

October 6, 2021

Newton Conservation Commission
Newton Town Hall
1000 Commonwealth Avenue
Newton, MA 02459

Re: RDA-130 Countryside Road Newton, MA 02459
(Map: 83036, Parcel: 41)

Dear Newton Conservation Commission:

Goddard Consulting, LLC (Goddard) is pleased to submit this Request for Determination (RDA) under the Massachusetts Wetland Protection Act (WPA) on behalf of applicants Iris and Chen Schor, for the property known as 130 Countryside Road in Newton, MA, 02459 (Map: 83036, Parcel: 41). This RDA is to confirm that the work, consisting of the tear down and rebuild of a single-family house, driveway, pool and associated patio is outside of buffer zone to an off-site bordering vegetative wetland (BVW), and the proposed removal of existing plants and planting of native plants within buffer zone, is exempt under the Wetland Protection Act.

Two copies of the RDA application is enclosed. The titles of all the documents enclosed are as follows:

- RDA (WPA Form 1) Application Form.
- Copy of Checks
- *Wetland Border Report*, Goddard Consulting LLC,
- *Orthophoto View of the Locus Site*, Goddard Consulting LLC, 5/25/2021
- *USGS of the Locus Site*, Goddard Consulting LLC, 5/25/2021
- *Revision 3B- Schor Residence*, Land Design Associates 9/27/2021
- *Buffer Zone Revision 2*, Land Design Associates 9/22/2021
- *Schor Residence Buffer Zone Plant Sheet*, Land Design Associates 9/22/2021
- *Architectural Site Plan*, Duckham Architecture and Interiors 9/27/2021

Existing Conditions

The site consists of an existing single-family house with associated driveway and porch. There is a Bordering Vegetated Wetland (BVW) off-site which casts a 100-foot buffer zone onto the property.



Figure 1. The existing single-family house and yard, facing west.

Proposed Conditions

The applicant proposes the tear down and rebuild of the existing single-family house. The proposed house and associated driveway, pool, and pool patio will be constructed outside of buffer zone. The applicant proposes a new vegetated area with native plants to replace existing plantings to the southeast of the proposed pool within the 100-foot buffer zone. Grading associated with the proposed patio is also within the 100-foot buffer zone. Erosion barriers will be established around the entire limit of work.

Conclusion

It is our professional opinion that the demolition and construction of the new single-family house, driveway, and pool occur completely outside of buffer zone. The limited grading associated with the pool patio occurring within existing lawn, and the proposed native plantings are exempt activities under 10.02(B)(2)(e)&(d), and will not adversely impact the off-site BVW. It is the request of the applicant for the Commission to confirm that work is not jurisdictional through the issuance of a negative Determination of Applicability.

Please feel free to contact us if you have any questions.

Sincerely,
Goddard Consulting, LLC

A handwritten signature in black ink that reads "Timothy McGuire". The signature is written in a cursive style with a large initial 'T' and 'M'.

Tim McGuire
Wildlife Biologist and Wetland Scientist

CC: Mass DEP – NERO, 205B Lowell Street, Wilmington, MA 01887.
Iris and Chen Schor, 130 Countryside Road, Newton, MA 02459



WPA Form 1- Request for Determination of Applicability

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

A. General Information

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Chen Schor

Name

cschor@adicetbio.com

E-Mail Address

130 Countryside Road

Mailing Address

Newton

City/Town

MA

State

02459

Zip Code

(781) 640-3265

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Goddard Consulting LLC

Firm

Tim McGuire

Contact Name

tim@goddardconsultingllc.com

E-Mail Address

291 Main Street

Mailing Address

Northborough

City/Town

MA

State

01532

Zip Code

(508)-393-3784

Phone Number

Fax Number (if applicable)

B. Determinations

1. I request the Newton Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Newton

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



WPA Form 1- Request for Determination of Applicability
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

<u>130 Countryside Road</u>	<u>Newton</u>
Street Address	City/Town
<u>83036</u>	<u>41</u>
Assessors Map/Plat Number	Parcel/Lot Number

b. Area Description (use additional paper, if necessary):

The site consists of an existing single-family house with associated driveway, and porch. There is a Bordering Vegetated Wetlands (BVW) off-site, which casts 100-foot buffer zone onto the property.

c. Plan and/or Map Reference(s):

<u>Schor Residence 130 Countryside Road Newton, MA</u>	<u>9/27/2021</u>
Title	Date
<u>Revision 3B- Schor Residence</u>	<u>9/27/2021</u>
Title	Date
<u>Buffer Zone Revision 2</u>	<u>9/22/2021</u>
Title	Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

The applicant proposes the tear down and rebuild of the existing single-family house. The proposed house and associated driveway, pool, and pool patio will be constructed outside of buffer zone. The applicant proposes a new vegetated area with native plants to replace existing plantings to the southeast of the proposed pool within the 100-foot buffer zone. Grading associated with the proposed patio is also within the 100-foot buffer zone. Erosion barriers will be established around the entire limit of work.



WPA Form 1- Request for Determination of Applicability

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

C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

10.02(B)(2)(e)&(d) Plantings of native species of trees, shrubs., grading in bufferzone associated with pool patio outside of buffer zone

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



WPA Form 1- Request for Determination of Applicability

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

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Chen Schor
 Name
 130 Countryside Road
 Mailing Address
 Newton
 City/Town
 MA
 State
 02459
 Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Chen Schor
 Signature of Applicant (Chen Schor) 4-Sep-2021
 Date

Tim McGuire
 Signature of Representative (if any) (Tim McGuire, Goddard Consulting, LLC) 9/7/21
 Date

May 31, 2021

Chen Schor
130 Countryside Road
Newton, MA 02459

Re: Wetland Border Report, 130 Countryside Road., Newton, MA

Dear Mr. Chor:

On May 28, 2021, wetland resource areas were examined at the above referenced site and were delineated off-site. The wetland border was flagged using the criteria in the most recent edition of MA Wetland Protection Act (WPA) and Regulations 310 CMR 10.00 et al and the Newton Flood Plain Ordinance. Hydric soil indicators, vegetation changes, hydrological indicators, and topography were all considered for delineation purposes.

No wetlands or wetland resources were observed on site. Vegetation on site consists of existing lawn and ornamental plantings. Portions of an off-site intermittent stream channel Bank and Bordering Vegetated Wetland (BVW) system were flagged with series A1-7. This stream is 1-3 feet wide and 3-8 inches deep. The banks are 6-8 inches tall. Vegetation up-gradient of the Bank resource contains a thicket of American Beech (upland plant species) and upland soils of 10YR3/3 loam overlain by 10YR5/6 sandy loam. Vegetation within the wetland resource area consisted of red maple, royal fern, cinnamon fern, highbush blueberry, and sweet pepperbush. The jurisdictional 100-ft buffer zone to the Bank/BVW extends onto the site from the east, with hydric soils.

According to the Mass GIS data layers for NHESP, this site is not located within Estimated and/or Priority Habitat of Rare Wildlife, and no mapped potential or certified vernal pools are located on site. The site is not located in an ACEC or a jurisdictional FEMA Flood Zone.

The MA Wetlands Protection Act takes jurisdiction over Bank & BVW resources. In addition, these resource areas have a jurisdictional 100-foot Buffer Zone. Any work within the resource area and/or 100-foot buffer zone requires a Request for Determination (RDA) or Notice of Intent (NOI) be filed with the Conservation Commission. If there are any questions concerning this report or for assistance in filing, please contact us.

Very truly yours,
GODDARD CONSULTING, LLC



By:
Scott Goddard, PWS
Principal & Wetland Scientist



Legend

-  Property Boundary
-  Tax Parcels
-  DEP Wetlands

Orthophoto of the Locus Site

130 Countryside Road - Newton, MA

(Map: 83036, Lot: 41)

N Date: 10/4/2021



0 37.5 75 150 Feet

1 inch = 100 feet

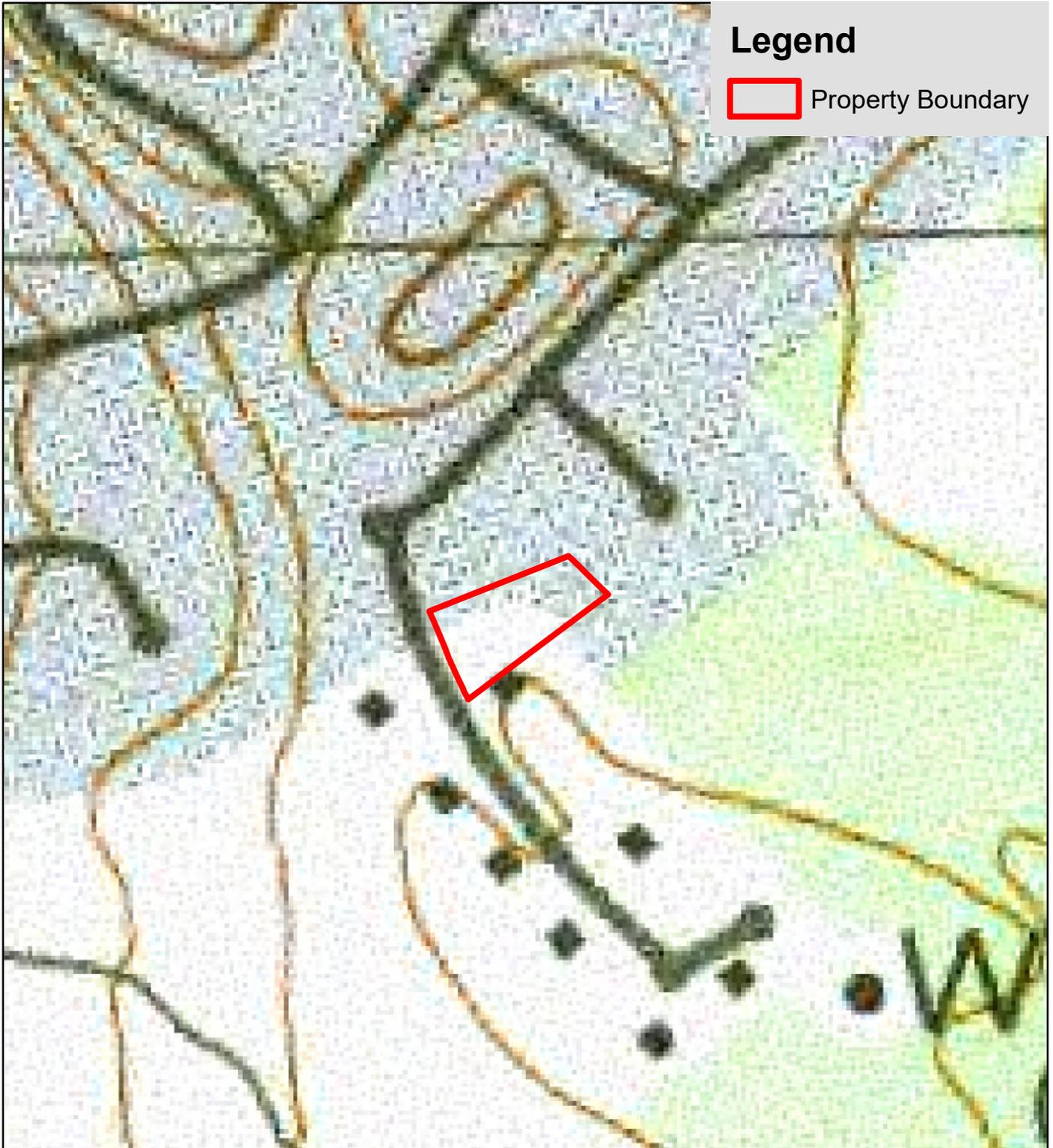
GIS Data Source: "Office of Geographic Information (MassGIS), Commonwealth of Massachusetts, MassIT"



GODDARD CONSULTING
Strategic Wetland Permitting LLC

Legend

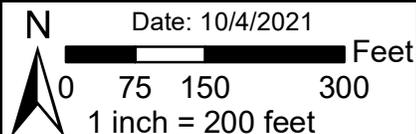
 Property Boundary



USGS of the Locus Site

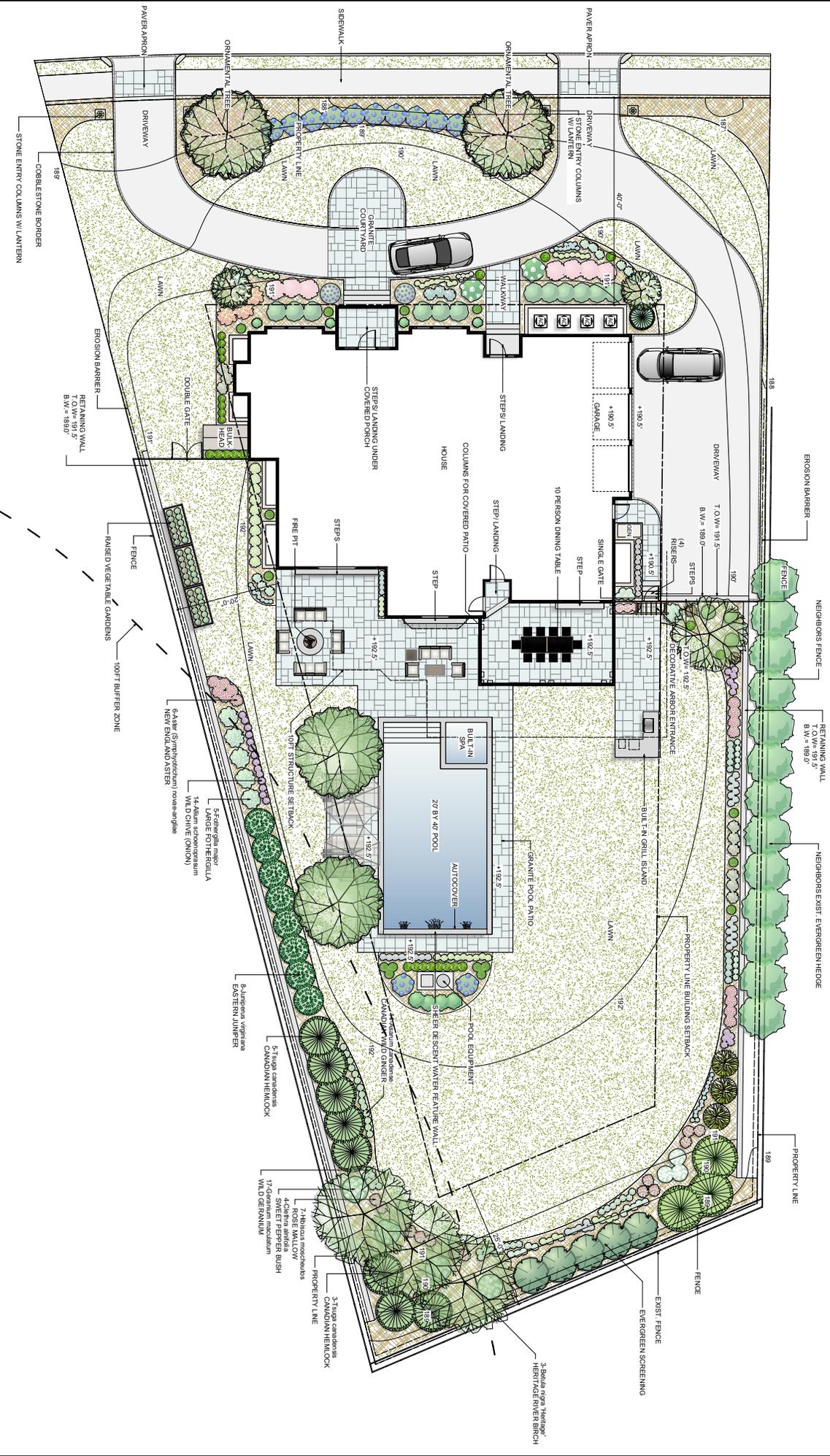
130 Countryside Road - Newton, MA

(Map: 83036, Lot: 41)



GIS Data Source: "Office of Geographic Information (MassGIS), Commonwealth of Massachusetts, MassIT"





Date: 9/27/2021

Sheet: REVISION 3B

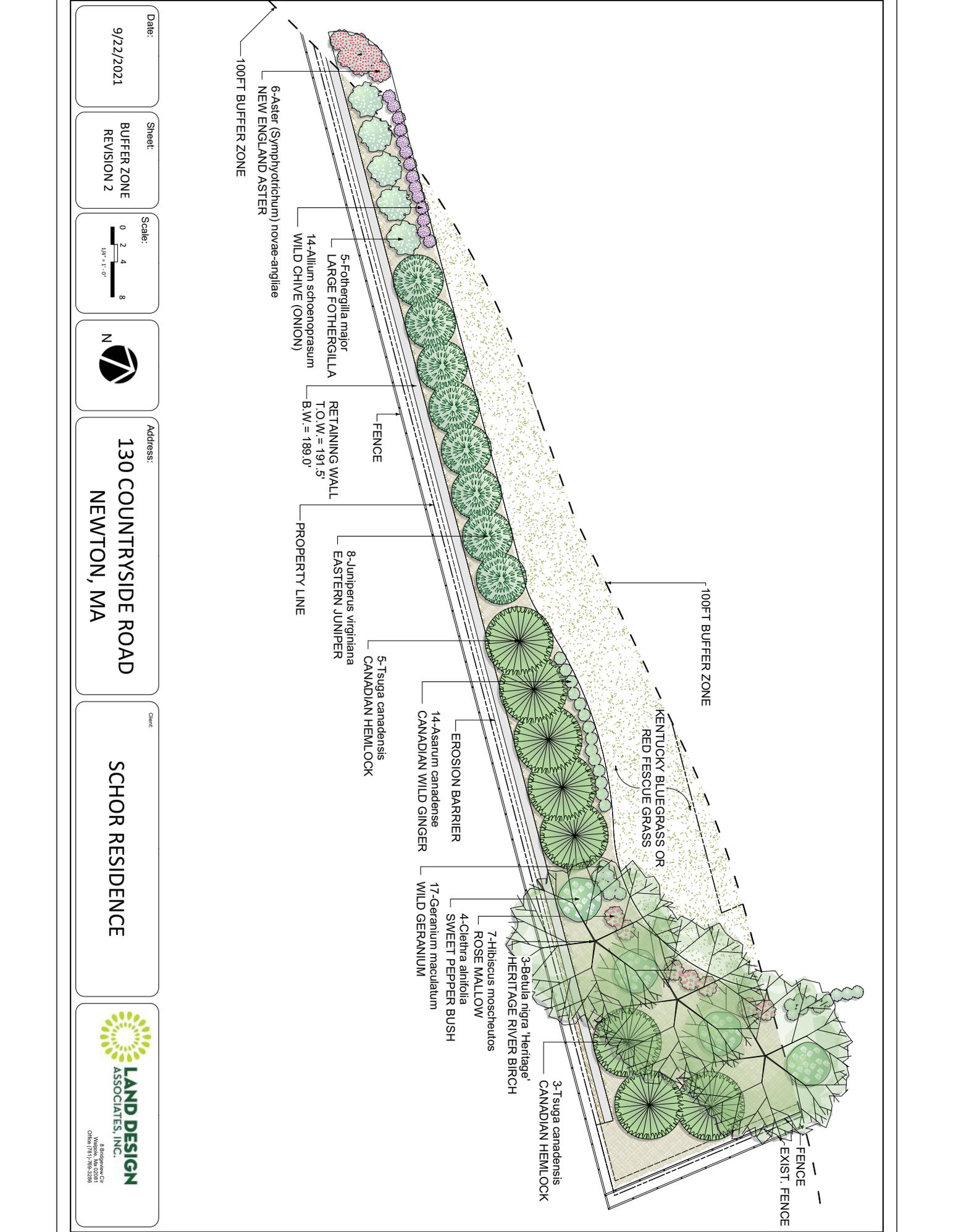
Scale: 0 4 8 16
1/8" = 1'-0"



Address: 130 COUNTRYSIDE ROAD
NEWTON, MA

Client: SCHOR RESIDENCE

LAND DESIGN ASSOCIATES, INC.
200 Pleasant St.
Woburn, MA 02458
Office (781) 769-3298



Date: 9/22/2021

Sheet: BUFFER ZONE REVISION 2

Scale: 0 2 4 8
1/4" = 1'-0"



Address: 130 COUNTRYSIDE ROAD
NEWTON, MA

Client: SCHOR RESIDENCE

LAND DESIGN ASSOCIATES, INC.
200 Pleasant St.
Woburn, MA 02458
Office 781/798-3288

SCHOR RESIDENCE BUFFER ZONE PLANT SHEET

TREES AND SHRUBS



LARGE DOGWOOD



HERITAGE RIVER BIRCH



SWEET PEPPER BUSH (SCHUBERTEA)



EASTERN RED CEDAR (JUNIPERO)



CANADIAN EASTERN HEMLOCK

PERENNIALS AND ORNAMENTAL GRASSES



CANADIAN WILD GINGER



NEW ENGLAND ASTER



SWAMP ROSE MALLOW (HIBISCUS)



WILD OLIVE (OSMONDIA)



WILD GERANIUM (SCUTELLARIA)



REVISED TO CIVIL
SEPTEMBER 27, 2021

Issues
Number Date Description

Revisions
Number Date Description

Checked by:
Drawn by:

Schor Residence
130 Countryside Road
Newton, MA

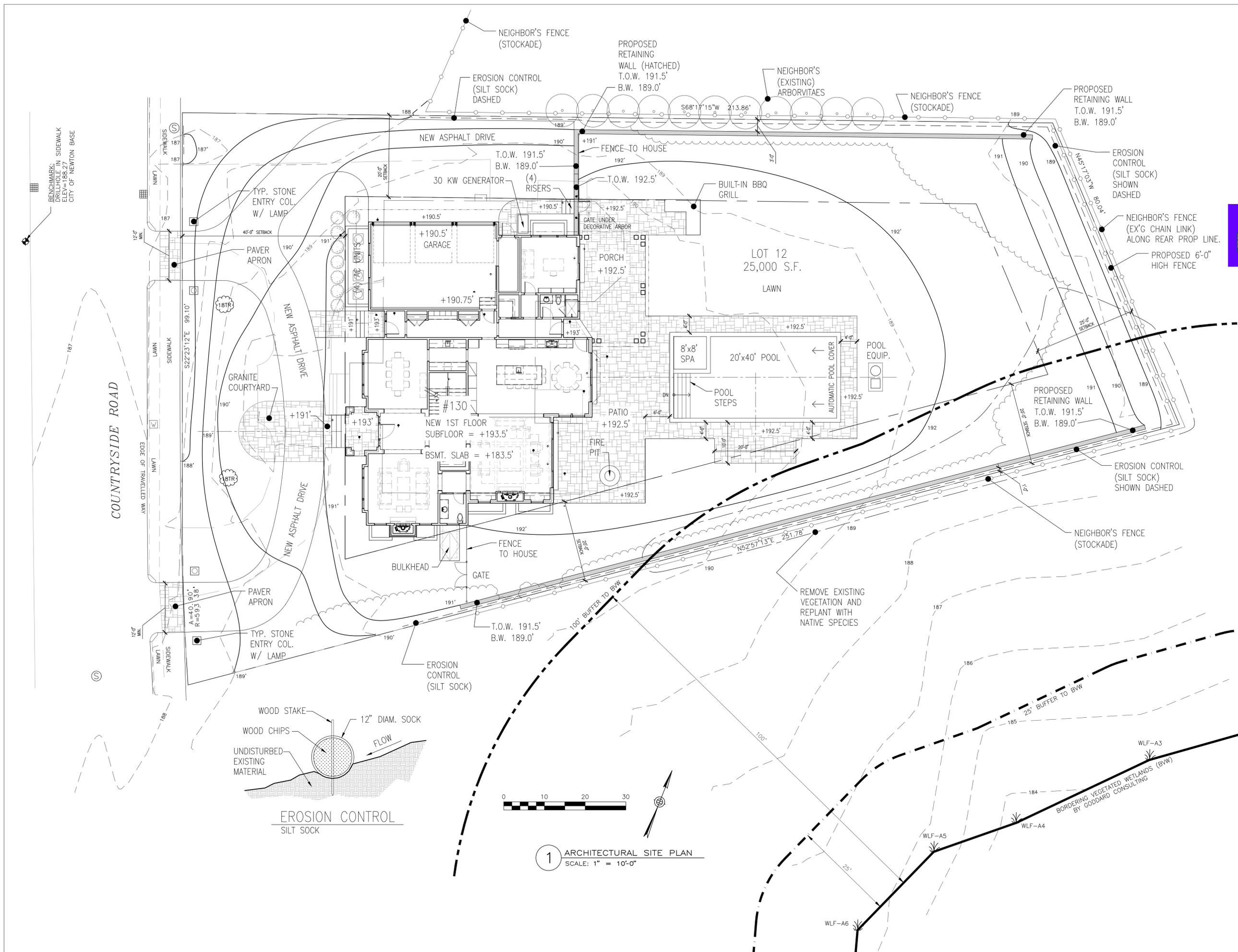
ARCHITECTURAL SITE PLAN

Drawing Scale:
1" = 10'-0"

Project Number:
202108.00

Date Issued:
09.27.2021

A010



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