



# Abbreviated Notice of Resource Area Delineation

## Countryside Elementary School

March 7, 2023

PREPARED FOR:

City of Newton  
Public Buildings Department  
1000 Commonwealth Avenue  
Newton Centre, MA 02459

PREPARED BY:

**Horsley Witten Group**  
*Sustainable Environmental Solutions*

90 Route 6A • Unit 1 • Sandwich, MA 02563  
508-833-6600 • [horsleywitten.com](http://horsleywitten.com)



## ABBREVIATED NOTICE OF RESOURCE AREA DELINEATION FORMS

- WPA Form 4A (eDEP)
- Wetland Fee Transmittal Form
- Certified Abutters List
- Abutter Notification Letter
- Affidavit of Service

## NARRATIVE

## ATTACHMENTS

### Attachment A – Locus Maps

- Figure 1 – USGS Topographic Map
- Figure 2 – Aerial Photograph
- Figure 3 – FEMA Flood Zone & National Flood Insurance Program Flood Insurance Rate Maps
- Figure 4 – Environmental Constraints
- Figure 5 – NRCS Soils Map

### ATTACHMENT B – Supporting Documentation

- Wetland Delineation Report by DGT Associates
- Wetland Data Sheets by DGT Associates

### ATTACHMENT C – Plans

- “Topographic and Boundary Survey,” prepared by DGT Associates, dated February 2, 2023



March 7, 2023

Newton Conservation Commission  
c/o Jennifer Steel, Chief Environmental Planner  
1000 Commonwealth Ave.  
Newton, MA 02459

Re: Abbreviated Notice of Resource Area Delineation – Countryside Elementary School,  
Newton, MA

Dear Members of the Conservation Commission:

On behalf of the Applicant, the City of Newton Public Buildings Department, the Horsley Witten Group, Inc. (HW) is submitting the enclosed Abbreviated Notice of Resource Area Delineation (ANRAD) and supporting documentation for confirmation of wetland resource areas at the referenced site. Resource areas at the project site include Bordering Vegetated Wetlands (BVWs), inland Bank, Riverfront Area, and Bordering Land Subject to Flooding (BLSF). These wetland resource areas are protected and regulated under the Massachusetts *Wetlands Protection Act* (M.G.L. Ch. 131 § 40), its implementing Regulations (310 CMR 10.00), as well as *Newton's Floodplain Ordinance*.

Under this ANRAD the City is specifically seeking confirmation of the wetland resource areas as part of the project planning phase for a reconstructed school design. These include the boundaries of two areas of BVW; the bank/MAHW of South Meadow Brook, from which the extent of Riverfront Area is established; the intermittent stream (Bank) along the western boundary; and the boundary of the BLSF.

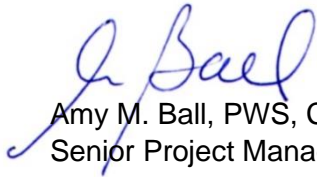
Details of the wetland resource areas are provided in the attached project narrative, wetlands report, and supporting maps and site plans prepared by DGT Associates, entitled "Topographic and Boundary Survey," prepared by DGT Associates, dated August 9, 2022 and updated through February 2, 2023.

HW has uploaded the ANRAD application and supporting materials and plans to the Town's Viewpoint Cloud portal. Copies of these materials have been submitted to Massachusetts Department of Environmental Protection (MassDEP), Northeast Regional Office via eDEP. HW has also sent notification of the pending public hearing to abutters in accordance with State and local filing regulations and policies.

Thank you in advance for your review of this ANRAD application. We look forward to meeting with you on March 23, 2023. If you have any questions and/or require additional information pertaining to this submittal, please contact me at (508) 833-6600 or at [aball@horsleywitten.com](mailto:aball@horsleywitten.com).

Sincerely,

**Horsley Witten Group, Inc.**



Amy M. Ball, PWS, CWS  
Senior Project Manager – Senior Ecologist

Enclosures

cc: MassDEP, Northeast Regional Office (via eDEP)  
Josh Morse, Commissioner, City of Newton Public Buildings Dept.  
Alex Valcarce, Deputy Commissioner, City of Newton Public Buildings Dept.  
Vivian Low, DiNisco Design  
Donna DiNisco, DiNisco Design  
Anne Davis Woodacre, DiNisco Design  
Bill Brown, Brown + Sardina





Massachusetts Department of Environmental Protection

## eDEP Transaction Copy

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Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: 90ROUTE6AEDEP

Transaction ID: 1463172

Document: WPA Form 4A - ANRAD

Size of File: 214.19K

Status of Transaction: In Process

Date and Time Created: 3/1/2023:4:39:30 PM

**Note:** This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.

**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

**WPA Form 4A**

**Abbreviated Notice of Resource Area Delineation**

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

Provided by MassDEP:

MassDEP File #:

eDEP Transaction #:1463172

City/Town:NEWTON

**A. General Information**

**1. Project Location:**

a. Street Address 191 DEDHAM STREET  
b. City/Town NEWTON c. Zip Code 02461  
d. Latitude 42.31315 N e. Longitude 71.20244 W  
(e.g. 41.01981) (e.g. 71.3241)  
f. Map/Plat # 83006 g. Parcel/Lot # 0011

**2. Applicant:**

Individual  Organization

a. First Name JOSH b. Last Name MORSE  
c. Organization CITY OF NEWTON PUBLIC BUILDINGS DEPARTMENT  
d. Mailing Address 1000 COMMONWEALTH AVENUE  
e. City/Town NEWTON f. State MA g. Zip Code 02459  
h. Phone Number 6177961608 i. Fax j. Email jmorse@newtonma.gov

**3. Property Owner:**

More than one owner

a. First Name b. Last Name  
c. Organization CITY OF NEWTON PUBLIC BUILDINGS DEPARTMENT  
d. Mailing Address 1000 COMMONWEALTH AVENUE  
e. City/Town NEWTON f. State MA g. Zip Code 02459  
h. Phone Number 6177961608 i. Fax j. Email

**4. Representative:**

a. First Name AMY b. Last Name BALL  
c. Organization HORSLEY WITTEN GROUP  
d. Mailing Address 90 ROUTE 6A, UNIT #1  
e. City/Town SANDWICH f. State MA g. Zip Code 02653  
h. Phone Number 5088336600 i. Fax j. Email aball@horsleywitten.com

**5. Total WPA Fee Paid (Automatically inserted from ANRAD Wetland Fee Transmittal Form):**

a. Total Fee Paid \$ 0.00 b. State Fee Paid \$ 0.00 c. City/Town Fee Paid \$ 0.00

**B. Area(s) Delineated**

**1. Bordering Vegetated Wetland (BVW) 756**

Linear Feet of Boundary Delineated

**2. Check all methods used to delineate the Bordering Vegetated Wetland (BVW) bound2. Check all methods used to delineate the Bordering Vegetated Wetland (BVW) boundary:**

- a.  MassDEP BVW Field Data Form (attached)
- b.  Other Methods for Determining the BVW boundary (attach documentation):

**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

**WPA Form 4A**

**Abbreviated Notice of Resource Area Delineation**

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

Provided by MassDEP:  
MassDEP File #:  
eDEP Transaction #:1463172  
City/Town:NEWTON

- 1.  50% or more wetland indicator plants
- 2.  Saturated/inundated conditions exist
- 3.  Groundwater indicators
- 4.  Direct observation
- 5.  Hydric soil indicators
- 6.  Credible evidence of conditions prior to disturbance

**3. Indicate any other resource area boundaries are delineated:**

RIVERFRONT AREA/MEAN ANNUAL HIGH WATER MARK	448
a. Resource Area BANK	b. Linear Feet Delineated 508
c. Resource Area	d. Linear Feet Delineated

**C. Additional Information**

Application must include the following plans with this Abbreviated Notice of Resource Area Delineation. See instructions for details.

- 1.  ANRAD (Delineation Plans only)
- 2.  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 filters may omit this item.)
- 3.  Plans identifying the boundaries of the Bordering Vegetated Wetlands (BVW)(and/or other resource areas, if applicable).
- 4.  List the titles and final revision dates for all plans and other materials submitted with this Abbreviated Notice of Resource Area Delineation.

**a. Plan Title:** TOPOGRAPHIC AND BOUNDARY SURVEY PLS  
**b. Plan Prepared By:** PETER A. LOTHIAN,  
**c. Plan Signed/Stamped By:**  
**d. Plan Signed/Stamped Date:** February 2, 2023  
**e. Scale:** 1" = 20'

**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**WPA Form 4A**

Provided by MassDEP:  
MassDEP File #:  
eDEP Transaction #:1463172  
City/Town:NEWTON

**Abbreviated Notice of Resource Area Delineation**

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

**D. Signatures and Submittal Requirements**

I certify under the penalties of perjury that the foregoing Abbreviated Notice of Resource Area Delineation 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 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.

I hereby grant permission, to the Agent or member of the Conservation Commission and the Department of Environmental Protection, to enter and inspect the area subject to this Notice at reasonable hours to evaluate the wetland resource boundaries subject to this Notice, and to require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

I acknowledge that failure to comply with these certification requirements is grounds for the Conservation Commission or the Department to take enforcement action.



1. Signature of Applicant

3/1/2023

2. Date

3. Signature of Property Owner (if different)

4. Date



5. Signature of Representative (if any)

6 March 2023

6. Date

**For Conservation Commission:**

Two copies of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

**For MassDEP:**

One copy of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a copy of the state fee payment must be sent to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery. (E-filers may submit these electronically.)

**Other:**

If the applicant has checked a box in any part of Section C, 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 Abbreviated Notice of Resource Area Delineation.

**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**  
**WPA Form 4A**  
**ANRAD Wetland Fee Transmittal Form**

Provided by MassDEP:  
 MassDEP File #:  
 eDEP Transaction #:1463172  
 City/Town:NEWTON

Massachusetts Wetlands Protection Act M.G.L. c. 121, § 40

The fees for work proposed under each Abbreviated Notice of Resource Area Delineation must be calculated and submitted to the Conservation Commission and the Department (see instructions and Wetland Fee Transmittal Form)

**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.

**Fees**

The fee is calculated as follows for each resource area delineation included in the ANRAD (check applicable project type):

Bordering Vegetated Wetland:

1.  Single family house project

a. linear feet	x \$2.00 =	b. Total fee to exceed \$200
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2.  All other projects

a. linear feet	x \$2.00 =	b. Total fee to exceed \$200
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Other resource area (e.g. Bank, Riverfront area, etc.):

3.  Single family house project

\$	\$
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4  All other projects

a. linear feet	x \$2.00 =	b. Total fee to exceed \$200
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\$	\$
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a. linear feet	x \$2.00 =	b. Total fee to exceed \$200
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Total Project Fee (not to exceed \$200 for projects on single-family house lots and not to exceed \$2,000 for all other projects):	\$0.00
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5. Total fee	\$0.00
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State share of filing fee (*):	\$0.00
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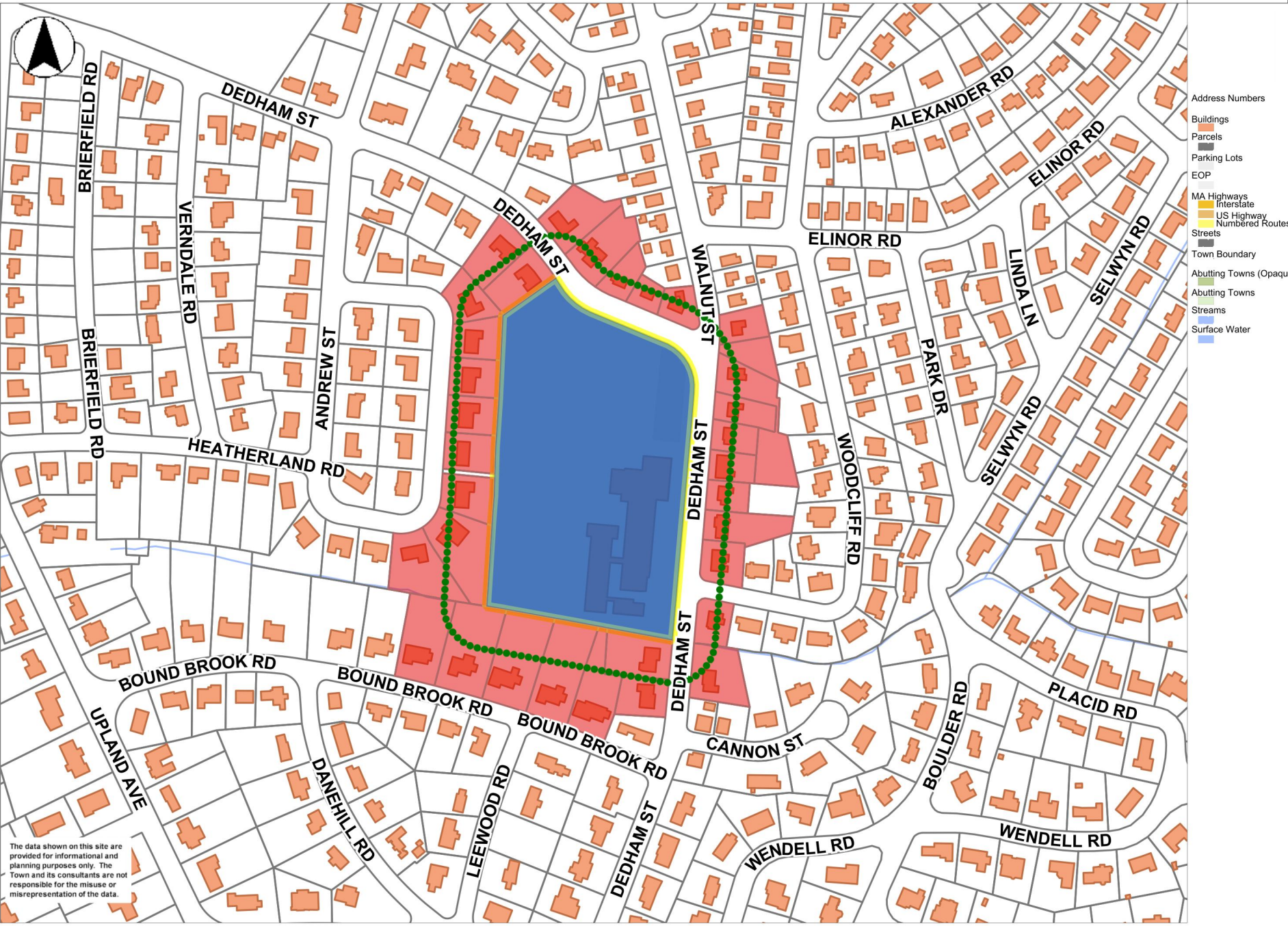
6. 1/2 of total fee less \$12.50	\$0.00
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City/Town share of filing fee:	\$0.00
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7. 1/2 of total fee plus \$12.50	\$0.00
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(\* ) = You may not pay by credit card if the State share of the Fee is \$1000 or greater, however you will be able to pay by ACH and Check.





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.



**Abutters List**

[print this list](#)

Date: December 22, 2022

Subject Property Address: 191 DEDHAM ST Newton, MA

Subject Property ID: 83-006-0011

Search Distance: 100 Feet

---

Owner: YAMPOLSKY TATIANA TR  
Co-Owner: TATIANA YAMPOLSKY 2020 TRUST  
Prop ID: 81-019-0028  
Prop Location: 234 DEDHAM ST Newton, MA  
Mailing Address:

234 DEDHAM ST  
NEWTON HGLDS, MA 02461

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Owner: YURGELUN MATTHEW B & LORI M  
Prop ID: 81-020-0001  
Prop Location: 312 WOODCLIFF RD Newton, MA  
Mailing Address:

312 WOODCLIFF RD  
NEWTON, MA 02461

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Owner: MALICK IRVING TR  
Co-Owner: IRVING MALICK TRUST  
Prop ID: 81-021-0015  
Prop Location: 220 DEDHAM ST Newton, MA  
Mailing Address:

220 DEDHAM ST  
NEWTON, MA 02461

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Owner: EROL ALI E & GJATA JORIS  
Co-Owner: EROL ATILA & DEVRIM  
Prop ID: 81-021-0016  
Prop Location: 204 DEDHAM ST Newton, MA  
Mailing Address:

204 DEDHAM ST  
NEWTON, MA 02461

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---

Owner: LANCKTON A VAN C & ALICE K  
Prop ID: 81-021-0017  
Prop Location: 198 DEDHAM ST Newton, MA  
Mailing Address:  
198 DEDHAM ST  
NEWTON HGLDS, MA 02461

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---

Owner: DANEVA-BROWN DENITSA  
Co-Owner: BROWN RITCHIE E  
Prop ID: 81-021-0019  
Prop Location: 194 DEDHAM ST Newton, MA  
Mailing Address:  
194 DEDHAM ST  
NEWTON HGLDS, MA 02461

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---

Owner: YEE WINSTON E & KATHY C TRS  
Co-Owner: YEE REV TRUST  
Prop ID: 81-021-0021  
Prop Location: 188 DEDHAM ST Newton, MA  
Mailing Address:  
188 DEDHAM ST  
NEWTON, MA 02461

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Owner: RAO ALAN L & LUCY Y  
Prop ID: 81-021-0022  
Prop Location: 180 DEDHAM ST Newton, MA  
Mailing Address:  
180 DEDHAM ST  
NEWTON, MA 02461

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Owner: SPIEGEL KAITLIN & ROBERT TRS  
Co-Owner: KAITLIN A SPIEGEL TRUST  
Prop ID: 81-021-0023  
Prop Location: 176 DEDHAM ST Newton, MA  
Mailing Address:  
176 DEDHAM ST  
NEWTON, MA 02461

---

Owner: SPIEGEL KAITLIN A & ROBERT A TRS  
Co-Owner: KAITLIN A SPIEGEL TRUST  
Prop ID: 81-021-0024  
Prop Location: WALNUT ST Newton, MA  
Mailing Address:  
176 DEDHAM ST  
NEWTON, MA 02461

---

Owner: EADES MICAH & ABIGAIL  
Prop ID: 81-021-0025  
Prop Location: 1412 WALNUT ST Newton, MA  
Mailing Address:  
1412 WALNUT ST  
NEWTON, MA 02461

---

Owner: PATTERSON HEIDE CHRISTINE  
Co-Owner: PATTERSON MATTHEW D  
Prop ID: 83-005-0011  
Prop Location: 162 DEDHAM ST Newton, MA  
Mailing Address:  
162 DEDHAM ST  
NEWTON, MA 02461

---

Owner: MORENO DAVID VICARIO  
Co-Owner: LOPEZ SARA OCANA  
Prop ID: 83-005-0012  
Prop Location: 156 DEDHAM ST Newton, MA  
Mailing Address:  
156 DEDHAM ST  
NEWTON, MA 02461

---

Owner: REIF CHRISTINE  
Prop ID: 83-005-0013  
Prop Location: 150 DEDHAM ST Newton, MA  
Mailing Address:  
124 ROSALIE RD  
NEWTON, MA 02459

---

Owner: FITZPATRICK WILLIAM D JR & CYNTHIA A

Prop ID: 83-005-0014  
Prop Location: 140 DEDHAM ST Newton, MA  
Mailing Address:  
140 DEDHAM ST  
NEWTON HGLDS, MA 02461

---

Owner: PORRO SUSANA M TR  
Co-Owner: SUSANA M PORRO TRUST  
Prop ID: 83-005-0015  
Prop Location: 130 DEDHAM ST Newton, MA  
Mailing Address:  
130 DEDHAM ST  
NEWTON, MA 02461

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Owner: SILVERMAN STEPHEN I & JANET S  
Prop ID: 83-006-0003  
Prop Location: 47 BOUND BROOK RD Newton, MA  
Mailing Address:  
47 BOUND BROOK RD  
NEWTON HGLDS, MA 02461

---

Owner: SKABEEV KONSTANTIN  
Co-Owner: SKABEEV ANNA ZELIGER  
Prop ID: 83-006-0004  
Prop Location: 41 BOUND BROOK RD Newton, MA  
Mailing Address:  
41 BOUND BROOK RD  
NEWTON, MA 02461

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Owner: SHUMAN ELEANOR L TR L/E  
Co-Owner: ELEANOR L SHUMAN REALTY TRUST  
Prop ID: 83-006-0005  
Prop Location: 33 BOUND BROOK RD Newton, MA  
Mailing Address:  
33 BOUND BROOK RD  
NEWTON, MA 02461

---

Owner: RITTENBERG J L & S A TRS  
Co-Owner: JORDAN L RITTENBERG TRUST

Prop ID: 83-006-0006  
Prop Location: 25 BOUND BROOK RD Newton, MA  
Mailing Address:  
25 BOUND BROOK RD  
NEWTON, MA 02461

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Owner: MANDELCORN HOWARD TR  
Co-Owner: HOWARD MANDELCORN TRUST  
Prop ID: 83-006-0007  
Prop Location: 15 BOUND BROOK RD Newton, MA  
Mailing Address:  
15 BOUND BROOK RD  
NEWTON, MA 02461

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Owner: TADMOR EREZ & NIRA  
Prop ID: 83-006-0009  
Prop Location: 237 DEDHAM ST Newton, MA  
Mailing Address:  
237 DEDHAM ST  
NEWTON, MA 02461

---

Owner: KALDANY ELI ANDREW  
Co-Owner: JAIN RUCHIRA  
Prop ID: 83-006-0010  
Prop Location: 229 DEDHAM ST Newton, MA  
Mailing Address:  
229 DEDHAM ST  
NEWTON, MA 02459

---

Owner: REIBSTEIN R H & L R TRS  
Co-Owner: R H REIBSTEIN TRUST  
Prop ID: 83-006-0012  
Prop Location: 135 DEDHAM ST Newton, MA  
Mailing Address:  
135 DEDHAM ST  
NEWTON, MA 02461

---

Owner: PIERCE-CAPLAN JONATHAN  
Co-Owner: PIERCE-CAPLAN MICHAEL R

Prop ID: 83-006-0013  
Prop Location: 127 DEDHAM ST Newton, MA  
Mailing Address:  
127 DEDHAM ST  
NEWTON, MA 02461

---

Owner: WALTUCK BENJAMIN H  
Co-Owner: WALTUCK MELISSA  
Prop ID: 83-006-0020  
Prop Location: 133 ANDREW ST Newton, MA  
Mailing Address:  
133 ANDREW ST  
NEWTON, MA 02461

---

Owner: SHITRIT YOSEF & RUHAMA  
Prop ID: 83-006-0021  
Prop Location: 127 ANDREW ST Newton, MA  
Mailing Address:  
127 ANDREW ST  
NEWTON, MA 02461

---

Owner: CHUA DAVID  
Co-Owner: LAU MANDY  
Prop ID: 83-006-0022  
Prop Location: 121 ANDREW ST Newton, MA  
Mailing Address:  
121 ANDREW ST  
NEWTON, MA 02461

---

Owner: GOLDSTEIN MICHELE TR  
Co-Owner: MICHELE GOLDSTEIN TRUST  
Prop ID: 83-006-0023  
Prop Location: 115 ANDREW ST Newton, MA  
Mailing Address:  
115 ANDREW ST  
NEWTON, MA 02461

---

Owner: LOCKHART EDWARD B & BARBARA  
Prop ID: 83-006-0024



Prop Location: 107 ANDREW ST Newton, MA  
Mailing Address:  
107 ANDREW ST  
NEWTON HGLDS, MA 02461

---

Owner: RICH MICHAEL J & RUTH A  
Prop ID: 83-006-0025  
Prop Location: 99 ANDREW ST Newton, MA  
Mailing Address:  
99 ANDREW ST  
NEWTON HGLDS, MA 02461

---

Owner: FAVAKEH KARIM  
Co-Owner: FAVAKEH MAHVASH M  
Prop ID: 83-006-0026  
Prop Location: 93 ANDREW ST Newton, MA  
Mailing Address:  
93 ANDREW ST  
NEWTON, MA 02461

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Owner: GOLDSTEIN ELLIOT M & MARILYN  
Prop ID: 83-006-0027  
Prop Location: 89 ANDREW ST Newton, MA  
Mailing Address:  
89 ANDREW ST  
NEWTON HGLDS, MA 02461

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**Notification to Abutters under the  
Massachusetts Wetlands Protection Act and  
Newton Wetlands Protection Ordinance  
(to be provided 7 days prior to the public hearing)**

In accordance with the Massachusetts Wetlands Protection Act (MGL Ch. 131, Sec. 40) and the Newton Floodplain Protection Ordinance (Sec. 22-22. Floodplain/Watershed Protection Provisions), you are hereby notified of the following.

**The applicant** has filed a **Wetlands Protection Act Notice of Intent** with the Newton Conservation Commission.

**Applicant:** Josh Morse, Public Buildings Commissioner for the City of Newton Public Buildings Dept.

**Project Location:** 191 Dedham Street, Newton Highlands, MA

**Project Site Section-Block-Lot:** \_\_\_\_\_

**Project Description:** Abbreviated Notice of Resource Area Delineation (ANRAD) for the  
proposed reconstruction of Countryside Elementary School.

**A Public Hearing will be held remotely via Zoom.**

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 Public Hearing will be held remotely on (date and time):** March 23, 2023 at 7:00pm

**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>).

**Printed notice** will be published in the Boston Herald at least five (5) days in advance of the hearing.

**Copies of the Notice of 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>)

Can be requested from the Northeast Regional Office of the Department of Environmental Protection by calling 978-694-3200.

**Questions can be directed to:**

The Newton Conservation Commission by calling 617-796-1134 or emailing [jsteel@newtonma.gov](mailto:jsteel@newtonma.gov) or [emenounos@newtonma.gov](mailto:emenounos@newtonma.gov).

**AFFIDAVIT OF SERVICE**

**Under the Massachusetts Wetlands Protection Act**

I, Amy Ball of Horsley Witten Group, Inc. hereby certify under the pains and penalties of perjury that on March 7, 2023 I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws, Chapter 131, Section 40 and the DEP Guide to Abutter Notification in connection with the following matter:

A(n) ANRAD application was filed under the Massachusetts Wetlands Protection Act by City of Newton with the Newton Conservation Commission on March 7, 2023 for a property located at 191 Dedham Street, Newton, MA 02461.

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

  
*signature*

7 March 2023  
*date*

Narrative

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Abbreviated Notice of Resource Area Delineation  
Countryside Elementary School  
Newton, MA

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**Table of Contents**

1.0 INTRODUCTION ..... 1

2.0 GENERAL SITE DESCRIPTION ..... 1

    2.1 FEMA Designation..... 2

    2.2 State-listed Rare Species Habitat ..... 2

3.0 WETLAND RESOURCE AREAS ..... 2

    3.1 Resource Area Delineation Methodology ..... 2

    3.2 Bordering Vegetated Wetland ..... 3

    3.3 Bank/Mean Annual High Water (MAHW) ..... 3

    3.4 Riverfront Area ..... 5

    3.5 Bordering Land Subject to Flooding..... 6

ATTACHMENTS

ATTACHMENT A – LOCUS MAPS

Figure 1 – USGS Topographic Map

Figure 2 – Aerial Photograph

Figure 3 – FEMA Flood Zones & National Flood Insurance Program, Flood Insurance Rate Maps

Figure 4 – Environmental Constraints

Figure 5 – NRCS Soils Map

# Abbreviated Notice of Resource Area Delineation Countryside Elementary School Newton, MA

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March 2023

## 1.0 INTRODUCTION

The City of Newton Public Buildings Department is in the planning stages of renovating or reconstructing the Countryside Elementary School at 191 Dedham Street in the Newton Highlands section of the City, Newton, MA. In support of reconstruction of the new school at this site, the Horsley Witten Group, Inc. (HW) on behalf of the City of Newton and the project design team, has prepared this Abbreviated Notice of Resource Area Delineation (ANRAD) application for confirmation of wetland resource areas located within or adjacent to the school property as part of the planning process. Once the project design has been advanced and approved by the City, the project will be submitted to the Conservation Commission as a Notice of Intent (NOI).

Located along South Meadow Brook, the project site faces several design constraints associated with wetland resource areas that are jurisdictional under the Massachusetts *Wetlands Protection Act* (M.G.L. Ch. 131 § 40). Below, we provide a brief site description as well as descriptions of the various wetland resource areas. The City seeks to confirm the following resource areas through an Order of Resource Area Delineation: Bordering Vegetated Wetland (BVW), inland Bank, Riverfront Area, and Bordering Land Subject to Flooding (BLSF).

## 2.0 GENERAL SITE DESCRIPTION

The Countryside Elementary School is situated on an approximately 7.39-acre parcel that contains the school building, driveways, parking areas, athletic fields, basketball court, playground, walkways, and landscaping. An approximately 4-foot-high fence runs along the western property boundary in this area. In general, the site slopes away from Dedham Street to the west and south.



Photo 1. Countryside Elementary School (Photo credit: Google Street View, July 2022)

The northern portion of the site contains a parking lot in the northeast corner, along Dedham Street at the intersection of Dedham Street and Walnut Street, with access to and from Dedham



Street to the north only. A baseball field, athletic field, and adjacent grassy areas are located to the west of the parking area, extending to the northwest corner of the site. South of the parking lot is an access driveway to Dedham Street (**Attachment A**, Figures 1 and 2).

## 2.1 FEMA Designation

According to the current FEMA Flood Insurance Rate Map (FEMA FIRM) for Middlesex County (split between Community Panel 25017C0554EC & 25017C0562E, effective date 6/4/2010), portions of the site are located within Zone AE, “1% Annual Chance Flood Hazard” and Zone X, “0.2% Annual Chance Flood Hazard and Area of Minimal Flood Hazard” (**Attachment A**, Figures 3 and 3A).

The elevation of flood zone AE is 112.4’ (NAVD88) in both the current (June 4, 2010) and preliminary (August 13, 2021) flood insurance studies.

## 2.2 State-listed Rare Species Habitat

According to the most recent version of the *Massachusetts Natural Heritage Atlas* (15<sup>th</sup> Edition, August 1, 2021), the site does not occur within areas of *Estimated Habitat of Rare Wildlife and Certified Vernal Pools* and/or *Priority Habitat of Rare Species* as designated by the Massachusetts Natural Heritage and Endangered Species Program (NHESP) (**Attachment A**, Figure 4).

## 3.0 WETLAND RESOURCE AREAS

The southern and southwestern portions of the site support freshwater resource areas, as defined under the Massachusetts Wetlands Protection Act. Resource areas are associated with South Meadow Brook and include Bordering Vegetated Wetland (BVW), Bordering Land Subject to Flooding (BLSF), Riverfront Area, and inland Bank.

Figure 4 (**Attachment A**) depicts the limits of the wetland resource areas as shown on the MassGIS Massachusetts Department of Environmental Protection (MassDEP) wetlands data, while Figure 5 (**Attachment A**) provides a map of the soils as identified by the Natural Resources Conservation Service (NRCS). Field methodologies, regulatory definitions, and a brief description of each resource area encountered are provided below.

### 3.1 Resource Area Delineation Methodology

Wetland resource areas were identified and delineated by DGT Associates in July 2022. Field delineations were conducted in accordance with methods developed by MassDEP and the Massachusetts Wetlands Protection Act regulations as described further in the Wetland Resource Area Delineation Report provided in **Attachment B**. This report also contains MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Forms verifying the boundary of BVW. Following the field delineation, the flagging stations were located by the DGT Surveyors.

Resource area boundaries are shown on the plan entitled “Topographic and Boundary Survey,” prepared by DGT Associates, dated August 9, 2022 (**Attachment C**).

### 3.2 Bordering Vegetated Wetland

BVW is defined at 310 CMR 10.55(2)(a) as “freshwater wetlands that border on creeks, rivers, streams, ponds and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps and bogs. Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants. The boundary of Bordering Vegetated Wetland is defined at 310 CMR 10.55 (2)(c) as the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist.”

Two areas of BVW were flagged by DGT Associates, as described briefly below and in further detail in **Attachment B**.

#### Main Wetland

The larger of the two BVW areas located in the southwest portion of the site is a mix of wooded swamp and shrub swamp that transitions to a shallow marsh in the middle portion of the area. The boundary of this BVW is marked by flagging stations BVW-1 through BVW-31, where BVW-1 to BVW-5 follows the northern bank of South Meadow Brook.



Photo 2. View of the larger area of BVW in the southwestern portion of the site.

The remainder of the BVW boundary generally follows the base of the sloped terrain, with the exception of a portion between BVW-6 to BVW-9 where the slope is more gradual.

DGT Associates notes that for this BVW, it is clear that the upland area near the boundary is the limit of filled land (likely from the construction of the school in the 1950s).

#### Northwest BVW

A smaller area of BVW occurs in the northwestern portion of the site along an intermittent stream that flows along the western property boundary. This area is primarily a shrub swamp with occasional trees bordering on the intermittent stream. The boundary of this BVW is marked by flagging stations BVW B-1 through BVW B-9.

### 3.3 Bank/Mean Annual High Water (MAHW)

Bank is defined at 310 CMR 10.54(2)(a) as “the portion of land surface which normally abuts and confines a water body. It occurs between a water body and a vegetated bordering wetland

*and adjacent floodplain, or, in the absence of these, it occurs between a water body and an upland. A Bank may be partially or totally vegetated, or it may be comprised of exposed soil, gravel or stone. The upper boundary of a Bank is first observable break in the slope or the mean annual flood level, whichever is lower. The lower boundary of a Bank is the mean annual low flow level” [310 CMR 10.54(2)(c)].*

There are two areas of Bank at this site, including the banks along South Meadow Brook and the inland Bank associated with the intermittent stream along the western property boundary.

### South Meadow Brook

South Meadow Brook flows along the southern boundary of the school site. The brook has been straightened and confined by retaining walls over time as the area became increasingly developed, particularly in the mid-20<sup>th</sup> century.

South Meadow Brook is depicted as a perennial stream on the current USGS topographic map, and thereby meets the regulatory presumption that it is a river with associated Riverfront Area under the Massachusetts Wetlands Protection Act. While DGT observed only a small amount of flow during their site work in July 2022, this observation occurred during a period of moderate to severe drought in Massachusetts. DGT further confirms that the watershed of the Brook is greater than one square mile.



Photo 3. View of South Meadow Brook, which has been straightened and confined by retaining walls (Photo taken by HW in June 2022); additional photos of South Meadow Brook are provided in Attachment B.

DGT marked the boundary of inland Bank and the mean annual high-water (MAHW) line along South Meadow Brook. They cite clear evidence of bankfull indicators, which included bank undercuts, erosion scars, changes in vegetation, growth characteristics of trees and their roots, and changes in bark growth. DGT also notes that the banks are relatively high with a concrete lining on the lower bank and vegetated above that level. The MAHW appears to coincide with the upper Bank of the stream, such that MAHW was marked along the top of the Bank with flagging stations MAHW-1 through MAHW-18.

### Intermittent Stream

The intermittent stream along the western boundary of the site appears to be a man-made channel that starts in the northwest corner of the site and ends at South Meadow Brook. Based upon HW's observations, it is likely a result of drainage. DGT notes that the banks are relatively



straight and steep, up to the flat adjacent land. The upper portion of the banks are vegetated, and the stream was dry at the time of the delineation.



Photo 4. Views of the western intermittent stream. A culverted walkway allows for flow toward South Meadow Brook (right).

There is a culverted stream crossing for a pedestrian walkway that connects the site to Andrew Street, and there are two drain outfalls from the site into the stream.

Under the Massachusetts Wetlands Protection Act, the upper boundary of the Bank is defined as the “first observable break in the slope or the mean annual flood level, whichever is lower.” The area of flow is well defined as can be seen in the photo below. For this stream, DGT Associates performed the delineation at the top of the bank, which is.

DGT delineated the stream banks of the intermittent stream were delineated in two sections, following the regulatory definition of Bank, or the first observable break in slope. The portion of the stream south of the pedestrian walkway crossing is numbered with flagging stations Bank A-1 through Bank A-6; the northern portion of the stream above the crossing is numbered Bank B-1 to Bank B-25.

### 3.4 Riverfront Area

Riverfront Area is defined at 310 CMR 10.58(2)(a)3 as “the area of land between a river’s mean annual high-water line measured horizontally outward from the river and a parallel line located 200 feet away, except that the parallel line is located 25 feet away in Boston, Brockton, Cambridge, Chelsea, Everett, Fall River, Lawrence, Lowell, Malden, New Bedford, Somerville, Springfield, Winthrop, and Worcester;”

Riverfront Area at this site extends 200 feet northerly from the MAHW of South Meadow Brook and encompasses the southern portions of the BVW in the southwestern portion of the site as well as a good portion of the school itself and the modular classroom space.

### 3.5 Bordering Land Subject to Flooding

BLSF is defined at 310 CMR 10.57(1)(a)1 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 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. Said boundary shall be that determined by reference to the most recently available flood profile data prepared for the community within which the work is proposed under the National Flood Insurance Program (NFIP, currently administered by the Federal Emergency Management Agency, successor to the U.S. Department of Housing and Urban Development). Said boundary, so determined, shall be presumed accurate. This presumption may be overcome only by credible evidence from a registered professional engineer or other professional competent in such matters” (310 CMR 10.57(2)(a)3).*

With the exception of the extreme northeastern corner of the school property, nearly the entire site is shown on the latest FEMA National Flood Insurance Program mapping as being within Zone AE with the elevation of the one percent chance of flooding (e.g., the 100-year floodzone) determined to be 112.4 feet (**Attachment A**, Figure 4). Therefore, the vast majority of the school property is within BLSF.

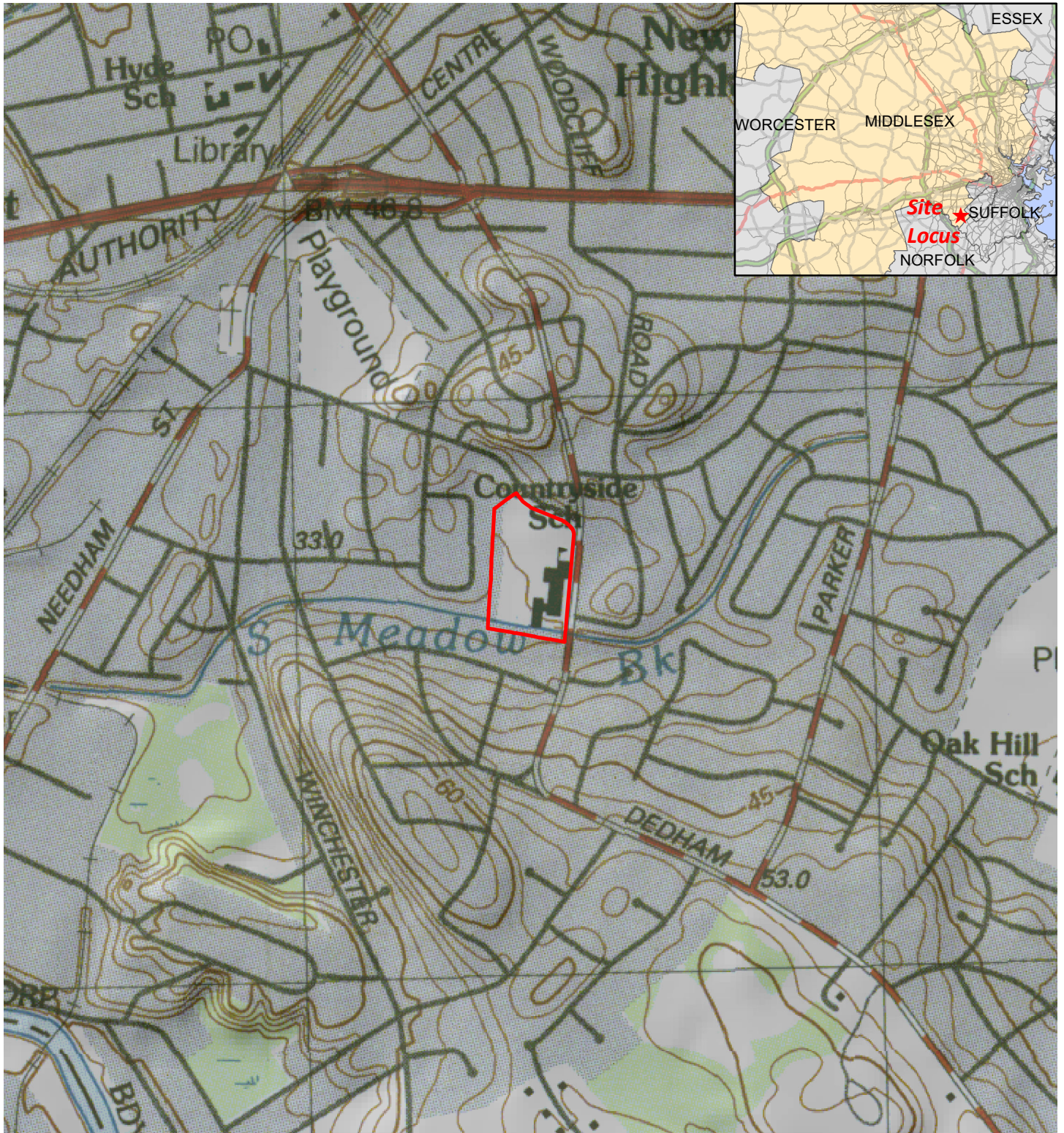


Photo 5. View of the Countryside Elementary School property from the northeastern corner at Dedham Street facing south (Photo credit: Google Street View, July 2022)

## Attachment A – Locus Maps


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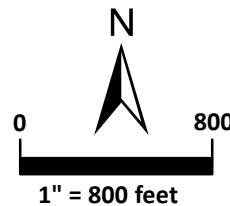
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**Legend**

 Subject Property

\*2016 NAIP imagery service

**Horsley Witten Group**  
 Sustainable Environmental Solutions  
 90 Route 6A • Unit 1 • Sandwich, MA 02563  
 508-833-8600 • horsleywitten.com

USGS Locus  
 Countryside Elementary School  
 191 Dedham Street  
 Newton Highlands, MA

Date: 9/1/2022



Figure 1





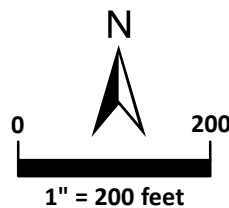
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**Legend**

-  Subject Property
-  Parcels

\*2016 NAIP imagery service

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Aerial Photo  
 Countryside Elementary School  
 191 Dedham Street  
 Newton Highlands, MA

Date: 9/1/2022

Figure 2





**Zone X - Area of Minimal Flood Hazard**

**Zone AE (BFE = 112)**

**Zone X - Area of Minimal Flood Hazard**

Document Path: H:\Projects\2022\22092 DiNisco Countryside Elem\GIS\Maps\FEMA.mxd


\*2016 NAIP imagery service


**Legend**

 Subject Property

 Parcels

**FEMA Flood Hazard**

 AE, 1% Annual Chance Flood Hazard

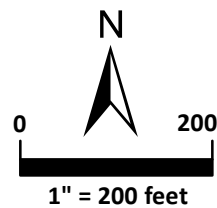
 X, 0.2% Annual Chance Flood Hazard

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FEMA's National Flood Hazard Layer  
Countryside Elementary School  
191 Dedham Street  
Newton Highlands, MA



Date: 9/1/2022

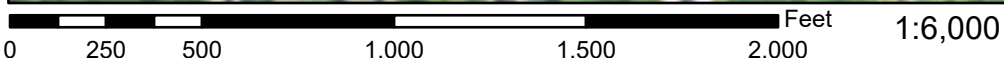
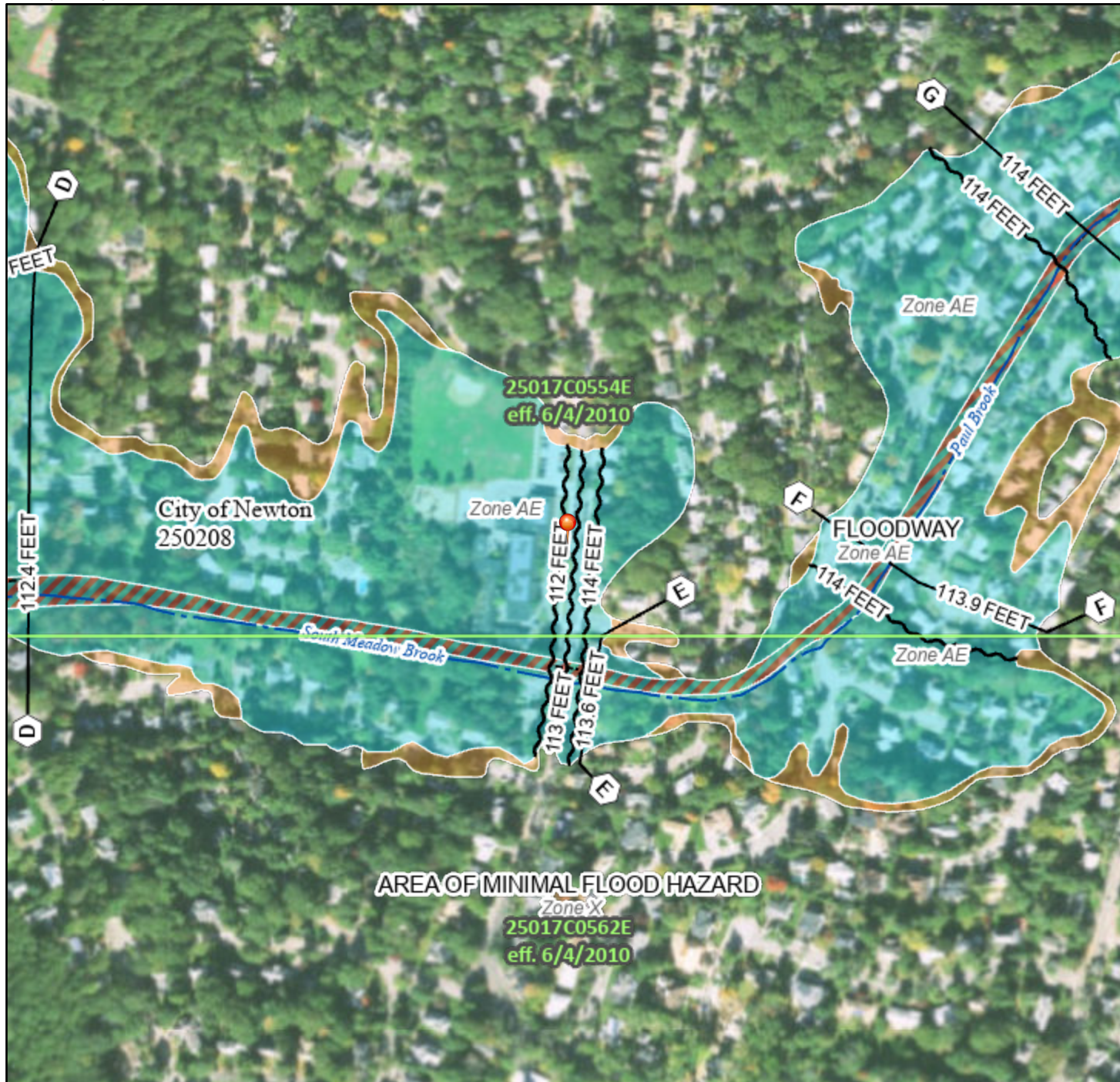
Figure 3



# National Flood Hazard Layer FIRMMette



71°12'26"W 42°19'1"N



Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

## Legend

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

<p><b>SPECIAL FLOOD HAZARD AREAS</b></p>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; height: 10px; background-color: #e0ffff; border: 1px solid black; margin-right: 5px;"></span> Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i></li> <li><span style="display: inline-block; width: 20px; height: 10px; background-color: #e0ffff; border: 1px solid black; margin-right: 5px;"></span> With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i></li> <li><span style="display: inline-block; width: 20px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, red 2px, red 4px); border: 1px solid black; margin-right: 5px;"></span> Regulatory Floodway</li> </ul>
<p><b>OTHER AREAS OF FLOOD HAZARD</b></p>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> 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 <i>Zone X</i></li> <li><span style="display: inline-block; width: 20px; height: 10px; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, gray 2px, gray 4px); border: 1px solid black; margin-right: 5px;"></span> Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i></li> <li><span style="display: inline-block; width: 20px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, orange 2px, orange 4px); border: 1px solid black; margin-right: 5px;"></span> Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i></li> <li><span style="display: inline-block; width: 20px; height: 10px; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, yellow 2px, yellow 4px); border: 1px solid black; margin-right: 5px;"></span> Area with Flood Risk due to Levee <i>Zone D</i></li> </ul>
<p><b>OTHER AREAS</b></p>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; height: 10px; background-color: #e0e0e0; border: 1px solid black; margin-right: 5px;"></span> NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i></li> <li><span style="display: inline-block; width: 20px; height: 10px; border: 2px solid blue; margin-right: 5px;"></span> Effective LOMRs</li> <li><span style="display: inline-block; width: 20px; height: 10px; background-color: #ffe0cc; border: 1px solid black; margin-right: 5px;"></span> Area of Undetermined Flood Hazard <i>Zone D</i></li> </ul>
<p><b>GENERAL STRUCTURES</b></p>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; border-bottom: 2px dashed black; margin-right: 5px;"></span> Channel, Culvert, or Storm Sewer</li> <li><span style="display: inline-block; width: 20px; border-bottom: 2px dashed gray; margin-right: 5px;"></span> Levee, Dike, or Floodwall</li> </ul>
<p><b>OTHER FEATURES</b></p>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; border-bottom: 2px solid black; margin-right: 5px;"></span> <b>B</b> 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation</li> <li><span style="display: inline-block; width: 20px; border-bottom: 2px dashed black; margin-right: 5px;"></span> 17.5 Coastal Transect</li> <li><span style="display: inline-block; width: 20px; border-bottom: 2px solid black; margin-right: 5px;"></span> Base Flood Elevation Line (BFE)</li> <li><span style="display: inline-block; width: 20px; border-bottom: 2px solid red; margin-right: 5px;"></span> Limit of Study</li> <li><span style="display: inline-block; width: 20px; border-bottom: 2px solid yellow; margin-right: 5px;"></span> Jurisdiction Boundary</li> <li><span style="display: inline-block; width: 20px; border-bottom: 2px dashed black; margin-right: 5px;"></span> Coastal Transect Baseline</li> <li><span style="display: inline-block; width: 20px; border-bottom: 2px solid blue; margin-right: 5px;"></span> Profile Baseline</li> <li><span style="display: inline-block; width: 20px; border-bottom: 2px solid blue; margin-right: 5px;"></span> Hydrographic Feature</li> </ul>
<p><b>MAP PANELS</b></p>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #e0e0e0; border: 1px solid black; margin-right: 5px;"></span> Digital Data Available</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #e0e0e0; border: 1px solid black; margin-right: 5px;"></span> No Digital Data Available</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; margin-right: 5px;"></span> Unmapped</li> </ul>



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 **1/4/2023 at 4:42 PM** 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.





Document Path: H:\Projects\2022\22092 DiNisco Countryside Elem\GIS\Maps\Existing Constraints.mxd

**Legend**

Subject Property

Parcels

**DEP Wetlands**

Wooded marsh

Hydrologic Connection

**Protected Open Space**

Municipal

**DEP 2018 Integrated List Rivers**

5 - Waters Requiring a TMDL

*\*2016 NAIP imagery service*

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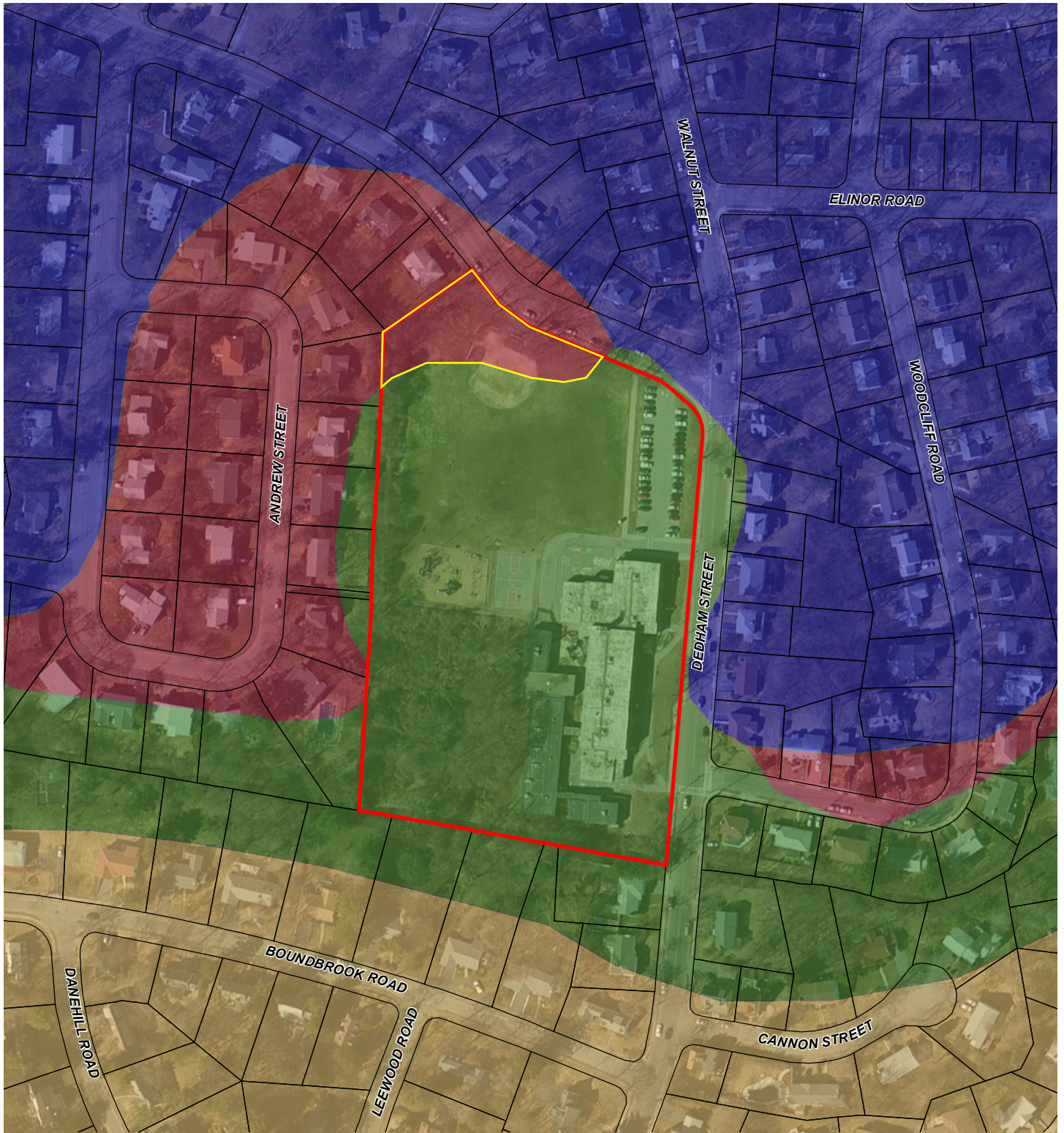


Existing Constraints  
Countryside Elementary School  
191 Dedham Street  
Newton Highlands, MA

Date: 9/1/2022



Figure 4





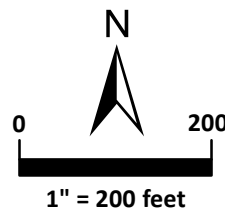
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**Legend**

-  Subject Property
-  Parcels

**MUSYM, compname, hydgrp**

-  622C, Paxton, C
-  626B, Merrimac, A
-  631C, Charlton, A
-  655, Udorthents, <Null>



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**NRCS Soils Map**  
 Countryside Elementary School  
 191 Dedham Street  
 Newton Highlands, MA

Date: 9/1/2022

Figure 5



## Attachment B – Supporting Documentation

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Wetland Delineation Report by DGT Associates

Wetland Data Sheets by DGT Associates

25807

August 10, 2022

Mr. Art Cabral  
Newton Public Buildings  
52 Elliot Street  
Newton Highlands, MA 02461

RE: Countryside Elementary School, Newton, MA  
Wetland Resource Area Delineation

Dear Mr. Cabral,

DGT Associates performed a field delineation of the boundaries of Wetland Resource Areas under the Mass. Wetlands Protection Act (MWPA) that are at the subject property on July 5, 2022. The wetland resource areas included Bordering Vegetated Wetlands (BVW), the Bank of an intermittent stream and the Bank/Mean Annual High Water of South Meadow Brook, which is classified as a perennial stream. The MAHW was delineated as it is the inner boundary of the “200 foot Riverfront Area” which is a wetlands resource area under the MWPA.

The delineations were performed by this writer, Fredric King, for use in planning for the site. Following the field delineation, the marker flags were located by the DGT Surveyors and are shown on the Existing Conditions Plan.

Another Wetland Resource Area under the MWPA at this site is Bordering Land Subject to Flooding (BLSF). This boundary is determined and mapped by the Federal Emergency Management Agency and this boundary is shown on the existing conditions survey.

#### **GENERAL SITE DESCRIPTION:**

The site is a 7.26 acre tract of City owned property containing the Countryside Elementary School at 191 Dedham Street in Newton Highlands, Massachusetts. The property contains the school building, driveways, parking areas, athletic fields, basketball court, playground, walkways and landscaping.

The wetlands resource areas include an intermittent stream along the western side of the site, South Meadow Brook along the south property boundary, and vegetated wetlands bordering on the northerly end of the intermittent stream as well as vegetated wetland in the southwest portion of the site that borders on both the intermittent stream and South Meadow Brook.

All the wetlands resource areas on the project site are within the watershed of South Meadow Brook that enters the site from a culvert under Dedham Street at the southwest corner and flows westerly along the south property boundary. South Meadow Brook is tributary to the Charles River located approximately 1 mile downstream from the site.

South Meadow Brook is presumed to be a Perennial Stream and is therefore classified as a “River” under the Mass. Wetlands Protection Act. Further information on this is included later in this report.

Newton Public Buildings Department  
RE: Countryside Elementary School, Newton Highlands, MA  
**Wetland Resource Area Delineation**

August 10, 2022

## **BORDERING VEGETATED WETLANDS**

The delineation of Bordering Vegetated Wetlands was performed in accordance with current Mass. Department of Environmental Protection methodology as contained in the DEP Handbook “Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act” dated March 1995. The delineation was performed by this writer, Fredric King, Senior Wetland Specialist for DGT.

The delineation was performed using vegetation, soils, and other indicators of wetland hydrology. To set the line, continual visual estimations of vegetation species dominance and observation of wetland hydrology were made along with frequent observations of soils using a hand soil auger. To aid in this delineation and to provide the required supporting documentation, two observation transects with sample plots were performed and documented. The data collected is included in the attached DEP Field Data Forms in Attachment 2.

The boundaries of the BVW were delineated with numbered blue survey ribbons and are shown on the “Topographic and Boundary Survey Plan.”

## MAIN WETLAND

This wetland in the southwest portion of the site is a mix of wooded swamp and shrub swamp that transitions to a shallow marsh in the middle portion of the area. The flagging of the main wetland in the southwestern portion of the site begins at the southwest corner at Flag BVW-1 and ends at the intermittent stream at flag BVW-31.

BVW-1 to BVW-5 follows the bank of the Brook and these flags are intended to indicate that the BVW in that area goes all the way to the stream and includes the area north of that boundary. The remainder of the boundary generally follows the base of the sloped terrain, with the exception of a portion between BVW 6 to 9 where the slope is more gradual. Transect 1 with two sample plots was performed near BVW-7 to help determine that portion of the boundary.

For this BVW, it is clear that the upland area near the boundary is the limit of filled land. This is likely from the construction of the school in the 1950s.

Newton Public Buildings Department  
RE: Countryside Elementary School, Newton Highlands, MA  
**Wetland Resource Area Delineation**

August 10, 2022

#### NORTHWEST BVW:

The BVW associated with the upper (northerly) portion of the westerly intermittent stream is only at the northerly end of the stream. Flagging begins at BVW B-1 on the west side of the beginning of the stream, and ends at BVW B-9 near Bank Flag B-19.

This area is primarily a shrub swamp bordering on the intermittent stream. There are some trees along the bank of the intermittent stream.

In the area along the stream off the maintained grass field south of where the BVW ends, the groundcover contains a significant percentage of Jewelweed (*Impatiens capensis*). This is a wetland indicator plant, however, there are other upland species mixed in and there are no hydric soils or other indicators of wetland hydrology, making this an upland area. To document that condition a sample plot was performed (T2-P1) that confirms the upland status of that area.

#### **MEAN ANNUAL HIGH WATER (MAHW) for inner Riverfront delineation:**

South Meadow Brook is a man-made stream that runs along the southern boundary of the site. The brook is shown as a heavy line on the latest USGS topographic maps, so it is presumed to be a "River" under the Mass. Wetlands Protection Act Regulations, unless the presumption is overcome as prescribed in the regulations. The brook had only a small amount of flow and with ponded water in low spots during the delineation work on July 5, 2022. According to the Mass. DEP, this was during a period of moderate to severe drought, so this low flow condition would be expected. The watershed of the brook to this site is more than 1 square mile. Under these conditions, the brook is presumed to be a River under the MWPA.

The delineation of MAHW was performed utilizing "bankfull indicators" per Mass. DEP Guidelines contained in their publication "Bankfull Indicators & Mean Annual High Water". In all cases there was clear evidence of "bankfull indicators". The indicators included bank undercuts, erosion scars, changes in vegetation, growth characteristics of trees and their roots, and changes in bark growth. The banks are relatively high with a concrete lining on the lower bank, and vegetated above that level. The MAHW is on the upper Bank of the stream, so the MAHW was marked along the top of the bank. The MAHW line was delineated with pink survey ribbon marked MAHW-1 to MAHW-18. Note that the southerly side of the stream was not flagged.

Since the banks are very steep, these MAHW flags may also serve as the "Bank" limit for this stream. The Photos in Attachment 1 show the stream on the date of the delineation.

#### **INTERMITTENT STREAM BANKS**

The intermittent stream along the western boundary of the site appears to be a man-made channel that starts in the northwest corner of the site and ends at South Meadow Brook. The banks are relatively straight and steep, up to the flat adjacent land. The upper portion of the banks are vegetated. The stream was dry at the time of the delineation.

There is a culverted stream crossing for a pedestrian walkway that connects the site to Andrew Street, and there are two drain outfalls from the site into the stream.

Newton Public Buildings Department  
RE: Countryside Elementary School, Newton Highlands, MA  
**Wetland Resource Area Delineation**

August 10, 2022

Under the Mass. Wetlands Protection Act, the upper boundary of the Bank is defined as the “*first observable break in the slope or the mean annual flood level, whichever is lower.*” The area of flow is well defined as can be seen in the photo in Attachment 1. For this delineation stream, the delineation was made at the top of the bank which is the first observable break in slope.

The stream banks were delineated with numbered pink survey ribbon in two sections. The portion of the stream south of the pedestrian walkway crossing was numbered Bank A-1 to Bank A-6. The northern portion of the stream above the crossing was numbered Bank B-1 to Bank B-25.

### **BORDERING LAND SUBJECT TO FLOODING (BLSF)**

A portion of the site is shown on the latest FEMA National Flood Insurance Program mapping as being in a “Zone AE” with the elevation of the one percent chance of flooding (AKA 100 year flood) determined to be 112.4. The area within the 100 year flood is classified as “Bordering Land Subject to Flooding” which is a protected Resource Area under the MWPA. This line is shown on the “Topographic and Boundary Survey Plan prepared by DGT. As can be seen on the plan, the majority of the site is within the BLSF.

*Please note that the delineations performed are based on best professional judgment and interpretation per the applicable regulatory guidelines. The delineations are not an official “Determination” under the applicable wetlands laws and regulations until accepted by the Conservation Commission or Mass. DEP through the filing of an Abbreviated Notice of Resource Area Delineation or a Notice of Intent under the Mass. Wetlands Protection Act. Until officially accepted, the delineation should be considered approximate and used only for preliminary planning purposes.*

If you have any questions regarding the delineation or this report, please contact me.

Sincerely,

*Fredric W. King*

Fredric W. King, PE  
Senior Engineer  
& Wetland Specialist

Attachment 1: Stream Photos  
Attachment 2: DEP Field Data Forms

The Existing Conditions Survey Plan entitles “Topographic and Boundary Survey” by DGT Associates is provided separately.



25807

Newton Public Buildings Department  
RE: Countryside Elementary School, Newton Highlands, MA  
**Wetland Resource Area Delineation**



August 10, 2022

# **ATTACHMENT 1**

## **STREAM PHOTOS**

25807

Newton Public Buildings Department  
RE: Countryside Elementary School, Newton Highlands, MA  
**Wetland Resource Area Delineation**

August 10, 2022



**SOUTH MEADOW BROOK LOOKING UPSTREAM**  
Note concrete lining at the base of the banks.



**SOUTH MEADOW BROOK LOOKING DOWNSTREAM**

25807

Newton Public Buildings Department  
RE: Countryside Elementary School, Newton Highlands, MA  
**Wetland Resource Area Delineation**

August 10, 2022



**WESTERLY DRAIN DITCH (INTERMITTENT STREAM)**

25807

Newton Public Buildings Department  
RE: Countryside Elementary School, Newton Highlands, MA  
**Wetland Resource Area Delineation**



August 10, 2022

## **ATTACHMENT 2**

### **DEP WETLANDS FIELD DATA FORMS**



## DEP Bordering Vegetated Wetlands (310 CMR 10.55) Delineation Field Data Form

Applicant: Newton Public Buildings Dept. Prepared by: Fred King Project location: 191 Dedham St, DEP File #: \_\_\_\_\_

Check all that apply:

Newton, MA

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

**Section I. Vegetation** Observation Plot Number: P1 Transect Number: T1 Date of Delineation: 7/5/2022

A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
<b>Trees</b>				
Apple (Malus spp) 8", 6"	78 sq in	72.9	Yes	UP
American Elm (Ulmus americana) 6"	29 sq in	27.0	Yes	FACW-
<b>Shrub/Sapling/Vine</b>				
Eastern False Willow (Baccharis halimifolia)	10.5	100	Yes	FACW
<b>Ground Cover</b>				
Jewel-weed (Impatiens capensis)	63.0	41.5	Yes	FACW
Garlic Mustard (Alliaria petiolata)	85.5	56.4	Yes	FACU-
Rough Stemmed Goldenrod (Solidago rugosa)	3.0	2.1	No	FAC

\* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptations next to the asterisk.

**Vegetation conclusion:**

Number of dominant wetland indicator plants: **3**      Number of dominant non-wetland indicator plants: **2**

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants?    Yes    **X**    No

*If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.*

MA DEP; 3/95



**Section II. Indicators of Hydrology**

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? Yes  No

title/date: Soil Survey of Middlesex County, Mass  
Date 2009

map number:

soil type mapped: Udorthents (655) except Merrimack 626B in NW corner.

hydric soil inclusions: Walpole series near drainage ways.

Are field observations consistent with soil survey? Yes

Remarks: The wetland area in the southwest portion of the site and along the western side drainage may be Walpole series soil

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A - FSL	0 - 8"	10 YR 2/2	None
B - LFS	8-16"	10 YR 6/2	10 YR 5/8 Many Stony

Remarks: Saturated @ 15"

3. Other:

Conclusion: Is soil hydric? Yes  No

Other Indicators of Hydrology: (check all that apply and describe)

Site inundated: \_\_\_\_\_

Depth to free water in observation hole: \_\_\_\_\_

Depth to soil saturation in observation hole: 15"

Water marks: \_\_\_\_\_

Drift lines: \_\_\_\_\_

Sediment deposits: \_\_\_\_\_

Drainage patterns in BVW: \_\_\_\_\_

Oxidized rhizospheres: \_\_\_\_\_

Water-stained leaves: \_\_\_\_\_

Recorded data (stream, lake, or tidal gauge; aerial photo; other): \_\_\_\_\_

Other: \_\_\_\_\_

**Vegetation and Hydrology Conclusion**

	Yes	No
Number of wetland indicator plants ≥ number of non-wetland indicator plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland hydrology present: hydric soil present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
other indicators of hydrology Present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Sample location is in a BVW</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Submit this form with the Request for Determination of Applicability or Notice of Intent.

# DEP Bordering Vegetated Wetlands (310 CMR 10.55) Delineation Field Data Form

Applicant: Newton Public Buildings Dept. Prepared by: Fred King Project location: 191 Dedham St, DEP File #: \_\_\_\_\_

Check all that apply:

Newton, MA

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

**Section I. Vegetation** Observation Plot Number: P2 Transect Number: T1 Date of Delineation: 7/5/2022

A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
<b>Trees</b>				
Apple (Malus spp) 8", 8"	99 sq in	38.9	Yes	UP
Black Cherry (Prunus setotina) 8, 10, 6"	155 sq in	61.1	Yes	FACU
<b>Shrub/Sapling/Vine</b>				
Multiflora Rose (Rosa multiflora)	3.0	12.4	No	FACU
Eastern False Willow (Baccaris halimifolia))	10.5	43.8	Yes	FACW
Black Cherry (Prunus serotina)	10.5	43.8	Yes	FACU

**Ground Cover**

Jewel-weed (Impatiens capensis)	20.5	29.7	Yes	FACW
Garlic Mustard (Alliaria petiolata)	38.0	55.1	Yes	FACU-
Asian Bittersweet (Celastrus orbiculatus))	10.5	15.2	No	UP

\* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptations next to the asterisk.

**Vegetation conclusion:**

Number of dominant wetland indicator plants: 2      Number of dominant non-wetland indicator plants: 4

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants?    Yes      No   

*If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.*

**Section II. Indicators of Hydrology**

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? Yes  No   
 title/date: Soil Survey of Middlesex County, Mass  
 Date 2009  
 map number:  
 soil type mapped: Udorthents (655) except Merrimack 626B in NW corner.  
 hydric soil inclusions: Walpole series near drainage ways.

Are field observations consistent with soil survey? Yes   
 Remarks: The wetland area in the southwest portion of the site and along the western side drainage may be Walpole series soil

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A - FSL	0 - 7"	10 YR 3/2	None
B - LFS	7-16"	10 YR 4/3	None Stony

Remarks: No saturation or water found at 16"

3. Other:

Conclusion: Is soil hydric? Yes  No

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: \_\_\_\_\_
- Depth to free water in observation hole: \_\_\_\_\_
- Depth to soil saturation in observation hole: \_\_\_\_\_
- Water marks: \_\_\_\_\_
- Drift lines: \_\_\_\_\_
- Sediment deposits: \_\_\_\_\_
- Drainage patterns in BVW: \_\_\_\_\_
- Oxidized rhizospheres: \_\_\_\_\_
- Water-stained leaves: \_\_\_\_\_
- Recorded data (stream, lake, or tidal gauge; aerial photo; other): \_\_\_\_\_
- Other: \_\_\_\_\_

<b>Vegetation and Hydrology Conclusion</b>		Yes	No
Number of wetland indicator plants	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
≥ number of non-wetland indicator plants	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Wetland hydrology present:			
hydric soil present	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
other indicators of hydrology			
Present	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Sample location is in a BVW</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Submit this form with the Request for Determination of Applicability or Notice of Intent.

## DEP Bordering Vegetated Wetlands (310 CMR 10.55) Delineation Field Data Form

Applicant: Newton Public Buildings Dept. Prepared by: Fred King Project location: 191 Dedham St, DEP File #: \_\_\_\_\_

Check all that apply:

Newton, MA

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

**Section I. Vegetation** Observation Plot Number: P1 Transect Number: T2 Date of Delineation: 7/5/2022

A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
<b>Trees</b>				
Red Maple ( <i>Acer rubrum</i> ) 14"	154 sq in	100	Yes	FAC
<b>Shrub/Sapling/Vine</b>				
Multiflora Rose ( <i>Rosa multiflora</i> )	63.0	75.4	Yes	FACU
Apple ( <i>Malus</i> spp)	20.5	24.6	Yes	UP
<b>Ground Cover</b>				
Jewel-weed ( <i>Impatiens capensis</i> )	38.0	78.4	Yes	FACW
Garlic Mustard ( <i>Alliaria petiolata</i> )	10.5	21.6	Yes	FACU-

\* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptations next to the asterisk.

**Vegetation conclusion:**

Number of dominant wetland indicator plants: 2      Number of dominant non-wetland indicator plants: 3

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants?    Yes      No    X

*If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.*

MA DEP; 3/95

**Section II. Indicators of Hydrology**

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? Yes  No   
 title/date: Soil Survey of Middlesex County, Mass  
 Date 2009  
 map number:  
 soil type mapped: Udorthents (655) except Merrimack 626B in NW corner.  
 hydric soil inclusions: Walpole series near drainage ways.

Are field observations consistent with soil survey? Yes   
 Remarks: The wetland area in the southwest portion of the site and along the western side drainage may be Walpole series soil

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A - FSL	0 - 6"	10 YR 3/2	None
B - LFS	6-17"	10 YR 4/3	None Stony

Remarks: No saturation or water found at 16"

3. Other:

Conclusion: Is soil hydric? Yes  No

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: \_\_\_\_\_
- Depth to free water in observation hole: \_\_\_\_\_
- Depth to soil saturation in observation hole: \_\_\_\_\_
- Water marks: \_\_\_\_\_
- Drift lines: \_\_\_\_\_
- Sediment deposits: \_\_\_\_\_
- Drainage patterns in BVW: \_\_\_\_\_
- Oxidized rhizospheres: \_\_\_\_\_
- Water-stained leaves: \_\_\_\_\_
- Recorded data (stream, lake, or tidal gauge; aerial photo; other): \_\_\_\_\_
- Other: \_\_\_\_\_

<b>Vegetation and Hydrology Conclusion</b>		Yes	No
Number of wetland indicator plants	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
≥ number of non-wetland indicator plants			<input checked="" type="checkbox"/>
Wetland hydrology present:			
hydric soil present	<input type="checkbox"/>		<input checked="" type="checkbox"/>
other indicators of hydrology			
Present	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<b>Sample location is in a BVW</b>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

Submit this form with the Request for Determination of Applicability or Notice of Intent.