

**NOTICE OF INTENT APPLICATION CHECKLIST
NEEDHAM CONSERVATION COMMISSION
NEEDHAM GENERAL WETLANDS BY-LAW – ARTICLE 6**

THIS CHECKLIST MUST BE COMPLETED, SIGNED AND SUBMITTED WITH ANY NOTICE OF INTENT PERMIT APPLICATION. ALL REQUIRED INFORMATION AND NOTIFICATIONS MUST BE INCLUDED IN ORDER FOR THE APPLICATION TO BE CONSIDERED COMPLETE. BYLAW SECTION 1.05(4) LISTS THE REGULATORY REQUIREMENTS FOR AN APPLICATION.

NINE (9) PAPER COPIES AND ONE (1) ELECTRONIC COPY OF ALL MATERIALS MUST BE SUBMITTED AND CHECK(S) MADE OUT TO TOWN OF NEEDHAM FOR APPLICATION FEE (SEE FEE SCHEDULE)

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.
- 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.
- Copy of draft notification made to abutters including date and specific time of public hearing. (See Sample online)
- 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.
- TITLE block clearly stating the name of the project.
- Street address, map and parcel numbers.
- Date of plan (and most recent revision).
- Scale (1"=20' or 1"=40' or metric equivalent).
- Stamped and signed by a Professional Engineer or Registered Land Surveyor.
- Shows existing conditions (grades, structures, roads, treelines, and limits of existing lawn).
- Clearly shows the boundaries of all regulated resource areas (Vegetated Wetland, Bank, BLSF, ILSF, 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 3 – Notice of Intent.
- 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.
- Drainage calculations and plans, for any project other than a single family residence, that would alter the flow of runoff to a wetland or have a direct discharge of stormwater within the buffer zone.
- 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.
- Wildlife habitat assessment, where alterations to a wetland resource area or naturally-vegetated buffer zone are proposed.
- Soil test results where infiltration measures are proposed.
- Request for a waiver from compliance with the regulation (including proposed basis for request) if regulatory performance standards cannot be met.

Signature: B. D. R. [Signature] GPR Date: 10/8/20

Application for Approval Notice of Intent

**54 Pheasant Landing Road
Needham, MA**

October 2020

**Submitted to:
The Town of Needham
Conservation Commission
500 Dedham Avenue
Needham, MA 02492**

**Submitted by:
Jonathan Trahan
54 Pheasant Landing Road
Needham, MA**

**Prepared by:
Goldsmith, Prest & Ringwall, Inc.
39 Main Street, Suite 301
Ayer, MA 01432**

**Project No:
191050**

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Locus Map 1"=2,000'

Waiver Request letter

Pinebrook Consulting Wetland Evaluation/Delineation

Invasive Plant Control

Letter of Agent Authorization

Abutters Notification Form

Certified Abutters List

MassDEP NOI Wetland Fee Transmittal Form

Copy of Fee Checks

Attachments

"Residential Development - Existing Conditions 54 Pheasant Landing Road" (24"x36")
Prepared by Goldsmith, Prest & Ringwall, Inc. dated March 2020.

Trahan Residence Planting Plan
Prepared by Mamie Wyrwal, Landscape Architect

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

Wetland and buffer zone restoration plantings as discussed on site with Needham Agent
Debbie Anderson

Project Location

Street: 54 Pheasant Landing Road

Assessor's Map: 221 **Parcel:** 199

Registry Information

Book: 940 **Page:** 195 (Cert#187995)

Applicant

Name: Jonathan Trahan

Address: 54 Pheasant Landing Road
Needham, Ma 02132-2431

Owner (if different)

Name: _____

Address: _____

Date of Filing

October 8, 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:  Jonathan Trahan, GTR, Inc
AS AGENT FOR OWNER

Date: 10/8/20



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

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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>54 Pheasant Landing Road</u>	<u>Needham</u>	<u>02492-1000</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	<u>42d 16' 21.6" N</u>	<u>71d 16' 54.56" W</u>
<u>221.0</u>	d. Latitude	e. Longitude
f. Assessors Map/Plat Number	<u>199</u>	g. Parcel /Lot Number

2. Applicant:

<u>Jonathan</u>	<u>Trahan</u>	
a. First Name	b. Last Name	
c. Organization		
<u>54 Pheasant Landing Road</u>		
d. Street Address		
<u>Needham</u>	<u>MA</u>	<u>02492-1000</u>
e. City/Town	f. State	g. Zip Code
<u>617-327-7618</u>	<u>jtrahan18@comcast.net</u>	
h. Phone Number	i. Fax Number	j. Email Address

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

<u></u>	<u></u>	
a. First Name	b. Last Name	
c. Organization		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Bruce</u>	<u>Ringwall</u>	
a. First Name	b. Last Name	
<u>Goldsmith, Prest & Ringwall, Inc.</u>		
c. Company		
<u>39 Main Street; Suite 301</u>		
d. Street Address		
<u>Ayer</u>	<u>MA</u>	<u>01432</u>
e. City/Town	f. State	g. Zip Code
<u>978-772-1590</u>	<u>978-772-1591</u>	<u>bringwall@gpr-inc.com</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$110</u>	<u>\$42.50</u>	<u>\$67.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Buffer zone and wetland restoration planting.

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

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> Other | |

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

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

2. Limited Project Type

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

8. Property recorded at the Registry of Deeds for:

Norfolk

a. County

940

c. Book

187995

b. Certificate # (if registered land)

195

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.



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

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

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

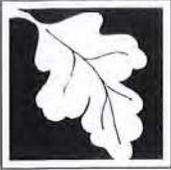
Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	- 1. square feet _____ 3. cubic feet of flood storage lost _____	- 2. square feet _____ 4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	- 1. square feet _____ 2. cubic feet of flood storage lost _____	-- 3. cubic feet replaced _____

- f. Riverfront Area
1. Name of Waterway (if available) - **specify coastal or inland** _____
2. Width of Riverfront Area (check one):
- 25 ft. - Designated Densely Developed Areas only
 - 100 ft. - New agricultural projects only
 - 200 ft. - All other projects
3. Total area of Riverfront Area on the site of the proposed project: _____ square feet
4. Proposed alteration of the Riverfront Area:
- | | | |
|----------------------------|-------------------------------------|--|
| - | - | - |
| a. total square feet _____ | b. square feet within 100 ft. _____ | c. square feet between 100 ft. and 200 ft. _____ |

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No
6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

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

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



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

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

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

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



Massachusetts Department of Environmental Protection
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MassDEP File Number _____

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C. Other Applicable Standards and Requirements

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

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. Yes No

If yes, include proof of mailing or hand delivery of NOI to:

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

On-line Oliver _____

b. Date of map _____

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

- c. Submit Supplemental Information for Endangered Species Review*

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

2. 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

* 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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

MassDEP File Number _____

Document Transaction Number _____

Needham _____

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

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

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

D. Additional Information

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

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

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

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



Massachusetts Department of Environmental Protection
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D. Additional Information (cont'd)

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

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

Trahan Residence P-1 Planting Plan

a. Plan Title

Mamie Wyrwal

b. Prepared By

June 16, 2020

d. Final Revision Date

c. Signed and Stamped by

1" = 20'

e. Scale

Existing Condition Plan by GPR, Inc.

f. Additional Plan or Document Title

March 2020

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.

E. Fees

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

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

177

2. Municipal Check Number

176

4. State Check Number

Jonathan

6. Payor name on check: First Name

10/5/20

3. Check date

10/50/20

5. Check date

Trahan

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
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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.

B. D. B. PRES OF GPR, INC. AS AGENT FOR
1. Signature of Applicant *JONATHAN TEAMAN*

10/8/20

2. Date

3. Signature of Property Owner (if different)

B. D. B. PRES OF GPR, INC.
5. Signature of Representative (if any)

4. Date

10/8/20

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.

NARRATIVE
to accompany
NOTICE OF INTENT
54 Pheasant Landing Road
Needham, MA

GENERAL

The purpose of this filing is for requesting permission after the fact of removal on invasive species both within the wetlands and in the adjacent 25- and 50-foot buffer areas. The subject property is located at 54 Pheasant landing Road and is approximately 3.22 acres of land. The rear portion of the property is adjacent to the Ridge Hill conservation Land.

Site Description

The project area is designated as 199/221.0-0004 by the Town of Needham Assessor. The eastern portion of the lot contains a large area of wetlands and buffer zone. The wetlands were delineated by Brooke Monroe of Pinebrook Consulting. The area is shown on the Existing conditions Plan by GPR and labeled as WF-1 to WF-17 and WFA-1 to WFA-14. There is a drainage ditch within the area with several existing log crossings.

JURISDICTION

The subject resource area is a hydraulically connected Bordering Vegetated Wetland (BVW) and its associated buffer zone. The following regulations apply:

1. Bordering Vegetated Wetland (310 CMR 10.55), and
2. The Town of Needham Wetlands Protection Regulations (Article 6, as amended June 2017).

The applicant had hired a landscape contractor to remove the invasive plants without realizing they were working within the buffer zone of a wetlands. The contractor cleared a dense growth of bittersweet, poison ivy vine, green brier and common buckthorn.

Per the discussion with the applicant and the Needham Conservation Agent, Debbie Anderson during a site visit it was agreed that about four trees and a number of shrubs were removed. The applicant has proposed to replace the removed vegetation with the nine trees and 112 shrubs. The disturbed area would also be seeded with New England Wildflower and wetland mix. These planting are shown on the Planting Plan by Landscape Architect Mamie Wyrwal.

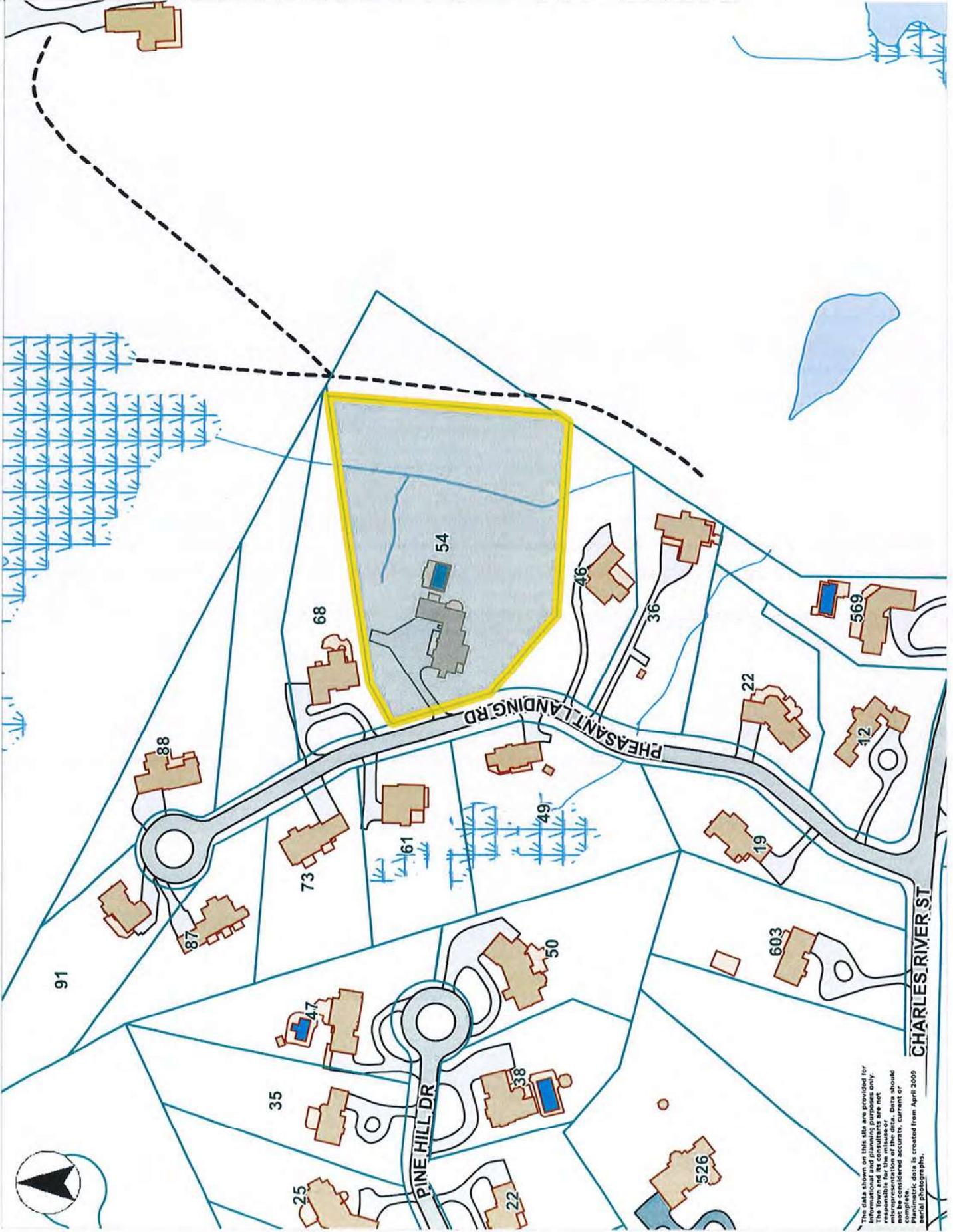
The majority of the plants removed were indicated as invasive species and the applicant will continue to follow the attached Invasive Plant Control notes to monitor and remove invasive plants as they germinate within the area.

CONCLUSION

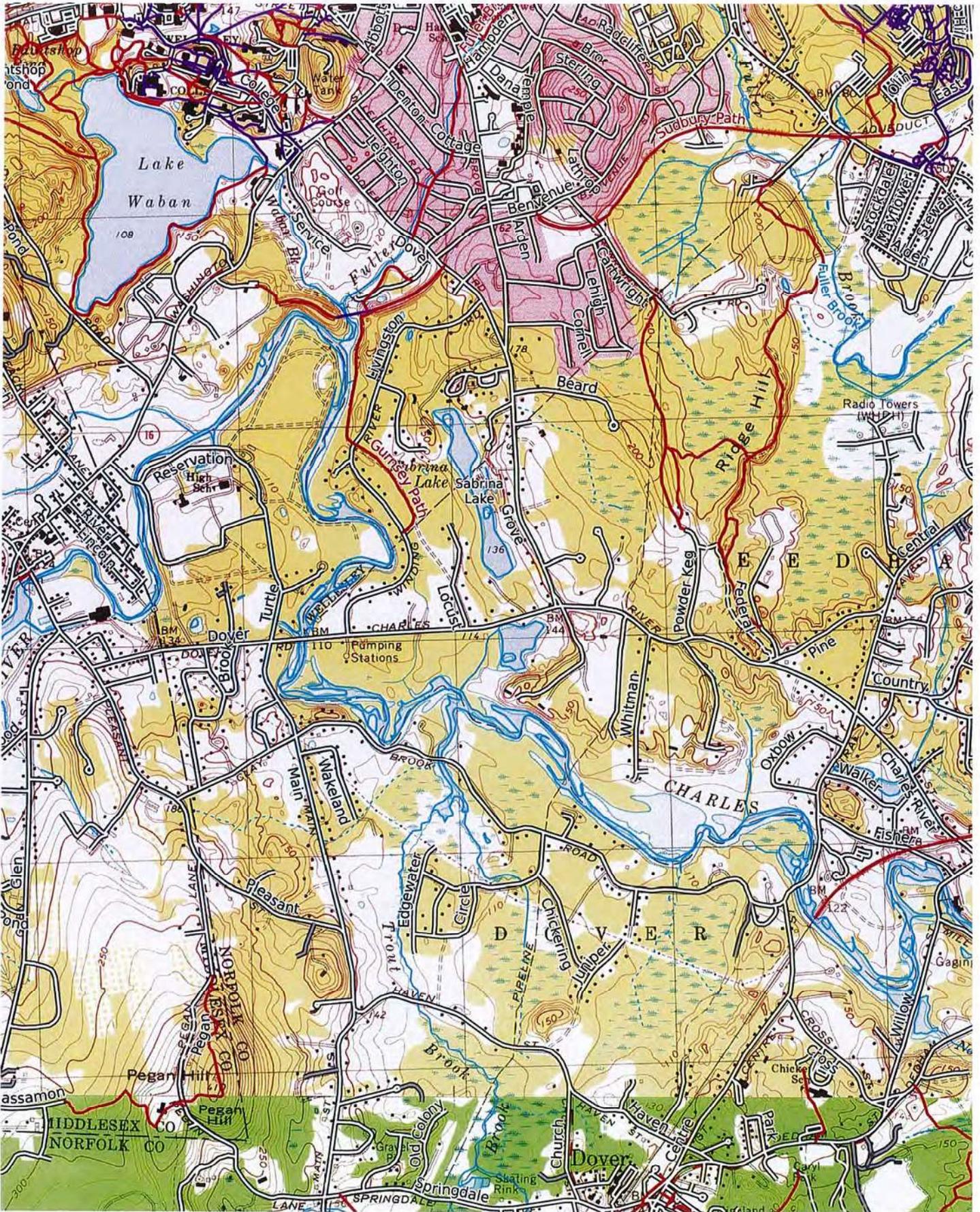
The proposed restoration plantings are in accordance with the Needham Wetland Protection regulations.



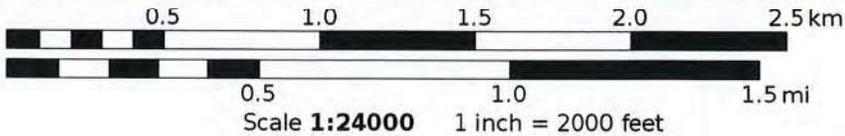
- Parcels
- Towers
- Satellite Dish
- Tower
- Tower Anchor
- Painted Lines
- Crosswalk
- Parking Line
- Sports Lines
- Court Striping
- Lighting
- Railroad Track
- Trail
- Building
- Decks And Patios
- Swimming Pool
- Bridge
- Sidewalk
- Exterior Stairway
- Driveways
- Paved Driveway
- Unpaved Driveway
- Roads
- Paved Road
- Unpaved Road
- Parking Lots
- Paved Parking Lot
- Unpaved Parking Lot
- Sports Areas
- Baseball
- Baseball Infield
- Basketball and Tenni
- Bleacher
- Golf Bunker
- Golf Fairway, Green, Playground
- Track and Field
- Tank
- Wellands
- MA Highways
- Interstates
- US Highways
- Unimproved Routes
- Town Boundary
- Abutting Towns
- Abutting Towns Mask
- Road Centerlines
- Waterbody
- Streams And Drainage Ditch



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Mercator Projection
 WGS84
 USNG Zone 19TCG
 CalTopo





Engineering Solutions
for Land & Structures

October 22, 2020

NOI Waiver Request
Town of Needham Conservation Department
500 Dedham Avenue
Needham, MA 02492

**Subject: 54 Pheasant Landing Road
Tax Map 199/221 Parcel 4**

To Whom It May Concern:

The Applicant, Jonathan Trahan, is requesting a waiver to work within the Bordering Vegetated Wetlands (BVW), 25-foot buffer and 50-foot buffer limits as shown on the Plan "Residential Development Existing Conditions 54 Pheasant Landing Rd, Needham, MA" prepared by Goldsmith, Prest & Ringwall, Inc. The waiver is necessary for the proposed restoration plantings within the BVW, 25-foot buffer and 50-foot buffer as described in Section 2.02 and 2.06 of the Needham Wetlands Protection Regulations.

The waiver request as stated under Section 1.11 of the Needham Wetlands Protection Regulations (Article 6), strict compliance with these rules and regulations may be waived when, in the judgement of the Commission:

- (a) Such action would serve a substantial public interest,
The proposed native trees, shrubs and seed mix will replace the trees and shrubs in the buffer zone at 2:1 ratio as requested in the Conservation Commission's enforcement order to the Applicant and as described in the Needham Conservation Commission Guidelines for Reviewing Tree and shrub Removal Projects.
- (b) Such action is required for compliance with the Massachusetts Contingency Plan (MCP),
[Not Applicable]
- (c) Strict Compliance would result in severe economic hardship greater in magnitude than the public interest to be serve, or
[Not Applicable]
- (d) A credible expert has demonstrated that the Resource Area does not protect the public Interests.
[Not Applicable]

Goldsmith, Prest & Ringwall, Inc.

No waiver shall be granted unless the Commission determines that:

- (a) There are no practicable alternatives to the proposed action;
The proposed native tree and shrub planting complies to the Conservation Commission's enforcement order and as described in the Needham Conservation Commission Guidelines for Reviewing Tree and Shrub Removal Projects.
- (b) Alteration of the resource area has been minimized to the greatest extent practicable; and
The proposed trees, shrubs and seeding will have minimal disturbance to the resource area.
- (c) Compensatory or mitigating measures are taken, even at an off-site location, to protect the public interest in the protected Resource Area to be removed, fill, dredged, built upon, or altered.
The applicant has met on site to review the invasive removal and plant removal with Agent Debbie Anderson and has agreed to the proposed plantings.



Bruce Ringwall, Pres.

Copy: 191050
Jonathan Trahan



February 18, 2020

GOLDSMITH, PREST & RINGWALL, Inc.
39 Main Street, Suite 301
Ayer, Massachusetts 01432
Attention: Bruce Ringwall, P.E.

RE: Wetland Evaluation/Delineation for #54 Pheasant Landing Road
Needham, Massachusetts

Dear Bruce:

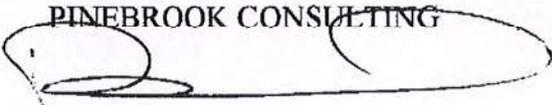
On November 4 and 22, 2019; in response to the Order of Violation (Order) issued by the Needham Conservation Commission for unauthorized activities on the above-referenced property (referred to as the site); I delineated the boundary of the wetland resource area on/off the site. The resource area on/off the site is defined under Section 10.55 of the Massachusetts Wetlands Protection Regulations (310 CMR 10.00) and under the Town of Needham Wetlands Protection By-law as bordering vegetated wetland (BVW). The Order was issued for the unauthorized cutting of vegetation (trees, shrubs, understory) within, and within the 100-foot buffer to, the resource area protected under the Regulations/By-law. The BVW; which is swath of wetland associated with two man-made drainage ditches that were intended to direct flow onto the site from the abutting property to the north-northeast, was identified (flagged) with pink flags labeled WF-1 thru WF-19 and WFA-1 thru WFA-14. Because there is little shrub and herbaceous growth within the BVW, the boundary was identified by the slope and other hydrological indicators such as standing water, buttressed roots, stained/matted leaves and saturated soils. Soil hole dug at random locations upgradient of the wetland flags exhibit, generally, 0-4 inches of fibric material, with organic/loamy soil layer and 4-12 inches of a sandy loam, with a value/chroma of 10YR 5/6. At the time of the site visit there was some standing water within the ditches; however, no flow was observed. The ditches direct surface runoff to a small depression that collects the water (as evidenced by the stained/matted leaves, saturated soils and water marks), to where it terminates in a scrub/shrub vegetated wetland located off the site, behind the abutting property to the south. The overstory vegetation consists of, primarily, red maple (*Acer rubrum*), Norway maple (*Acer platanoides*), black oak (*Quercus velutina*) and white oak (*Quercus alba*) trees/saplings; primarily, common buckthorn (*Rhamnus frangula*), green brier (*Smilax glauca*) and bittersweet (*Celastrus orbiculata*) in the shrub/vine layer; and some growth of

cinnamon fern (*Osmunda cinnamomea*), sensitive fern (*Onoclea sensibilis*) and dewberry (*Rubus hispida*) in the herbaceous layer.

It is my understanding that the unauthorized cutting occurred following the purchase of the house with the intent of clearing the area of the dense growth of bittersweet, poison ivy vine, green brier and common buckthorn.

If you have any questions regarding this delineation and/or you need additional information, please feel free to call me at any time. I am glad I could assist you with this project, and let me know if you need any help in the future.

Sincerely,
PINEBROOK CONSULTING



Brooke Monroe
Environmental Scientist

October 5, 2020

**Subject: 54 Pheasant Landing Road
Needham, MA 02492
Assessor Map 221 parcel 199**

To Whom It May Concern:

I hereby authorize Goldsmith, Prest & Ringwall, Inc., 39 Main Street, Suite 301, Ayer, MA, 978.772.1590, to act as my agent in administrative and civil engineering matters pertaining to the Notice of Intent at the subject site. This authorization covers the execution of application forms, presentation of plans and designs, and communication with involved parties.

Respectfully,



Jonathan Trahan
54 Pheasant Landing Road
Needham, MA 02492

Copy: Goldsmith, Prest & Ringwall, Inc.
Project #191050

**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 Jonathan Trahan.

The applicant has filed a **Notice of Intent** with the Conservation Commission for the municipality of Needham, MA for **Replacing plant material removed in the buffer zone and in the wetlands.**

The address of the lot where the activity is proposed is 54 Pheasant Landing Road
(Assessor's Map 221 Parcel 199).

The hearing will be on October 22, 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://us02web.zoom.us/j/82316889821>
- Meeting ID: 823-1688-9821
- From your phone: Dial +1 646-558-8656; Meeting ID: 82316889821#

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:

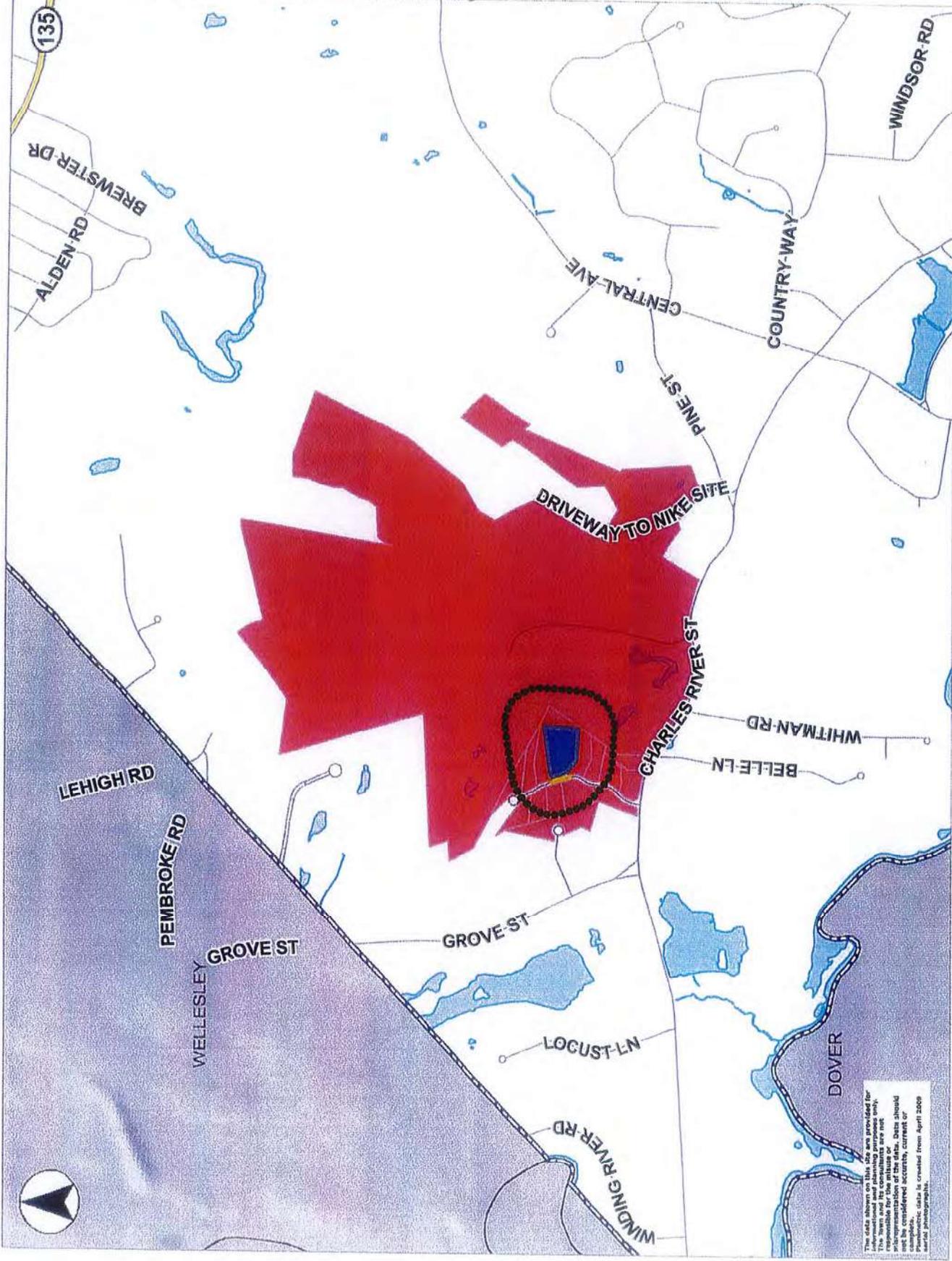
1. All or any of the members of the public body may choose to participate in a public meeting via remote access. Meetings may be virtual, in their entirety.
2. The public will be provided with alternative access through which they can watch or listen to meetings "in real time," and meeting notices will 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.



- Parcels
- Towers
- Satellite Dish
- Tower Anchor
- Painted Lines
- Walkway
- Sports Lines
- Court Striping
- Field Striping
- Fence
- Guardrail
- Hedge
- Railroad Track
- Trail
- Building
- Decks And Patios
- Swimming Pool
- Bridge
- Sidewalk
- Exterior Stairway
- Driveways
- Paved Driveway
- Unpaved Driveway
- Road
- Paved Road
- Unpaved Road
- Parking Lots
- Paved Parking Lot
- Unpaved Parking Lot
- Electrical
- Electrical Box
- Electrical Substation
- Sports Areas
- Baseball
- Baseball Infield
- Basketball and Tennis
- Golf Course
- Golf Bunker
- Golf Fairway
- Green
- Playground
- Track and Field
- Tank
- Wetlands
- MA Highways
- Interstate
- US Highway
- Numbered Routes
- Town Boundary
- Abutting Towns
- Abutting Towns Mask
- Road Centerlines
- Waterbody
- Streams And Drainage Ditch



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Printed on 03/13/2020 at 03:43 PM

54 PHEASANT LANDING ROAD

OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
LALIBERTE, DAVID M. & LEE, RAYMOND & CASBY, MARK W. & LENEHAN, PAMELA F. TR. CONNOLLY, PATRICIA RYAN & S. JOHN MABREY, ROY E., JR. + KHISLAVSKIY, IGOR & HILLCREST DEVELOPMENT INC. WINIG, ANDREW N. & SILVERSTEIN, STACEY A. TSAY, STEVE & CLARK, THEODORE A. TR. RAMAKRISHNAN, PRASAD A. & DELINSKY, STEPHEN & TOWN OF NEEDHAM SHAKER, SUSAN R TR & YAZDANSETA, KIANOOSH & KOHANLOO, DJAVAD TOWN OF NEEDHAM	LALIBERTE, BETH MANNING- LEE, OKHEE C/O CASBY, MARK W. & JOAN H. TRS. PAMELA F. LENEHAN 2013 REVOCABLE T PATRICIA RYAN CONNOLLY REVOCABLE T MABREY, EDITH P. WALT, STEPHANIE WINIG, CAROL PALMER TSAY, JOYCE TCLARK 61 REALTY TRUST RAMAKRISHNAN, JAYASHREE DELINSKY, BARBARA G. COLASACCO, ANTHONY C TR 47 PINE HILL REALTY TRUST RIDGE HILL	54 PHEASANT LANDING 569 CHARLES RIVER ST 12 PHEASANT LANDING 22 PHEASANT LANDING RD 36 PHEASANT LANDING RD 46 PHEASANT LANDING RD 68 PHEASANT LANDING RD 31 DOGWOOD LN 88 PHEASANT LANDING 87 PHEASANT LANDING RD 208 E. VALLEY BLVD #C 61 PHEASANT LANDING RD 49 PHEASANT LANDING RD 19 PHEASANT LANDING RD 1471 HIGHLAND AVE 130 PINE ST 47 PINE HILL DR 1471 HIGHLAND AVE	NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM SAN GABRIEL NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM NEEDHAM	MA MA	02492 02492	1992210004000000 1992210001100000 1992210001200000 1992210001300000 1992210001400000 1992210001500000 1992210001600000 1992210001700000 1992210001800000 1992210002000000 1992210002100000 1992210002200000 1992210002300000 1992210002400000 1992210002500000 1992210002900000 1992210003000000 1993060000100000	54 PHEASANT LANDING RD 569 CHARLES RIVER ST 12 PHEASANT LANDING RD 22 PHEASANT LANDING RD 36 PHEASANT LANDING RD 46 PHEASANT LANDING RD 68 PHEASANT LANDING RD 78 PHEASANT LANDING RD 88 PHEASANT LANDING RD 87 PHEASANT LANDING RD 73 PHEASANT LANDING RD 61 PHEASANT LANDING RD 49 PHEASANT LANDING RD 19 PHEASANT LANDING RD 0 OFF PHEASANT LD RD 50 PINE HILL DR 47 PINE HILL DR 463 CHARLES RIVER ST

Certified as list of parties in interest under Mass. General Laws and Needham Zoning By-Law, to the Best of our knowledge for the Needham Board of Assessors: *[Signature]*



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
1	1	\$110	\$110

Step 5/Total Project Fee: \$110

Step 6/Fee Payments:

Total Project Fee:	\$110
State share of filing Fee:	\$42.50
City/Town share of filling Fee:	\$67.50
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	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.)