

Karon Skinner Catrone
63 Gilbert Drive
Stoughton, MA 02072

July 30, 2020

Ms. Deb Anderson
Director of Conservation
Needham Conservation Commission
500 Dedham Street
Needham, MA 02492

RE: Request for Determination – 57 Frank Street, Needham, MA

Dear Ms. Anderson:

Enclosed please find one (1) electronic copy of a Request for Determination (RDA) and site plan submittal on behalf of Ajay and Urvashi Batra. The RDA is being filed under the Massachusetts Wetland Protection Act and the Needham Wetland Bylaw. This submittal includes:

1. Cover page
2. Application for a Permit under the Needham General Wetlands Protection Bylaw Section 6
3. Application Checklist
4. Wetland Protection Act, Form 1 – Request for Determination
5. Affidavit of Service
6. Project Narrative
7. FEMA firm flood insurance rate map
8. Natural Heritage and Endangered Species data
9. Stamped Engineered Plan

The proposed project includes razing the existing deck and patio and constructing a smaller deck and slightly larger patio. A copy of this filing has been sent to the Northeast Regional Office of the Department of Environmental Protection.

Please feel free to contact me at 781-341-0714 with any questions or concerns.

Sincerely,



Karon Skinner Catrone
Wetland Consultant

Conservation Department Use Only

WPA Town Filing Fee	\$
NGWP Town Filing Fee	\$
Waiver Fee	\$

APPLICATION FOR A PERMIT NEEDHAM GENERAL WETLANDS PROTECTION BYLAW ARTICLE 6

Notice of Intent

Request for Determination of Applicability

Description of Project

Raze existing deck and patio and construct a smaller deck and slightly larger deck. All work is proposed out side of the 25 foot buffer

Project Location

Street: 57 Frank Street

Assessor's Map: 199/092.0

Parcel: 0068-0000.0

Registry Information

Book: 29568

Page: 538

Applicant

Name: Ajay and Urvashi Batra

Address: 57 Frank Street

Needham, MA 02494

Owner (if different)

Name: _____

Address: _____

Date of Filing

7/30/2020

Resources within which work is proposed:

- Bordering Vegetated Wetland**
- Bank**
- Bordering Land Subject to Flooding**
- Isolated Land Subject to Flooding**
- Buffer Zone**

This application is is not filed simultaneously with a NOI/RDA under the Massachusetts Wetlands Protection Act.

Statement of Applicant: I hereby certify under the penalties of perjury that this application and all supporting plans and documents are true and complete to the best of my knowledge, and that these have been prepared in conformance with the requirements of the Needham General Wetlands Bylaw and supporting regulations. I further certify that all abutters and other parties have been notified of this application as required by the Bylaw. I understand I may be asked to pay for a consultant to review my application for the Commission.

Signature: _____

Date: _____

**REQUEST FOR DETERMINATION OF APPLICABILITY CHECKLIST
NEEDHAM CONSERVATION COMMISSION
NEEDHAM GENERAL WETLANDS BY-LAW – ARTICLE 6**

THIS CHECKLIST MUST BE COMPLETED, SIGNED AND SUBMITTED WITH ANY REQUEST FOR DETERMINATION OF APPLICABILITY. ALL REQUIRED INFORMATION AND NOTIFICATIONS MUST BE INCLUDED IN ORDER FOR THE APPLICATION TO BE CONSIDERED COMPLETE. SECTION 1.05(3) OF THE BYLAW REGULATIONS SHOULD BE CONSULTED.

NINE (9) PAPER COPIES AND ONE (1) ELECTRONIC COPY OF ALL MATERIALS MUST BE SUBMITTED

CHECK IN THE AMOUNT OF \$100.00 MADE OUT TO TOWN OF NEEDHAM, FOR APPLICATION FEE

ABUTTER NOTIFICATION (by certified mail, return receipt or hand delivery)

- List certified by the Assessor's Office of all abutters within 300 feet of the property line. *requested*
- Copy of draft notification made to abutters including date and specific time of public hearing. (See Sample online)
- Copy of the Assessor's Map or Subdivision Plan showing abutting and adjacent lots within 300 feet of the parcel on which work is proposed.
- Proof of notification to abutters and Board of Selectmen, Planning Board, Board of Health, and Building Inspector (SUBMIT AT OR PRIOR TO HEARING).

PLANS (shall include the following)

- An 8.5" x 11" section of the U.S. Geologic Survey quadrangle or other map of the area.
- At a minimum must include an 8 ½ x 11 Plot Plan
- Plans prepared by a Registered Professional Engineer or Registered Land Surveyor are recommended but not required.
- Shows existing conditions (grades, structures, roads, treelines, and limits of existing lawn).
- Clearly shows the boundaries of all regulated resource areas (Vegetated Wetland, Bank, Bordering Land Subject to Flooding, Isolated Land Subject to Flooding, Riverfront Area, Vernal Pools), including the 100-foot and 50- or 25-foot Buffer Zone limits as defined under the Wetlands Protection Act and the Needham General Wetlands By-Law and Regulations.
- Clearly shows the location and numbers of all wetland flags and method of survey.
- Show proposed limit of work, including but not limited to proposed grades, locations of all structures, roads, paths, utilities, drainage structures, trees to be removed, changes in lawn edges, plantings (including replacement trees per Town Guidelines), and proposed tree line.
- Shows the minimum distance between the limit of proposed work (erosion controls) and the edge of wetland.
- Details of any subsurface drainage structure.
- Detail of any erosion and sedimentation control measures.

DOCUMENTS

- WPA Form 1 – Request for Determination of Applicability.
- Application for a Permit (Needham General Wetlands Protection Bylaw Article 6).
- Written Description of the work proposed, including a description of any excavation, proposed structures, and erosion and sedimentation controls.
- Quantitative documentation to support the delineation of the vegetated wetland, with certification from the wetland scientist responsible for the delineation, stating the basis for the delineation and the date on which the delineation was performed. DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Forms must document both upland and wetland plots.
- Request for a waiver from compliance with the regulations (including proposed basis for request) if regulatory performance standards cannot be met. *N/A*

Signature: 

Date: 7/30/2020



WPA Form 1- Request for Determination of Applicability

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

A. General Information

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



1. Applicant:

Ajay and Urvashi Batra

Name

E-Mail Address

57 Frank Street

Mailing Address

Needham

City/Town

MA

State

02494

Zip Code

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Firm

Contact Name

E-Mail Address

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

B. Determinations

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

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

Westwood

Name of Municipality

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



WPA Form 1- Request for Determination of Applicability

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

C. Project Description

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

57 Frank Street

Street Address

199/092.0

Assessors Map/Plat Number

Needham

City/Town

0068-0000.0

Parcel/Lot Number

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

The area is currently patio and deck.

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

#57 Frank Street Request of Determination Plan of Land in Needham, Mass.

Title

June 25, 2020

Date

Title

Date

Title

Date

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

The applicant is proposing the tear down of the existing deck and patio and construction of a smaller deck and slightly larger patio. All work is outside the 25 foot buffer zone.



WPA Form 1- Request for Determination of Applicability

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

C. Project Description (cont.)

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

Proposed work is not closer to wetland than existing patio.

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

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

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



WPA Form 1- Request for Determination of Applicability

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

D. Signatures and Submittal Requirements

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

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

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

Name and address of the property owner:

Ajay and Urvashi Batra

Name

57 Frank Street

Mailing Address

Needham

City/Town

MA

State

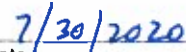
02494

Zip Code


Signatures:

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


Signature of Applicant


Date


Signature of Representative (if any)


Date



Needham Board of Assessors



[Back to Results](#) | [Search for Parcels](#) | [Search for Sales](#) | [View/Print Record Card](#)

- [View Property Card](#)
- [Map View](#)
- [View Abutters Properties](#)

- Summary**
- [Residence](#)
- [Land Segments](#)
- [Detached Structure](#)
- [Sales History](#)
- [Value History](#)
- [Condo](#)
- [Commercial](#)

Parcel ID: 199/092.0-0068-0000.0 FY: 2020 Community: Needham

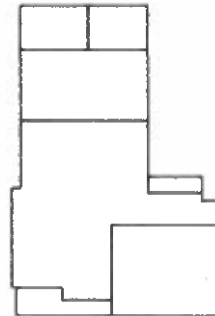
Location: 57 FRANK ST
Owner Name: BATRA, AJAY K. &
Owner Name2: BATRA, URVASHI
Owner Address: 57 FRANK ST
City: NEEDHAM **State:** MA **Zip:** 02484
Neighborhood: 205 **Land Area:** 6.37 acres
Use Code: 191-SINGL-FAM-RES **Total Finished Area:** 6313 sqft
Tax Class: T **Pct-Exempt-Land:**
Sewer: SW **Pct-Exempt-Bldg:** 0
Water: PS **Road Type:** T
Road Condition: P

Photo (Click on Photo to Enlarge)



57 FRANK ST

Sketch (Click on Sketch to Enlarge)



Assessments	Current Year	Previous Year
Total Value:	1,422,800	1,346,400
Building Value:	952,000	917,500
Land Value:	476,800	428,900
Market Land Value:	470,800	
Chapter Land Value:		

Latest Sale		
Sale Price:	978,000	Sale Date: 01/20/2012
Arms Length Sale Code:	Y-YES-VALID	Grantor: BARTON
Carl Doc:		Book: 29668 Page: 538



Area between wetland and existing patio



Existing patio and deck

PROJECT NARRATIVE

Wetland Delineation

The wetland resource area was delineated by Karon Skinner Catrone on 6/19/2020. The Bordering Vegetated Wetland (BVW) was delineated in the field in accordance with the definition set forth in the regulations at 310 CMR 10.00 and the Needham General Wetland Protection By-law.

Findings

Bordering Vegetated Wetlands were observed along the west side of the property associated with an intermittent stream daylighting on the abutter's property. This stream takes drainage from William Street, runs underground through a concrete pipe along the side of the property and daylighting in the rear abutter's yard.

Evidence of wetland hydrology including hydric soils, high groundwater and saturated soils were found within the delineated Bordering Vegetated Wetland. A 100 foot jurisdictional buffer zone exists from the wetland line through most of the property. There is no riverfront area associated with this project. There is no flood plain associated with this project. There is no Natural Heritage and Endangers Species concerns associated with this project.

Proposed Project

The project is located at 57 Frank Street, Needham. The site currently consists of a single family home on a 16,095 sq. ft. lot. The applicant is proposing to remove the existing deck and patio and construct a smaller deck and slightly larger patio area with a fire pit. This work is within the 100' buffer zone but outside the 25 foot no disturb area. There will be no tree removal associated with this project.

Conclusion

The project consists only of work within the buffer zone, with all work proposed outside of the 25' buffer zone. The applicant will keep all impervious surfaces clean during the construction of the project. Erosion control and an orange construction fence will be installed as shown on the plan.

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

I, Karon Skinner Catrone hereby certify under the pains and penalties of perjury that on or about July 30, 2020 I will give notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 in connection with the following matter:

A Request for Determination filed under the Massachusetts
Wetland Protection Act and the Needham Wetland Bylaw for
Ajay and Urvashi Batra with the
Needham Conservation Commission on August 13, 2020 for
Property located at 57 Frank Street, Needham.

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

Name



Date

7/30/2020

Notification to Abutters Under the Massachusetts Wetland Protection Act & the Needham Wetlands Protection Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and Needham Wetlands Protection Bylaw (Article 6) you are hereby notified of the following:

The name of the applicant is Ajay and Urvashi Batra.

The applicant has filed a Request for Determination with the Conservation Commission for the municipality of Needham, MA for Tear down existing deck and patio and construct smaller deck and slightly larger patio.

The address of the lot where the activity is proposed is 57 Frank Street, Needham, MA 02494. (Assessor's Map 199/092.0 Parcel 0068-0000.0).

The hearing will be on August 13, 2020 at 7:30 PM.

Public Participation will be via Virtual Means Only - In light of the ongoing COVID-19 coronavirus outbreak, Governor Baker issued an emergency Order on March 12, 2020, allowing public bodies greater flexibility in utilizing technology in the conduct of meetings under the Open Meeting Law. The Needham Conservation Commission greatly values the participation of its citizens in the public meeting process, but given the current circumstances and recommendations at both the state and federal levels to limit or avoid public gatherings, including Governor Baker's ban on gatherings of more than 10 people, together with the present closure of Needham Town Hall, the Public Service Administration Building, and other public buildings, the Town has decided to implement the "remote participation" procedures allowed under Governor Baker's emergency Order for all boards, committees, and commissions. (More information about this order can be found on the back of this sheet).

The public may participate in this meeting via Remote Participation:

- From your computer, smart phone or tablet: <https://>
- For the most up-to-date meeting credentials, or to access the meeting by phone, please refer to the meeting agenda. It will be posted to www.needhamma.gov at least 48 hours in advance of the meeting.

Copies of the application may be obtained digitally from the Conservation Commission Staff by emailing conservation@needhamma.gov. Alternatively, you may call our office at 781-455-7550 x222 and leave a message with your contact information and the project address and a Staff Member will return your call during regular business hours.

Notice of the public hearing, including its date, time and place, will be published at least five (5) days in advance in a newspaper of local distribution.

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

**COVID-19 Emergency Response:
Implementation of Governor's Order Suspending Certain Provisions of the Open Meeting Law**

In light of the ongoing COVID-19 coronavirus outbreak, Governor Baker issued an emergency Order on March 12, 2020, allowing public bodies greater flexibility in utilizing technology in the conduct of meetings under the Open Meeting Law. The Needham Conservation Commission greatly values the participation of its citizens in the public meeting process, but given the current circumstances and recommendations at both the state and federal levels to limit or avoid public gatherings, including Governor Baker's ban on gatherings of more than 25 people, together with the present closure of Needham Town Hall and other public buildings to the public, The Town of Needham has decided to implement the "remote participation" procedures allowed under Governor Baker's emergency Order for all boards, committees, and commissions. This means that:

1. All or any of the members of the public body may choose to participate in a public meeting via remote access. Meetings may be virtual, in their entirety.
2. The public will be provided with alternative access through which they can watch or listen to meetings "in real time," and meeting notices will specify the manner in which members of the public may access audio or video of the meeting as it is occurring.
3. If, despite our best efforts, our technological capabilities do not adequately support public access to virtual or remote meetings, the Needham Conservation Commission will ensure that an audio or video recording, transcript, or other comprehensive record of the proceedings at the meeting is posted on the Town's website as soon as possible after the meeting.
4. Notices for public hearings will contain additional information about how the public may participate via electronic/technological means.
5. Where individuals have a right, or are required, to attend a public meeting or hearing, they will be provided with information about how to participate in the meeting/hearing remotely.
6. Meeting notices will still be posted at least 48 hours in advance (not counting Saturdays, Sundays, or legal holidays), unless it is an emergency meeting as defined under the Open Meeting Law (in which event, the meeting notice will be posted with as much advanced notice as is possible in the circumstances). Minutes will still be taken.

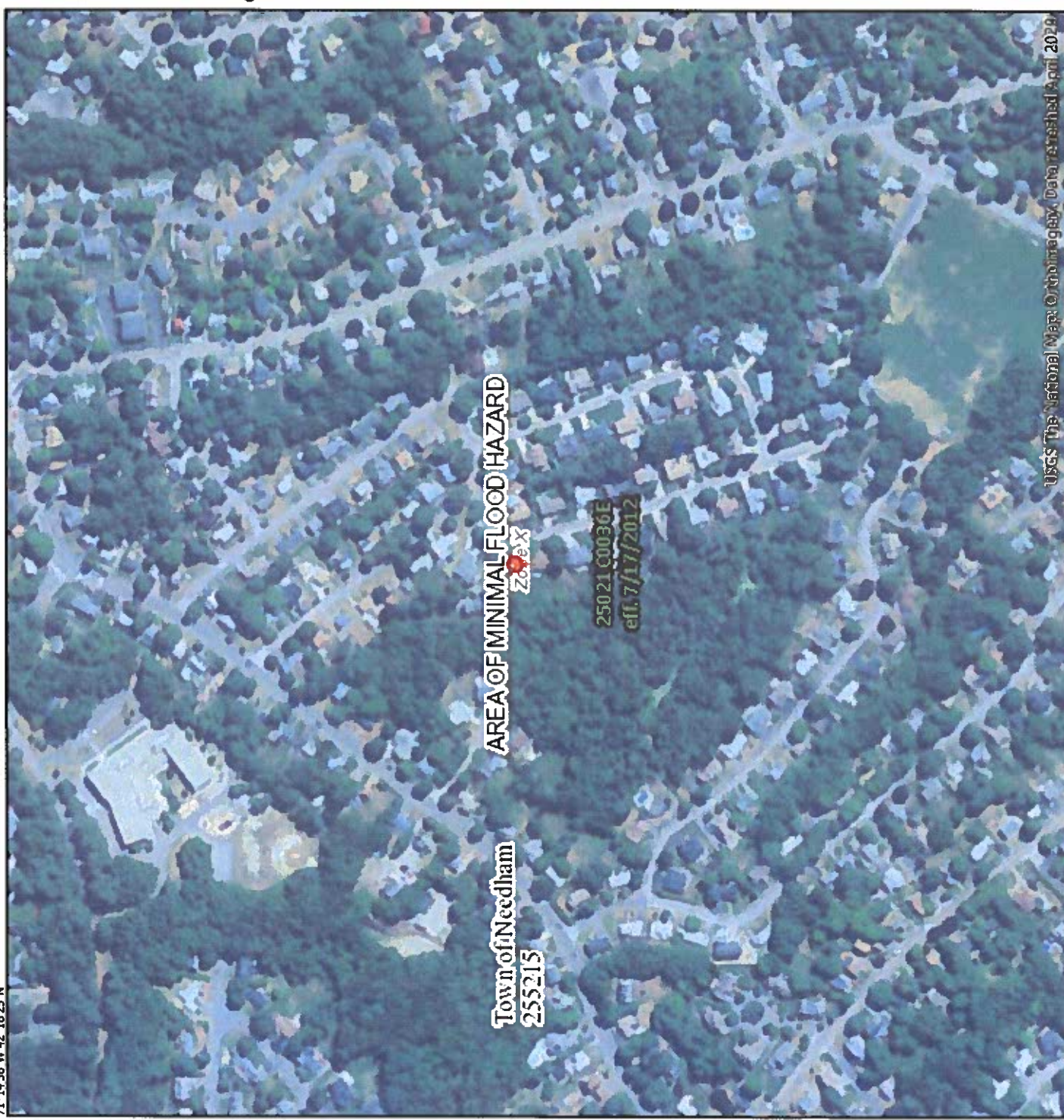
Please check individual meeting agendas on the calendar on the Town's website, located at www.needhamma.gov for the latest information regarding meetings. Each meeting may experience unique circumstances that may require last minute changes in protocol, including cancellation or rescheduling. We appreciate your patience as we undergo this shift in a significant aspect of how the Town of Needham conducts business.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Needham Conservation Commission will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town of Needham website, at www.needhamma.gov. For this meeting, members of the public who wish to listen and/or watch the meeting may do so in the manner stated on the previous page by navigating to the Zoom Meeting via a web browser or by calling in by phone. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Needham Conservation Commission webpage an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

National Flood Hazard Layer FIRMette



71°14'36"W 42°18'25"N



USGS The National Map of Imagery, Data Refreshed April 2020
71°13'55"W 42°17'58"N



Legend

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

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, A99
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

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

OTHER AREAS

- NO SCREEN
- Area of Minimal Flood Hazard *Zone X*
- Effective LOMIRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

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 7/30/2020 at 9:36 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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