

REGULATORY COMPLIANCE NARRATIVE

1.0 EXISTING CONDITIONS

The locus site consists of a single-family house with an associated asphalt driveway, walkway, deck, two patios, planter, and lawn space. The asphalt driveway connects to Quinobequin Road at the southern portion of the parcel. Two patios, one deck, and one planter are located behind the house surrounded by existing lawn space and forest. A tree (37 DBH) is located within the proposed work area.

The Bordering Vegetated Wetlands (BVW), located off-site north of the parcel, casts a 100-Foot Buffer Zone onto a majority of the patio structures, deck, planter and a portion of the existing house. Another BVW is located off-site southeast of the parcel (across Quinobequin Road), which casts a 100-Foot Buffer Zone on a majority of the driveway and a small portion of the existing house. There is a perennial stream (the Charles River) located off-site south of the parcel which casts a 200-Foot Riverfront area partially on site. The site is within a regulated FEMA Flood Zone resulting in a regulated Bordering Land Subject to Flooding (BLSF) Resource Area being present on site. The BLSF is located from the wetland line up to the FEMA floodplain elevation 65.

According to the Mass GIS data layers for NHESP, this site is not located within Estimated and/or Priority Habitat of Rare Wildlife. The site is not mapped within an Area of Critical Environmental Concern (ACEC) or Outstanding Resource Waters.

2.0 PROPOSED PROJECT

The applicant proposes constructing a first and second-floor addition with an associated deck. Work is only proposed within the 100-Foot Buffer Zone to BVW. No work is proposed within Newton's 25-Foot Naturally Vegetated Buffer (NVB). No work is proposed within Bordering Land Subject to Flooding. Quinobequin Road and the existing driveway are located within Riverfront Area, however, no impacts to Riverfront Area are proposed for the work to occur.

The first-floor addition and deck would be located behind the house, within the 100-Foot Buffer Zone. The existing tree (37 DBH), deck, and planter are proposed to be removed as a result. The second-floor addition would be located on top of a portion of the existing house. The proposed second floor addition is partially within the 100-Foot Buffer Zone.

The net increase of impervious surface from proposed additions and deck is only 89 square feet due to utilizing existing planter and deck space. The closest existing structure to the BVW is +/- 73 feet away (the existing deck). The closest new structure (the proposed deck) is proposed +/- 67 feet away from the offsite BVW, only 6 feet closer. The limit of work in the backyard is proposed 55 feet away from the offsite northern BVW. The limit of work on the side yard is proposed +/- 70 feet away from the offsite southeastern BVW.

The proposed erosion control barrier (filter mitts) will clearly demarcate the limit of work and will prevent sediment from migrating out of the construction area toward the resource areas.

3.0 REGULATORY COMPLIANCE WITH WETLANDS PROTECTION ACT

3.1 BUFFER ZONE (100-FOOT)

The WPA Regulations do not contain performance standards for Buffer Zone Alteration (310 CMR 10.02(2)(b)). All reasonable efforts to avoid, minimize and mitigate adverse impacts on the Buffer Zone have been considered. Erosion and sedimentation controls will be implemented during construction, along the limit of work, in the form of filter matts to protect downgradient resource areas. Only one tree (37 DBH) will be removed in the Buffer Zone.

3.2 BORDERING LAND SUBJECT TO FLOODING (BLSF)

Bordering Land Subject to Flooding is defined as “an area with low, flat topography adjacent to and inundated by flood waters rising from creeks, rivers, streams, ponds or lakes. It extends from the banks of these waterways and water bodies; where a bordering vegetated wetland occurs, it extends from said wetland.” The Newton’s Floodplain Ordinance has jurisdiction over BLSF as well as special flood hazard areas. BLSF is present on site up to elevation 65. There is no proposed work within BLSF.

3.3 RIVERFRONT AREA

Riverfront Area encompasses Quinobequin Road, and portions of the front lawn and driveway. Although access through Quinobequin Road and the driveway will be utilized for access to the site, no alterations to Riverfront Area are proposed.

4.0 REGULATORY COMPLIANCE WITH NEWTON POLICIES

4.1 25-FOOT NATURALLY VEGETATED BUFFER (NVB) POLICY

Newton’s Conservation Commission enforces a 25-Foot Naturally Vegetated Buffer (NVB) Policy. The proposed work is not within the NVB.

4.2 NEWTON’S FLOOD PLAIN ORDINANCE (22-22)

There is no proposed work is within the flood plain.

4.3 CONSTRUCTION IN FLOODZONE AND COMPENSATORY STORAGE POLICY

There is no proposed work within the flood zone.

5.0 CONCLUSION

In summary, Goddard Consulting believes that the proposed project will not have any adverse impacts on the interests identified in the Wetlands Protection Act, City of Newton's Floodplain Ordinance, or Newton's policies for Construction in Flood Zone. The proposed project meets all regulatory compliance standards under the Wetlands Protection Act and the City of Newton's Ordinance and Policies; therefore, Goddard Consulting respectfully requests that the Newton Conservation Commission issue an Order of Conditions approving the proposed project.

Please feel free to contact us if you have any questions about this Notice of Intent submission.

Sincerely,
Goddard Consulting, LLC



Mitch Maslanka
Wetland Scientist