, rebuild an existing sunroom on the existing single-family, house, and rebuild a garage within buffer zone to BVW. The closest proposed work occurs approximately ±50' from the on-site BVW. No impact to BVW or the 25' Buffer Zone onsite is proposed.

An erosion control barrier will be installed along the limit of work to protect downgradient wetland resource areas.

Regulatory Compliance under the MA Wetlands Protection Act

Statement of Jurisdiction: 310 CMR 10.02(3)

No work is proposed within BVW. The work proposed under this application impacts the Buffer Zone to BVW, therefore under the WPA the project is subject to 310 CMR 10.02(3) which states:

“3. Activities within the buffer zone which do not meet the requirements of 310 CMR 10.02(2)(b)1. and 2. are subject to preconstruction review through the filing of a Determination of Applicability to clarify jurisdiction or a Notice of Intent under the provisions of 310 CMR 10.05(4) and 10.53(1).”

This submittal is a Notice of Intent application. The WPA Regulations [310 CMR 10.02(2)(b)] do not contain performance standards for Buffer Zone Alteration. All reasonable efforts to avoid and minimize adverse impacts on the buffer zone have been considered, however alteration of the buffer zone will be necessary to meet project goals since a portion of the site is located within the 100-ft buffer zone. Erosion controls will be established along the limit of work.

Compliance under the 25' Naturally Vegetated Buffer Policy

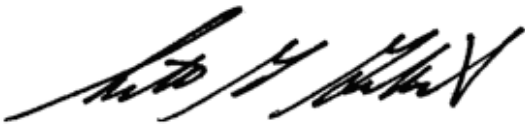
No impacts are proposed to the 25' buffer zone in accordance with the local 25' Naturally Vegetated Buffer Policy.

Conclusion:

It is our professional opinion that the proposed construction will not have an adverse impact to the BVW resource areas on site. Adequate sedimentation control has been proposed to protect resource areas during the construction process. It is therefore our professional opinion that the Conservation Commission should approve this application with the issuance of an Order of Conditions.

If there are any questions concerning this submission, please do not hesitate to contact us.

Very truly yours,



Scott Goddard, Principal & PWS
GODDARD CONSULTING, LLC

CC: David Chao, 10 Cumberland Road, Newton, MA 02465
MassDEP Northeast Regional Office, Wetlands Division, 205B Lowell St., Wilmington, MA
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