



March 16, 2021

Daniel Green, Chair  
c/o Jennifer Steel, Chief Environmental Planner  
Newton Conservation Commission Conservation Commission  
Planning and Development Department  
1000 Commonwealth Avenue  
Newton, MA 02459

Via: FedEx and Email to [jsteel@newtonma.gov](mailto:jsteel@newtonma.gov)  
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Reference: Request to Amend an Order of Conditions  
MassDEP File No. 239-0876  
33 Staniford Street  
Newton, Massachusetts  
B+T Project No. M8691.01

Dear Members of the Conservation Commission:

On behalf of Zaid Ashai and Sarah Rahman (collectively 'the Applicant'), Beals and Thomas, Inc. (B+T) is respectfully submitting this request to Amend an Order of Conditions (OOC; MassDEP File No. 239-0876). The original Order of Conditions was issued for the construction of an observation deck and buffer zone enhancements at 33 Staniford Street in Newton, Massachusetts.

Subsequent to the issuance of the OOC for the observation deck and buffer zone enhancement activities, design changes have been explored within the 100-foot Buffer Zone to Bordering Vegetated Wetland (BVW). No direct wetland disturbance will be contemplated by these adjustments, and the proposed Buffer Zone Enhancement Area will be maintained in its originally permitted fashion. However, the Applicant is seeking permission from the Newton Conservation Commission ('the Commission') to revise the layout, footings, and location of the observation deck, to place stone walking steps leading to the area down-gradient of the deck, and to install patio seat walls along the southern side of the deck within the existing lawn. The three (3) proposed changes are as detailed below.

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#### Alternate Deck Location and Footings

The proposed deck is currently permitted largely within the footprint of the existing lawn. However, the intent as described during the original Notice of Intent, is to have the deck begin at the edge of the existing lawn and extend over the slope as shown in the enclosed revised plan set. The plans now show two (2) options for deck construction within a revised limit of work to accommodate this change. The Applicant is seeking permission from the Commission to have the option to pursue either of these configurations during the installation phase of the Project. Both layouts have been proposed to maintain a maximum footprint of approximately 600 square feet as originally permitted.

In addition to the revised layout, the Applicant is also seeking permission to maintain the option to utilize helical screw piles for the footings of the deck. As currently permitted, only concrete sonotube installations are defined. If pursued, the option to utilize screw piles will require less land disturbance than sonotubes as these helical piles can be directly screwed into the substrate.

#### Walking Stones along Slope

The Applicant is seeking permission from the Commission to place natural stone steps starting at the edge of lawn to the west of the proposed deck. These steps will follow the existing grade along an existing open path, leading to the flatter portion of the slope which is located north and down-gradient of the deck. In its current state, the steep path is essentially bare, unstable soil. Creating a path of stone steps will provide a safe way for the Applicant and their family to enjoy the ecological benefits of the landscape while also being minimally intrusive and stabilizing the slope.

#### Patio Walls within Lawn

The Applicant is proposing to line a portion of the southern edge of the deck with a low seat wall to match the existing modular concrete block seat wall that was installed as a part of the Applicant's recent outdoor patio upgrades. This wall will be within the limits of the existing maintained lawn and will sit on a crushed stone base, requiring minimal site disturbance for installation.

This amendment request is submitted in accordance with the Massachusetts Wetlands Protection Act, MGL, Chapter 131, Section 40 and associated Regulations at 310 CMR 10.00 (collectively referred to as the Act), the Newton Floodplain/Watershed Protection Provisions and Newton's 25-foot Naturally Vegetated Buffer Policy.

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Should you have any questions regarding this matter or require additional information, please contact us at (508) 366-0560. We thank you for your consideration of this Request to Amend an OOC and look forward to meeting with the Commission at the next available public hearing

Very truly yours,  
BEALS AND THOMAS, INC.



Regan E. Andreola, RLA, LEED®AP, SITES®AP

Enclosures: Revised Site Plan  
Certified Abutters List

cc: MassDEP Northeast Regional Office (1 copy via Certified Mail)  
Zaid Ashai and Sarah Rahman (1 copy via FedEx)

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