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April 21, 2021

Mr. Stefanos Efstratoudakis  
Stefco Builders  
90 Allandale Street  
Boston, MA 02130

RE: NOI Site Report for 58 Everett Street, Newton, Massachusetts

Dear Mr. Efstratoudakis:

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.

The subject site consists of a 0.262±-acre or 11,426± square foot parcel located to the south of Everett Street in east-central Newton, Massachusetts. The site is entirely previously developed and the eastern portion of the site is degraded with a single-family house with porches, detached garage, a significant paved and concrete driveway, front stairs and walkway, rear walkway, rear patio, retaining walls, various fences, and associated lawn and landscaping with several saplings. Roof runoff is discharged to the ground surface via several downspouts. Driveway runoff is not collected or treated. Hammond Brook flows generally to the north and west within a walled channel to the south of the site. The wetland resources observed on and near the subject site are described in a separate Wetland Resource Evaluation which is included as part of the Notice of Intent filing.

### **Project Description and Analysis**

The subject site is 11,426± square feet in size and is located entirely within 200 feet of Hammond Brook. Approximately 8,005± square feet and 3,421± square feet of the site are located within 100 feet and between 100 and 200 feet of Hammond Brook, respectively. Accordingly, any work proposed on the site must occur within the Riverfront Area.

The proposed project consists of the demolition of the existing single-family house with porches and a detached garage and associated site features including a significant paved and concrete driveway, front stairs and walkway, rear walkway, rear patio, retaining walls, and various fences and the construction of a new single-family house with a two-car garage, side bulkhead, and two side egress windows; a smaller paved driveway, a gravel driveway; paver front walkway with concrete front landing; stone path, two retaining walls; replacement of existing fencing with

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wildlife-friendly fencing; and associated grading, lawn, and landscaping. The existing saplings located within lawn in the western portion of the site are proposed to be removed. The existing rear patio to be removed and the proposed rear pervious paver patio and in-ground swimming pool are minor exempt activities pursuant to 310 CMR 10.02(2)(b)2.e. and have been shown on the Site Plan and included in this letter to describe the complete proposed project. The project also includes a proposed trench drain, manhole sump, and two infiltration systems to address driveway and roof runoff in accordance with City of Newton standards. Tree protection (and removal of invasive vines) is proposed for the red maple tree to be retained in the enhancement planting area. Lastly, the project includes an over-sized 1,200± square foot enhancement planting area (only 342± square feet is required) located in the southwestern portion of the site within the inner Riverfront Area to mitigate for the proposed 171± square foot increase in proposed regulated impervious/degraded surfaces on the site. Proposed lawn areas will be brought to grade and will be seeded or sodded as lawn. The proposed limit of work will be demarcated in the field by the erosion control barrier consisting of either entrenched siltation fence fronted by a compost sock or compost sock only as shown on the Site Plan. Excavated soil will be temporarily stored on-site in covered stockpiles within the limit of work on the site with excess soil trucked from the site as soon as the foundation has been backfilled. Lastly, a sidewalk, as shown on the Site Plan, will be constructed between the site and Everett Street as required by the current City Zoning Ordinance.

Under existing conditions, the site is developed with a 1,246± square foot single-family house with porches and a 328± square foot detached garage, a significant 1,305± square foot paved and concrete driveway, front stairs and walkway, rear walkway, rear patio, and retaining walls with associated lawn and landscaping. A total of 3,209± square feet of impervious surfaces associated with the house with porches, detached garage, driveway, front stairs and walkway, rear walkway, and retaining walls occurs on the site. The existing 230± square foot patio was not included in the existing impervious area calculation. The existing house is located 77± feet, the detached garage 38± feet, and the concrete driveway 51± feet from Hammond Brook. The entire site is previously developed with significant degraded areas located in the eastern portion of the site. Existing driveway and roof runoff discharge unchecked to the ground surface.

Under proposed conditions, the site will be redeveloped with a 2,151± square foot single-family house with a two-car garage, side bulkhead, and two side egress windows; a 535± square foot paved driveway, a gravel driveway; paver front walkway with concrete front landing; stone path, two retaining walls; replacement of existing fencing with wildlife-friendly fencing; and associated grading, lawn, and landscaping. A total of 3,380± square feet of impervious surfaces associated with the house with bulkhead and egress windows, paved and gravel driveways, front walkway and landing, stone path, and retaining walls is proposed. The proposed 802± square foot pervious paver patio and 496± square foot in-ground swimming pool were not included in the proposed impervious area calculation. As such, the proposed project results in a 171± square foot increase in regulated impervious surfaces which requires a 342± square foot enhancement planting area; an over-sized 1,200± enhancement planting area has been proposed. The proposed project also reduces the 1,306± square foot pavement/concrete driveway to a 535± square foot pavement driveway resulting in 771± less paved/concrete driveway on the site. The project

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includes the installation of new underground utilities, retaining walls, fencing, and project associated grading, lawn, and landscaping. The proposed house is located 68± feet, the paved driveway is 95± feet, and the gravel driveway is located 85± feet from Hammond Brook. Proposed driveway runoff which is collected and pretreated through trench drain and manhole and roof runoff will be routed to proposed infiltration systems located beneath the driveway and in the rear yard. Compliance with the applicable performance standards for work in the Riverfront Area is discussed in a subsequent section of this letter.

### **Enhancement Planting Area Plan**

An over-sized 1,200± square foot enhancement planting area (or 10.5% of the lot) will be established within the inner Riverfront Area in the southwestern portion of the site. The proposed plantings include six (6) saplings of three species; thirty-four (34) shrubs of four species; and thirty-four (34) smaller shrubs/ground cover plantings of four species. These plantings will serve to stabilize this area, reduce stormwater runoff, and provide enhanced wildlife habitat, including cover, perching, and foraging habitat, compared to the existing condition. The existing grass in the area will be cut very short/scalped prior to planting. The lower branches of two off-site Norway maple trees located at the property line will be pruned as necessary to allow better light penetration. The English ivy on the red maple tree to be preserved in the area will be cut and pulled. Existing ferns in the area near the southern property line will be retained as part of the area. The enhancement planting area includes 287± square feet of Ordinance Floodplain on the site; the work proposed in the Ordinance Floodplain is limited to removal of existing fence, replacement with wildlife-friendly fence, and the establishment of native plantings under this plan. The proposed sapling and shrub/ground cover plantings will be spaced under the supervision of a qualified wetland scientist and planted in accordance with current landscaping practices (i.e., hole twice as wide and as deep as the root ball with the area around the root ball backfilled with high quality loamy top soil). The proposed plant species listing is provided in the table on the Proposed Conditions Plan of the Plan Set; the selected species are native and have been selected based upon the conditions of the proposed planting area. If a species is not available, a substitution will be recommended by the wetland scientist and approved by Conservation Staff. The excess soil will be removed from the site. Following installation, the plants will be mulched with salt marsh hay and will be watered in well. The area should then be covered with a 3- to 4-inch-thick layer of partially decomposed leaf litter with 15 to 20% natural bark mulch as a stabilizer. This will aid in keeping the plantings moist and will provide temporary cover and habitat value until leaves begin to accumulate in the area. The woody materials will be watered regularly for a period of four weeks, and will be watered, as necessary, if evidence of stress is observed. As shown on the Site Plan, the area will be demarcated in the field with three stone bounds and the outer face of a proposed retaining wall.

**Mitigation Planting Area Monitoring:** The enhancement planting area will be monitored near the end of the growing season for two years after it is established. During each inspection, which will be conducted by a qualified wetland scientist, the condition of the area and the number and species of shrubs and their condition will be documented. Photographs of the area shall be taken,

and representative photographs shall be included in the report. To be considered a success, the sapling and shrub plantings shall have a 75% survival rate (or the survival rate by strata specified in the Order) at the end of the second growing season after establishment. The findings of each inspection will be documented in a report that will be submitted in a timely manner to the Commission. Each report will include any necessary recommendations to bring the area into compliance.

### **Compliance Evaluation under the Regulations**

The proposed project is a mixture of new and redevelopment activities within the Riverfront Area to Hammond Brook, which is located on the abutting property to the south of the site. Certain activities which are proposed within previously developed but not degraded areas of the site, are required to meet the general performance standards for Riverfront Area found at 310 CMR 10.58(4). Activities proposed within previously developed and degraded areas of the site are required to meet applicable standards at 310 CMR 10.58(4) and all the performance standards for a redevelopment project set forth at 310 CMR 10.58(5). The proposed project has been designed as shown in the Plan Set and described within this letter to meet applicable general performance standards for Riverfront Area found at 310 CMR 10.58(4) and the performance standards for redevelopment of the Riverfront Area at 310 CMR 10.58(5), as applicable. A discussion of compliance with these standards is as follows:

**Riverfront Area:** Section 10.58(4) of the Regulations provides the general performance standards for work within the Riverfront Area, which states:

*(4) General Performance Standard. Where the presumption set forth in 310 CMR 10.58(3) is not overcome, the applicant shall prove by a preponderance of the evidence that there are no practicable and substantially equivalent economic alternatives to the proposed project with less adverse effects on the interests identified in M.G.L. c.131 § 40 and that the work, including proposed mitigation, will have no significant adverse impact on the riverfront area to protect the interests identified in M.G.L. c. 131 § 40. In the event that the presumption is partially overcome, the issuing authority shall make a written determination setting forth its grounds in the Order of Conditions and the partial rebuttal shall be taken into account in the application of 310 CMR 10.58 (4)(d)1.a. and c.; the issuing authority shall impose conditions in the Order that contribute to the protection of interests for which the riverfront area is significant.*

*(a) Protection of Other Resource Areas. The work shall meet the performance standards for all other resource areas within the riverfront area, as identified in 310 CMR 10.30 (coastal bank), 10.32 (salt marsh), 10.55 (Bordering Vegetated Wetland), and 10.57 (Land Subject to Flooding). When work in the riverfront area is also within the buffer zone to another resource area, the performance standards for the riverfront area shall contribute to the protection of the interests of M.G.L. c. 131, § 40 in lieu of any additional requirements that might otherwise be imposed on work in the buffer zone within the riverfront area.*

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Work is proposed within the Riverfront Area to Hammond Brook, which is located on the abutting property to the south of the site. No other wetland resource areas subject to protection under the Act occur on the site. Accordingly, no work is proposed within Land Under Water Bodies and Waterways, Bank, Bordering Vegetated Wetlands, or Bordering or Isolated Land Subject to Flooding. Work is proposed within the 100' Buffer Zone to Bank; the 100' Buffer Zone is not a wetland resource area under the Regulations. As discussed above, limited fence removal, fence installation, and enhancement planting with natives is proposed within the 287± square feet of Ordinance Floodplain located in the southwestern corner of the site.

Since the proposed project complies with the general performance standards for work in the Riverfront Area, the compliance with said standards shall contribute to the protection of the statutory interests in lieu of any additional requirements that might otherwise be imposed on work in the 100' Buffer Zone within the Riverfront Area. In any event, the proposed limit of work, erosion controls, stormwater improvements, and enhancement plantings all serve to contribute to the protection of the statutory interests for the adjacent resource areas protected by the Buffer Zone.

*(b) Protection of Rare Species. No project may be permitted within the riverfront area which will have any adverse effect on specified habitat sites of rare wetland or upland, vertebrate or invertebrate species, as identified by the procedures established under 310 CMR 10.59 or 10.37, or which will have any adverse effect on vernal pool habitat certified prior to the filing of the Notice of Intent.*

Based upon the NHESP Atlas, 14<sup>th</sup> Edition, dated August 1, 2017, the site is not located within a mapped Estimated Habitat or Priority Habitat and no mapped Certified Vernal Pools occur on or near the site. As such, the proposed project will not have any adverse effect on specified habitat sites of rare wetland or upland, vertebrate or invertebrate species, and will not have any adverse effect on vernal pool habitat.

*(c) Practicable and Substantially Equivalent Economic Alternatives. There must be no practicable and substantially equivalent economic alternative to the proposed project with less adverse effects on the interests identified in M.G.L. c. 131 § 40...."*

The lot was created prior to 1890. The current owner acquired the site on July 15, 2020 and has no interest or control over adjacent or abutting properties. The project purpose is to demolish the existing single-family house and associated site features and construct a new single-family house with associated site features. The work proposed within degraded areas, including over one-half of the proposed house, the bulkhead, the egress windows, the front landing, and part of the front walkway, occur within the footprint of the existing house, paved driveway, and front stairs and walkway, is exempt from the requirements for an alternatives analysis and will be addressed under the Redevelopment Standards in a subsequent section of this letter.

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The subject site is 11,426± square feet in size and is located entirely within 200 feet of Hammond Brook. Approximately 8,005± square feet and 3,421± square feet of the site are located within 100 feet and between 100 and 200 feet of Hammond Brook, respectively. Accordingly, any work proposed on the site must occur within the Riverfront Area. The existing single-family house and associated site features are proposed to be removed and a new single-family house with associated site features is proposed to be constructed. Mitigation for the proposed work includes driveway and roof runoff infiltration and the construction of an enhancement planting area.

The proposed house has a footprint that has been increased to 2,151± square feet from the existing house with porches (1,246± square feet) and detached garage (328± square feet) of 1,574± square feet total footprint. The location of a proposed house on the site is limited by the front and side-yard setbacks. The house has been set near the front yard setback and is slightly closer to Hammond Brook than the existing house but much further from the Brook than the existing detached garage. The driveway has been greatly reduced in size and has been relocated further from the Brook while providing safe access to the proposed two-car garage. Reducing the house footprint and/or moving the house further from Hammond Brook in a manner that does not affect the project economics does not reduce the impacts on the statutory interests. In other words, given the nature of construction costs and property valuation, a proposed project with a somewhat smaller footprint would not represent an economically equivalent project but would have similar adverse effects on the statutory interests. This proposed project, including mitigation measures for stormwater and enhancement plantings, represents an improvement over existing conditions relative to the protection of the statutory interests.

*(d) No Significant Adverse Impact. The work, including proposed mitigation measures, must have no significant adverse impact on the riverfront area to protect the interests identified in M.G.L. c. 131, § 40....”*

As discussed above, the site is almost entirely previously developed and includes degraded areas associated with the existing single-family house with porches and a detached garage and associated site features including a significant paved and concrete driveway, front stairs and walkway, rear walkway, rear patio, and retaining walls, and previously developed areas that are not degraded such as the associated lawn and landscaping. The existing rear patio and proposed rear patio and in-ground pool were not considered as impervious/ degraded area in this analysis.

Redevelopment activities associated with the proposed project are located within the limit of the existing degraded areas. The total existing regulated degraded area on the site is 3,209± square feet; the total proposed regulated degraded area is 3,380± square feet. A total of 1,465± square feet of the proposed house and associated site features are located within existing degraded areas: over one-half of the proposed house, the bulkhead, the egress windows, the front landing, and part of the front walkway, occur within the footprint of the existing house, paved driveway, and front stairs and walkway. As such, the redevelopment standards apply to these project components. Other project components, such as the balance of the proposed house, paved driveway, gravel driveway, balance of the front walkway, stone path, and retaining walls are subject to the general performance standards for work in the Riverfront Area. The remaining

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existing degraded areas that are not redeveloped will be converted to the unregulated rear patio and pool or be redeveloped as lawn and landscaping. As noted above, the proposed project results in an increase in regulated impervious surfaces on the site of 171± square feet compared to the existing condition; stormwater improvements to address driveway and roof runoff and a 1,200± square foot enhancement planting area (i.e., 10.5% of the site) are proposed as mitigation. These features represent an improvement over the existing condition and will serve to improve the capacity of the Riverfront Area on the site to protect the statutory interests presumed to be significant within the Riverfront Area.

The total area of Riverfront Area proposed to be developed, excluding proposed mitigation, stormwater improvements, and minor activities not subject to regulation, is 4,770± square feet, including both new development and redevelopment activities. Given the age of the lot, the overall proposed Riverfront Area alteration is below the threshold of 5,000 square foot or 10%, whichever is greater. The proposed project is exempt from stormwater management standards under the Regulations; the proposed project includes stormwater management features to address driveway and roof runoff under City of Newton standards. Given the previously developed nature of the Riverfront Area on and near the site, the proposed project will not impair the capacity of the Riverfront Area to provide important wildlife habitat functions. A 1,200± square foot enhancement planting area is proposed in the inner Riverfront Area in the southwestern portion of the site closest to Hammond Brook. The proposed project will serve to augment the wildlife habitat characteristics of the Riverfront Area on the site through proposed native sapling and shrub/ground cover plantings. The proposed project incorporates an erosion control barrier at the limit of work. This barrier will serve as a limit of work and will serve to protect groundwater and surface water quality from non-point source pollution.

Section 10.58(5) of the Regulations provides the performance standards for redevelopment within previously developed and degraded Riverfront Area, which states:

*Redevelopment Within Previously Developed Riverfront Areas; Restoration and Mitigation. Notwithstanding the provisions of 310 CMR 10.58(4)(c) and (d), the issuing authority may allow work to redevelop a previously developed riverfront area, provided the proposed work improves existing conditions. Redevelopment means replacement, rehabilitation or expansion of existing structures, improvement of existing roads, or reuse of degraded or previously developed areas. A previously developed riverfront area contains areas degraded prior to August 7, 1996 by impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds. Work to redevelop previously developed riverfront areas shall conform to the following criteria:*

*(a) At a minimum, proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in M.G.L. c. 131 § 40. When a lot is previously developed but no portion of the riverfront area is degraded, the requirements of 310 CMR 10.58(4) shall be met.*

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As discussed above, the site is almost entirely previously developed and includes degraded areas associated with the existing single-family house with porches and a detached garage and associated site features including a significant paved and concrete driveway, front stairs and walkway, rear walkway, rear patio, and retaining walls, and previously developed areas that are not degraded such as the lawn and landscaped areas. The existing rear patio and proposed rear patio and in-ground pool were not considered as impervious/degraded area for this analysis.

Hammond Brook is located on the abutting property to the south of the site. The total existing regulated degraded area on the site is 3,209± square feet; the total proposed regulated degraded area is 3,380± square feet. A total of 1,465± square feet of the proposed house and associated site features are located within existing degraded areas: over one-half of the proposed house, the bulkhead, the egress windows, the front landing, and part of the front walkway, occur within the footprint of the existing house, paved driveway, and front stairs and walkway. As such, the redevelopment standards apply to these project components. Other project components, such as the balance of the proposed house, paved driveway, gravel driveway, balance of the front walkway, stone path, and retaining walls are subject to the general performance standards for work in the Riverfront Area. The remaining existing degraded areas that are not redeveloped will be converted to the unregulated rear patio and pool or be redeveloped as lawn and landscaping.

As noted above, the proposed project results in an increase in regulated impervious surfaces on the site of 171± square feet compared to the existing condition. Stormwater improvements that are not required under the Regulations to address driveway and roof runoff are proposed; no such features are present under the existing condition. The project will also enhance 1,200± square feet of lawn and landscaping (i.e., 10.5% of the site) with native sapling and shrub/ground cover plantings which will serve to enhance wildlife habitat features and serve to improve the capacity of the Riverfront Area on the site to protect the statutory interests presumed to be significant within the Riverfront Area. These features represent an improvement over the existing condition.

*(b) Stormwater management is provided according to standards established by the Department.*

The proposed project is exempt from stormwater management standards under the Regulations. The proposed project includes a trench drain, manhole sump, and infiltration systems to address driveway runoff and a gutter/roof leader system to direct roof runoff to the proposed infiltration systems which address stormwater runoff under the City of Newton requirements. Drainage Calculations and an Operations and Maintenance Plan for the stormwater system components prepared by VTP Associates, Inc. are included as part of the Notice of Intent.

*(c) Within 200-foot riverfront areas, proposed work shall not be located closer to the river than existing conditions or 100 feet, whichever is less, or not closer than existing conditions within 25-foot riverfront areas, except in accordance with 310 CMR 10.58(5)(f) or (g).*



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Redevelopment activities associated with the proposed project, including the proposed house, and driveway, are not closer to Hammond Brook than the existing detached garage. The existing house, detached garage, and paved/concrete driveway are 77, 38, and 51 feet from Hammond Brook, respectively; the proposed house, paved driveway, and gravel driveway are 68, 91, and 85 feet from Hammond Brook, respectively. The balance of the proposed work meets the general performance standards at 310 CMR 10.58(4).

*(d) Proposed work, including expansion of existing structures, shall be located outside the riverfront area or toward the riverfront area boundary and away from the river, except in accordance with 310 CMR 10.58(5)(f) or (g).*

As detailed above, the proposed house with two-car garage and driveways have been relocated compared to existing conditions. The proposed house has been enlarged and shifted to the north and west compared to the existing house and detached garage; the proposed house is slightly closer to Hammond Brook than the existing house but is much further from the Brook than the existing detached garage. The proposed driveway has been greatly reduced in size and has been relocated further from Hamond Brook while providing safe access to the proposed two-car garage. Redevelopment activities associated with the proposed project are located within the limit of the existing degraded areas. The balance of the proposed work meets the general performance standards at 310 CMR 10.58(4).

*(e) The area of proposed work shall not exceed the amount of degraded area, provided that the proposed work may alter up to 10% if the degraded area is less than 10% of the riverfront area, except in accordance with 310 CMR 10.58(5)(f) or (g).*

Redevelopment activities associated with the proposed project do not exceed the amount of existing degraded area on the site. The balance of the proposed work meets the general performance standards at 310 CMR 10.58(4).

*(f) When an applicant proposes restoration on-site of degraded riverfront area, alteration ay be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), and (e) at a ratio in square feet of at least 1:1 of restored area to area of alteration not conforming to the criteria. Areas immediately along the river shall be selected for restoration. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Restoration shall include:*

- 1. removal of all debris, but retaining any trees or other mature vegetation;*
- 2. grading to a topography which reduces runoff and increases infiltration;*
- 3. coverage by topsoil at a depth consistent with natural conditions at the site; and*
- 4. seeding and planting with an erosion control seed mixture, followed by plantings of herbaceous and woody species appropriate to the site.*

Restoration of degraded Riverfront Area on the site is not proposed as part of this project.

*(g) When an applicant proposes mitigation either on-site or in the riverfront area within the same general area of the river basin, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), or (e) at a ratio in square feet of at least 2:1 of mitigation area to area of alteration not conforming to the criteria or an equivalent level of environmental protection where square footage is not a relevant measure. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Mitigation may include off-site restoration of riverfront areas, conservation restrictions under M.G.L. c. 184, §§ 31 to 33 to preserve undisturbed riverfront areas that could be otherwise altered under 310 CMR 10.00, the purchase of development rights within the riverfront area, the restoration of bordering vegetated wetland, projects to remedy an existing adverse impact on the interests identified in M.G.L. c. 131, § 40 for which the applicant is not legally responsible, or similar activities undertaken voluntarily by the applicant which will support a determination by the issuing authority of no significant adverse impact. Preference shall be given to potential mitigation projects, if any, identified in a River Basin Plan approved by the Secretary of the Executive Office of Environmental Affairs.*

A 1,200± square foot enhancement planting area with six (6) saplings of three species; thirty-four (34) shrubs of four species; and thirty-four (34) smaller shrubs/ground cover plantings of four species is proposed within the inner Riverfront Area in the southwestern portion of the site. These plantings will serve to stabilize this area, reduce stormwater runoff, and provide enhanced wildlife habitat, including cover, perching, and foraging habitat, compared to the existing condition in the portion of the site closest to off-site Hammond Brook. As shown on the Site Plan, the area will be demarcated in the field with three stone bounds and the outer face of a proposed retaining wall. The enhancement planting area will be monitored near the end of the growing season for two years after it is established with 75% survival (or the survival rate by strata specified in the Order) after two growing seasons the threshold for success.

*(h) The issuing authority shall include a continuing condition in the Certificate of Compliance for projects under 310 CMR 10.58(5)(f) or (g) prohibiting further alteration within the restoration or mitigation area, except as may be required to maintain the area in its restored or mitigated condition. Prior to requesting the issuance of the Certificate of Compliance, the applicant shall demonstrate the restoration or mitigation has been successfully completed for at least two growing seasons.*

Enhancement of Riverfront Area is proposed as part of this project in the form of a bounded/walled 1,200± square foot enhancement planting area as shown on the Site Plan. As such, the applicant is not averse to the above-referenced continuing condition on the enhancement area.

### **Conclusion**

In conclusion, it is EcoTec's opinion, based upon the information provided on the Site Plan and in this letter, that the proposed project meets the general performance standards for work within

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the Riverfront Area and the 100' Buffer Zone under the Regulations. Portions of the project are exempt from the Regulations as minor activities. The proposed project subject to regulation results in an increase in impervious area on the site; mitigation in the form of significant stormwater improvements and enhancement plantings have been provided as part of the project. This plan as proposed meets the applicable performance standards and by regulation serves to protect the statutory interests.

EcoTec hopes that you find this information helpful. If you have any questions, please feel free to contact me at any time.

Cordially,  
ECOTEC, INC.



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

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