

**NOTICE OF INTENT APPLICATION
CITY OF BOSTON CONSERVATION COMMISSION**

**Soldiers Field Road
Boston, Massachusetts 02114**

Applicant:

Department of Conservation and Recreation
251 Causeway St., Suite 900
Boston, Massachusetts 02114

Engineer:

STV Incorporated
One Financial Center, Third Floor
Boston, Massachusetts 02111



October 3, 2018

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COVER LETTER



October 3, 2018

The Conservation Commission
City of Boston
1 City Hall Square, Room 709
Boston, MA 02201

Subject: **Notice of Intent Filing
Reconstruction of Lighting along
The Charles River Basin Parkway
STV Project No.: 4017896**

Dear City of Boston Conservation Commission:

On behalf of our client, DCR (Department of Conservation and Recreation), STV hereby submits this Notice of Intent (NOI) application for the demolition and construction of lighting along Soldiers Field Road corridor. This project will be split into two phases. The first phase will focus at the intersection of Elliot Bridge and Soldiers Field Road. The second phase will extend from this intersection to Western Ave. The proposed minor activities will install underground utilities within existing paved roadways or within 10' of the back of curb. This work zone is within the 25' riverfront zone and 100' buffer zone of the adjacent resource area, the Charles River. The project has been designed to comply with the Massachusetts Wetlands Protection Act (MGL Ch. 131, S 40) and associated Regulations (310 CMR 10.00) as well as the Department of Environmental Protection's (DEP's) Stormwater Handbook to the maximum extent practicable and in accordance with the City of Boston stormwater requirements.

Enclosed please find the Notice of Intent and requisite documents and copies, along with the associated filing fee checks.

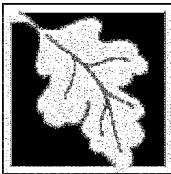
We respectfully request to be placed on the 18th of September, 2018 Conservation Commission public hearing agenda. If you have questions or comments on this application or the proposed project, please feel free to contact me at (617)-303-1139. My e-mail address is joseph.madrid@stvinc.com.

Sincerely,

Joseph Madrid, P.E.,
Lead Civil Engineer



WPA FORM 3 – NOTICE OF INTENT



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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boston

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):

Soldiers Field Road Boston 02134
a. Street Address b. City/Town c. Zip Code
Latitude and Longitude: 42.370725 -71.126867
d. Latitude e. Longitude
N/A
f. Assessors Map/Plat Number g. Parcel /Lot Number

2. Applicant:

Yvonne Jones
a. First Name b. Last Name
Department of Conservation and Recreation
c. Organization
251 Causeway St., Suite 600
d. Street Address
Boston Ma 02114
e. City/Town f. State g. Zip Code
617-626-1489 yjones@massmail.state.ma.us
h. Phone Number i. Fax Number j. Email Address

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

Priscilla Geigis, Deputy Commissioner Conservation and Stewardship
a. First Name
Department of Conservation and Recreation
c. Organization
251 Causeway St., Suite 900
d. Street Address
Boston Ma 02114
e. City/Town f. State g. Zip Code
617-626-1250 617-626-1351 mass.parks@state.ma.us
h. Phone Number i. Fax Number j. Email address

4. Representative (if any):

Joseph Madrid
a. First Name b. Last Name
STV Incorporated
c. Company
One Financial Street, 3rd Floor
d. Street Address
Boston Ma 02111
e. City/Town f. State g. Zip Code
617-482-7298 joseph.madrid@stvinc.com
h. Phone Number i. Fax Number j. Email address

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

750 362.5 387.5
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:

Phased utility lighting improvements along Soldiers Field Road between Elliot Bridge and Western Ave. The work involves excavation and trenching for the removal and installation of new light poles and new conduits. All existing conduit will capped. Phase one would impact the intersection at Elliot Bridge. Phase two will be the remainder of work to Western Ave.

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

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. 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:

Suffolk

a. County

Libro 2285, Lirbro 2486, 2711, 7510

c. Book

b. Certificate # (if registered land)

Page 193, Page 121, Page 8-11, Page 336-337

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 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	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	21	21
	1. square feet	2. square feet
	0	0
e. <input type="checkbox"/> Isolated Land Subject to Flooding	3. cubic feet of flood storage lost	4. cubic feet replaced
	1. square feet	

f. <input checked="" type="checkbox"/> Riverfront Area	2. cubic feet of flood storage lost	3. cubic feet replaced
	Charles River Inland	
	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: 1471 square feet

4. Proposed alteration of the Riverfront Area:

0 a. total square feet 0 b. square feet within 100 ft. 0 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. 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. Project Involves Stream Crossings

_____ a. number of new stream crossings _____ b. number of replacement stream crossings



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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

8/1/17

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.



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

- (c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_fee_schedule.htm).
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, http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_exemptions.htm; 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:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

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.



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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.



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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.

Reconstruction of Lighting along Soldiers Field Road

a. Plan Title

STV Incorporated

b. Prepared By

c. Signed and Stamped by

1:40

d. Final Revision Date

e. Scale

Demolition Plan, Construction Plan, Resource Area Exhibit

7/18/18

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:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

6. Payor name on check: First Name

7. Payor name on check: Last Name



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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.

_____ 1. Signature of Applicant	_____ 2. Date
_____ 3. Signature of Property Owner (if different)	_____ 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.



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 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:

Soldiers Field Road Boston
 a. Street Address b. City/Town
750
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Pricilla Geigis, Deputy Commissioner Conservation and Stewardship
 a. First Name
Department of Conservation and Recreation
 c. Organization
251 Causeway St., Suite 900
 d. Mailing Address
Boston Ma 02114
 e. City/Town f. State g. Zip Code
617-626-1250 617-626-1351 mass.parks@state.ma.us
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

a. First Name b. Last Name

 c. Organization

 d. Mailing Address

 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).



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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 2	1	500	750
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: 750

Step 6/Fee Payments:

Total Project Fee:	<u>750</u>
State share of filing Fee:	<u>362.5</u>
City/Town share of filing Fee:	<u>387.5</u>
	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.)



PROJECT NARRATIVE

NARRATIVE STATEMENT FOR NOTICE OF INTENT

This Notice of Intent (NOI) is filed pursuant to the Massachusetts Wetlands Protection Act (MGL Chapter 131, Section 40, hereinafter the “Act” and its implementing regulations (310 CMR 10.00), hereinafter the “regulations.”

Introduction:

The Proponent, the Department of Conservation and Recreation, proposes the phased Reconstruction of Lighting along the Charles River Basin Parkway within Soldiers Field Road and Elliot Bridge in Boston, MA. DCR has requested to convert streetlights from the present illumination lamp sources to LED sources along Soldiers Field Road. In the process, lights, foundations, and other lighting infrastructure will be replaced and upgraded. The proposed minor activities will trench for existing lighting foundations, pull cables, and cap conduit. In addition to install underground utilities within existing paved roadways or within 10’ of the back of curb. The first phase of the project will pertain to the intersection of Elliot Bridge and Soldiers Field Road. Phase two will consist of work along Soldiers Field Road parallel to the Charles River between the intersection of Elliot Bridge and Western Ave.

The project site contains the following state-regulated Wetland Resource Areas associated with the Charles River:

- Riverfront Area
- Bordering Land Subject to Flooding (BLSF)
- 100-Foot Buffer Zone to Bank

In addition, the Project has been designed to avoid all long-term adverse impacts to public use of the Charles River shoreline.

The project will include extensive short-term construction-related mitigation measures to avoid adverse wetland impacts. The focus of these mitigation measures are primarily construction sequencing, materials handling considerations and a comprehensive erosion and sedimentation control program.

Site Description: The Project Site which is subject to the Act consists of approximately 60,966 SF of land between the river and the limit of the 100-foot buffer zone. The Project Site includes a corridor within the DCR-controlled Soldiers Field Road roadway, sidewalk and waterfront multi-use path. The Project Site is depicted on **Figures 1 and 2**.

According to the most recently available data provided by the Massachusetts Natural Heritage and Endangered Species Program (NHESP) and Estimated Habitat or Certified Vernal Pool, the Project Site is not located within any designated Priority Habitat of Rare Species or Estimated Habitat of Rare Wildlife. No portion of the Site is located within an Area of Critical Environmental Concern (ACEC) or Outstanding Resource Water. (See **Figure 3**)

Wetland Resource Area: The following sections of this narrative describe the wetland resource areas present at the Project Site subject to the Act and Regulations (310 CMR 10.00).

Bordering Land Subject to Flooding: Bordering Land Subject to Flooding (BLSF) is defined in the Regulations at 310 CMR 10.57 as:

“An area with low, flat topography adjacent to and inundated by flood waters rising from creeks, rivers, streams, ponds, or lakes. It extends from the banks of these waterways and water bodies; where a bordering vegetated wetland occurs, it extends from the said wetland”

The boundary of BLSF is the estimated maximum lateral extent of flood water which will theoretically result from the statistical 100-year frequency storm. Said boundary shall be that determined by reference to the most recently available flood profile data prepared for the community within which the work is proposed under the National Flood Insurance Program (NFIP), currently administered by the Federal Emergency Management Agency.

The most recent issued Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for the Project Site identifies the site as located, in part, within a mapped Zone AE – area subject to inundation during the statistic 100-year storm event to an elevation 10.46 FT BCB [4 FT NAVD88]. The location and extend of BLSF is depicted on the project plans. **Figure 4** and **Figure 5** provides references to the FEMA FIRM.

Riverfront Area: Riverfront Area is defined in the Regulations at 310 CMR 10.58 as:

“The area of land between a river’s mean annual high-water line and a parallel line measured horizontally.”

The boundary of Riverfront Area is line parallel to the mean annual high-water line, located at the outside edge of the riverfront area. At the point where a stream becomes perennial, the riverfront area begins at the line drawn as a semicircle within a 200-foot (25 feet in densely developed areas; 100 feet for new agriculture) radius around the point and connects to the parallel line perpendicular to the mean annual high-water which forms the outer boundary. As the Project Site is located in Boston, and in a densely developed area, the parallel line is located 25 landward of the limit of Bank.

The Riverfront Area is present on the Project Site extending 25 feet landward of the upper Bank Boundary. The location and extent of the Riverfront Area is depicted on the project plans.

100-Foot Buffer Zone: The Regulations at 310 CMR 10.2(2)(b) establish a 100-foot buffer zone from the limits of regulated wetland resource areas, including (Inland) Bank. The buffer zone at the Project Site includes portions of the Soldiers Field Road roadway and sidewalks, lawn area, and the gravel walkway adjacent to the Charles River.

Proposed Improvements: The Project elements subject to the Act include the following:

- Pre-construction and mobilization activities:
 - Installation of perimeter and erosion controls
- Trenching within roadway and behind curb, no more than 10', within sidewalk or grass/gravel areas to place encased conduit
- Installing foundations for proposed light structures and control equipment cabinets
- Backfilling and surface restoration of the altered areas per MassDCR standards.

Regulatory Compliance: The Project is located within the state-regulated wetland resource areas in Bordering Land Subject to Flooding (BLSF), Riverfront Area, and 100-foot buffer, and must comply with the applicable provisions of 310 CMR 10.00 provisions.

Furthermore, the site must **meet** the MassDEP Stormwater Management Regulations established as policy in 1996 and subsequently codified in 310 CMR 10.05(6)(k). As demonstrated below, the proposed Project meets all applicable performance standards under the Massachusetts Wetlands Regulations.

Working in Bordering Land Subject to Flooding: The regulations at 310 CMR 10.57 establish the following three (3) performance standards applicable for work in BLSF:

1. *Compensatory storage shall be provided for all flood storage volume that will be lost as the result of a proposed project within Bordering Land Subject to Flooding, when in the judgment of the issuing authority said loss will cause an increase or will contribute incrementally to an increase in the horizontal extent and level of flood waters during peak flows.*

The Project will not result in any permanent loss of flood storage capacity within BLSF because no permanent change in surface elevations are proposed. At the completion of the Project the lawn and pathways will be restored to the present grades.

2. *Compensatory storage shall mean a volume not previously used for flood storage and shall be incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Further, with respect to waterways, such compensatory volume shall be provided within the same reach of the river, stream or creek.*

This standard does not apply to the Project. The Project does not require compensatory flood storage because the Project will restore existing grades maintaining existing flood storage capacity at the site.

3. *Work within Bordering Land Subject to Flooding, including that work required to provide the above-specified compensatory storage, shall not restrict flows so as to cause an increase in flood stage or velocity. Work in those portions of bordering land subject to flooding found to be significant to the protection of wildlife habitat shall not impair its capacity to provide important wildlife habitat functions. Except for work which would adversely affect vernal pool habitat, a project or projects on a single lot, for which Notice(s) of Intent is filed on or after November 1, 1987, that (cumulatively) alter(s) up to 10% or 5,000 square feet (whichever is less) of land in this resource area found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important wildlife habitat functions. Additional alterations beyond the above threshold, or altering vernal pool habitat, may be permitted if they will have no adverse effects on wildlife habitat, as determined by procedures contained in 310 CMR 10.60.*

The Project fully complies with this standard as follows:

Prohibition on Restriction of Flows:

The Project does not include any fill or structure that would result in any permanent alteration to BLSF. No permanent new above ground structure is proposed that would restrict stormwater flows or cause flooding.

Protection of Wildlife Habitat

The regulations at 310 CMR 10.57(1)(a)(3) presume that all areas of BLSF within the 10-year floodplain or located within 100 feet of Bank are significant to the protection of wildlife habitat, except for those portions of which have been so extensively altered by human activity that their important wildlife habitat functions have been effectively eliminated.

This regulation defines such altered areas to include: paved and graveled areas, golf courses, cemeteries, playgrounds, landfills, fairgrounds, quarries, gravel pits, buildings, lawns, gardens, roadways (including median strips, areas enclosed within highway interchanges, shoulders, and embankments), railroad tracks (including ballast and embankments), and similar areas lawfully existing on November 1, 1987 and maintained as such since that time).

The 10-year floodplain is located within the 100 feet of Bank or bordering vegetated wetland. However, the capacity of BLSF at the Project Site to provide protection of wildlife habitat is limited due to the extensively altered and maintained waterfront areas. BLSF at the Project Site includes paved and compacted “Stabilized Soil” paths and extensive areas of maintained lawn. Area within the BLSF does not appear to be significant to wildlife habitat

The Project includes the temporary alteration of approximately 1,075 square feet of BLSF located within 100 feet of Inland Bank. All altered surface areas within BLSF will be restored to existing conditions at project completion.

The regulations at 310 CMR 10.57(4)(a)(3) include the following standard regarding alteration of BLSF presumed signification to wildlife habitat:

“Work in those portions of bordering land subject to flooding found to be significant to the protection of wildlife habitat shall not impair its capacity to provide important wildlife habitat functions. Except for work which would adversely affect vernal pool habitat, a project or projects on a single lot, for which Notice(s) of Intent is filed on or after November 1, 1987, that (cumulatively) alter(s) up to 10% or 5,000 square feet (whichever is less) of land in this resource area found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important wildlife habitat functions.” (emphasis added)

The Project will alter approximately 1,075 SF of BLSF and is presumed by this regulation to not impair important wildlife habitat functions, to the extent they may exist in BLSF along this corridor.

Working within Riverfront Area: The regulations at 310 CMR 10.58 established the following three (3) performance standards applicable for work within Riverfront Area:

- 1. The work shall meet the performance standards for all other resource areas within the riverfront area, as identified in 310 CMR 10.30 (Coastal Bank), 10.32 (Salt Marsh), 10.55 (Bordering Vegetated Wetland), and 10.57 (Land Subject to Flooding). When work in the riverfront area is also within the buffer zone to another resource area, the performance standards for the riverfront area shall contribute to the protection of the interests of M.G.L. c. 131, § 40 in lieu of any additional requirements that might otherwise be imposed on work in the buffer zone within the riverfront area.*

The Project complies with all applicable performance standards for **work** in state-regulated wetland resource areas as demonstrated in this Notice of Intent.

2. *No project may be permitted within the riverfront area which will have any adverse effect on specified habitat sites of rare wetland or upland, vertebrate or invertebrate species, as identified by the procedures established under 310 CMR 10.59 or 10.37, or which will have any adverse effect on vernal pool habitat certified prior to the filing of the Notice of Intent.*

The Project Site is not located within any area identified by the Massachusetts Division of Fisheries and Wildlife, Natural Heritage Program as containing specified habitat of rare wetland or upland vertebrate or invertebrate species. The project site, consisting on an urban waterfront park and roadway, does not contain any certified vernal pool or vernal pool habitat.

3. *There must be no practicable and substantially equivalent economic alternative to the proposed project with less adverse effects on the interests identified in M.G.L. c. 131 § 40.*

The Project is designed to impact as little of the natural environment as possible. Trenching done within the project limits will be within the roadway or extend no more than 10 feet past the back of curb, towards the Charles River) and will avoid tree roots and trees where possible.

Working within the 100-foot Buffer Zone: As identified in 310 CMR 10.53(1) of the WPA regulations, *“the issuing authority should consider the characteristics of the buffer zone, such as the presence of steep slopes, that may increase the potential for adverse impacts on resource areas. Conditions may include limitations on the scope and location of work in the buffer zone as necessary to avoid alteration of resource areas. The issuing authority may require erosion and sedimentation controls during construction, a clear limit of work, and the preservation of natural vegetation adjacent to the resource area and/or other measures commensurable with the scope and location of the work within the buffer zone to protect the interests of the Act.”*

The Project has been designed to avoid unnecessary impacts to the 100-foot buffer zone to the Bank of the Charles River. The construction phase includes a comprehensive erosion and sedimentation control plan to limit impacts to the work areas identified on the project plans. The mitigation section of this Notice of Intent provides a complete description of the measures proposed to avoid inadvertent impacts to identified resource areas and buffer zones.

Mitigation Measures: The project includes short-term construction-related measures designed to avoid, minimize and mitigate off-site impacts, including inadvertent impacts to water quality. These measures are described below.

Short-Term Construction-Related Mitigation Measures Short-term construction-related measures include structural practices such as site control barriers,

erosion and sedimentation controls and spill control and containment measures. The following measures are proposed:

Non-Structural Practices: Non-structural practices to be used during construction include construction sequencing, pavement sweeping, and dust control. Specific details of these non-structural practices will be developed during final design with the assistance of the Project's construction manager. The following sections describe the general parameters of each of these anticipated mitigation measures. The Proponent anticipates providing more detailed information and completed plans to the Commission prior to commencement of construction.

Pavement Sweeping: Pavement **sweeping** has been demonstrated to be an effective initial treatment for reducing pollutant loading into stormwater⁵. The sweeping program will remove sediment and other contaminants directly from paved surfaces before their release into the stormwater systems in Soldiers Field Road. Pavement sweeping maybe performed daily or as needed during construction at the Project Site.

Dust Control: Dust may be generated from areas of disturbed soil, however any dust is expected to be negligible and will not result in deposition in wetland resource areas. The erosion and sediment control program includes provisions to minimize the generation of dust during dry and windy conditions. When necessary, larger areas of exposed soil and/or soil stockpiles will be wetted to prevent wind-borne transport of fine grained sediment. Enough water shall be applied to wet the upper 0.5 inches of soil. The water will be applied as a fine spray in order to prevent erosion.

Structural Practices: Structural erosion and sedimentation controls to be used on the site include erosion control barriers, catch basin protection and perimeter fencing. The following are proposed:

Erosion and Sedimentation Controls: An erosion and sedimentation control program will be implemented to minimize temporary impacts to down-gradient wetland resource areas during the demolition and construction phases of the project. The program incorporates Best Management Practices (BMPs) specified in guidelines developed by the DEP⁶ and the U.S. Environmental Protection Agency (EPA)⁷.

Proper implementation of the erosion and sedimentation control program will:

- minimize exposed soil areas through sequencing and temporary stabilization;

The following sections describe the controls that will be used and practices that will be followed during construction. These practices comply with criteria contained in the NPDES General Permit for **Discharges** from Large and Small Construction Activities issued by the EPA.

5. U.S. Environmental Protection Agency, 1979. *Demonstration of Nonpoint Pollution Abatement Through Improved Street Cleaning Practices*.
6. DEP, 1997. *Massachusetts Erosion and Sediment Control Guidelines for Urban and Suburban Areas: A Guide for Planners, Designers, and Municipal Officials*.
7. EPA, 2007. *Interim Developing Your Stormwater Pollution Prevention Plan: A Guide for Construction Sites*. Office of Water. Report EPA 833-R-060-04.

Erosion Control Barriers: Prior to any ground disturbance, an approved erosion control barrier will be installed at the downgradient limit of work approximately as shown on the project plans. The barriers will be entrenched into the substrate to prevent underflow.

If sediment has accumulated to a depth which impairs proper functioning of the barrier, it will be removed by and reused on-site. Any damaged sections of the barrier will be repaired or replaced immediately upon discovery.

Catch Basin Protection: The inlets of existing catch basins will be protected from sediment inflow during the work period by surrounding them with a barrier of staked straw bales or by installing Silt Sacks®. If straw bales are used, a layer of non-woven filter fabric shall be placed beneath the grate of each basin. If sediment has collected behind the barrier or in the Silt Sacks® to a point where it impairs proper functioning, the sediment will be removed and will be either reused onsite or disposed at a suitable offsite location.

Stormwater Management: The Project proposed in this Notice of Intent does not include any new stormwater collection systems, catch basins, treatment devices or infiltration systems. Therefore, not all of the stormwater standards are applicable to the project. However, the Project fully complies with all applicable stormwater standards as described below.

Massachusetts Stormwater Standards: The following section provides a summary of each of the ten (10) Massachusetts Stormwater Standards contained in 310 CMR 10.05 and describes the project's compliance with each.

Stormwater Standard 1 – Untreated Discharges Prohibited: *No new stormwater conveyances (e.g. outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth.*

The construction activities and work within the resource area are not expected to produce new untreated discharges or erosion to wetlands. The temporary erosion controls are described within Standard 8 below.

Stormwater Standard 2 – Peak Discharge Rates: *Stormwater management systems shall be designed so that post-development peak discharge rates do not exceed pre-development peak discharge rates. This Standard may be waived for discharges to land subject to coastal storm flowage as defined in 310 CMR 10.04.*

The construction activities and work within the resource area are not expected to produce an increase of new impervious areas, therefore, project activities does not anticipate an increase to the pre-construction peak discharge rates.

Stormwater Standard 3 – No Loss of Annual Recharge: *Loss of annual recharge to ground water shall be eliminated or minimized through the use of infiltration measures including environmentally sensitive site design, low impact development techniques, stormwater best management practices and good operation and maintenance. At a minimum, the annual recharge from the post development site shall approximate the annual recharge from the pre-development conditions based on soil type. This Standard is met when the stormwater management system is designed to infiltrate the required recharge volume as determined in accordance with the Massachusetts Stormwater Handbook.*

The construction activities and work within the resource area do not intend implementation of groundwater recharge.

Stormwater Standard 4 – TSS Removal: *Stormwater management systems shall be designed to remove 80% of the average annual post-construction load of Total Suspended Solids (TSS). This Standard is met when:*

- a) Suitable practices for source control and pollution prevention are identified in a long-term pollution prevention plan and thereafter are implemented and maintained;*
- b) Structural stormwater best management practices are sized to capture the required water quality volume determined in accordance with Massachusetts Stormwater Handbook; and*
- c) Pretreatment is provided in accordance with the Massachusetts Stormwater Handbook.*

The construction activities and work within the resource area do not include the design or implementation of stormwater quality measures.

Stormwater Standard 5 – Land Uses with Higher Potential Pollutant Loads (LUPPL): *For land uses with higher potential pollutant loads, source control and pollution prevention shall be implemented in accordance with the Massachusetts Stormwater Handbook to eliminate or reduce the discharge of stormwater runoff from such land uses to the maximum extent practicable.*

The construction activities and work within the resource area do not include the design or implementation of stormwater quality measures.

Stormwater Standard 6 – Critical Area: *Stormwater discharges within the Zone II or Interim Wellhead Protection Area of a public water supply and stormwater discharges near or to any other critical area require the use of the specific source control and pollution prevention measures and the specific structural stormwater best management practices determined by the Department*

to be suitable for managing discharges to such area as provided in the Massachusetts Stormwater Handbook.

This standard is not applicable to the project because the site does not discharge to a DEP- Designated Zone II Wellhead Protection Area or Interim Wellhead Protection Area.

Stormwater Standard 7 – Redevelopment Projects: *A redevelopment project is required to meet the following Stormwater Management Standards only to the maximum extent practicable: Standard 2, Standard 3, and the pretreatment and structural stormwater best management practice requirements of Standards 4, 5 and 6. Existing stormwater discharges shall comply with Standard 1 only to the maximum extent practicable. A redevelopment project shall also comply with all other requirements of the Stormwater Management Standards and improve existing conditions.*

The construction activities and work within the resource area are for a lighting replacement project, which is not applicable to this stormwater standard.

Stormwater Standard 8 – Erosion Control: *A plan to control construction related impacts including erosion, sedimentation and other pollutant sources during construction and land disturbance activities (construction period erosion, sedimentation and pollution prevention plan) shall be developed and implemented.*

The project includes a comprehensive erosion and sedimentation control plan designed to avoid, minimize and mitigate off-site impacts during construction. Controls are described above and depicted on the project plans.

Stormwater Standard 9 – Operation and Maintenance Plan: *A long-term operation and maintenance plan shall be developed and implemented to ensure that the stormwater management system functions as designed.*

As this is a municipal project, the DCR will maintain the proposed public infrastructure protecting this substantial investment. The final Operations and Maintenance Plan will be provided by the DCR team as the final design is developed.

Stormwater Standard 10 – Illicit Discharges: *All illicit discharges to the stormwater management system are prohibited.*

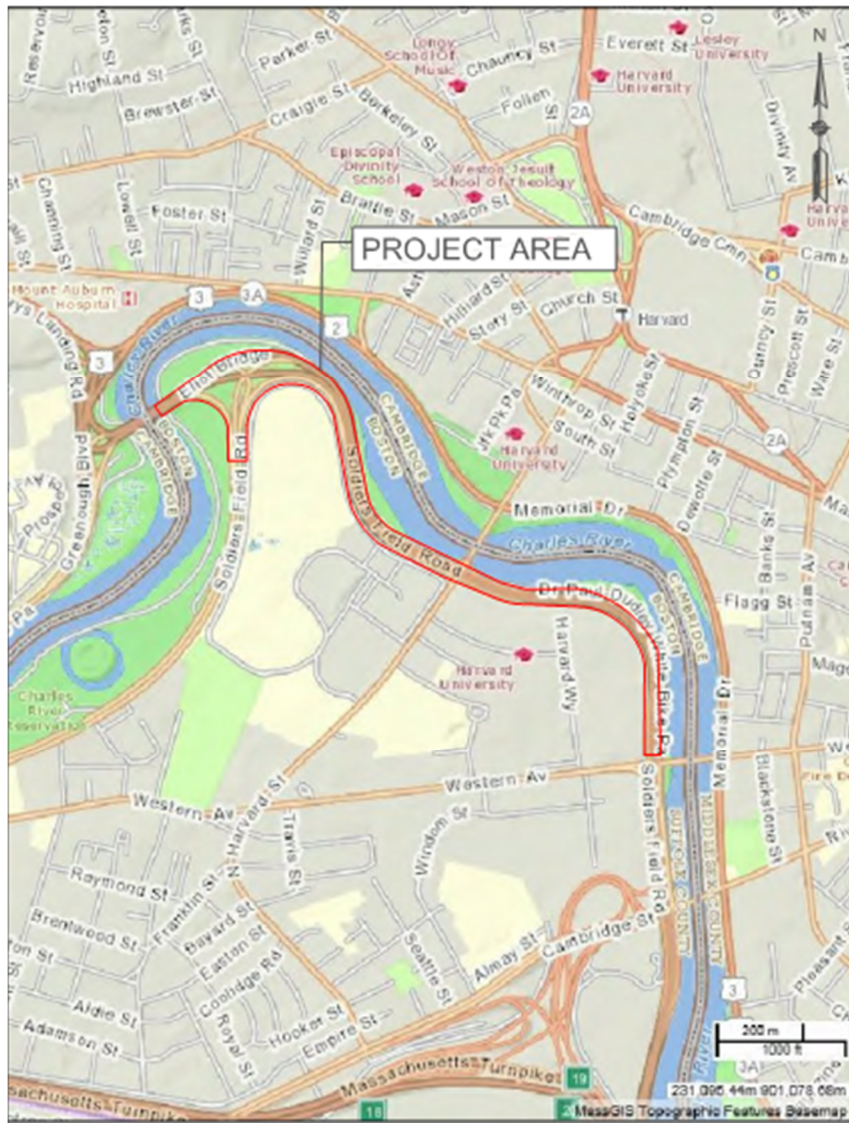
This standard is not applicable to the project because the site does not have any alterations to the discharge system; therefore, there will be no illicit discharges.



NOTICE OF INTENT FIGURES

Figure 1

October 2018



Reconstruction of Lighting Along Soldier Field Road

Boston, Massachusetts

Legend

- Project Area
- Town Boundaries

USGS Map

Source: MassGIS, STV Inc.

Figure 2

October 2018



Reconstruction of Lighting Along Soldier Field Road

Boston, Massachusetts

Aerial Map

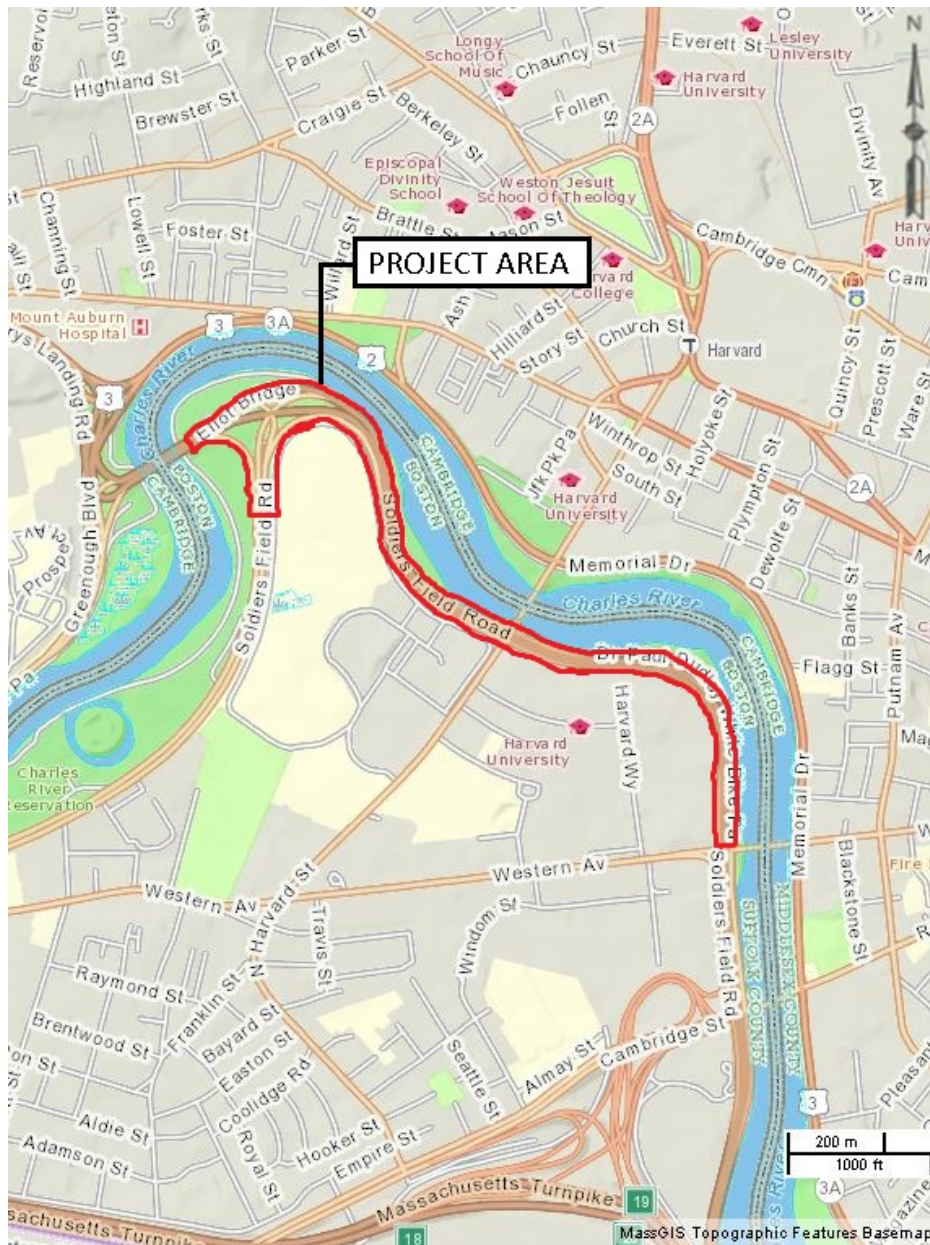
Legend

 Project Area

Source: MassGIS (2013/2014 Imagery), STV Inc.

Figure 3

October 2018



Reconstruction of Lighting Along Soldier Field Road

Legend

- Project Area
- Town Boundaries
- DEP Wetlands

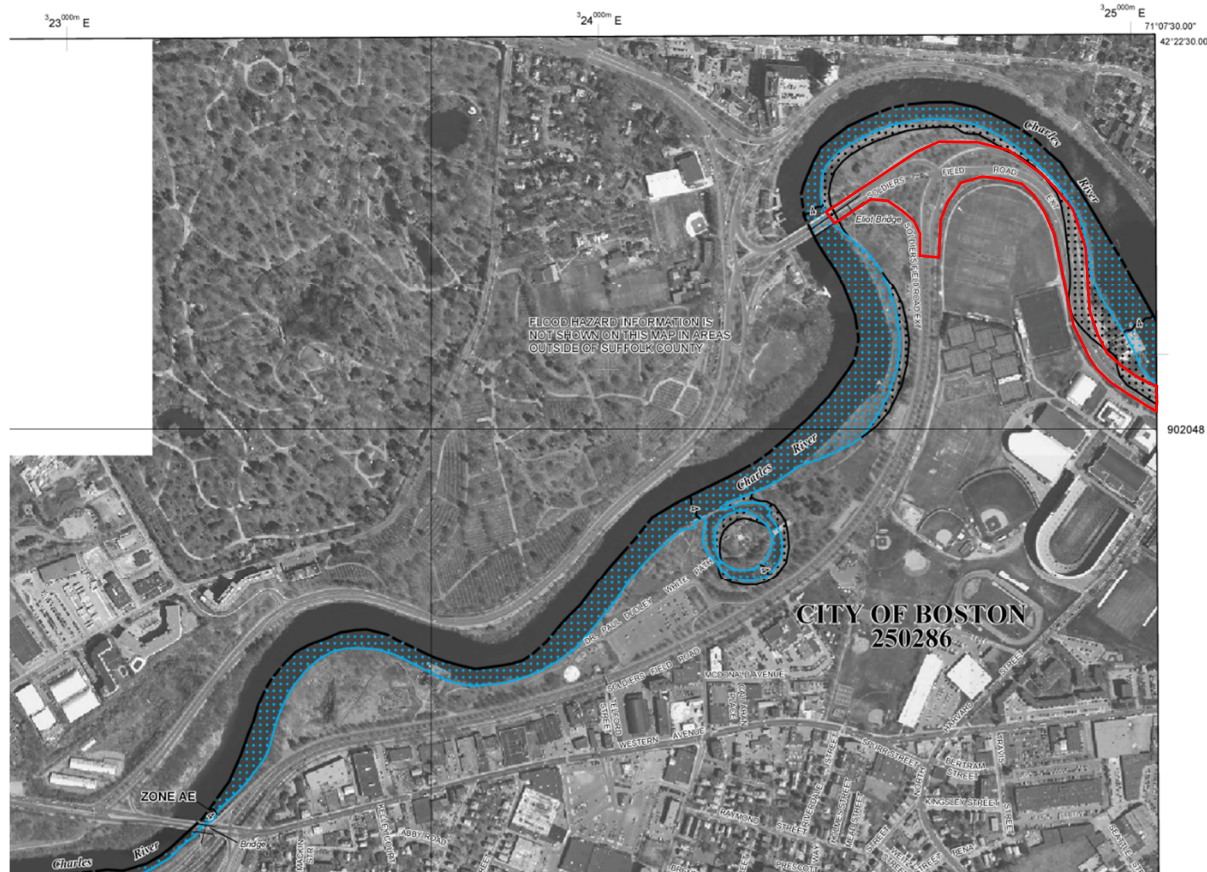
Boston, Massachusetts

NHESP Map

Source: MassGIS, STV Inc.

Note: No NHESP Priority & Estimated Habitat or Certified Vernal Pools fall within Project Extents or ACEC or Outstanding Resource Water

Figure 4



Reconstruction of Lighting Along Soldier Field Road

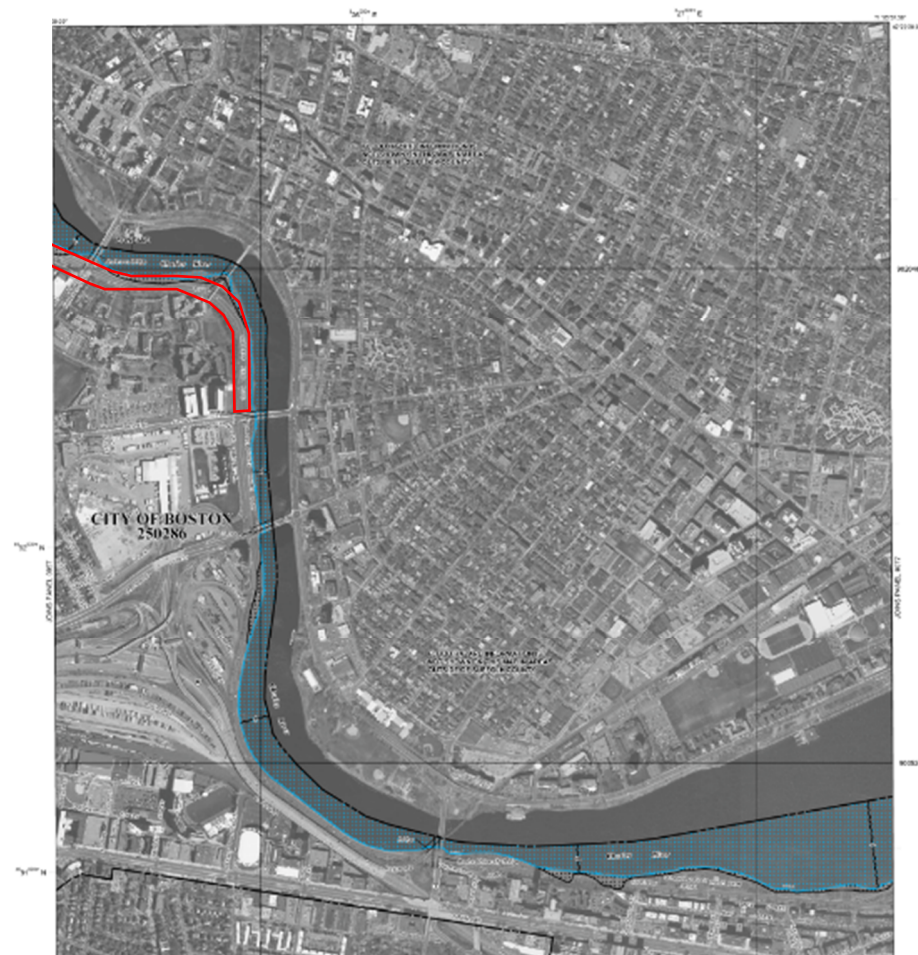
Legend

Project Area

Source: FEMA, STV Inc.

**Boston, Massachusetts
FEMA Firmette Map (1 of 2)**

Figure 5



Reconstruction of Lighting Along Soldier Field Road

**Boston, Massachusetts
FEMA Firmette Map (2 of 2)**

Legend

 Project Area

Source: FEMA, STV Inc.

Figure 6



Reconstruction of Lighting Along Soldier Field Road

Legend

- Project Area
- - - - - Town Boundaries

Boston, Massachusetts

Property Lines Map

Source: MassGIS, STV Inc.

Figure 7



Work Area Photos – 1

Figure 8



Work Area Photos – 2

Figure 9

October 2018



Existing Lights Photos – 1

Figure 10



Existing Lights Photos – 2



ABUTTER INFORMATION



Notification to Abutters under the Wetlands Protection Act

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following public hearing on the matter described below.

- A) The name of the applicant is: Department of Conservation and Recreation
- B) The address of the lot where the activity is proposed is:
Soldiers Field Road, Boston
- C) The work proposed is in the jurisdiction of the Massachusetts Wetlands Protection Act is as follows:
Department of Conservation and Recreation proposes removing and replacing lighting along the Soldiers Field Corridor. The Project will start at Elliot Bridge and end at Western Avenue.
- D) Copies of the Notice of Intent may be examined at: Boston City Hall, One City Hall Plaza in Conservation Commission office between the hours of 8:30 AM and 5:00 PM Monday through Friday.
- E) Copies of the Notice of Intents may be obtained from the applicant's representative STV Incorporated, by calling Joseph Madrid at STV Incorporated 617-303-1139 between the hours of 8:30 AM and 5:00 PM, Monday – Friday.
- F) The Public Hearing will be held on May 16, 2018 at 6:00 PM in Boston City

NOTES:

- 1) Notice of the Public hearing, including its date, time, and place, will be published at least five (5) days in advance in the Boston Herald.
- 2) Notice of the public hearing, including its date, time, and place, will be posted in the Boston City Hall not less than forty-eight (48) hours in advance.
- 3) You also may contact the Boston Conservation Commission or the Department of Environmental Protection Northeast Regional Office for more information about this application. To contact the Boston Conservation Commission, please call Amelia Croteau, Executive Secretary at 617-635-3850.



Boston Abutters				
Parcel ID	OWNER	ADDRESSEE	OWNER MAILING ADDRESS	ADDRESS
2200577010	PRESIDENT & FELLOWS OF	PRESIDENT & FELLOWS OF HARVARD COLLEGE	1350 MASSACHUSETTS AV #980 CAMBRIDGE MA 2138	1345 SOLDIERS FIELD RD BRIGHTON 2135
2200577000	COMMONWEALTH OF MASSCHUSETTS		525 WESTERN AVE ALLSTON MA 2134	525 WESTERN AV BRIGHTON 2135
2200530000	HARVARD COLLEGE		60 NO HARVARD ALLSTON MA 2134	60 N HARVARD ST BRIGHTON 2135
2200533000	HARVARD COLLEGE		69 NO HARVARD ALLSTON MA 2134	69 N HARVARD ST BRIGHTON 2135
2200480000	HARVARD COLLEGE		610 SOLDIERS FIELD RD ALLSTON MA 2163	610 SOLDIERS FIELD RD BRIGHTON 2135
2200470000	COMMONWLTH OF MASS M D C		CHARLES RIVER ALLSTON MA 2134	CHARLES RIVER BRIGHTON 2135
2200481000	HARVARD COLLEGE	HARVARD PLANNING & REAL EST	1350 MASS AV #836 CAMBRIDGE MA 2138	1 WESTERN AV BRIGHTON 2135