

Notice of Intent

Under the Massachusetts Wetlands Protection Act

The Commons at Weiss Farm

Contents

WPA Form 3

ATTACHMENT A PROJECT NARRATIVE

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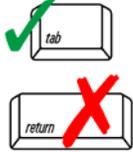


WPA Form 3 – Notice of Intent

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

MassDEP File Number
Document Transaction Number
Stoneham
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>170 Franklin Street</u> a. Street Address	<u>Stoneham</u> b. City/Town	<u>02180</u> c. Zip Code
<u>Latitude and Longitude:</u>	<u>42d28m31Ns</u> d. Latitude	<u>071d05m27Ws</u> e. Longitude
<u>Map 8</u> f. Assessors Map/Plat Number	<u>106</u> g. Parcel /Lot Number	

2. Applicant:

<u>c/o Peter</u> a. First Name	<u>Mahoney</u> b. Last Name	
<u>Weiss Farm Apartments LLC</u> c. Organization		
<u>100 Grandview Road, Suite 207</u> d. Street Address		
<u>Braintree</u> e. City/Town	<u>MA</u> f. State	<u>02184</u> g. Zip Code
<u>781-849-7111</u> h. Phone Number	<u>i. Fax Number</u>	<u>pmahoney@corcoranmgmt.com</u> j. Email Address

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

<u>Donna</u> a. First Name	<u>Weiss</u> b. Last Name	
<u>Wiess Farm Inc.</u> c. Organization		
<u>170 Franklin Street</u> d. Street Address		
<u>Stoneham</u> e. City/Town	<u>MA</u> f. State	<u>02180</u> g. Zip Code
<u>h. Phone Number</u>	<u>i. Fax Number</u>	<u>j. Email address</u>

4. Representative (if any):

<u>Dennis</u> a. First Name	<u>Lowry</u> b. Last Name	
<u>AECOM Environment</u> c. Company		
<u>250 Apollo Drive</u> d. Street Address		
<u>Chelmsford</u> e. City/Town	<u>MA</u> f. State	<u>01824</u> g. Zip Code
<u>508-361-1850</u> h. Phone Number	<u>i. Fax Number</u>	<u>dennis.lowry@aecom.com</u> j. Email address

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

<u>3,150.00</u> a. Total Fee Paid	<u>1,562.50</u> b. State Fee Paid	<u>1,587.50</u> c. City/Town Fee Paid
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A. General Information (continued)

6. General Project Description:

Development of a 264 unit rental apartment complex that entails construction of 3 apartment buildings, 5 townhouse buildings, clubhouse, and associated parking, walkways, drives and infrastructures.

7a. Project Type Checklist:

- 1. Single Family Home
2. Residential Subdivision
3. Limited Project Driveway Crossing
4. Commercial/Industrial
5. Dock/Pier
6. Utilities
7. Coastal Engineering Structure
8. Agriculture (e.g., cranberries, forestry)
9. Transportation
10. Other

7b. Is any portion of the proposed activity eligible to be treated as a 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:

2. Limited Project

8. Property recorded at the Registry of Deeds for:

Middlesex

a. County

Book 7706

c. Book

b. Certificate # (if registered land)

469

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.

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

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Bank, Bordering Vegetated Wetland, and Land Under Waterbodies and Waterways.



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

Resource Area, Size of Proposed Alteration, Proposed Replacement (if any)
d. Bordering Land Subject to Flooding
e. Isolated Land Subject to Flooding
f. Riverfront Area
2. Width of Riverfront Area (check one):
3. Total area of Riverfront Area on the site of the proposed project:
4. Proposed alteration of the Riverfront Area:
5. Has an alternatives analysis been done and is it attached to this NOI?
6. Was the lot where the activity is proposed created prior to August 1, 1996?

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

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.

Resource Area, Size of Proposed Alteration, Proposed Replacement (if any)
a. Designated Port Areas
b. Land Under the Ocean
c. Barrier Beach
d. Coastal Beaches
e. Coastal Dunes



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

Table with columns: Resource Type, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Coastal Banks, Rocky Intertidal Shores, Salt Marshes, Land Under Salt Ponds, Land Containing Shellfish, Fish Runs, Land Subject to Coastal Storm Flowage, Restoration/Enhancement, and Project Involves Stream Crossings.

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. 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)?

a. [] Yes [X] 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 01581-3336

2008
b. Date of map



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

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.1.d, 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).*

1. c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:
 - (a) within wetland Resource Area _____ percentage/acreage
 - (b) outside Resource Area _____ percentage/acreage
2. Assessor's Map or right-of-way plan of site
3. 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 ****
 - (a) Project description (including description of impacts outside of wetland resource area & buffer zone)
 - (b) Photographs representative of the site
 - (c) MESA filing fee (fee information available at <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>). Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address
Projects altering 10 or more acres of land, also submit:
 - (d) Vegetation cover type map of site
 - (e) Project plans showing Priority & Estimated Habitat boundaries

d. OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
2. Separate MESA review ongoing. _____ a. NHESP Tracking # _____ b. Date submitted to NHESP

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/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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C. Other Applicable Standards and Requirements (cont'd)

3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

2. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

a. Not applicable – project is in inland resource area only

b. Yes No If yes, include proof of mailing or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

3. 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

4. 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

5. 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

6. 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

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



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

- 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

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.
- 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.

The Commons at Weiss Farm Conservation Commission Submission Plans C1-C9

a. Plan Title

HW Moore Associates, Inc

James White

b. Prepared By

c. Signed and Stamped by

11/12/2014

1"=40'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

- 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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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E. Fees

- 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:

1138	12/3/14
2. Municipal Check Number	3. Check date
1137	12/3/14
4. State Check Number	5. Check date
Weiss Farm	Apartments LLC
6. Payor name on check: First Name	7. Payor name on check: Last Name

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.

By: Weiss Farm Apartments LLC

1. Signature of Applicant

Donna M. Weiss

3. Signature of Property Owner (if different)

12/3/14

2. Date

12/4/14

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:

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.

Weiss Farm Apartments LLC



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 3 a.)	3	1,050.00	3,150.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	<u>\$3,150.00</u>
State share of filing Fee:	a. Total Fee from Step 5 <u>\$1,562.50</u>
City/Town share of filing Fee:	b. 1/2 Total Fee less \$12.50 <u>\$1,587.50</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.)

1.0 Introduction and Overview

On behalf of Weiss Farm Apartments LLC (the Applicant), and in cooperation with HW Moore Associates, Inc., AECOM Environment is submitting this Notice of Intent (NOI) and accompanying materials to the Stoneham Conservation Commission pursuant to the Massachusetts Wetlands Protection Act (WPA) and its implementing Regulations, 310 CMR 10.00, for the proposed residential development of the Commons at Weiss Farm, a proposed 264 unit rental apartment community at 170 Franklin Street in Stoneham, Massachusetts (the Project). The Site Locus map (Figure 1) depicts the general location of the project. The proposed Project entails the construction of three apartment buildings, five townhouse buildings, a clubhouse, associated parking, walk ways, drives, landscaping and stormwater management systems. The Project will be constructed within an area of long-term use for agricultural/landscaping purposes, and the proposed area of development is largely disturbed from these past and ongoing activities. There will be no disturbance of any wetland resource area as defined by the WPA and its Regulations.

Currently the site is partially developed and consists of a single parcel of land totaling approximately 25.7 acres. The site is situated along the north side of Franklin Street west of Ellen Road in the northeastern portion of Stoneham and is operated by Weiss Farm Inc. mainly as a loan and mulch operation. The existing farm house and one of the barn buildings are not part of the proposed Project. Two of the barn buildings straddle the property line and would be demolished as part of the proposed project. A man-made ditch, constructed circa 1950's by the Army Corps of Engineers, was excavated around the perimeter of the farm area and is considered part of the jurisdictional wetland resources on the site. Other jurisdictional wetlands are located southeast, north and northwest and occupy approximately 12 acres of the 25.7 acre site. The central section of the site consists of approximately 10.2 acres of uplands that has been the focus of the past and ongoing agricultural/landscaping land uses, and this area is proposed to be occupied by the proposed development. An existing footpath and bridge, located at the northeast corner, will be upgraded with stone-dust and will provide pedestrian access to upland open space in the eastern portion of the site. The footpath upgrade is the only proposed disturbance within 25-feet of approved wetland boundaries.

The Stoneham Conservation Commission issued an Order of Resource Area Delineation (ORAD) on February 15, 2012 confirming the extent and type of wetland resources on the site (see Appendix B). These approved statutory wetland boundaries are carried forward on the current NOI plans.

Significant attention and consideration has been given to proper management of stormwater runoff from the Project site. The unique site-specific characteristics and hydrologic setting has been carefully studied to develop a comprehensive plan that fully utilizes and recognizes these attributes. Disposition of stormwater has been considered, with respect to its peak rate, total volume and water quality aspects, to ensure appropriate mitigation upon Project completion. The proposed stormwater management system has been designed in full compliance with the Massachusetts Stormwater Standards, and will ensure that the quantity and quality of stormwater runoff from the site will be appropriately treated. Erosion and sediment control measures will be implemented during construction, and landscaping improvements within the buffer zone will contribute to ensuring indirect impacts to the site's wetlands will be mitigated.

2.0 Existing Conditions

2.1 Wetland Resource Areas

On February 15, 2012, the Stoneham Conservation Commission issued an ORAD which confirmed the extent and types of specific wetland resource areas on the site. The ORAD was issued after several months of detailed investigations of the site's wetland resource areas, including a review by a Professional Wetland Scientist retained by the Conservation Commission. The ORAD defined the limits of Bordering Vegetated Wetlands (BVW) on the site, and classified the drainage ditch passing through the site as an intermittent stream. The ORAD did not define the limits of Bordering Land Subject to Flooding (BLSF, or the 100-year floodplain) or the limits of Inland Bank on the site. The definitions and status of these resource areas on the site are described below.

Bordering Vegetated Wetland (310 CMR 10.55)

The BVW which comprises most of the delineated wetland resource area on the site encompasses much of the western and northern portions of the site; additional BVW occurs in the southeast portion of the site. These BVW areas are linked hydrologically by the excavated ditch that extends from the west to the north and east/southeast parts of the site. BVW areas on the site vary in vegetated cover from wet meadow, shallow emergent marshes, shrub swamps to mature forested wetland. Plant species observed in the emergent wetland areas (wet meadow and marsh) include cattail, sedges, purple loosestrife, soft rush, woolgrass, bulrush, sensitive fern, jewelweed, joe-pye weed, blue vervain, reedgrass, and aster. Common shrub swamp plant species observed include willow, dogwood, red maple, multiflora rose, and buckthorn. The forested wetland comprising much of the northern part of the site is dominated by red maple, with an understory of shrubs such as sweet pepperbush, highbush blueberry, swamp azalea, and dogwood, and an herbaceous layer of cinnamon fern, sensitive fern, and skunk cabbage.

Inland Bank of Intermittent Stream (310 CMR 10.54)

As established through the ANRAD/ORAD process, the ditch excavated through the site is classified as an intermittent stream. By definition, the Bank extends from the mean annual low water level up to either the first observable break in the slope or the mean annual flood level, whichever is lower. Due to the excavated/ditched condition of the intermittent stream, there is little difference in the horizontal location of these two parameters. The mean annual flood level on the site is typically controlled by a pump station located in the southeast part of the site adjacent to Franklin Street. The pump station was installed in the 1950's as part of the US Army Corps of Engineers efforts to rectify drainage issues that were created by the Town of Stoneham's upgrades to Franklin Street; that reconstruction included installing culverts under Franklin Street at too high of an elevation to allow unimpeded flow from the site. The mean annual flood level is likely below the first observable break in slope along the ditch, which is essentially the top of the ditch. However, since the edge of the excavated ditch is very well defined, from a practicable application this well-defined edge of the ditch appropriately serves as the Bank. Note that under strict regulatory interpretation, an intermittent stream can be considered to have just one center-line Bank, since the mean annual low water level (i.e., the edge between Bank and Land Under Water) is downstream of the intermittent reach of the stream. However, for the

purposes of this application, the Bank has conservatively been considered to be the edge of the physically-defined ditch. As noted in the December 20, 2011 report from the Conservation Commission's reviewer (REC) during the ANRAD review, there are only two locations where this limit of Bank serves as the limit of wetland resource area: from flags A19-A25 and B9-B13 there is no BVW along the ditch, and thus this defined Bank/edge of ditch serves as the wetland resource area limit and inner edge of the buffer zone at these two locations.

Bordering Land Subject to Flooding (310 CMR 10.57)

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. Per 310 CMR 10.57, 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. Where NFIP Profile data is unavailable, the boundary of Bordering Land Subject to Flooding shall be the maximum lateral extent of flood water which has been observed or recorded. In the event of a conflict, the issuing authority may require the applicant to determine the boundary of Bordering Land Subject to Flooding by engineering calculations.

As established through the ANRAD process, the FEMA Flood Insurance Rate Map (FIRM) does not indicate any portion of the site to be within an area subject to flooding during a 100-year storm event, and therefore it is presumed by Regulation that there is no BLSF on the site. To be conservative, and per the Regulatory directive noted above, information developed from observations of the site indicate that an elevation of 163.65 feet (NAD 88) could be used to delineate the "maximum lateral extent of floodwater which has been observed or recorded" on the site.

2.2 Soils

According to the Natural Resources Conservation Service Web Soil Survey the area of the proposed work is located within soil units identified as Hollis-rock outcrop-Charlton complex and Udorthents wet substratum (Figure 2). Hollis-rock outcrop-Charlton complex is a well-drained soil with a water table at more than 80 inches deep and typically found on hill sides. Udorthents, wet substratum soil unit, has a water table at more than 80 inches from the ground surface.

2.3 Rare Species

The 2008 Massachusetts Natural Heritage and Endangered Species Program (NHESP) online mapping (MassGIS) was consulted during the preparation of this request. According to this source, the proposed project area is not located within Priority Habitat or Estimated Habitat of Rare Species (Figure 3). Further, on-site investigations have not encountered any such species or the likely habitats of any state-listed species pursuant to the Massachusetts Endangered Species Act (MESA).

3.0 Proposed Project Activities

The proposed site development will include the construction of three apartment buildings, five townhouse buildings and a clubhouse building with associated parking, drives, landscaping and stormwater management systems. There will be no disturbance of any wetland resource area. The only disturbance within twenty-five feet of a wetland area will be a stone dust foot path which will cross the drainage channel at an existing bridge, which would be improved, and will provide access to the upland open space on the opposite side of the drainage channel. Disturbances beyond twenty-five feet of the wetland boundary will be in areas that largely have been subject to long-term use for the agricultural/landscaping operation at the site. Erosion and sediment control measures are proposed for work on the site to ensure adequate construction-phase protection of the wetland resource areas. The proposed project will comply with all requirements of the Massachusetts Wetlands Protection Act, including the Massachusetts Stormwater Management Standards, thereby ensuring adequate protection of all wetland resource areas post-construction of the Project.

The project will have approximately 42,000 square feet of open space in the areas between buildings "A", "B" and the Clubhouse as well as in the courtyard area at Building "C". These two areas will provide 1,200 linear feet of walks, benches, a pool and associated patio, barbeque areas with tables, pergolas, other active recreation activities and landscaping. In addition to this space, there will be a pedestrian foot path to the open field in the northeasterly portion of the site on the opposite side of the drainage channel. Access over the channel is provided by an existing pedestrian bridge. This path is approximately 900 feet long and provides access to a three acre open space upland area. In total, about 15.5 acres of the 25.7 acre parcel will not be disturbed during construction.

Landscaping of the Project area will be substantial. In particular, more than 75 trees will be planted around the perimeter of the Project area within the buffer zone of the wetland resource areas. Since most of these areas are currently devoid of such growth, the addition of these trees will contribute to the long-term provision of multiple functions provided by woody vegetation in the buffer zone.

4.0 Proposed Stormwater Management

The proposed stormwater management system has been designed in accordance with the Massachusetts Department of Environmental Protection's (DEP) Stormwater Management Standards to ensure that the post-developed condition will have no adverse impacts related to surface runoff stormwater quality or quantity and groundwater recharge volume and quality. The stormwater system will include deep sump catch basins with oil trap hoods, proprietary stormwater treatment devices, infiltration systems and a detention basin. The stormwater system will mitigate the peak rates of stormwater runoff by utilizing both above grade and below grade detention/infiltration systems. Both the above and below grade detention basins will mitigate peak flows by restricting the amount of stormwater leaving the basins to a predetermined rate. A small orifice is used to control the rate. The below grade detention systems will consist of rows of chambers surrounded by crushed stone below the parking areas. These chambers are open on the bottom to allow for stormwater recharge. The project will recharge groundwater to maintain or exceed existing conditions in accordance with DEP Stormwater Guidelines. The project will also remove in excess of eighty percent suspended solids with deep sump hooded catch basins, proprietary stormwater treatment devices, and below-grade infiltration systems. The project therefore will meet or exceed all DEP stormwater management regulatory requirements, and will have no detrimental impact to either the adjacent wetlands or groundwater quality/quantity.

In accordance with the DEP's Stormwater Management Standards, the annual recharge from the post-development site will approximate the annual recharge from pre-development conditions based on soil type. This standard is met when the stormwater management system is designed to infiltrate the required recharge volume as determined in accordance with the Massachusetts Stormwater Handbook. The project will utilize four sub-surface recharge systems and one surface water quality basin for groundwater recharge. The subsurface recharge systems will include rows of underground chambers surrounded by crushed stone. The chambers will be open at the bottom to allow for the stormwater that enters the chambers to flow into the crushed stone and infiltrate into the existing soil below the recharge system. Information collected from extensive on site test pits and borings within the central development area show that the underlying soil conditions consist mostly of a glacial outwash material containing stratified dense silty sand, with the exception of the hill area, which has bedrock close to the ground surface. The recharge systems have been sized and designed in accordance with the DEP Stormwater Handbook, accounting for anticipated stormwater runoff based on the project design and site conditions, and therefore there will be no reduction in groundwater recharge and no detrimental impact on groundwater recharge either within the development site or the immediately surrounding area.

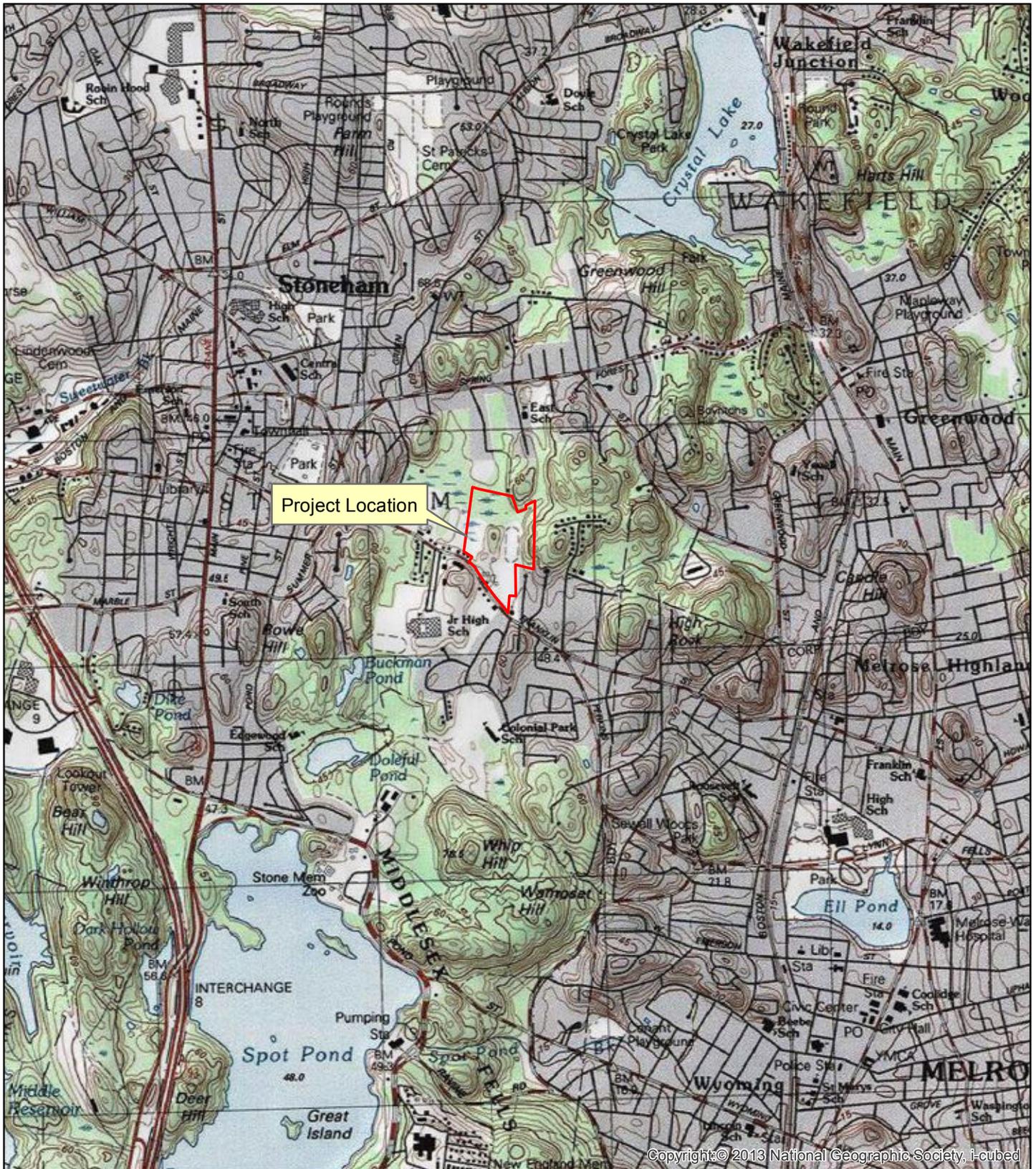
5.0 Compliance Assessment

As indicated above, the Project will not involve any work within any regulated wetland resource area. This includes all wetland resource areas confirmed by the issuance of the ORAD, as well as the conservatively indicated limit of BLSF as described above. Consequently, all performance standards set forth in 310 CMR 10.00 for work within wetland resource areas are fully complied with. There are no specific performance standards for work with the 100-foot buffer zone. Work proposed within the buffer is largely confined to portions of the site subject to long-term use for the landscaping/agricultural operation. All work for the Project's construction will be set back at least 25 feet from the wetland resource area limits, and sediment/erosion control measures will be implemented at the limit of site construction activities to ensure that indirect impacts to the wetland resource areas will not occur. Implementation of stormwater management measures in full compliance with the MADEP Stormwater Management Standards will also serve to protect wetland resource areas.

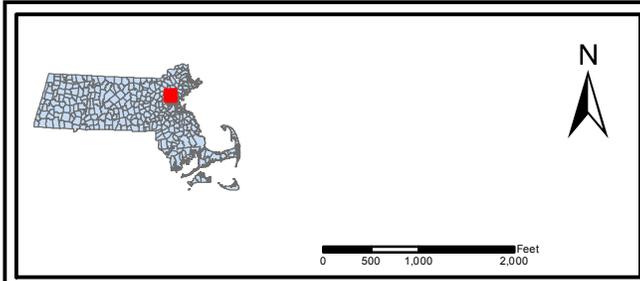
The site is not known to have any documented use by state-listed species pursuant to MESA, nor are any certified or potential vernal pools identified on the site. The central development area of the proposed project consists of an area that presently is being used mostly for stockpiling and the processing of top soil and mulch, with the remainder of the area being a small hill. The development area is presently not a wildlife corridor and has little to no opportunity for providing significant wildlife habitats. Wildlife habitats on the existing site are limited by the long-standing agricultural/landscaping uses, which largely overlap with the proposed development area, and are limited to the wetland areas, which will remain undisturbed. About 15.5 acres, or 60% of the parcel, will be completely undisturbed by the proposed development, and therefore will continue to provide for a wildlife habitat in a manner comparable to the current conditions. The project will have no detrimental impact on wildlife habitats either within the development site or in adjacent areas.

Appendix A

Project Figures

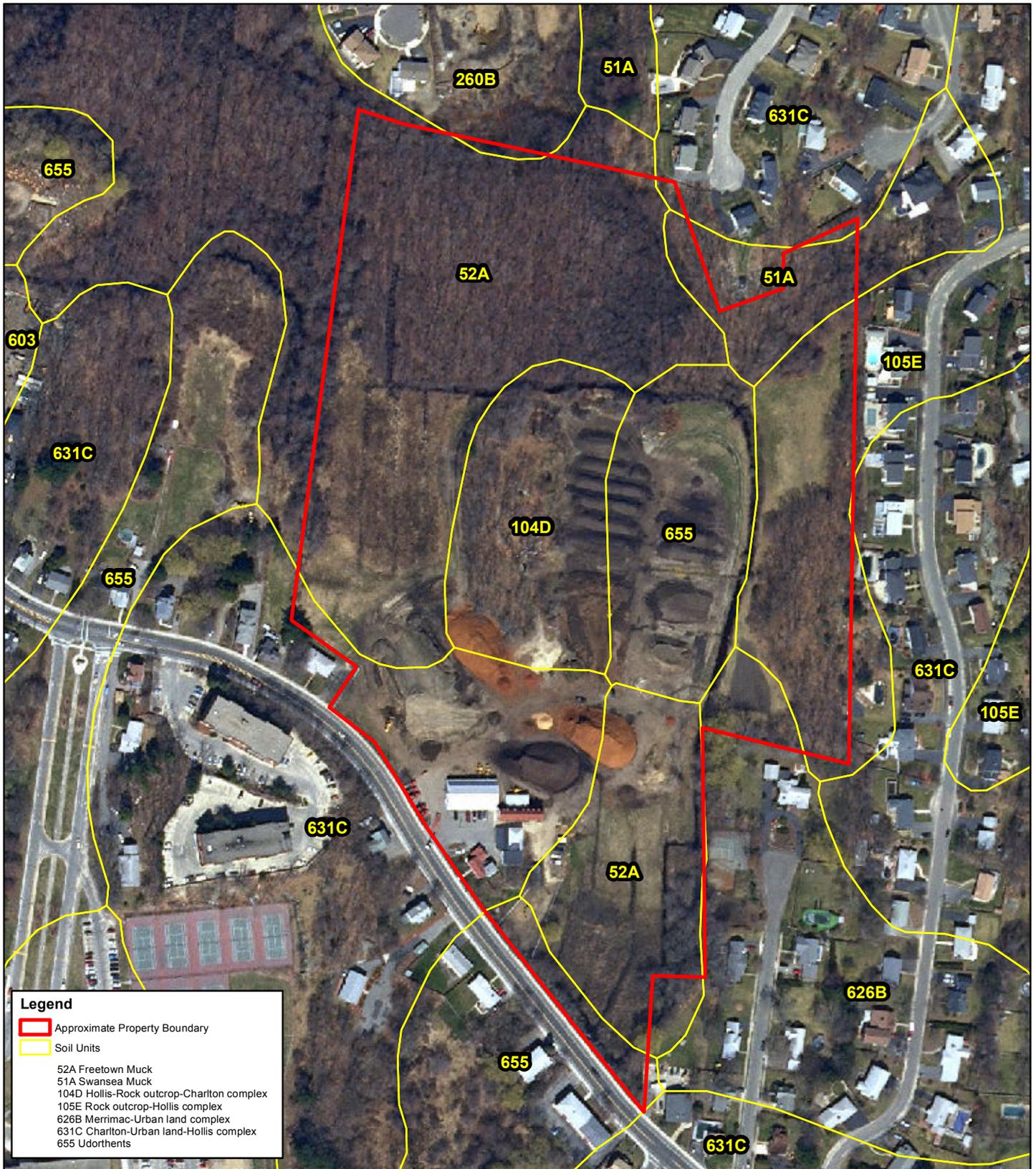


Copyright © 2013 National Geographic Society, I-cubed



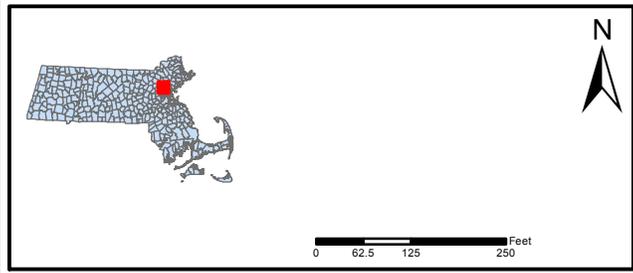
Site Locus		
170 Franklin St. Stoneham, MA		
SCALE	DATE	PROJECT NO.
1:2400	10/14	60331761

AECOM
Figure Number
1



Legend

- ▭ Approximate Property Boundary
- ▭ Soil Units
- 52A Freetown Muck
- 51A Swansea Muck
- 104D Hollis-Rock outcrop-Charlton complex
- 105E Rock outcrop-Hollis complex
- 626B Merrimac-Urban land complex
- 631C Charlton-Urban land-Hollis complex
- 655 Udorthents



Soil Map		
170 Franklin St. Stoneham, MA		
SCALE	DATE	PROJECT NO.
1:500	10/14	60331761

AECOM

Figure Number

2




Legend

- ★ Potential Vernal Pools
- ★ Certified Vernal Pools
- ▨ NHESP Priority Habitats of Rare Species
- ▨ NHESP Estimated Habitats of Rare Wildlife

0 125 250 500 Feet



Natural Heritage Endangered Species Map
170 Franklin St.
Stoneham, MA

SCALE	DATE	PROJECT NO.
1:500	10/14	60331761

AECOM

Figure Number

3

Appendix B

Copy of Order of Resource Area Delineation



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

297-0355

MassDEP File Number

**WPA Form 4B – Order of Resource Area
Delineation**

eDEP Transaction Number

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

City/Town

A. General Information

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



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

From: Stoneham Conservation Commission
1. Conservation Commission

2. This Issuance is for (check one):

- a. Order of Resource Area Delineation
b. Amended Order of Resource Area Delineation

3. Applicant:

Donna Weiss
a. First Name b. Last Name

Weiss Farm Inc.
c. Organization

170 Franklin Street
d. Mailing Address

Stoneham MA 02180
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code

5. Project Location:

170 Franklin Street Stoneham 02180
a. Street Address b. City/Town c. Zip Code

Map 8 106
d. Assessors Map/Plat Number e. Parcel/Lot Number

Latitude and Longitude (in degrees, minutes, seconds): 42d28m31Ns 071d05m27Ws
f. Latitude g. Longitude

6. Dates: 10/21/2011 January 25, 2012 February 15, 2012
a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

"Exhibit Plan of Land in Stoneham, MA - 170 Franklin Street - Weiss Farm" January 5, 2012
a. Title b. Date

c. Title d. Date



WPA Form 4B – Order of Resource Area Delineation

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

B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable):

a. **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

1. Bordering Vegetated Wetlands

2. Other resource area(s), specifically:

a. _____

b. **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1. Bordering Vegetated Wetlands

2. Other resource area(s), specifically:

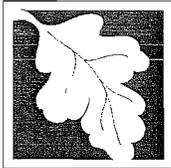
a. It shall be noted that the ANRAD does not define the limits of Bordering Land Subject to Flooding or limits of Inland Bank at the site. This information will be submitted as part of a Notice of Intent, if the Applicant files one. Further, based on information submitted by the Applicant, the stream passing through the site was determined to be intermittent.

c. **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. Bordering Vegetated Wetlands

2. Other resource area(s), specifically:

3. The boundaries were determined to be inaccurate because:



WPA Form 4B – Order of Resource Area Delineation

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

Provided by MassDEP:

297-0355

MassDEP File Number

eDEP Transaction Number

City/Town

C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

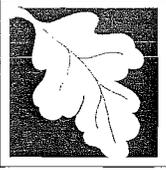
This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).

D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 4B – Order of Resource Area Delineation

Provided by MassDEP:

297-0355

MassDEP File Number

eDEP Transaction Number

City/Town

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

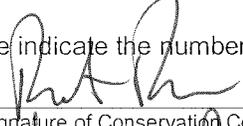
E. Signatures

February 15, 2012

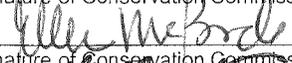
Date of Issuance

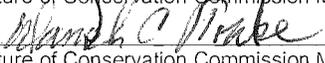
Please indicate the number of members who will sign this form.

1. Number of Signers


Signature of Conservation Commission Member

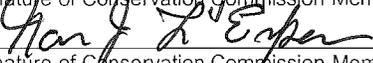

Signature of Conservation Commission Member


Signature of Conservation Commission Member


Signature of Conservation Commission Member


Signature of Conservation Commission Member

Signature of Conservation Commission Member


Signature of Conservation Commission Member

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on _____ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. By hand delivery on

3. By certified mail, return receipt requested on

February 15, 2012

a. Date

a. Date



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Request Information

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



1. Person or party making request (if appropriate, name the citizen group's representative):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

Project Location

Mailing Address

City/Town

State

Zip Code

2. Applicant (as shown on Notice of Intent (Form 3), Abbreviated Notice of Resource Area Delineation (Form 4A); or Request for Determination of Applicability (Form 1)):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

3. DEP File Number:

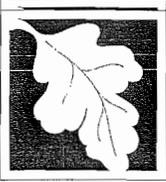
B. Instructions

1. When the Departmental action request is for (check one):

- Superseding Order of Conditions
- Superseding Determination of Applicability
- Superseding Order of Resource Area Delineation

Send this form and check or money order for \$100.00 (single family house projects) or \$200 (all other projects), payable to the *Commonwealth of Massachusetts* to:

Department of Environmental Protection
Box 4062
Boston, MA 02211



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Instructions (cont.)

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Appendix C

Stormwater Management Report and Project Plans (bound separately)