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Electronic Submittal to City of Newton
Certified Mail to MassDEP-NERO

December 21, 2022

Newton Conservation Commission
City of Newton Planning and Development Department
Attn: Jennifer Steel
1000 Commonwealth Avenue
Newton, MA 02159-1499

RE: -Notice of Intent under the Massachusetts Wetlands Protection Act and Newton Floodplain Ordinance
-Proposed Single-family House and Site Feature Demolition and Construction of New Two-family House with Site Features in Riverfront Area, Bordering Land Subject to Flooding, and Buffer Zone; 27 Parsons Street, Newton, Massachusetts
-Applicant: GZ Fleet LLC (Tom Zou)

To the Commission:

This Notice of Intent (NOI) has been filed with the Newton Conservation Commission electronically under the Massachusetts Wetlands Protection Act and the Newton Floodplain Ordinance. Two checks made payable to the City of Newton: (1) \$800.00 for the City Share of the Act Fee and (2) \$50.00 for the filing fee under the Ordinance have been provided to Conservation Commission Staff by hand on December 15, 2022.

Please have the legal notice billed to EcoTec, Inc. (John Rockwood, 508-752-9666 ext. 3, jrockwood@ecotecinc.com).

Submitted Materials:

This submittal consists of the following:

1. This Cover Letter, which includes the
 - a. Wetland Resource Evaluation with
 - 1) City of Newton Locus Map;

- 2) Flood Insurance Rate Map, Map No. 25017C0552E, dated June 4, 2010 with site indicated;
 - 3) Newton GIS Browser with site and mapped resources indicated;
 - 4) USGS Map, Boston South Quadrangle, 1987 with site indicated;
 - 5) Massachusetts NHESP Atlas (15th Edition), August 1, 2021 with site indicated; and
 - 6) Resume;
- b. Project Description;
 - c. Compliance Evaluation;
 - d. Conclusions;
2. Conservation Commission Wetland Application Coversheet/Checklist and Copy of Ordinance Filing Fee Check;
 3. Notice of Intent Form, Fee Transmittal Form, and Copy of Act Filing Fee Checks;
 4. Abutter Request, Abutter List, Abutter Map, Abutter Notification, and Affidavit of Service;
5. Stormwater Materials:
 - a. Stormwater Report, 27 Parsons Street, Newton, MA, prepared by Spruhan Engineering PC, dated December 12, 2022, signed and stamped by Edmond T. Spruhan, P.E.;
 - b. Operations & Maintenance Plan, 27 Parsons Street, Newton, MA, prepared by Spruhan Engineering PC, dated December 12, 2022, signed and stamped by Edmond T. Spruhan, P.E.;
6. Conservation Plan Set:
 - a. Existing Conditions, 27 Parsons Street, Newton, Massachusetts, Sheet 1 of 1, Scale: 1" = 10', prepared by Spruhan Engineering PC, dated December 12, 2022, signed and stamped by Christopher C. Charlton, PLS;
 - b. Civil Plan, 27 Parsons Street, Newton, Massachusetts, Sheet 1 of 4, Scale: 1" = 10', prepared by Spruhan Engineering PC, dated December 12, 2022, signed and stamped by Christopher C. Charlton, PLS and Edmond T. Spruhan, P.E.;
 - c. Detail Sheet, 27 Parsons Street, Newton, Massachusetts, Sheet 2 of 4, Scale: NTS, prepared by Spruhan Engineering PC, dated December 12, 2022, signed and stamped by Edmond T. Spruhan, P.E.;
 - d. Details Sheet, 27 Parsons Street, Newton, Massachusetts, Sheet 3 of 4, Scale: NTS, prepared by Spruhan Engineering PC, dated December 12, 2022, signed and stamped by Edmond T. Spruhan, P.E.; and
 - e. Details Sheet, 27 Parsons Street, Newton, Massachusetts, Sheet 4 of 4, Scale: NTS, prepared by Spruhan Engineering PC, dated December 12, 2022, signed and stamped by Edmond T. Spruhan, P.E.

One copy of this filing and payment of \$775.00 have been sent by certified mail, return receipt requested and regular mail, respectively, to the Northeast Regional Office of the Department of Environmental Protection and to the DEP Lockbox. Documentation of all payments is included in the filing.

In compliance with the Act and Regulations, all abutters within one hundred feet of the subject site have been notified of this submittal via certificate of mailing. Proof of timely notice to abutters shall be provided to the Conservation Commission Staff via NewGov well in advance of the hearing on this matter.

We look forward to meeting remotely with the Conservation Commission on this matter on Thursday, January 19, 2023. If you have any questions, please feel free to contact me at any time.

Wetland Resource Evaluation:

On September 23, 2022, EcoTec, Inc. inspected the above-referenced property for the presence of wetland resources as defined by 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”). The City of Newton does not have a Wetlands Protection Ordinance but does have a Floodplain Ordinance (the “Ordinance”; Section 22-22). John P. Rockwood, Ph.D., SPWS conducted the inspection.

The subject site consists of two assessor’s parcels under common ownership totaling 0.282± acres (12,305± square feet) located to the southwest of Parsons Street in the West Newton section of Newton, Massachusetts. The subject site is almost entirely previously developed and largely degraded with a single-family house with covered front porch with stairs, side landing with steps, and rear deck over a rear concrete patio; two paved driveways; front concrete walk; side concrete walk; in-ground swimming pool with concrete patio; rear shed on concrete pad; rear shed; various retaining walls and fences; and associated lawn and landscaping. There are two ornamental trees in the front yard to the east of the house, an arborvitae tree to the west of the house, and a large two stemmed tree located in the western site projection near the smaller shed. A fully developed lot including a multifamily house and paved driveway occur between the subject site and Cheese Cake Brook. The subject site is separated from the paved driveway to the east by a short retaining wall. Part of a drainage easement associated with Cheese Cake Brook occurs in the northern portion of the subject site. Roof runoff from house is discharged to the ground surface via downspouts; driveway runoff and runoff from other impervious areas of the site are not controlled or treated. A granite curb, grass strips, concrete sidewalk, and a utility pole occur between the subject site

and Parsons Street. There are no street trees along the site frontage. Four catch basins occur within Parsons Road proximate to the site frontage. The wetland resources observed on or near the subject site are described below.

Wetland Resource Evaluation – Methodology

The subject site was inspected, and areas suspected to qualify as wetland resources were identified. Bordering Vegetated Wetlands were not observed on or within 100 feet of the subject site or along the subject reach of Cheese Cake Brook to the north of the subject site. The upper boundary of Bank and the Mean Annual High-water Line of Cheese Cake Brook were identified in the field as the inner face of the stone/concrete wall that confines Cheese Cake Brook. The Regulations at 310 CMR 10.54(2)(c) state: “The upper boundary of Bank is the first observable break in the slope or the mean annual flood level, whichever is lower.” The plant taxonomy used in this report is based on the *National List of Plant Species that Occur in Wetlands: Massachusetts* (Fish and Wildlife Service, U.S. Department of the Interior, 1988). As Bordering Vegetated Wetlands were not observed on or near the subject site or observed or delineated along the subject reach of Cheese Cake Brook, DEP Bordering Vegetated Wetland Delineation Field Data Forms were not completed and are not attached to this letter.

Land Under Water Bodies and Waterways, Bank, and Bordering Vegetated Wetlands: Cheese Cake Brook is a perennially mapped stream located to the north of the site that flows to the northeast. Bordering Vegetated Wetlands were not observed or delineated along the subject reach of Cheese Cake Brook or within 100 feet of the subject site. Cheese Cake Brook is located entirely off-site and would be regulated as Bank and Land Under Water Bodies and Waterways under the Regulations. A 100’ Buffer Zone would extend horizontally outward from the edge of Bank under the Regulations.

Bordering Land Subject to Flooding and Section 22-22 Floodplain: Bordering Land Subject to Flooding is an area that floods due to a rise in floodwaters from a bordering waterway or water body. Where flood studies have been completed, the boundary of Bordering Land Subject to Flooding is based upon flood profile data prepared by the National Flood Insurance Program. Section 10.57(2)(a)3. states that “The boundary of Bordering Land Subject to Flooding is the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm.” Based upon a review of the Flood Insurance Rate Map, Map Number 25017C0552E, Effective Date June 4, 2010 (attached), there is a Zone AE associated with Cheese Cake Brook at the site with a 100-year flood elevation of 38 feet (NAVD 1988). When present, Bordering Land Subject to Flooding would occur in areas where the 100-year floodplain is located outside of or upgradient of the Bank boundary. Bordering Land Subject to Flooding does not have a 100-foot Buffer Zone under the Regulations.

Section 22-22 of the Ordinance identifies the Floodplain/Watershed Protection District. Under Floodplain/Watershed Areas Section (g)1.(31) Cross Street (east side of culvert) to Parsons Street (west side of culvert), the 100-year floodplain elevation ranges from 44.0 to 43.8 feet City of Newton Datum (see attached Newton GIS Browser Map). There is a slight discrepancy between the FEMA and the Ordinance Floodplain in this area; the more conservative 38 feet NAVD 1988 which converts to 44.5 feet City of Newton Datum has been used for this project. Section 22-22 does not establish any form of buffer zone.

Riverfront Area: The Massachusetts Rivers Protection Act amended the Act to establish an additional wetland resource area: Riverfront Area. Based upon a review of the current USGS Map, Boston South Quadrangle, dated 1987 (attached), Cheese Cake Brook flows to the northeast to the north of the subject site. Riverfront Area under the Act/Regulations would extend 200 feet horizontally outward from the Mean Annual High-water Line. Riverfront Area does not have a 100' Buffer Zone under the Act and Regulations but may overlap other wetland resources and their Buffer Zones.

Estimated Habitat and Certified Vernal Pools: The Regulations require that no project may be permitted that will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures set forth at 310 CMR 10.59. Based upon a review of the *Massachusetts Natural Heritage Atlas*, 15th edition, valid from August 1, 2021 and the Certified and Potential Vernal Pool layers from MassGIS (attached), there are no Estimated Habitats [for use with the Act and Regulations (310 CMR 10.00 *et seq.*)], Priority Habitats [for use with Massachusetts Endangered Species Act (M.G.L. Ch. 131A; "MESA") and MESA Regulations (321 CMR 10.00 *et seq.*)], or Certified or Potential Vernal Pools on or in the immediate vicinity of the subject site.

The reader should be aware that the regulatory authority for determining wetland jurisdiction rests with local, state, and federal authorities.

Project Description and Analysis:

The subject site is 12,305± square feet in size and all 12,305± square feet of the subject site occur within the 200' Riverfront Area to Cheese Cake Brook: 1,660± square feet between 100 and 200 feet and 10,645± square feet within 100 feet. Excluding the house foundation and larger shed, 11,401± square feet of the subject site consist of Bordering Land Subject to Flooding. Except as noted above, no additional wetland resource areas occur on the subject site. The 100' Buffer Zone to Cheese Cake Brook covers 10,645± square feet of the subject site.

The proposed project consists of the complete demolition of the existing single-family house and all existing associated site features with the exception of the northern retaining wall and the smaller shed, including the paved driveways; walks and patios; deck; landings, stairs, and steps; in-ground pool and patio; shed with slab foundation; and various fences and the construction of a new two-family house, each unit with a front porch and stairs, one-car garage, and deck with steps; two paved driveways and front walks; fencing installed 6" above the ground surface with greater than 50% voids below the floodplain elevation; and associated grading, lawn, and landscaping. The larger proposed house has two foundation areas associated with the proposed garages that are smaller than the existing foundation with the balance of the house and decks supported on piers above the floodplain; the area beneath the pier-supported portion of the house and decks will be covered with crushed stone and the perimeter of the pier-supported portion of the house will be concealed with lattice comprising greater than 50% voids. The proposed project includes the removal of two ornamental trees and an arborvitae tree; nine 1.5" caliper ornamental saplings are proposed to be established near the northern site boundary. The applicant is aware that compliance with the Tree Ordinance will be required. The existing landscaping located within the limit of work is proposed to be removed as part of this project. The proposed project includes the capping of existing utilities at the mains and the installation of new utilities to mains within Parsons Street. The proposed utility disconnections and connections and pavement repairs within a roadway are exempt activities under 310 CMR 10.02(2)(b)2.i., j., and n., respectively; the utility work and pavement repair proposed within Parsons Street has been shown on the Site Plan for sake of completeness.

The proposed two-family house and associated site features replaces an existing single-family house and significant site features including an in-ground pool and results in less degraded surfaces on the site. The existing structures on the subject site (i.e., house, shed on concrete slab, and the in-ground pool) are proposed to be removed from the site as part of the project. No new proposed degraded surfaces are proposed within the 25' Buffer Zone on the site. The degraded area in the Riverfront Area on the subject site is proposed to be reduced by 305± square feet from 4,635± square feet under existing conditions to 4,330± square feet under proposed conditions. The intent of the project design is to locate proposed degraded areas further from Cheese Cake Brook than existing degraded areas and to provide required stormwater improvements. The existing house, paved driveway, in-ground pool, and existing retaining wall to remain (i.e., the closest existing degraded surface to the river) are 40 feet, 12 feet, 22 feet, and 11 feet from the river, respectively; the proposed house, paved driveway, and existing retaining wall to remain (i.e., the closest proposed degraded surface to the river) are 27 feet, 27 feet, and 11 feet from the river, respectively. With the exception of the existing retaining wall to remain, all proposed impervious or degraded surfaces on the site will be greater than 25 feet from Cheese Cake Brook.

There are two ornamental trees to the east of the house and one arborvitae tree to the west of the house within the Riverfront Area, Bordering Land Subject to Flooding, and the 100' Buffer Zone that are proposed to be removed. The remaining trees on the site are located well away from any proposed activities. A total of nine 1.5" caliper saplings of three species are proposed to be planted within the 25' Buffer Zone to the north of the proposed house. As the project results in a reduction in degraded surfaces on the site, restoration of degraded Riverfront Area and/or enhancement of previously developed Riverfront Area on the site is not required or proposed as part of this project.

The project includes stormwater components to address driveway and roof runoff as well as a slight grassed swale with drop inlet to the north of the house to prevent off-site overland flow to the north. Stormwater runoff from the driveways is routed through trench drains and a drain manhole to the north of the proposed house to the proposed infiltration system to the west of the proposed house. Roof runoff is collected in gutters and discharged via downspouts and drain lines to the infiltration system to the west of the proposed house. The project includes a slight grassed swale to the north of the house to intercept surface runoff to the north and direct it through a drop inlet to the infiltration system located to the west of the proposed house. These systems have been designed to address stormwater runoff in accordance with the Stormwater Ordinance. Roof, driveway, and impervious surface runoff are not treated or controlled under the existing condition. Details are provided in the Stormwater Report, prepared by Spruhan Engineering PC, dated December 12, 2022. A stand-alone Operations & Maintenance Plan, prepared by Spruhan Engineering PC, dated December 12, 2022 has also been provided as part of this submittal.

Any disturbed lawn and landscaped areas associated with the house will be brought to proposed grade with adequate loamy topsoil and seeded, hydroseeded, or sodded as lawn or will be landscaped. The areas under the pier-supported portions of the house and decks will be covered with crushed stone to provide for soil stabilization. The proposed limit of work will be demarcated in the field by the erosion control barriers as shown on the Site Plan. Soil will be temporarily stored in covered stockpiles within the limit of work on the subject site as shown on the Site Plan with excess soil trucked from the subject site. The Site Plan also shows a proposed construction entrance, a concrete washout area, and inlet protection for the four catch basins within Parsons Street near the subject site.

Compliance Evaluation under the Regulations:

The proposed project is a mixture of new and redevelopment activities within the Riverfront Area, Bordering Land Subject to Flooding, and 100' Buffer Zone associated with Cheese Cake Brook. Under the current regulatory interpretation by MassDEP, proposed projects located in

the Riverfront Area are to be treated either as new development under 310 CMR 10.58(4) or as redevelopment under 310 CMR 10.58(5). As significant degraded area occurs on the subject site within the Riverfront Area, this project has been evaluated herein as a redevelopment project pursuant to 310 CMR 10.58(5). Redevelopment projects are required to meet the two applicable standards at 310 CMR 10.58(4) [i.e., Section 10.58(4)(a) and (b)] and all the performance standards at 310 CMR 10.58(5). The proposed project has been designed as shown on the Site Plan 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 well as the general performance standards for Bordering Land Subject to Flooding at 310 CMR 10.57(4)(a) and the narrative standard for the Buffer Zone at 310 CMR 10.53(1). A discussion of compliance with the above-referenced performance standards and narrative standard 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.

Work is proposed within the Riverfront Area to Cheese Cake Brook and Bordering Land Subject to Flooding associated with Cheese Cake Brook. As is detailed below, the work proposed within Bordering Land Subject to Flooding has been designed to meet and exceed the general

performance standards for this resource area at 310 CMR 10.57(4)(a). Land Under Water Bodies and Waterways, Bank, Bordering Vegetated Wetlands, and Isolated Land Subject to Flooding do not occur on the subject site. Work is proposed within the 100' Buffer Zone; the 100' Buffer Zone is not a wetland resource area under the Regulations.

(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, 15th Edition, dated August 1, 2021, the subject site is not located within a mapped Estimated Habitat or Priority Habitat and no mapped Certified or Potential Vernal Pools occur on or near the subject 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...."

As provided at 310 CMR 10.58(5), this standard is not applicable to a redevelopment project within the Riverfront Area. As such, a formal alternatives analysis has not been provided. A description of the project is provided in the Project Description and Analysis section of this letter above and compliance with the Redevelopment Standards is discussed below.

(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 provided at 310 CMR 10.58(5), this standard is not applicable to a redevelopment project within the Riverfront Area. As such, a significant adverse impact analysis has not been provided. A description of the project is provided in the Project Description and Analysis section of this letter above and compliance with the Redevelopment Standards is discussed below.

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.

The subject site is 12,305± square feet in size and all 12,305± square feet of the subject site occur within the 200' Riverfront Area to Cheese Cake Brook: 1,660± square feet between 100 and 200 feet and 10,645± square feet within 100 feet. Excluding the house foundation and larger shed, 11,401± square feet of the subject site consist of Bordering Land Subject to Flooding. Except as noted above, no additional wetland resource areas occur on the subject site. The 100' Buffer Zone to Cheese Cake Brook covers 10,645± square feet of the subject site.

The proposed project consists of the complete demolition of the existing single-family house and all existing associated site features with the exception of the northern retaining wall and the smaller shed and the construction of a new two-family house, each unit with a front porch and stairs, one-car garage, and deck with steps; two paved driveways and front walks; floodplain friendly fencing; and associated grading, lawn, and landscaping. The larger proposed house has two foundation areas associated with the proposed garages that are smaller than the existing foundation with the balance of the house and decks supported on piers above the floodplain with flood-friendly lattice. The proposed project includes the removal of two ornamental trees and one arborvitae tree; nine 1.5" caliper ornamental saplings are proposed to be established near the northern site boundary.

The proposed two-family house and associated site features replaces an existing single-family house and significant site features including an in-ground pool and results in less degraded surfaces on the site. Thus, two units are provided on the site resulting in less impervious area and degraded surfaces than the existing single-family house. Due to removal of the in-ground pool, the potential for pool discharges to Cheese Cake Book is eliminated. No new proposed degraded surfaces are proposed within the 25' Buffer Zone on the site. The project results in a

significant increase in flood storage on the site. Lastly, the proposed project includes stormwater components to address driveway and roof runoff as well as a slight grassed swale with drop inlet to the north of the house that drains to the infiltration system to prevent off-site overland flow to the north. Accordingly, the proposed project will serve to improve the capacity of the Riverfront Area on the subject site to protect the statutory interests presumed to be significant within the Riverfront Area.

(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 project includes stormwater components to address driveway and roof runoff as well as a slight grassed swale with drop inlet to the north of the house that drains to the infiltration system to prevent off-site overland flow to the north. These systems have been designed to address stormwater runoff in accordance with the Stormwater Ordinance. Roof, driveway, and impervious surface runoff are not treated or controlled under existing conditions. Details are provided in the Stormwater Report, prepared by Spruhan Engineering PC, dated December 12, 2022. A stand-alone Operations & Maintenance Plan, prepared by Spruhan Engineering PC, dated December 12, 2022 has also been provided as part of this submittal.

(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).

A significant portion of the subject site, including the entire development envelope, is located within 100 feet of Cheese Cake Brook. The degraded area in the Riverfront Area on the subject site is proposed to be reduced by 305± square feet from 4,635± square feet under existing conditions to 4,330± square feet under proposed conditions. There are no new proposed degraded areas on the site that are closer to the river than the closest degraded area under existing conditions. As the project results in a reduction in degraded surfaces on the site and all new proposed degraded surfaces are further from the river than the closest existing degraded surface, restoration of degraded Riverfront Area and/or enhancement of previously developed Riverfront Area on the site is not required or proposed as part of this project.

(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).

The degraded area in the Riverfront Area on the subject site is proposed to be reduced by 305± square feet from 4,635± square feet under existing conditions to 4,330± square feet under proposed conditions. There are no new proposed degraded areas on the site that are closer to the river than the closest degraded area under existing conditions. As the project results in a reduction in degraded surfaces on the site and all new proposed degraded surfaces are further from the river than the closest existing degraded surface, restoration of degraded Riverfront Area and/or enhancement of previously developed Riverfront Area on the site is not required or proposed as part of this project.

(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).

The degraded area in the Riverfront Area on the subject site is proposed to be reduced by 305± square feet from 4,635± square feet under existing conditions to 4,330± square feet under proposed conditions. As the project results in a reduction in degraded surfaces on the site, restoration of degraded Riverfront Area and/or enhancement of previously developed Riverfront Area on the site is not required or proposed as part of this project.

(f) When an applicant proposes restoration on-site of degraded riverfront area, alteration may 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 subject site is not required or 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.

Enhancement of previously developed Riverfront Area is not required or proposed as part of this project.

(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 or restoration of Riverfront Area is not required or proposed as part of this project. As such, the above-referenced continuing condition is not required for this project.

Bordering Land Subject to Flooding: Section 10.57(4)(a) provides the general performance standards for work proposed within Bordering Land Subject to Flooding. Section 10.57(4)(a) states:

1. Compensatory storage shall be provided for all flood storage volume that will be lost as the result of a proposed project within Bordering Land Subject to Flooding, when in the judgment of the issuing authority said loss will cause an increase or will contribute incrementally to an increase in the horizontal extent and level of flood waters during peak flows. Compensatory storage shall mean a volume not previously used for flood storage and shall be incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Further, with respect to waterways, such compensatory volume shall be provided within the same reach of the river, stream or creek.

The proposed project will temporarily or permanently alter 6,220± square feet of Bordering Land Subject to Flooding for the removal of the existing house and site features and for construction of the proposed house, driveway, and other site features and proposed grading. The existing house has a substantial footprint with a full foundation; the proposed house has smaller foundations associated with the two proposed one-car garages with the balance of the proposed structure supported on piers. The reduction in footprint of the proposed foundation in concert with proposed site grading provide the required incremental compensatory storage. Flood cuts and fills with details are shown on the Site Plan and are certified by a Professional Engineer within five incremental ranges: 39.5 to 40.5, 40.5 to 41.5, 41.5 to 42.5, 42.5 to 43.5, and 43.5 to 44.5. The project proposes a total of 2,093± cubic feet of fill within the floodplain and proposes 3,204± cubic feet of cut or compensatory storage within the floodplain for a net gain of 1,111± cubic feet of flood storage on the subject site under the proposed condition compared to the existing condition. Again, total compensatory storage in excess of the 10% surplus required by the Commission's Guidelines for Construction in the Flood Zone is provided with excess incremental storage provided at each of the five evaluated incremental ranges. The proposed compensatory storage is provided near the lost flood storage and is located within the same river reach and will have an unrestricted hydraulic connection to Cheese Cake Brook.

2. Work within Bordering Land Subject to Flooding, including that work required to provide the above-specified compensatory storage, shall not restrict flows so as to cause an increase in flood stage or velocity.

The proposed Bordering Land Subject to Flooding compensatory storage has been designed in compliance with the Regulations and the Commission's Guidelines for Construction in the Flood Zone to provide the required incremental compensatory storage volumes and will not restrict flows in Cheese Cake Brook or result in an increase in flood stage or velocity along Cheese Cake Brook.

3. Work in those portions of bordering land subject to flooding found to be significant to the protection of wildlife habitat shall not impair its capacity to provide important wildlife habitat functions. Except for work which would adversely affect vernal pool habitat, a project or projects on a single lot, for which Notice(s) of Intent is filed on or after November 1, 1987, that (cumulatively) alter(s) up to 10% or 5,000 square feet (whichever is less) of land in this resource area found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important wildlife habitat functions. Additional alterations beyond the above threshold, or altering vernal pool habitat, may be permitted if they will have no adverse effects on wildlife habitat, as determined by procedures contained in 310 CMR 10.60.

The existing Bordering Land Subject to Flooding on the subject site that is proposed to be altered consists of existing structure, site features, lawn, and landscaping, and are not important to the protection of wildlife habitat. As such, this standard is not applicable to the proposed project.

Narrative 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 staked compost sock, which will also serve as the Limit of Work, will be located around the work area as shown on the Site Plan. The erosion control barrier will be maintained until the work area is stabilized. Approval of the issuing authority will be received

prior to the removal of the erosion control barrier. Under existing and proposed conditions, the subject site slopes gradually to the north toward Cheese Cake Brook. A total of two ornamental trees and one arborvitae tree are proposed to be removed as part of the project; nine ornamental saplings are proposed to be planted in the inner Buffer Zone in the northern portion of the site as part of this project. A proposed grassed swale and these plantings will serve to intercept surface runoff from the site to the north toward Cheese Cake Brook. The proposed project results in a slight reduction in impervious and degraded surfaces on the site. That said, the proposed project includes stormwater management measures, including a significant infiltration system in the western portion of the site, to address driveway and roof runoff as required by the Stormwater Ordinance.

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. As a reminder, the adjacent resource to be protected is Cheese Cake Brook, which consists of a channel confined by substantial vertical stone and concrete walls near the site. Furthermore, an existing retaining wall at the northern edge of the site and a paved driveway occur between the subject site and Cheese Cake Brook. As part of the project, all existing impervious surfaces within the 25' Buffer Zone, with the exception of the existing retaining wall at the northern boundary of the site, are proposed to be removed, which includes part of the in-ground swimming pool and associated concrete apron; a significant portion of the northern paved driveway; and interior retaining walls, a paver patio, various fencing, and associated landscaping. The project proposes a slight grassed swale with drop inlet within the lawn proposed within the 25' Buffer Zone to address off-site runoff to the north, a drainage manhole required by grading to be located to the north of the house; a flood-friendly fence on top of the retaining wall at the northern and western site boundaries within the 25' Buffer Zone; and the establishment of nine 1.5" caliper ornamental saplings near the northern site boundary within the 25' Buffer Zone. The proposed work in this area eliminates the vast majority of existing impervious surfaces from this area, proposes sapling plantings in the area, and provides for a grassed swale to address the potential for off-site overland flow. The proposed activities will serve to promote shading; interception and infiltration of surface flows; flood water storage; uptake and/or infiltration of nutrients; light and sound buffering through plantings and the flood-friendly fencing; and improved habitat compared to the existing condition.

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 applicable general performance standards and redevelopment standards for work within the Riverfront Area, the general performance

Newton Conservation Commission
December 21, 2022
Page 17.

standards for Bordering Land Subject to Flooding, and the narrative standard for the Buffer Zone under the Regulations. The proposed project meets the intent of the Commission's 25-foot Naturally Vegetated Buffer Policy. The proposed project results in reduction in impervious and degraded area on the subject site and in the Riverfront Area; mitigation in the form stormwater improvements that address driveway and roof runoff in accordance with the Stormwater Ordinance and saplings plantings within the 25' Buffer Zone 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.

Cordially,
ECOTEC, INC.



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

Cc: Department of Environmental Protection, Northeast Regional Office (by Certified Mail/Return Receipt Requested)
Tom Zou, GZ Fleet LLC (Via Email)
Sean Spruhan/Edmond Spruhan, Spruhan Engineering PC (Via Email)

18/w/NEWTON 27 PARSONS NOI CL WRE PD COMP

NEWTON LOCUS MAP

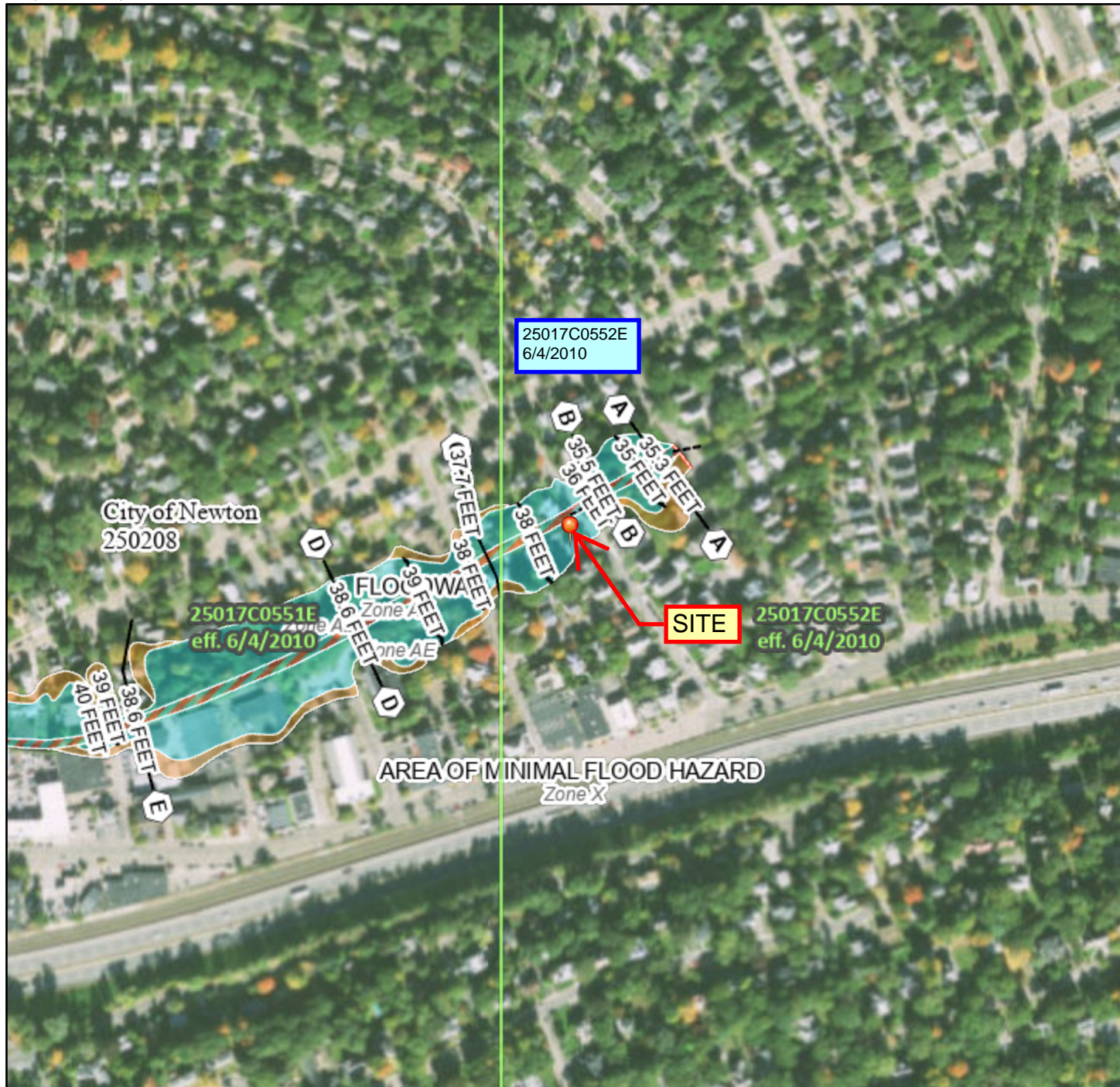
27 PARSONS STREET



National Flood Hazard Layer FIRMette



71°13'24"W 42°21'18"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D

OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall

OTHER AREAS		Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall

OTHER AREAS		Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER AREAS		Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall

OTHER AREAS		Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER AREAS		Area of Minimal Flood Hazard Zone X
		Effective LOMRs
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		Levee, Dike, or Floodwall

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OTHER AREAS		Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards. The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/27/2022 at 8:12 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

27 PARSONS ST, WEST NEWTON



Layers

CHEESE CAKE BROOK

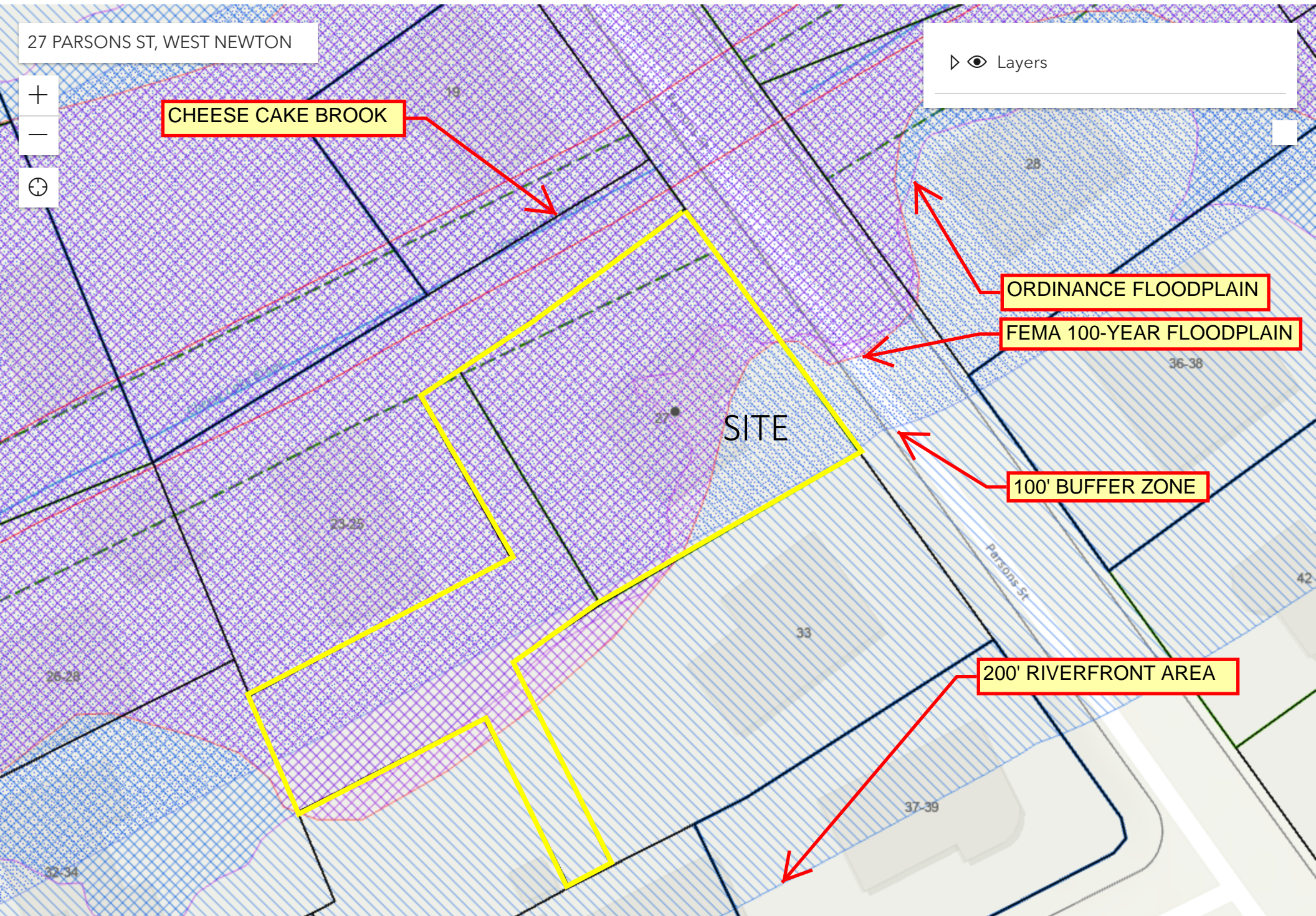
ORDINANCE FLOODPLAIN

FEMA 100-YEAR FLOODPLAIN

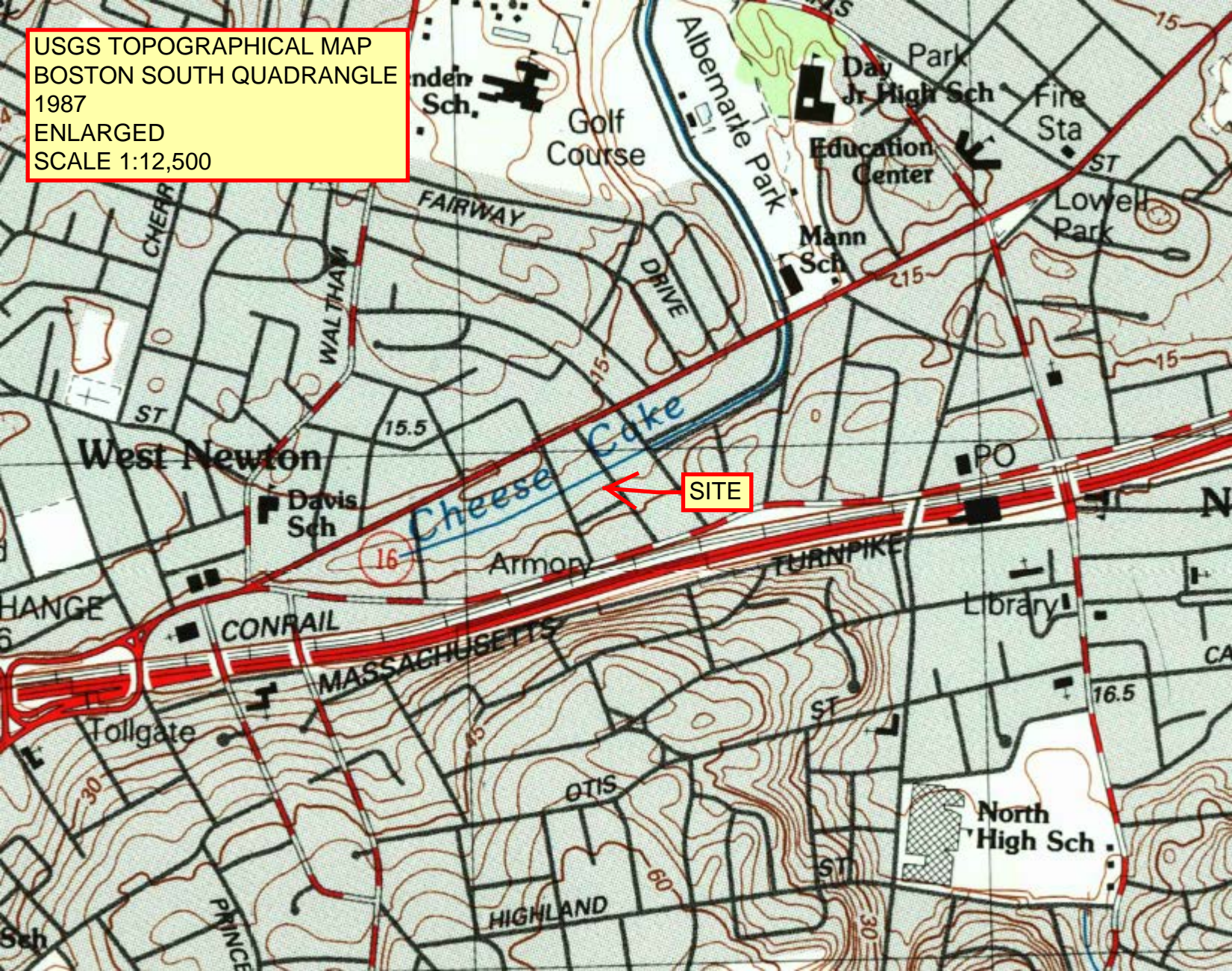
100' BUFFER ZONE

200' RIVERFRONT AREA

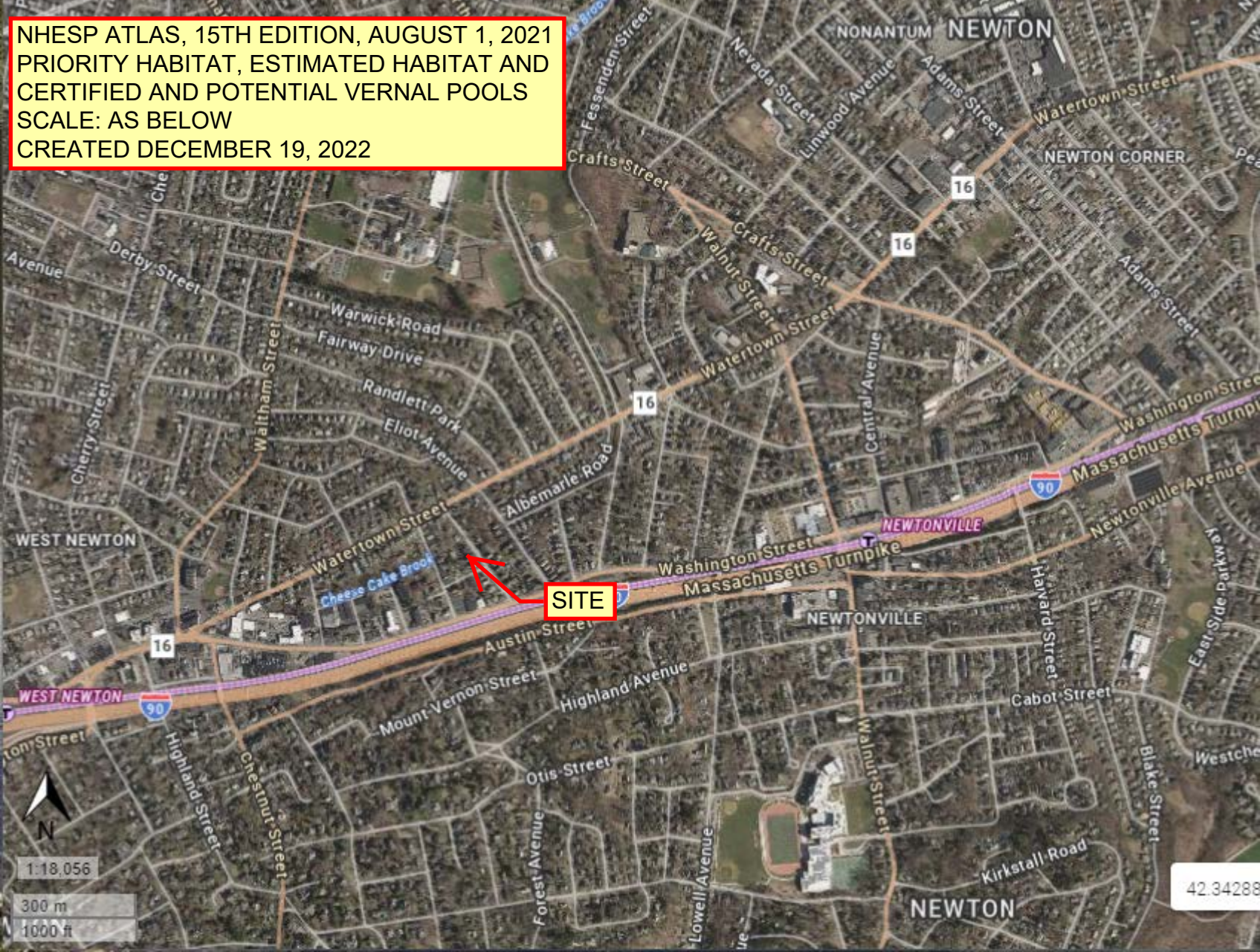
SITE



USGS TOPOGRAPHICAL MAP
BOSTON SOUTH QUADRANGLE
1987
ENLARGED
SCALE 1:12,500



NHESP ATLAS, 15TH EDITION, AUGUST 1, 2021
PRIORITY HABITAT, ESTIMATED HABITAT AND
CERTIFIED AND POTENTIAL VERNAL POOLS
SCALE: AS BELOW
CREATED DECEMBER 19, 2022



1:18,056
300 m
1000 ft

42.34288

EcoTec, Inc.
ENVIRONMENTAL CONSULTING SERVICES
102 Grove Street
Worcester, MA 01605-2629
508-752-9666 – Fax: 508-752-9494

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

Dr. John P. Rockwood has been a Staff Scientist with EcoTec, Inc. since October 1999. He was previously a Chief Environmental Scientist at Sanford Ecological Services, Inc. of Southborough, Massachusetts from September 1990 to October 1999. Dr. Rockwood was certified in August 2002 and recertified in March 2008, January 2013, and June 2018 as a Professional Wetland Scientist (PWS) by the Society of Wetland Scientists Professional Certification Program (SWSPCP), and in April 2020, he was made a Senior Professional Wetland Scientist (SPWS) by the SWSPCP. His project experience includes wetland resource evaluation, delineation, and permitting at the local, state, and federal levels; wildlife habitat evaluation; pond and stream evaluation; vernal pool evaluation, certification, construction/replication, and monitoring; rare species habitat and impact assessment; wetland replacement, replication, and restoration area design, construction, and monitoring; invasive species removal and treatment protocols and monitoring; and expert testimony preparation. He has served as a consultant to municipalities, conservation commissions, the development community, engineering and survey firms, industry, and citizen's groups. He has managed and participated in a wide variety of wetlands-related projects ranging in scope from single-family house lots to subdivisions, commercial developments, mixed use developments, golf courses, a water park, MBTA commuter train station, and a regional mall. He has assessed the potential impacts of stormwater runoff, landfill leachate, and/or hazardous waste disposal sites on rare vertebrate and/or invertebrate species, and has conducted and/or directed surveys, delineated actual habitat, conducted habitat evaluations, and/or developed mitigation strategies necessary to protect rare vertebrate, invertebrate, and plant species and their habitats from proposed development-related impacts. He has designed and conducted drift fence studies for rare vertebrates. He has conducted and led preconstruction sweeps for the spotted turtle, wood turtle, and eastern box turtle. He has filed MESA Project Review Checklists for numerous species and has prepared applications for Conservation and Management Permits and Amendments for the eastern box turtle and marbled salamander under MESA. He has submitted rare animal and plant observation forms to NHESP for several vertebrate, invertebrate, and plant species. He has conducted environmental impact assessments and has prepared MEPA documentation related to an office park, an MBTA commuter train station, water park, residential subdivisions, skating rink facility, landfill, and regional mall. Dr. Rockwood also has extensive experience in environmental site assessment related to possible oil and/or hazardous material contamination. He has conducted numerous environmental assessments, several including subsurface investigations, for sites located in Massachusetts, and has conducted preliminary environmental assessments for properties located in New York, New Hampshire, and Rhode Island. He has conducted ecological risk assessments (i.e., Stage I Environmental Screenings and Stage II Environmental Risk Characterizations) for a number of disposal sites in Massachusetts, including several disposal sites that had the potential to affect state-listed vertebrate and invertebrate species, and has utilized the EPA Rapid Bioassessment Protocol for macroinvertebrates to assess potential impacts of disposal sites and hazardous material releases on streams and rivers in Massachusetts and New York. He has served as the environmental contractor to the Franklin Consolidated Office of the Federal Deposit Insurance Corporation (FDIC-FCO) for 16 months, where he reviewed environmental reports, prepared scopes-of-work for site assessments, and provided technical advice to FDIC employees related to environmentally compromised assets. Dr. Rockwood has designed, conducted, and evaluated numerous surface water and groundwater monitoring programs. His prior research includes laboratory studies of the effects of low pH and aluminum on dragonfly nymphs and a field survey of the impact of chlorinated sewerage effluent on algal periphyton community dynamics. Dr. Rockwood is the co-author of a textbook on aquatic biology and is the principal author of three peer-reviewed research publications in the field of aquatic toxicology that address the effect of low pH and aluminum on nymphs of the dragonfly *Libellula julia*. Dr. Rockwood served as the as the Editor of the AMWS Newsletter from November 2004 to October 2010 and as Assistant Editor from May 2003 to November 2004 and October 2010 to January 2012. He served as President of the Association of Massachusetts Wetland Scientists from November 2013 to December 2015 and as Immediate Past President from December 2015 to December 2017. He was twice awarded by AMWS with their President's Award.

Education: Doctor of Philosophy (Ph.D.): Aquatic Pollution Biology – Plant and Soil Sciences
University of Massachusetts at Amherst, 1989
Bachelor of Science (B.S.): Environmental Sciences, *Summa Cum Laude*
University of Massachusetts at Amherst, 1984

Professional Affiliations: Society for Freshwater Science
Sigma Xi, Full Member
Association of Massachusetts Wetland Scientists, Voting Member
Society of Wetland Scientists
Massachusetts Association of Conservation Commissions

Certifications: Society of Wetlands Scientists Senior Professional Wetland Scientist, Certification Number 1349
OSHA Health and Safety Training, 40-Hour Training, 29 CFR 1910.120
OSHA Health and Safety Training, 8-Hour Supervisor Training
OSHA Health and Safety Training, 8-Hour Refresher Training



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1086
www.newtonma.gov

Barney S. Heath
Director

Conservation Commission Wetland Application Coversheet/Checklist

Date For 1/3/2023 Deadline

Fill in all white cells completely

Parcel	Address 27 Parsons Street	Applicant name	GZ Fleet LLC (Tom Zou)		
	Sec/Block/Lot 31 / 010 / 0006 & 0005	Address	37 Upham Street, Newton, MA 02465		
	Book & Page 80193 & 408	Email	tom.zou@hotmail.com		
		Phone	617-461-9245		
Owner name	GZ Fleet LLC (Tom Zou)	Representative*	John P. Rockwood, Ph.D., SPWS		
Address	37 Upham Street, Newton, MA 02465	Address	EcoTec, Inc. 102 Grove Street, Worcester, MA 01605		
Email	tom.zou@hotmail.com	Email	jrockwood@ecotecinc.com		
Phone	617-461-9245	Phone	508-752-9666		
		<i>* During permitting, please send all correspondence only to John Rockwood, Representative</i>			
Legal Ad Payor	Please identify which party will pay for the Legal Ad.	John Rockwood, EcoTec, Inc. 508-752-9666 jrockwood@ecotecinc.com			
Wetland type	Riverfront Area	sf/cf affected	4,940 sf *	Relevant Perf. Standards	<u>10.58(4)(a&b)&(5)</u>
Wetland type	Bordering Land Subject to Flooding	sf/cf affected	6,220 sf / 2,093 cf*	Relevant Perf. Standards	<u>10.57 (4)(a)</u>
Wetland type	Buffer Zone	sf/cf affected	--	Relevant Perf. Standards	<u>10.53(1)</u>

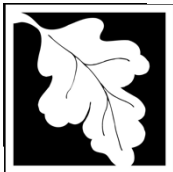
* See WPA Form 3 and Cover Letter for additional information

Components of a Complete NOI Application

State Form: NOI Form 3	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Engineered Plan* title(s)	See NOI Cover Letter for a complete listing of materials included as part of this filing.
Plan date	
Plan stamped by	
*if legible, plans should be 11"x17"	
Narrative	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
Proof that all relevant perf. standards are met	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
Locus map	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
Delineation lines (backup material)	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
Fees	
● Fee Transmittal form	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
● City portion of state filing fee <u>\$800.00</u>	Included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Checks hand-delivered to Conservation Staff on 12/15/2022
● City's separate filing fee <u>\$50</u>	Included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Copies of Redacted Checks attached to Forms
Abutter Information	
● Certified abutters list (within 100')	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
● Newton's Abutter notification form	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No See Cover Letter
● Affidavit & proof -- bring to hearing	<i>Present them at the hearing</i> To be submitted via NewGov
Other Attachments, e.g.	
Planting Plan	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable See Site Plan
Floodplain analysis	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable See Site Plan and Cover Letter
Stormwater analysis	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable See Stormwater Report and Site Plan
Riverfront Area Alternatives Analysis	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable See Cover Letter
Restoration or mitigation summary	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable See Site Plan and Cover Letter
Phasing/Sequencing plan, O&M plan, etc.	Included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable See 'Stand-alone' O & M Plan

Conservation Commission Wetland Permit Process

RDA	NOI	Steps in Permitting Process	
1.	1.	Get a certified list of all abutters within 100' of property lines from the Newton Assessor's Office.	
	2.	Submit applications by noon of the Tuesday deadline (16 days before the desired hearing) to: <ol style="list-style-type: none"> a. <u>Newton Conservation Commission</u>: <ul style="list-style-type: none"> • Complete NOI or RDA application packet via electronic submission through NewGov. For NOIs use the application checklist to ensure completeness. <ul style="list-style-type: none"> • Application coversheet, state forms, narrative, photocopies of checks, ALL attachments • Plans (11"x17" format, if legible) stamped by engineer if any aspect of the project requires engineering. • Application fees via mail to Newton Conservation Office, 1000 Commonwealth Ave., Newton, MA 02459. For NOIs use the application checklist to ensure completeness. <ul style="list-style-type: none"> • Check to City of Newton for city portion of the state filing fee • \$50 check to City of Newton for city filing fee b. <u>Mass DEP Northeast Regional Office</u>: 205B Lowell Street, Wilmington, MA 01887 (1 paper copy) <ul style="list-style-type: none"> • Complete NOI or RDA application packet (hard copy) AND Photocopy of the two state filing fee checks c. <u>DEP Lock Box</u>: Box 4062, Boston MA 02211 <ul style="list-style-type: none"> • Check to Commonwealth of Mass. for state portion of the state fee <u>AND Fee transmittal form</u> 	
			<i>The Conservation Agent will determine application completeness and assign a public hearing/meeting date and time.</i>
	3.		Once you have the date and time of the hearing, using the City's " Notification to Abutters Form ", notify all abutters within 100' of the property line via certified mail, certificate of mailing, or hand delivery with signatures.
			<i>The Conservation Agent will place a legal ad in the Boston Herald and the Applicant will receive an email with instructions to pay.</i>
	4.		Stake the project. 2 weeks in advance of the public hearing, stake all proposed structures, erosion control barriers, stormwater systems, etc. within Con Com jurisdiction.
			<i>The Conservation Agent will perform a site visit before the public hearing to confirm existing conditions and proposed work. If you wish to be informed of the time of the visit, please contact the Con Com office.</i>
			<i>One week prior to the meeting, when the agenda is posted, the Conservation Agent will send all Applicants detailed Conservation staff notes and recommendations (from the Conservation Commission's detailed agenda).</i>
	5.		Applicants may submit revised materials (via NewGov) by the Tuesday prior to the meeting (to be reviewed and discussed at the meeting) or may request a continuation to a future Conservation Commission meeting.
	2.	6.	Attend the public hearing/meeting. The applicant or representative is expected to provide proof of abutter notification , briefly present the project , and answer any questions about possible impacts on wetlands . At the end of the hearing, the Con Com will either: <ul style="list-style-type: none"> • Issue a Determination of Applicability ("negative" determination means no further permitting is needed), • Issue an Order of Conditions (OOC) approving or denying the project, or • Approve a continuation of the public hearing, to allow time for additional information to be provided.
	3.	7.	Receive and read the decision and understand the conditions. Contact the Con Com if you have any questions. Some conditions are temporary (such as maintaining erosion controls), and some are perpetual (such maintaining restoration planting areas or limiting the use of fertilizers and outdoor lighting).
		8.	Wait-out the 10-Day appeal period. A decision of the Con Com can be appealed to MassDEP by any abutter, applicant, or 10-citizen group within 10 business days of the decision.
		9.	Record the Order at the Registry of Deeds. Provide proof of recording to the Conservation office.
		10.	Install MassDEP file number sign and erosion controls.
	11.	Schedule and attend a pre-construction site visit. Contact the Conservation office to schedule the site visit.	
4.	12.	Execute the project. The project must be completed within 3 years, unless an extension of the permit is issued.	
	13.	Request a Certificate of Compliance (COC) via NewGov. Once the project is complete and all conditions have been satisfied, request a COC from the Conservation office by submitting: (1) DEP Form 8a , (2) a stamped as-built plan , and (3) a letter from the engineer stating that everything is in substantial compliance with the approved plans and OOC.	
		<i>The Con Com will perform a site visit to ensure compliance, and will issue a COC if appropriate.</i>	
	14.	Record the Certificate of Compliance (COC) at the Registry of Deeds to remove the cloud from the title. Provide proof of recording to the Conservation office.	



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

NEWTON

City/Town

Important:

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



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

<u>27 Parsons Street</u>	<u>Newton</u>	<u>02465</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>42.35133</u>	<u>-71.21814</u>	
d. Latitude	e. Longitude	
<u>31 010</u>	<u>0006 & 0005</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Tom</u>	<u>Zou</u>	
a. First Name	b. Last Name	
<u>GZ Fleet LLC</u>		
c. Organization		
<u>37 Upham Street</u>		
d. Street Address		
<u>Newton</u>	<u>MA</u>	<u>02465</u>
e. City/Town	f. State	g. Zip Code
<u>617-461-9245</u>	<u>--</u>	<u>tom.zou@hotmail.com</u>
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

<u>Tom</u>	<u>Zou</u>	
a. First Name	b. Last Name	
<u>--</u>		
c. Organization		
<u>37 Upham Street</u>		
d. Street Address		
<u>Newton</u>	<u>MA</u>	<u>02465</u>
e. City/Town	f. State	g. Zip Code
<u>617-461-9245</u>	<u>--</u>	<u>tom.zou@hotmail.com</u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>John</u>	<u>Rockwood</u>	
a. First Name	b. Last Name	
<u>EcoTec, Inc.</u>		
c. Company		
<u>102 Grove Street</u>		
d. Street Address		
<u>Worcester</u>	<u>MA</u>	<u>01605</u>
e. City/Town	f. State	g. Zip Code
<u>508-752-9666x3</u>	<u>--</u>	<u>jrockwood@ecotecinc.com</u>
h. Phone Number	i. Fax Number	j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

<u>\$ 1,575.00</u>	<u>\$ 775.00</u>	<u>\$ 800.00</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
NEWTON
City/Town

A. General Information (continued)

6. General Project Description:

The project consists of the demolition of the existing single-family house and associated site features and the construction of a new two-family house with associated site features within Riverfront Area, Bordering Land Subject to Flooding, and/or Buffer Zone. Erosion controls, stormwater management, compensatory storage, and sapling plantings are proposed (see Cover Letter and Site Plan).

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1. Single Family Home
- 2. Residential Subdivision
Two-family House
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

--
2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

South Middlesex	--
a. County	b. Certificate # (if registered land)
80193	408
c. Book	d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

 MassDEP File Number

 Document Transaction Number
NEWTON

 City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	-- 1. linear feet	-- 2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	-- 1. square feet	-- 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	-- 1. square feet -- 3. cubic yards dredged	-- 2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	6,220 1. square feet 2,093 3. cubic feet of flood storage lost	0 (see Cover Letter) 2. square feet 3,204 (see Cover Letter) 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	-- 1. square feet -- 2. cubic feet of flood storage lost	-- 3. cubic feet replaced
f. <input checked="" type="checkbox"/> Riverfront Area	Cheese Cake Brook - Inland 1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 12,305
square feet

4. Proposed alteration of the Riverfront Area:

4,940 (see Cover Letter) 4,940 0
 a. total square feet b. square feet within 100 ft. c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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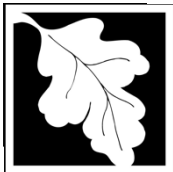
City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
 Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	-- 1. square feet	
	-- 2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	-- 1. square feet	-- 2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	-- 1. square feet	-- 2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	-- 1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	-- 1. square feet	
h. <input type="checkbox"/> Salt Marshes	-- 1. square feet	-- 2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	-- 1. square feet	
	-- 2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	-- 1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	-- 1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	-- 1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	-- a. square feet of BVW	-- b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings	-- a. number of new stream crossings	-- b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

- Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

- August 1, 2021
b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); OR complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

- Percentage/acreage of property to be altered:

(a) within wetland Resource Area	--

	percentage/acreage
(b) outside Resource Area	--

	percentage/acreage

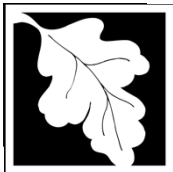
- Assessor's Map or right-of-way plan of site

- Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
 - Project description (including description of impacts outside of wetland resource area & buffer zone)
 - Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

C. Other Applicable Standards and Requirements (cont'd)

- 4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 --
 b. ACEC

- 5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 a. Yes No
- 6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 a. Yes No
- 7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 - 1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 - 2. A portion of the site constitutes redevelopment
 - 3. Proprietary BMPs are included in the Stormwater Management System.
 b. No. Check why the project is exempt:
 - 1. Single-family house
 - 2. Emergency road repair
 - 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

- 1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

A complete listing of materials included in this filing is provided in the Cover Letter.

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

1194	11/21/2022
2. Municipal Check Number	3. Check date
1195	11/21/2022
4. State Check Number	5. Check date
GZ Fleet LLC	--
6. Payor name on check: First Name	7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
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City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

See Next Page

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

John Rockwood

12/20/2022

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



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WPA Form 3 – Notice of Intent



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

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I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

 _____ 1. Signature of Applicant	<u>11/21/2022</u> _____ 2. Date
 _____ 3. Signature of Property Owner (if different)	<u>11/21/2022</u> _____ 4. Date
_____ 5. Signature of Representative (if any)	_____ 6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

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Other:

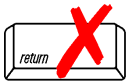
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



A. Applicant Information

1. Location of Project:

<u>27 Parsons Street</u>	<u>Newton</u>
a. Street Address	b. City/Town
<u>1195</u>	<u>\$ 775.00</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>Tom</u>	<u>Zou</u>	
a. First Name	b. Last Name	
<u>GZ Fleet LLC</u>		
c. Organization		
<u>37 Upham Street</u>		
d. Mailing Address		
<u>Newton</u>	<u>MA</u>	<u>02465</u>
e. City/Town	f. State	g. Zip Code
<u>617-461-9245</u>	<u>--</u>	<u>tom.zou@hotmail.com</u>
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

<u>Tom</u>	<u>Zou</u>	
a. First Name	b. Last Name	
<u>GZ Fleet LLC</u>		
c. Organization		
<u>37 Upham Street</u>		
d. Mailing Address		
<u>Newton</u>	<u>MA</u>	<u>02465</u>
e. City/Town	f. State	g. Zip Code
<u>617-461-9245</u>	<u>--</u>	<u>tom.zou@hotmail.com</u>
h. Phone Number	i. Fax Number	j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
3b. Town House Style Building in RFA, BLSF, and Buffer Zone	1	\$ 1,050 x 1.5	\$ 1,575.00

Step 5/Total Project Fee: \$ 1,575.00

Step 6/Fee Payments:

Total Project Fee:	<u>\$ 1,575.00</u>
State share of filing Fee:	a. Total Fee from Step 5 <u>\$ 775.00</u>
City/Town share of filing Fee:	b. Total Fee less \$12.50 <u>\$ 800.00</u>
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Mailing Address
Assessing Department
1000 Commonwealth Ave.
Newton, MA 02459

**Assessment Administration
City of Newton, MA**

Phone Numbers
Main Office: 617-796-1160
Facsimile: 617-796-1179

**REQUEST FOR ABUTTERS LIST
AND MAILING LABELS**

Purpose: (check one)

- Conservation Commission Filing
- Filing for Victualler's/Restaurant or Liquor License
- Other: _____
(Ordinances, laws, or regulations that require a citizen/organization to send a notice by mail to "parties of interest.")

Name of organization: EcoTec, Inc.

Person filing request: John Rockwood, Ph.D. **Title:** Principal Scientist

Address: 102 Grove Street, Worcester, MA 01605

Telephone no. during day: 508-294-2548 (to notify for pick-up)

Subject property: 27 Parsons Street (SBL 31 010 0006) and Parsons Street (SBL 31 010 0005)

Abutters list requires owner names and addresses of: (check all that apply)

- Abutters to subject property and abutters to abutters
- Abutters within user-specified distance from property line: within 100 feet
- Abutters along one or more streets (list below):

Please verify spelling of street on City map on wall near front door of Assessors office.

Mailing labels for abutters (as above): (Charge: \$.50 per label sheet)

- 1 set
- 2 sets

Fees: Staff preparation time if request takes 2 hours or more to complete.

Staff Fee: \$ 23.75 /hour (or portion thereof)

Mailing labels: \$.50 per label sheet
Total: *Calculated upon completion*

Please allow ten (10) business days for completion of this request.

Signature: John P. Rockwood **Date:** 11/21/2022

**Assessing Department, 1000 Commonwealth Ave, Newton, MA 02459
Main Office: 617-796-1160 FAX No: 617-796-1179**

Abutters List[print this list](#)

Date: November 21, 2022

Subject Property Address: 27 PARSONS ST Newton, MA

Subject Property ID: 31-010-0006

Search Distance: 100 Feet

Owner: ROWLAND RICHARD H TR
Co-Owner: ROWLAND MARTHA A TR
Prop ID: 31-010-0002
Prop Location: 11 PARSONS ST Newton, MA
Mailing Address:

11 PARSONS ST
NEWTON, MA 02465

Owner: HATCH HAROLD
Co-Owner: HATCH TRACEY
Prop ID: 31-010-0003
Prop Location: 19 PARSONS ST Newton, MA
Mailing Address:

19 PARSONS ST
NEWTON, MA 02465

Owner: YU JING GUO
Co-Owner: YU RUI LAN
Prop ID: 31-010-0004
Prop Location: 23-25 PARSONS ST 23 Newton, MA
Mailing Address:

23 25 PARSONS ST UNIT 23
NEWTON, MA 02465

Owner: LIU PEI LAN
Prop ID: 31-010-0004-A
Prop Location: 23-25 PARSONS ST 25 Newton, MA
Mailing Address:

23 25 PARSONS ST UNIT 25
NEWTON, MA 02465

Owner: GZ FLEET LLC
Prop ID: 31-010-0005
Prop Location: PARSONS ST Newton, MA
Mailing Address:
37 UPHAM ST
NEWTON, MA 02465

Owner: MCKEE MAUDE B TR
Co-Owner: MAUDE B MCKEE TRUST
Prop ID: 31-010-0007
Prop Location: 33 PARSONS ST Newton, MA
Mailing Address:
33 PARSONS ST
NEWTON, MA 02465

Owner: MARZILLI BERNARDO
Co-Owner: MARZILLI LISA V TRS
Prop ID: 31-010-0008
Prop Location: 37-39 PARSONS ST Newton, MA
Mailing Address:
112 PINE ST
AUBURNDALE, MA 02466

Owner: FAULKNER MARK T & KRISTINE A
Prop ID: 31-010-0009
Prop Location: 11 WISWALL ST Newton, MA
Mailing Address:
11 WISWALL ST
NEWTON, MA 02465

Owner: PISELLI JOHN TR
Co-Owner: JOHN PISELLI TRUST
Prop ID: 31-010-0010
Prop Location: 17 WISWALL ST Newton, MA
Mailing Address:
17 WISWALL ST
NEWTON, MA 02465

Owner: TECHLER TIMOTHY J
Co-Owner: TECHLER MICHELLE T
Prop ID: 31-010-0011
Prop Location: 40 CROSS ST Newton, MA
Mailing Address:
40 CROSS ST
NEWTON, MA 02465

Owner: LEAL DAYANNE
Prop ID: 31-010-0012
Prop Location: 32-34 CROSS ST Newton, MA
Mailing Address:
32 CROSS ST
NEWTON, MA 02465

Owner: MUI LILY TR
Co-Owner: THE CARE TRUST
Prop ID: 31-010-0013
Prop Location: 26-28 CROSS ST Newton, MA
Mailing Address:
26 CROSS ST 28
NEWTON, MA 02465

Owner: MACKINTOSH SEAN
Co-Owner: GREGORY SONIA
Prop ID: 31-010-0014
Prop Location: 16 CROSS ST Newton, MA
Mailing Address:
16 CROSS ST
WEST NEWTON, MA 02465

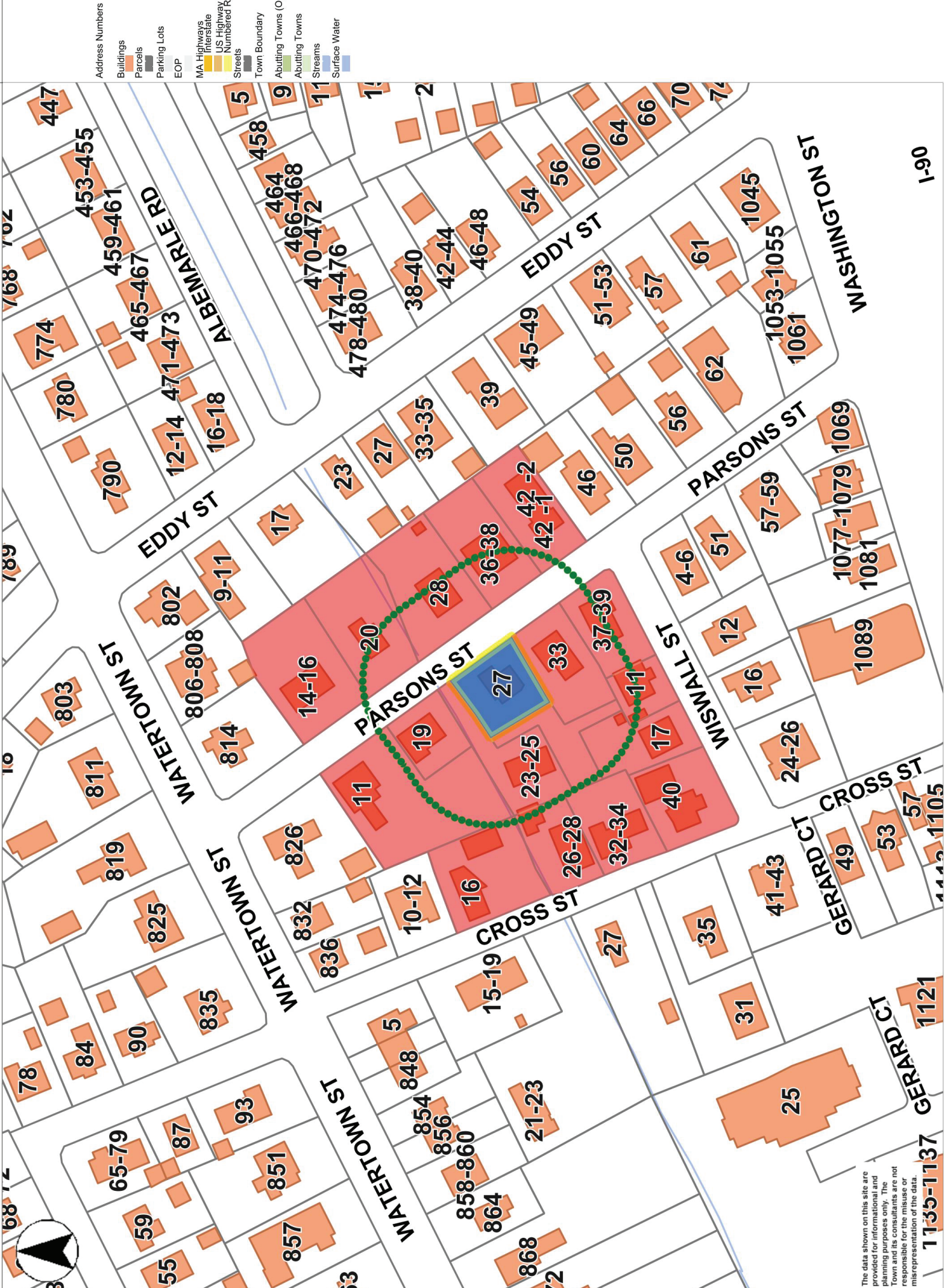
Owner: DERMOVSESIAN ARTO
Co-Owner: DERMOVSESIAN VICTORIA
Prop ID: 31-011-0020
Prop Location: 42 PARSONS ST Newton, MA
Mailing Address:
38 PARSONS ST
NEWTON, MA 02465

Owner: DERMOVSESIAN ARTO & VICTORIA
Prop ID: 31-011-0021
Prop Location: 36-38 PARSONS ST Newton, MA
Mailing Address:
38 PARSONS ST
NEWTON, MA 02465

Owner: BRINKERHOFF FLORENCE M
Co-Owner: BRINKERHOFF BRUCE S TRS
Prop ID: 31-011-0022
Prop Location: 28 PARSONS ST Newton, MA
Mailing Address:
31 MILFORD ST
UPTON, MA 01568

Owner: GERSHON YANIV
Co-Owner: GERSHON-KATZ SHIRI
Prop ID: 31-011-0023
Prop Location: 20 PARSONS ST Newton, MA
Mailing Address:
20 PARSONS ST
NEWTON, MA 02465

Owner: MUMMOLO UMBERTO
Prop ID: 31-011-0024
Prop Location: 14-16 PARSONS ST Newton, MA
Mailing Address:
179R FANEUIL ST
BRIGHTON, MA 02135



- Address Numbers
- Buildings
- Parcels
- Parking Lots
- EOP
- MA Highways
- Interstate
- US Highway
- Numbered Routes
- Streets
- Town Boundary
- Abutting Towns (Opaque)
- Abutting Towns
- Streams
- Surface Water

The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act
and the City of Newton Floodplain Protection Ordinance**

In accordance with the second paragraph of Massachusetts Wetlands Protection Act (MGL Ch. 131, §40) and the City of Newton Floodplain Protection Ordinance (Section 22-22), you are hereby notified of the following:

- A. The name of the applicant is **GZ Fleet LLC**.
- B. The applicant has filed a Notice of Intent with the **Newton Conservation Commission** seeking permission to remove, fill, dredge, or alter an Area Subject to Protection Under the Wetlands Protection Act. **The project consists of the demolition of the existing single-family house and associated site features and the construction of a new two-family house and associated site features.**
- C. The address of the lot where the activity is proposed is **27 Parsons Street, Newton, Massachusetts (Assessor's Reference: Section 31, Block 010, Lot 0006 and 0005).**
- D. **The Public Hearing on this matter will be held remotely via Zoom on Thursday, January 19, 2023 at 7:00 pm.**

During the COVID-19 outbreak, Gov. Baker issued an Emergency Order on March 12, 2020, allowing public bodies greater flexibility utilizing technology in the conduct of public meetings under the Open Meeting Law. The City of Newton implemented remote participation procedures allowed under Gov. Baker's Emergency Order for all boards, committees, and commissions.

The Zoom link for the public hearing will be posted on the Conservation Commission website "Meeting Documents" tab 48 hours in advance of the hearing:

<https://www.newtonma.gov/government/planning/boards-commissions/conservation-commission/meeting-documents>.

- E. An electronic copy of the submittal may be requested from the applicant's representative at jrockwood@ecotecinc.com. Alternatively, a copy of the Notice on Intent can be found on the Newton Conservation Commission's website "Meeting Documents" tab:
<https://www.newtonma.gov/government/planning/boards-commissions/conservation-commission/meeting-documents>.
- F. Questions can be directed to: the Newton Conservation Commission by calling 617-796-1134 or emailing jsteel@newtonma.gov or emenounos@newtonma.gov.
- G. Printed notice will be published at least five (5) days in advance in ***The Boston Herald***.

NOTE: Notice of the public hearing, including its date, time, and place, will be posted on the City Hall bulletin board or equivalent not less than forty-eight (48) hours in advance of the hearing.

NOTE: You also may contact the nearest Department of Environmental Protection Regional Office for more information about this application or the Massachusetts Wetlands Protection Act. To contact the DEP, call the Northeast Region at 978-694-3200.

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act
and City of Newton Floodplain Ordinance

I, John P. Rockwood, Ph.D., SPWS, hereby certify under the pains and penalties of perjury that on December 21, 2022, I gave notification to abutters in compliance with the Massachusetts Wetlands Protection Act and City of Newton Floodplain Ordinance in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act and Newton Floodplain Ordinance by GZ Fleet LLC with the Newton Conservation Commission on December 21, 2022 for property located at 27 Parsons Street, Newton, Massachusetts.

The form of the notification and a list of the abutters to whom it was given and their addresses, are provided with this Affidavit of Service.



John P. Rockwood, Ph.D., SPWS

December 21, 2022

Date