

October 9, 2020

Needham Conservation Commission
Needham Town Offices
500 Dedham Avenue
Needham, MA 02492

Notice of Intent Filing

RE: 182 & 190 Edgewater Drive, Needham, MA

Dear Needham Conservation Commission,

Goddard Consulting, LLC is pleased to submit this Notice of Intent (NOI) on behalf of the property owner, David Nectow for a proposed project located at 182 and 190 Edgewater Drive in Needham Massachusetts. The proposed project includes the construction of a pool with associated decking, a cabana, a tennis court, and walking paths. Work will occur within Riverfront Area, Bordering Land Subject to Flooding, and Buffer Zone to Bordering Vegetated Wetland. This is a joint filing under the Massachusetts Wetlands Protection Act and the Needham Wetlands Protection Bylaw.

The NOI application is enclosed, along with full size site plans. The titles of all the documents enclosed are as follows:

- NOI (WPA Form 3) Application Form
- NOI Wetland Fee Transmittal Form
- Copy of Checks
- Affidavit of Service, Abutters List, Notification to Abutters
- Needham Wetlands Bylaw Application Form
- *Wetland Border Report*, Goddard Consulting, LLC, 10/5/2020
- *USGS Site Locus*, Goddard Consulting, LLC, 9/18/2020
- *Orthophoto Image of Site*, Goddard Consulting, LLC, 9/18/2020
- *Proposed Tennis Court and Swimming Pool Plan*, Cheney Engineering CO., Inc. 10/6/20

Existing Conditions

This location of the proposed project is two adjacent lots located at 182 and 190 Edgewater Drive, Needham, MA. Both lots currently feature an existing single-family home. There is a significant amount of existing lawn located on site, as well as other previously developed areas such as a basketball court, patios, etc. The Charles River is located to the south of the site, and Riverfront Area extends onto the site. Bordering Land Subject to Flooding (BLSF) is also located on site, and is determined by the FEMA Base Flood Elevation of 95 ft. There is also Bordering Vegetated Wetland (BVW) in the southeastern corner of the site, and the Buffer Zone of this BVW extends onto a portion of the site.

Proposed Conditions

The applicant is proposing to construct a pool with associated decking, a cabana, a tennis court, and walking paths. The proposed pool is located within BLSF, and Riverfront Area, but mostly within the footprint of exiting lawn and the existing basketball court. The associated decking is located within a forested strip of land within BLSF and Riverfront Area. This decking is proposed to be on stilts to minimize alteration to BLSF. The proposed cabana is located directly adjacent to this decking and is also proposed to be on stilts. The proposed tennis court is located partially within Riverfront Area and BLSF but is limited to previously disturbed areas such as the exiting house and lawn. 988cf of BLSF is proposed to be impacted with 7,775cf of total compensatory storage, resulting in a net increase of 6,787cf of storage onsite. The project proposes a total of 15,430sf of impacts to Riverfront Area on-site. The project proposes 6,803sf of degraded surfaces within Riverfront Area, 3,465sf of which is within the footprint of existing degraded surfaces on-site. The difference in proposed and existing degraded surfaces within Riverfront Area (3,338sf) will be restored at a 2:1 ratio. The existing house on the 182 Edgewater Lot is proposed to be demolished. Walking paths are proposed to lead from the tennis court to the pool decking, and from the pool decking to the existing lawn.

Additional Information

Additional information will be submitted at a later date to supplement this application. This additional information will consist of a detailed regulatory analysis along with a comprehensive mitigation package and a landscape plan.

Please feel free to contact us if you have any questions.

Very truly yours,



Scott Goddard,
Principal & PWS

CC:

- NERO-DEP, Wetlands Division, 205B Lowell Street, Wilmington, MA 01887
- David Nectow, 190 Edgewater Dr, Needham, MA 02492



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number
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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>182 & 190 Edgewater Dr</u>	<u>Needham</u>	<u>02492</u>
a. Street Address	b. City/Town	c. Zip Code
<u>Latitude and Longitude:</u>	<u>42°15'49.22"N</u>	<u>71°13'26.45"W</u>
	d. Latitude	e. Longitude
<u>201</u>	<u>170 & 180</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>David</u>	<u>Nectow</u>	
a. First Name	b. Last Name	
<u>c. Organization</u>		
<u>190 Edgewater Dr</u>		
d. Street Address		
<u>Needham</u>	<u>MA</u>	<u>02492</u>
e. City/Town	f. State	g. Zip Code
<u>617-694-1435</u>	<u>davidnectow@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>Stephen</u>	<u>Rhodes</u>	
a. First Name	b. Last Name	
<u>c. Organization</u>		
<u>182 Edgewater Dr</u>		
d. Street Address		
<u>Needham</u>	<u>MA</u>	<u>02492</u>
e. City/Town	f. State	g. Zip Code
<u>h. Phone Number</u>	<u>i. Fax Number</u>	<u>j. Email address</u>

4. Representative (if any):

<u>Scott</u>	<u>Goddard</u>	
a. First Name	b. Last Name	
<u>Goddard Consulting, LLC</u>		
c. Company		
<u>291 Main St - Suite 8</u>		
d. Street Address		
<u>Northborough</u>	<u>MA</u>	<u>01532</u>
e. City/Town	f. State	g. Zip Code
<u>508-393-3784</u>	<u>scott@goddardconsultingllc.com</u>	
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$165</u>	<u>\$70</u>	<u>\$95</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Needham

City/Town

A. General Information (continued)

6. General Project Description:

The applicant is proposing to construct a pool with associated decking, a cabana, a tennis court, and walking paths.

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 County

a. County

37077, 26118

c. Book

b. Certificate # (if registered land)

125, 462

d. Page Number

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

- 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.
- 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.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

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MassDEP File Number

Document Transaction Number

Needham

City/Town

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.

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

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



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Needham

City/Town

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



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Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

2017
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 <https://www.mass.gov/mass-endangered-species-act-mesa-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

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Needham
City/Town

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

(c) MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).
 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

(f) 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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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 _____

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

3. 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, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands: North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
 Southeast Marine Fisheries Station
 Attn: Environmental Reviewer
 836 South Rodney French Blvd.
 New Bedford, MA 02744
 Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
 North Shore Office
 Attn: Environmental Reviewer
 30 Emerson Avenue
 Gloucester, MA 01930
 Email: dmf.envreview-north@mass.gov

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.

c. Is this an aquaculture project? d. Yes No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

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

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

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
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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& Needham Wetlands Protection Bylaw

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City/Town

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.

Proposed Tennis Court and Swimming Pool Plan

a. Plan Title

Cheney Engineering CO., Inc.

Ronald Tlberi

b. Prepared By

c. Signed and Stamped by

10/6/20

1" = 20'

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.

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:

30889

9/30/20

2. Municipal Check Number

3. Check date

30888

9/30/20

4. State Check Number

5. Check date

David

Nectow

6. Payor name on check: First Name

7. Payor name on check: Last Name



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands**

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WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

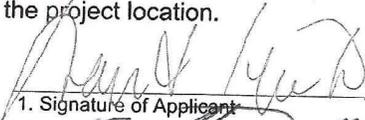
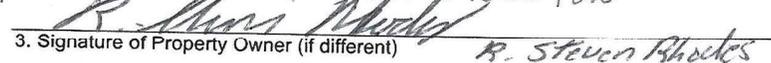
Needham

City/Town

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.

		
1. Signature of Applicant	DAVID NECTOW	10/1/2020
		2. Date
→ 3. Signature of Property Owner (if different)		11/1/2020
	R. Steven Rhodes	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.



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

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



A. Applicant Information

1. Location of Project:

182 & 190 Edgewater Dr Needham
 a. Street Address b. City/Town
 30888 \$70
 c. Check number d. Fee amount

2. Applicant Mailing Address:

David Nectow
 a. First Name b. Last Name
 c. Organization
 190 Edgewater Dr
 d. Mailing Address
Needham MA 02492
 e. City/Town f. State g. Zip Code
 617-694-1435 davidnectow@comcast.net
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

Stephen Rhodes
 a. First Name b. Last Name
 c. Organization
 182 Edgewater Dr
 d. Mailing Address
Needham MA 02492
 e. City/Town f. State g. Zip Code
 h. Phone Number i. Fax Number j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



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
1a	1	\$165	\$165

Step 5/Total Project Fee: \$165

Step 6/Fee Payments:

Total Project Fee:	\$165
State share of filing Fee:	\$70
City/Town share of filling Fee:	\$95
	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.)

AFFIDAVIT OF SERVICE
Under the Massachusetts Wetlands Protection Act
And the Needham Wetlands Protection Bylaw

I, Tim McGuire herby certify under the pains and penalties of perjury that on October 9, 2020 I gave notification to abutters in compliance with the second paragraph of MGL Chapter 131, Section 40, and the DEP Guide to Abutter Notification dating April 8, 1994 in connection with the following matter:

A Notice of Intent was filed under the Massachusetts Wetlands Protection Act and Needham Wetlands Protection Bylaw by Goddard Consulting, LLC with the Needham Conservation Commission on October 9, 2020 for the property located at 182 and 190 Edgewater Dr, Needham, MA.

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

Timothy McGuire

October 9, 2020

Name

Date

**182-190 EDGEWATER DRIVE
300 FEET**

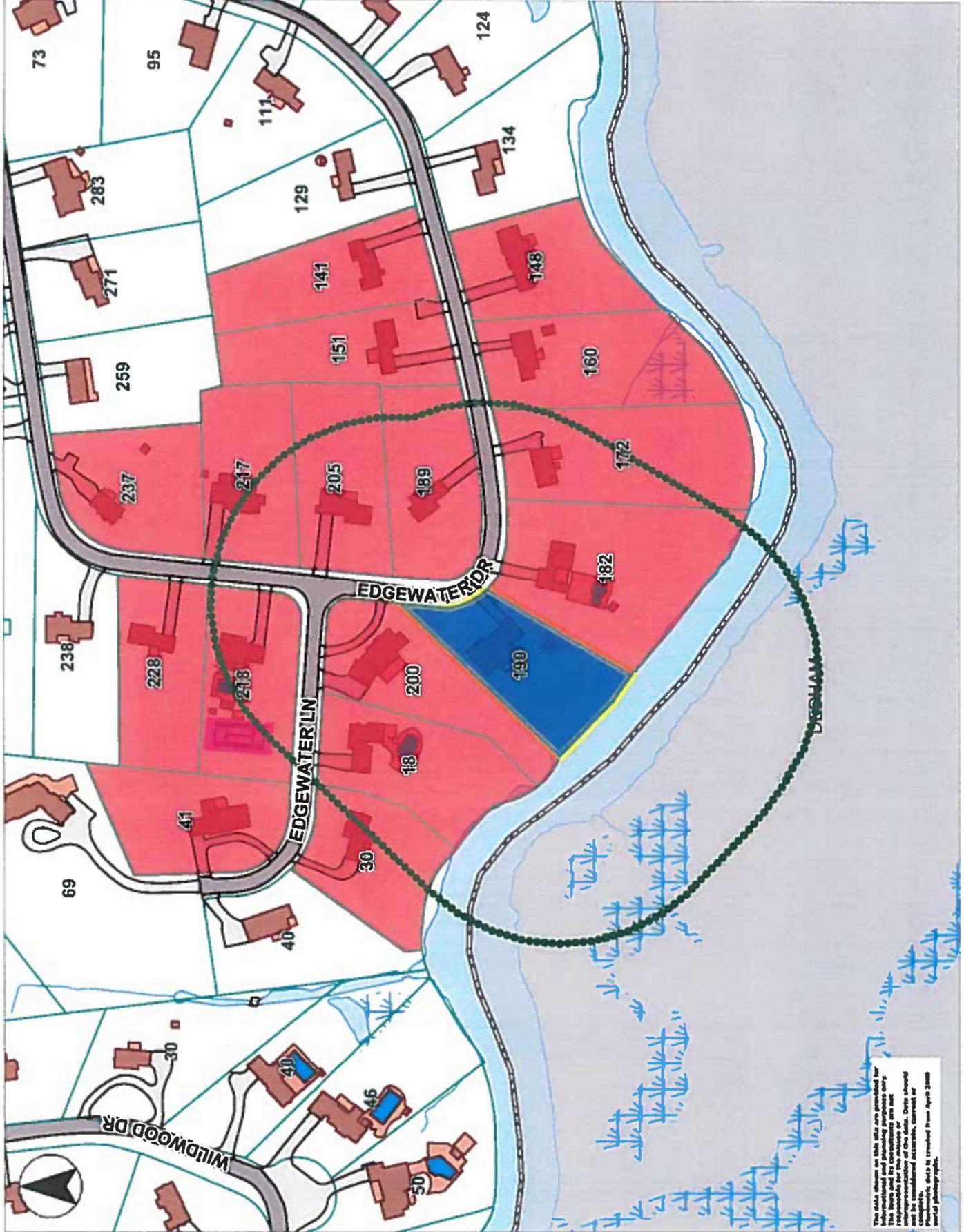
OWNER NAME 1	OWNER NAME 2	MAILING ADDRESS	CITY	ST	ZIP	PARCEL ID	PROPERTY ADDRESS
KATZ, FREDERIC, TR.	DEDHAM DEVELOPMENT LLC	777 OAK ST #B3	NEEDHAM	MA	02464	19920100014000000	148 EDGEWATER DR
EICHNER, MARVIN A +	EICHNER, MARILYN R	160 EDGEWATER DR	NEEDHAM	MA	02492	19920100015000000	160 EDGEWATER DR
KILGORE, ROBERT A. &	KLEPPER-KILGORE, NANCY	172 EDGEWATER DR	NEEDHAM	MA	02492	19920100016000000	172 EDGEWATER DR
RHODES, R. STEVEN &	RHODES, CARA JO	182 EDGEWATER DR	NEEDHAM	MA	02492	19920100017000000	182 EDGEWATER DR
NECTOW, DAVID M. TR	DAVID M. NECTOW REVOCABLE TRUST	190 EDGEWATER DR	NEEDHAM	MA	02492	19920100018000000	190 EDGEWATER DR
CRANNA, BRUCE &	CRANNA, JILL I	200 EDGEWATER DR	NEEDHAM	MA	02492	19920100019000000	200 EDGEWATER DR
SILVERMAN, MICHAEL S. &	SILVERMAN, HARRIET LEE	18 EDGEWATER LN	NEEDHAM	MA	02492	19920100020000000	18 EDGEWATER LN
HOCHMAN. DALIA Y. &	SCHIDLOW, DAVID	30 EDGEWATER LN	NEEDHAM	MA	02492	19920100021000000	30 EDGEWATER LN
KELLEHER, DENNIS J. &	KELLEHER, JANET F.	41 EDGEWATER LN	NEEDHAM	MA	02492	19920100024000000	41 EDGEWATER LN
GRIFFIN, JAMES &	MENA, LISA	218 EDGEWATER DR	NEEDHAM	MA	02492	19920100025000000	218 EDGEWATER DR
CHANNEN, PHILIP E. TR. &	CHANNEN, USA C. TR.	228 EDGEWATER DR	NEEDHAM	MA	02492	19920100026000000	228 EDGEWATER DR
OSULLIVAN, JAMES B. JR. &	OSULLIVAN, MARIE E.	237 EDGEWATER DR	NEEDHAM	MA	02492	19920100028000000	237 EDGEWATER DR
BLAKELOCK, DAVID K.	EDGEWATER DRIVE 205 REALTY TRUST	217 EDGEWATER DR	NEEDHAM	MA	02492	19920100029000000	217 EDGEWATER DR
BARR, JOSEPH S. JR. & CONSTANCE S.		205 EDGEWATER DR	NEEDHAM	MA	02492	19920100030000000	205 EDGEWATER DR
189 EDGEWATER DRIVE LLC		945 GREAT PLAIN AVE STE 18	NEEDHAM	MA	02492	19920100031000000	189 EDGEWATER DR
GEORGE, JACOB &	WEAR- GEORGE, JENNIFER	151 EDGEWATER DR	NEEDHAM	MA	02492	19920100032000000	151 EDGEWATER DR
LOVETT, WILLIAM &	LOVETT, JACQUELINE	141 EDGEWATER DR	NEEDHAM	MA	02492	19920100033000000	141 EDGEWATER DR

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.





- Pavement
- Painted Lines
- Crosswalk
- Parking Line
- Sports Lines
- Count Stripping
- Field Stripping
- Fences
- Fence
- Guardrail
- Hedge
- Raised Track
- Traffic
- Building
- Decks And Patios
- Swimming Pool
- Bridge
- Sidewalk
- Staircase
- Exterior Stairway
- Driveways
- Paved Driveway
- Unpaved Driveway
- Roads
- Paved Road
- Unpaved Road
- Parking Lots
- Paved Parking Lot
- Unpaved Parking Lot
- Electrical
- Electrical Box
- Electrical Substation
- Sports Areas
- Baseball
- Baseball Infield
- Baseball and Tennis
- Baseball
- Golf Bunker
- Golf Fairway, Green, Tee
- Track and Field
- Wetlands
- MA Highways
- Interstate
- US Highway
- Numbered Routes
- Town Boundary
- Abutting Towns
- Abutting Towns Mark
- Road Centerlines
- Waterbody
- Streams And Drainage Ditch



The data shown on this map was provided for informational purposes only. The Town and its consultants are not responsible for the accuracy or completeness of the data shown on this map. The data shown on this map was derived from aerial photography and is not guaranteed to be accurate. Data is current as of April 2018.



Printed on 09/16/2020 at 09:09 AM

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act
and the Needham Wetlands Protection Bylaw – Article 6**

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following.

- A. The name of the applicant is: **David Nectow**
- B. The applicant has filed a Notice of Intent (NOI) with the Conservation Commission for the municipality of **Needham, MA** seeking permission to alter Areas Subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40) and the Needham Wetlands Protection Bylaw.
- C. The project scope is to: **The applicant is proposing to construct a pool with associated decking, a cabana, a tennis court, and walking paths.**
- D. The address of the lot where the activity is proposed is: **190 Edgewater Drive.**
- E. Copies of the NOI may be examined at **Needham Town Hall** between the hours of **8 and 5:00** on the following days of the week: **M – F**. For more information, call **781-455-7550 ext. 248**.
- F. Copies of the NOI may be obtained for a reasonable fee from the applicant's representative, by calling **(508) 525-0726** between the hours of **10 and 3** on the following days of the week: **M, T, W, Th., F**.
- G. A public hearing will be held by the **Needham Conservation Commission**. More information regarding the date and time of the hearing may be obtained from **Needham Conservation Commission** by calling **781-455-7550**.

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Needham Times.

NOTE: Notice of the public hearing, including the date, time, and place, will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

Note: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call:

Central Region: (508) 792-7650
 Southeast Region: (508) 946-2700

Northeast Region: (978) 694-3200
 Western Region: (413) 784-1100

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 Construction of a pool, decking, cabana and Tennis Court within BLSF,
Riverfront Area and BVW Buffer.

Project Location **Street:** 182 and 190 Edgewater Dr
Assessor's Map: 201 **Parcel:** 170 and 180

Registry Information **Book:** 37077, 26118 **Page:** 125,462

Applicant **Name:** David Nectow
Address: 190 Edgewater Dr, Needham, MA

Owner (if different) **Name:** Stephen Rhodes
Address: 182 Edgewater Dr, Needham, MA

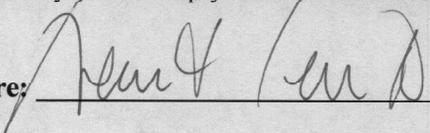
Date of Filing 10/9/20

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:** 10/1/2020

October 5, 2020

David Nectow
190 Edgewater Drive
Needham, MA 02492

Re: Wetland Border Report
182 & 190 Edgewater Drive, Needham, MA

Dear Mr. Nectow:

On September 14, 2020, the wetland resources were delineated on land located at 182 and 190 Edgewater Drive in Needham, Massachusetts (refer to enclosed locus maps). The wetland borders were flagged using the criteria in the most recent edition of MA Wetland Protection Act (WPA) and Regulations 310 CMR 10.00 et al and the Needham Wetland Protection Bylaw. Hydric soil indicators, vegetation changes, hydrological indicators, and topography were all considered for delineation purposes.

The Charles River is located to the south of the site. The Mean Annual High-Water mark of this perennial river was delineated using flags MAHW1-MAHW20. There is Bordering Vegetated Wetland (BVW) located in the southeastern portion of the site that was delineated using flags GC-A1 through GC-A15. This forested wetland is dominated by red maple, glossy buckthorn, winterberry and poison ivy. Adjacent upland areas are dominated by white pine, honeysuckle and lawn grass. Department of Environmental Protection BVW field data forms were documented near wetland flag GC-A8 (see attached forms).

According to the Mass GIS data layers for NHESP, this site is not located within Estimated and/or Priority Habitat of Rare Wildlife and no mapped vernal pools are located on or near the site. The site is not located in an ACEC. The site is located within Riverfront Area of the Charles River, which extends 200 feet from the Mean Annual High-Water Mark, as well as jurisdictional FEMA flood Zone AE (Bordering Land Subject to Flooding).

The Town of Needham Wetland Protection Bylaw and the MA Wetlands Protection Act take jurisdiction over BVW, Riverfront Area, and Bordering Land Subject to Flooding. In addition, BVW resource areas have a jurisdictional 100-foot Buffer Zone. Any work within the resource areas and/or 100-foot buffer zone requires a Request for Determination of Applicability (RDA) or Notice of Intent (NOI) be filed with the Needham Conservation Commission.

Very truly yours,
GODDARD CONSULTING, LLC



Scott Goddard,
Principal & PWS

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

Applicant: _____

Prepared by: Goddard Consulting LLC

Project location: Needham, Edgewater Dr

DEP File #: _____

Check all that apply:

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

Section I. Vegetation Observation Plot Number: **Flag #G-C-A8** Transect Number: **Upgradient** Date of Delineation: **14-Sep-20**

Sample Layer and Plant Species	Scientific name	% Cover	% Dominance	Dominant Plant (yes or no)	Wetland Indicator Category*
Tree Layer					
White pine	<i>Pinus strobus</i>	38%	78.4%	Yes	FACU
Red Maple	<i>Acer rubrum</i>	11%	21.6%	No	FAC*
Sapling Layer					
Shrub Layer					
European buckthorn	<i>Frangula alnus</i>	21%	49.4%	Yes	FAC*
Honeysuckle	<i>Lonicera sp.</i>	11%	25.3%	Yes	FACU
Ash-leaf maple	<i>Acer negundo</i>	11%	25.3%	Yes	FAC*
Climbing Woody Vine					
Ground Cover					
Lawn Grass	<i>Gramineae sp.</i>	63%	60.6%	Yes	FACU
Honeysuckle	<i>Lonicera sp.</i>	21%	19.7%	Yes	FACU
European Buckthorn	<i>Frangula alnus</i>	21%	19.7%	Yes	FAC*

Remarks: * An asterisk after common plant name indicates stunted growth; ** indicates extremely stunted growth

Morphological Adaptations: 0

Description:

* An asterisk after indicator status denotes wetlands plants; plants listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus Sphagnum; or plants listed as FAC, FACV, or OBL.

Vegetation conclusion:

Number of dominant wetland indicator plants: 3

Number of dominant non-wetland indicator plants: 4

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

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

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? yes no

title/date: Soil Survey of Norfolk and Suffolk Counties - 1989

map number: _____

soil type mapped: Merrimac fine sandy loam

hydric soil inclusions: None

Are field observations consistent with soil survey? yes no

Remarks:

2. Soil Description

<u>Horizon</u>	<u>Depth (inches)</u>	<u>Matrix Color</u>	<u>Mottles Color or Texture</u>
A	0-6"	10YR 3/3	Fine sandy loam
B	6-12"+	10YR 4/6	Fine Sandy loam

Remarks:

3. Other:

Conclusion: Is soil hydric? yes no

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

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

Vegetation and Hydrology Conclusion for Upgradient of Flag #G-C-A8	<u>yes</u>	<u>no</u>
Number of wetland indicator plants		
>= number of non-wetland plants		X
Wetland hydrology present:		
hydric soils present		X
other indicators of hydrology present		X
Sample location is in a BVW		X

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

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

Applicant: _____

Prepared by: Goddard Consulting LLC

Project location: Needham, Edgewater Dr

DEP File #: _____

Check all that apply:

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

Section I. Vegetation Observation Plot Number: **Flag #GC-A8** Transect Number: **Downgradient** Date of Delineation: **14-Sep-20**

Sample Layer and Plant Species	Scientific name	% Cover	% Dominance	Dominant Plant (yes or no)	Wetland Indicator Category*
Tree Layer					
Red Maple	<i>Acer rubrum</i>	38%	78.4%	Yes	FAC*
Red Oak	<i>Quercus rubra</i>	11%	21.6%	Yes	FACU
Sapling Layer					
Shrub Layer					
European buckthorn	<i>Frangula alnus</i>	38%	61.8%	Yes	FAC*
Winterberry	<i>Ilex verticillata</i>	21%	33.3%	Yes	FACW*
Northern Arrowwood	<i>Viburnum recognitum</i>	3%	4.9%	No	FAC*
Climbing Woods Vine					
Eastern poison ivy	<i>Toxicodendron radicans</i>	21%	100.0%	Yes	FAC*
Ground Cover					
European Buckthorn	<i>Frangula alnus</i>	11%	77.8%	Yes	FAC*
Northern Arrowwood	<i>Viburnum recognitum</i>	3%	22.2%	Yes	FAC*
Remarks: * An asterisk after common plant name indicates stunted growth; ** indicates extremely stunted growth Morphological Adaptations: 0 Description: _____ * An asterisk after indicator status denotes wetlands plants; plants listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus Sphagnum; or plants listed as FAC, FACW, or OBL.					
Vegetation conclusion: Number of dominant wetland indicator plants: 6 Number of dominant non-wetland indicator plants: 1 Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes					

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

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? yes no

title/date: Soil Survey of Norfolk and Suffolk Counties - 1989

map number: _____

soil type mapped: Saco Silt Loam

hydric soil inclusions: Freetown, Swinsea, Rippowam, Scarborough

Are field observations consistent with soil survey? yes no

Remarks:

2. Soil Description

<u>Horizon</u>	<u>Depth (inches)</u>	<u>Matrix Color</u>	<u>Mottles Color or Texture</u>
A	0-2"	10YR 2/2	Silt Loam
C	2-12"+	10YR 3/1	Silt Loam

Remarks:

3. Other:

Conclusion: Is soil hydric? yes no

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

Site inundated: _____

Depth to free water in observation hole: _____

Depth to soil saturation in observation hole: _____

Water marks: _____

Drift Lines: _____

Sediment deposits: _____

Drainage patterns in BVW: _____

Oxidized rhizospheres: _____

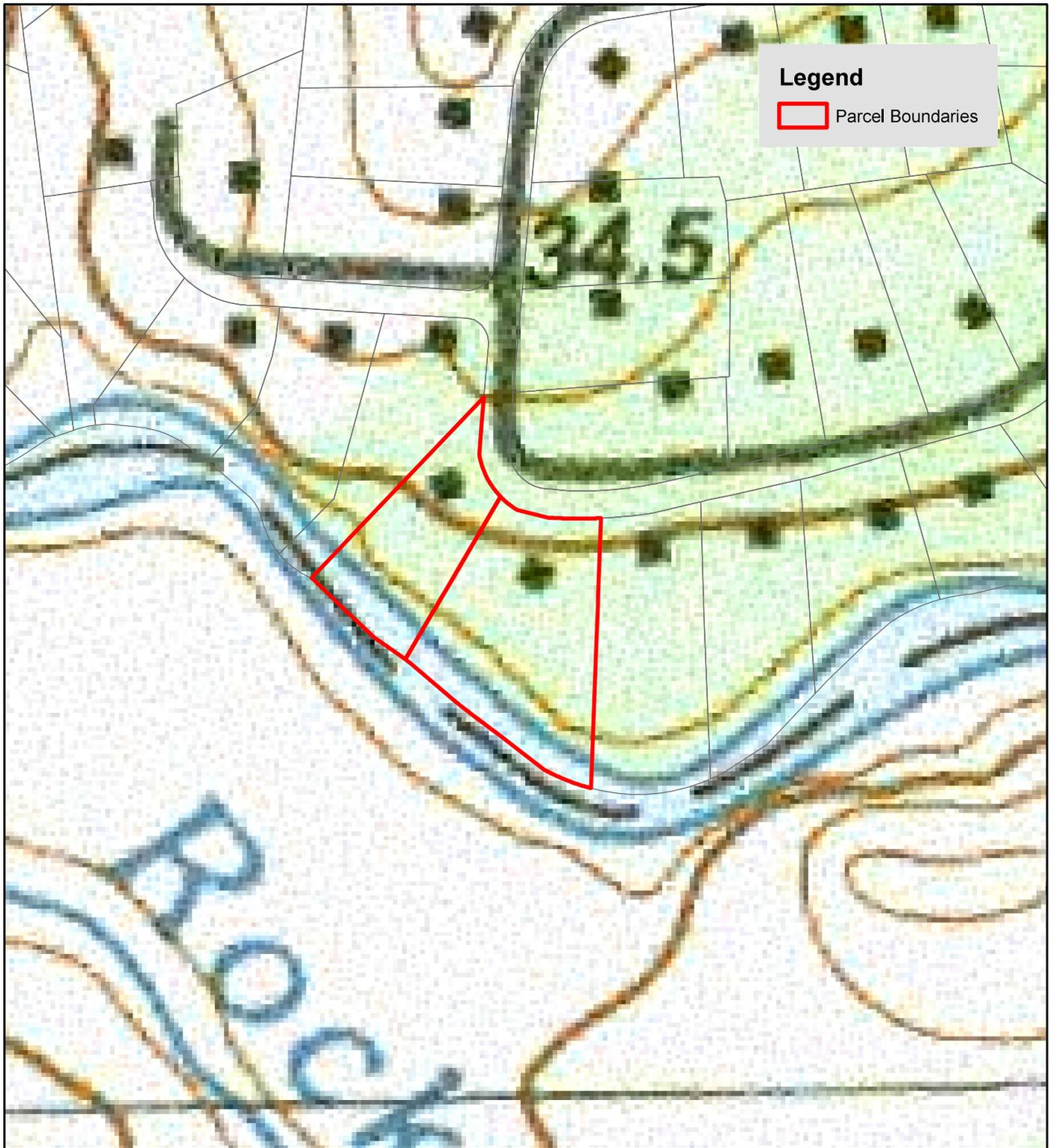
Water-stained leaves: _____

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

Other: _____

Vegetation and Hydrology Conclusion for Downgradient of Flag #G-C-A8	<u>yes</u>	<u>no</u>
>= number of wetland indicator plants	X	
Wetland hydrology present:		
hydric soils present	X	
other indicators of hydrology present	X	
Sample location is in a BVW	X	

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

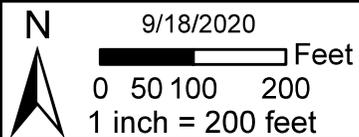


Legend

 Parcel Boundaries

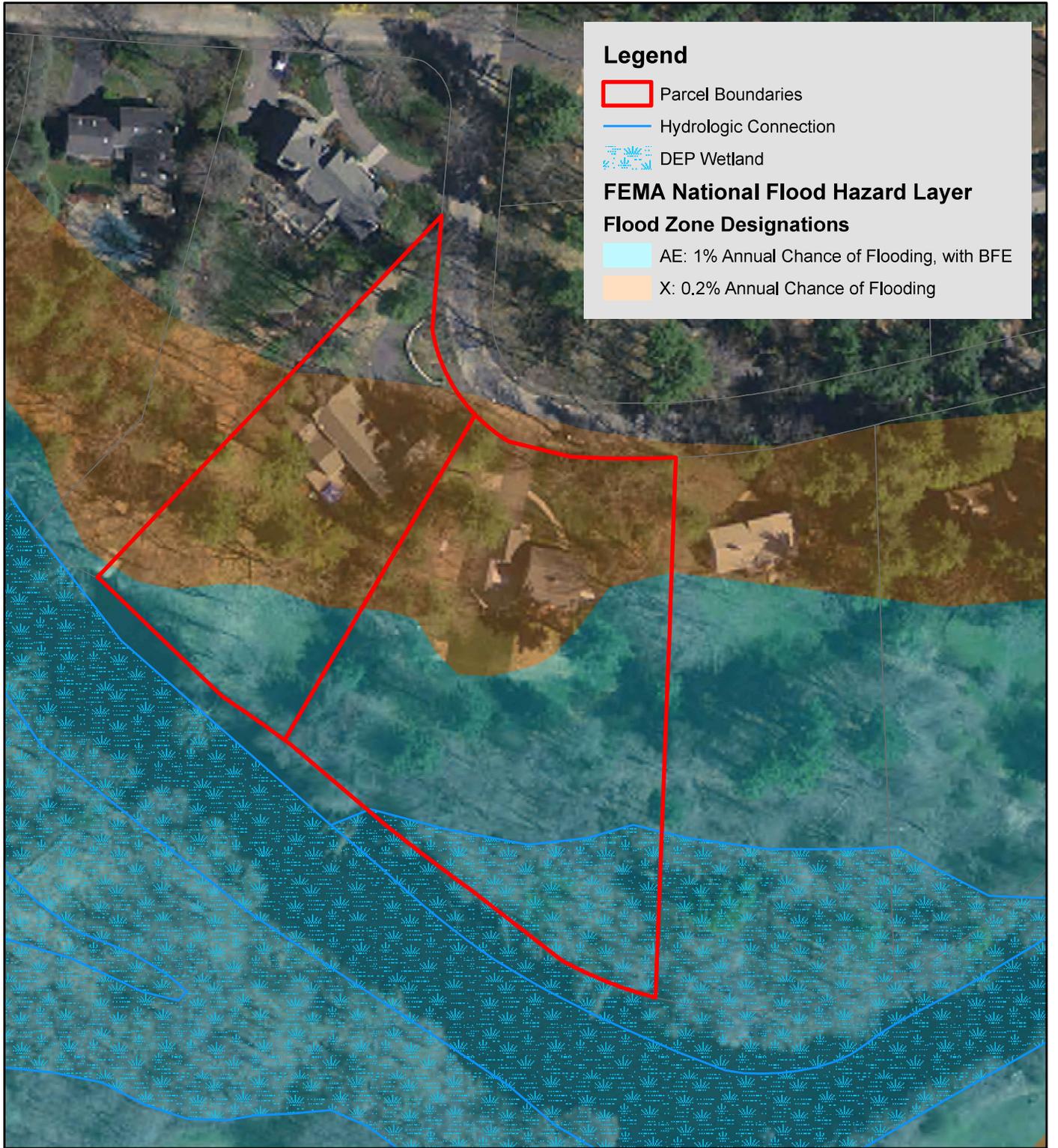
USGS Locus of Site

182 & 190 Edgewater Dr - Needham, MA
(Map: 201, Lots: 170 & 180)



GIS Data Source: "Office of Geographic Information (MassGIS), Commonwealth of Massachusetts, MassIT"





Legend

- Parcel Boundaries
- Hydrologic Connection
- DEP Wetland

**FEMA National Flood Hazard Layer
Flood Zone Designations**

- AE: 1% Annual Chance of Flooding, with BFE
- X: 0.2% Annual Chance of Flooding

Ortho View of Site

182 & 190 Edgewater Dr - Needham, MA
(Map: 201, Lots: 170 & 180)

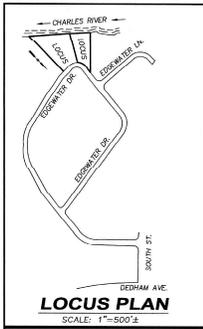
N 9/18/2020

0 25 50 100 Feet

1 inch = 100 feet

GIS Data Source: "Office of Geographic Information (MassGIS), Commonwealth of Massachusetts, MassIT"

GODDARD CONSULTING
Strategic Wetland Permitting LLC



LEGEND

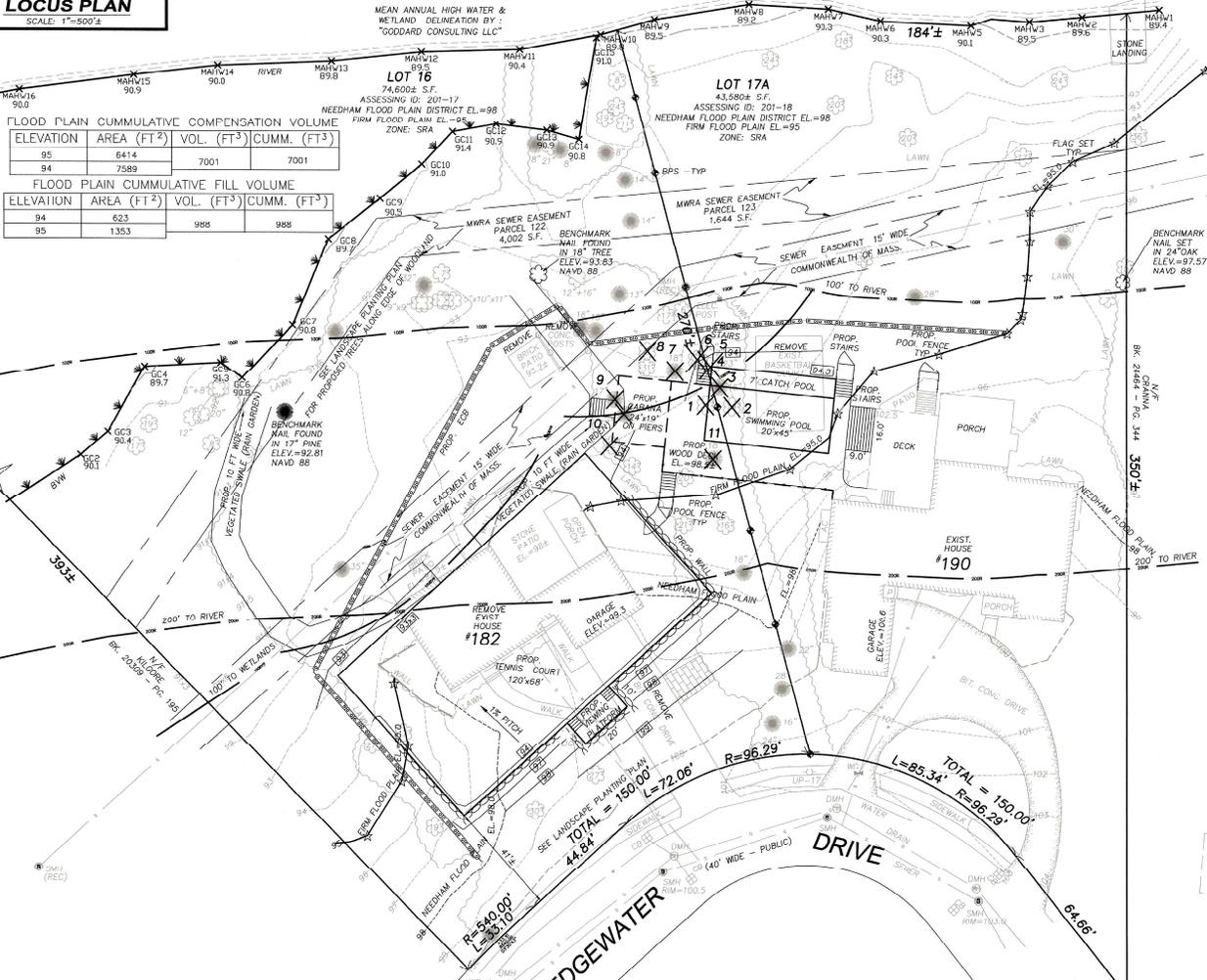
- BPS BEANPOLE SET
- CB CATCH BASIN
- DMH DOWN MANHOLE
- LSA LANDSCAPE AREA
- MAHW MEAN ANNUAL HIGH WATER
- SMH SEWER MANHOLE
- WL WATER GATE
- EXIST. SPOT ELEVATION
- 100± EXISTING CONTOUR
- 100x5 PROPOSED CONTOUR
- PROPOSED CONTAINMENT
- TREE TO BE CUT
- 24" TREE

NOTES:

1. SUBJECT TO ANY STATEMENT OF FACT AN UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.
2. SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD.
3. UNDERGROUND UTILITIES, STRUCTURES AND FACILITIES, IF ANY, HAVE BEEN SHOWN FROM SURFACE LOCATIONS AND MEASUREMENTS OBTAINED FROM A FIELD SURVEY AND RECORD LOCATIONS. THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. THERE MAY BE OTHER UTILITIES WHICH THE EXISTENCE OF ARE NOT KNOWN. SIZE, TYPE AND LOCATION OF ALL UTILITIES AND STRUCTURES MUST BE VERIFIED BY PROPER AUTHORITIES PRIOR TO ANY AND ALL CONSTRUCTION. CALL TOLL FREE, DIG SAFE CALL CENTER AT 1-888-3444-7233 SEVENTY-TWO HOURS PRIOR TO ANY EXCAVATION.



TOWN OF DEDHAM
TOWN OF NEEDHAM
CHARLES RIVER



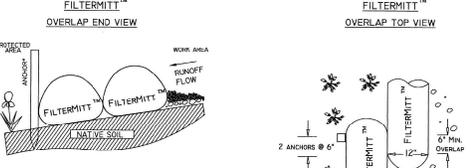
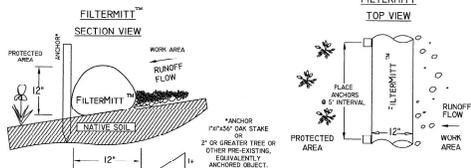
FLOOD PLAIN CUMMULATIVE COMPENSATION VOLUME			
ELEVATION	AREA (FT ²)	VOL. (FT ³)	CUMM. (FT ³)
95	6414	7001	7001
94	7589		

FLOOD PLAIN CUMMULATIVE FILL VOLUME			
ELEVATION	AREA (FT ²)	VOL. (FT ³)	CUMM. (FT ³)
94	623	988	988
95	1353		

TOTAL NUMBER OF TREES PROPOSED TO BE CUT = 11

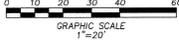
CONSTRUCTION SEQUENCE

1. PRE-CONSTRUCTION SITE INSPECTION BY CONSERVATION COMMISSION
2. STAKE EROSION CONTROL BARRIER & PROPOSED POOL
3. INSTALL EROSION CONTROL BARRIER
4. INSPECT EROSION CONTROL BARRIER
5. REMOVE EXISTING HOUSE #182 & BASKETBALL COURT ON #190
6. STAKE PROPOSED TENNIS COURT & SWIMMING POOL
7. BUILD NEW TENNIS COURT, SWIMMING POOL, CABANA, DECKS & DRAINAGE SWALE
8. DURING CONSTRUCTION WEEKLY INSPECTION BY PROJECT PROPONENT OR CONSULTANT
9. IMPLEMENT PLAYING PLAN & FULLY STABILIZE SITE
10. AS BUILT PLAN
11. CERTIFICATE OF COMPLIANCE.



FILTER MITT BY GROUNDCAPES EXPRESS, INC.
FOR MORE INFORMATION VISIT
WWW.GROUNDCAPESEXPRESS.COM

I CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY AND THE LATEST PLANS AND DEEDS OF RECORD.



PROPOSED TENNIS COURT AND SWIMMING POOL PLAN
182 & 190 EDGEWATER DRIVE
NEEDHAM, MASSACHUSETTS
NORFOLK COUNTY
AS PREPARED FOR
DAVID M. NECTOW

CHENEY ENGINEERING CO., INC.
53 MILLEN STREET
NEEDHAM, MA 02464
TEL. 781-444-2168
admin@cheney-eng.com



DATE: 10/6/2020	JCB # 5808A
REV.	