1155R Massachusetts Avenue Arlington, Massachusetts

October 21, 2019

Owner/Applicant:

Yukon Realty LLC 1155R Massachusetts Avenue Arlington, MA 02476

Prepared By:

Williams & Sparages, LLC 189 North Main Street, Suite 101 Middleton, MA 01949 Ph: 978-539-8088 Fax: 978-539-8200 <u>www.wsengineers.com</u>

> W&S Project No: ARLI-0019B





Massachusetts Department of Environmental Protection Bureau of Resource Protection - Wetlands WPA Form 1- Request for Determination of Applicability

Zip Code

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

A. General Information

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

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Applicant:		
Yukon Realty LLC	arlingtonaut	odetailing@gmail.com
Name	E-Mail Address	8
2 Keane Road		
Mailing Address		
West Roxbury	MA	02132
City/Town	State	Zip Code
(617) 484-2376		
Phone Number	Fax Number (if applicable)	
Representative (if any):		
Williams & Sparages LLC		
Firm		
Thorsen Akerley	takerley@wsengineers.com	
Contact Name	E-Mail Address	
189 North Main Street		
Mailing Address		
Middleton	MA	01949

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2.	Representative	(if any):

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B. [Determ	in	ati	on	S

(978) 539-8088

Phone Number

City/Town

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

State

(978) 539-8200

Fax Number (if applicable)

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

Anlington
Arlington
Manage of Music

Name of Municipality

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



a. Project Location (use maps and plans	to identify the location of the area subject to this reque
1155R Massachusetts Avenue	Arlington
Street Address	City/Town
Map 57 Assessors Map/Plat Number	Lot 2, Block 16A Parcel/Lot Number
b. Area Description (use additional paper,	, if necessary):
Please see attached narrative.	
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3	
>	
c. Plan and/or Map Reference(s):	
Site Plan #1155R Massachusetts Avenue, A	Arlington, MA 02474 5/20/2019 Date
t lue	Date
Title	Date
Title	Date
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Title a. Work Description (use additional paper	Date
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Arlington City/Town

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

C. Project Description (cont.)

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

10.58 (5) states that the approving authority may allow redevelopment within previously developed Riverfront Areas, provided that the proposed work improves existing conditions. Redevelopment means replacement, rehabilitation or expansion of existing structures, improvement of existing roads, or reuse of degraded or previously developed areas. In the case of this project, the applicant is hoping to expand an existing sewer connection to include a gas trap and sewer drain manhole within the Riverfront Area. The specific area in question appears to be predominantly fill material, and is already disturbed and developed from the construction of the building and installation of the existing sewer line.

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

Single family house on a lot recorded on or before 8/1/96

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

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



Arlington City/Town

WPA Form 1- Request for Determination of Applicability

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

D. Signatures and Submittal Requirements

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

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

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

Name and address of the property owner:

Steven Porcella		
Name		
2 Keane Road		
Mailing Address		
West Roxbury		
City/Town		
MA	02132	
State	Zip Code	

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.06(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

10/21/19 Date

10/21/19

Date

Signature of Representative (if any)

1155R Massachusetts Avenue Arlington, Massachusetts October 21, 2019

Introduction:

The project locus is known as #1155R Massachusetts Avenue, Assessors Map 57, Lot 2, Block 16A. According to the assessor's field card, the lot is approximately .37 acres in size. The parcel is developed with a 1-story metal commercial building, roadway and parking area. The parcel has frontage off Massachusetts Avenue and is located directly behind Mirak Hyundai.

The parcel sits adjacent to the Mill Brook Conduit, which carries water from the Arlington Reservoir towards the Lower Mystic Lake. The Mill Brook is mapped as a perennial stream by the USGS, therefore a 200' Riverfront Area (RA) exists from the boundary of the conduit.

According to the FEMA Flood Insurance Rate Map, 25017C0416E, with an effective date of June 4, 2010, the property does not lie within a Special Flood Hazard Area.

According to the NRCS Web Soil Survey, soils on the property are mapped as 602, Urban Land.

According to the most recent Natural Heritage and Endangered Species Program, (NHESP), Atlas the parcel is not mapped as Priority Habitat of Rare Species or Estimated Habitat of Rare Wildlife by the Division of Fisheries and Wildlife NHESP. In addition the area is not mapped as an Area of Critical Environmental Concern.

Project Proposal:

The owner is proposing to renovate the existing metal building into an auto detailing shop. As part of that process, a floor drain within the building is necessary. Therefore, a gas trap and sewer drain manhole connected to that floor drain are required.

Riverfront Area:

As mentioned above, the proposed work sits directly adjacent to the Mill Brook Conduit, therefore a 200' Riverfront Area exists beyond the boundaries of the retaining walls. In an undeveloped, natural Riverfront area, the applicant shall prove by a preponderance of the evidence that there are no practicable and substantially equivalent economic alternatives to the proposed project with less adverse effects on the interests identified in M.G.L. c.131 § 40 and that the work, including proposed mitigation, will have no significant adverse impact on the riverfront area to protect the interests identified in M.G.L. c. 131 § 40. However, it is our understanding that this project should be exempt from Riverfront Area performance standards due to the proposed project area being previously developed. Furthermore, there will be no adverse impacts to the River itself, or the stability of the retaining walls which surround it.

10.58 (5) states that the approving authority may allow redevelopment within previously developed Riverfront Areas, provided that the proposed work improves existing conditions. Redevelopment means replacement, rehabilitation or expansion of existing structures, improvement of existing roads, or reuse of degraded or previously developed areas. In the case of this project, the applicant is hoping to expand an existing sewer connection to include a gas trap and sewer drain manhole within the 200' Riverfront Area. The specific area in question appears to be predominantly fill material, and is already disturbed and developed from the construction of the building and installation of the existing sewer line.

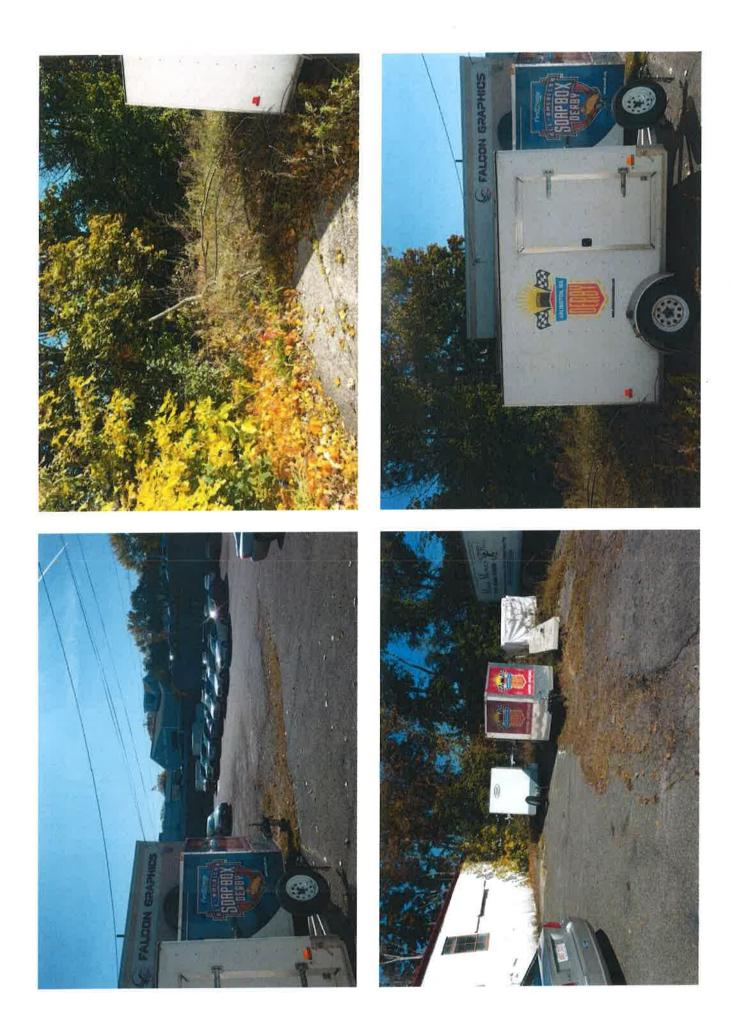
10.58 (6)(b) also states that certain minor activities identified in 310 CMR 10.02 (2)(b)1 are grandfathered or exempted from requirements for the Riverfront Area. Specifically, 310 CMR 10.02(2)(b)(i) says that the installation of underground utilities within existing paved or unpaved roadways and private roadways/driveways, provided that all work is conducted within the roadway or driveway and that all trenches are closed at the completion of each workday. The area where work is proposed is comprised of imported gravel and fill, and was used as parking previously. Although it is not neccessarly a driveway or roadway by definition, the work is still within previously used parking areas and disturbed Riverfront Area.

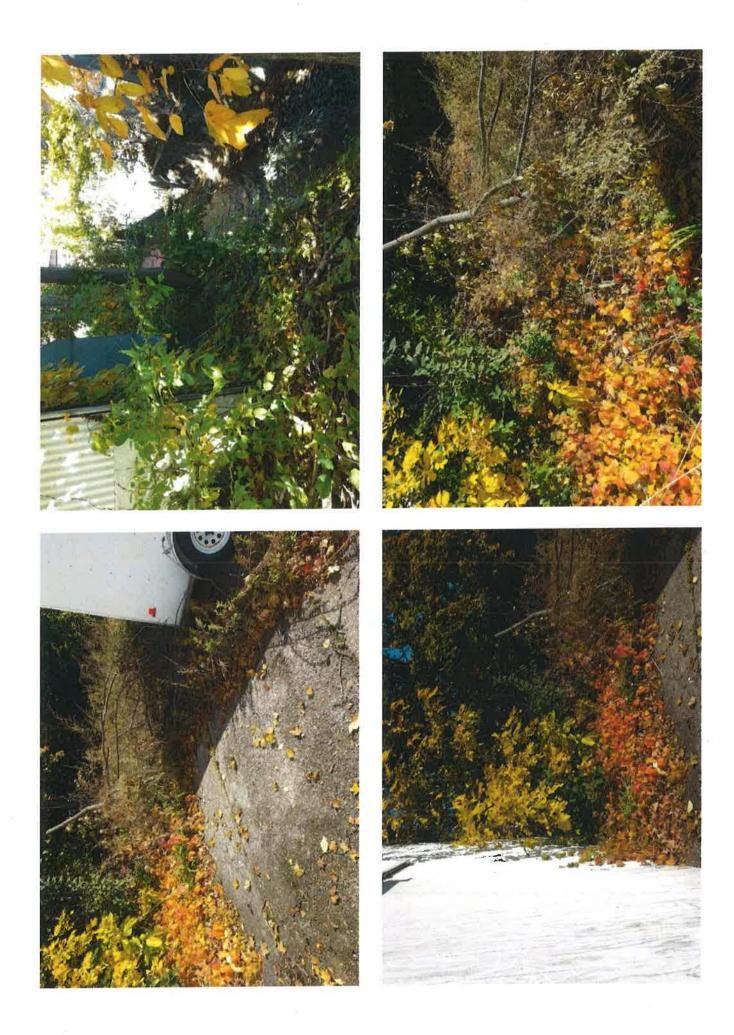
Climate Change Resiliency:

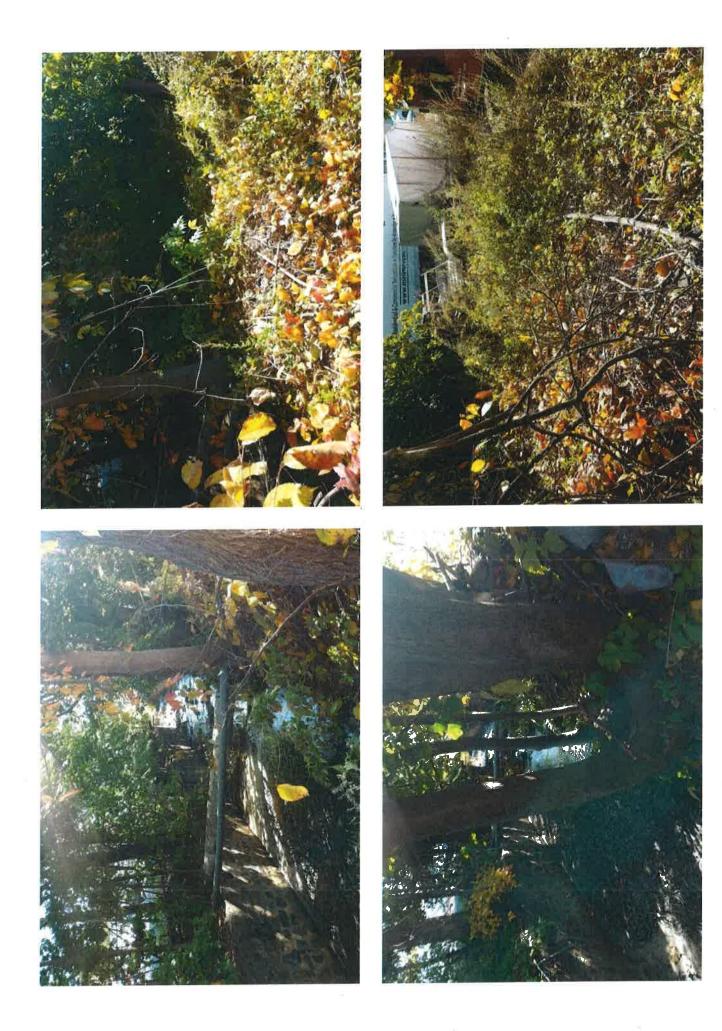
Given the proximity to the Mill Brook, all materials used during construction are resistant to influxes of groundwater and surface water, and are also watertight. There is no proposed increase in impervious surfaces or filling of flood plain proposed, thus we do not anticipate any issues related to stormwater runoff, impacts to the groundwater supply, or displacement of water that would otherwise be confined within the proposed work area.

Erosion Controls:

Erosion Controls in the form of staked straw wattle will be installed prior to construction and will remain in place until all work on site is stable. The location of the proposed erosion controls are shown on the accompanying plan.





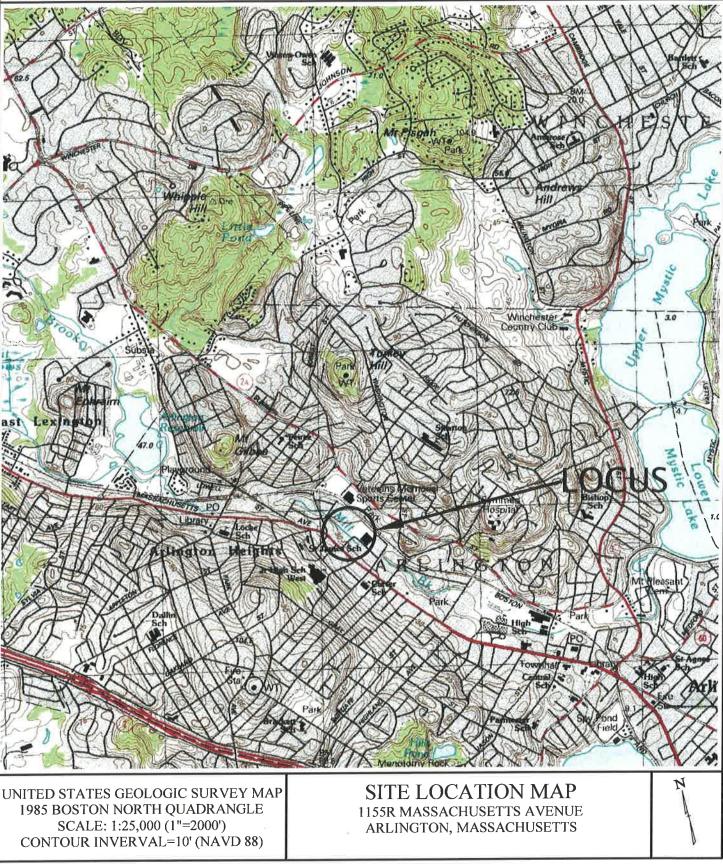




WILLIAMS & SPARAGES CIVIL ENGINEERS, PLANNERS & LAND SURVEYORS



189 NORTH MAIN STREET SUITE 101 MIDDLETON, MA 01949 PHONE: (978) 539-8088 FAX: (978) 539-8200 www.wsengineers.com



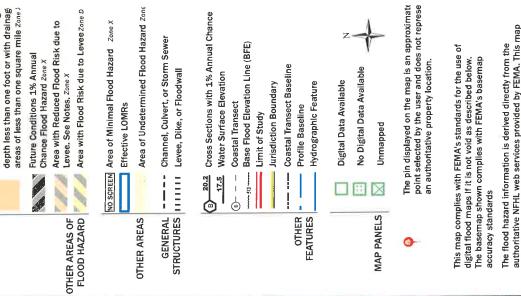
National Flood Hazard Layer FIRMette

25'37.38"N



Legend





authoritative NFHL web services provided by FEMA. This map 2019 at 10:33:21 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time. was exported on 10/21

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



AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

(To be submitted to the Massachusetts Department of Environmental Protection and the Conservation Commission when filing a Notice of Intent or Request for Determination of Applicability)

I, Thorsen Akerley, hereby certify under the pains and penalties of perjury that on October 24, 2019 I gave notification to abutters in compliance with the Arlington Wetlands Protection Bylaw and Regulations, in connection with the following matter:

A Request for Determination of Applicability was filed under Massachusetts Wetlands Protection Act and the Arlington Wetlands Protection Bylaw by Yukon Realty LLC with the Town of Arlington Conservation Commission on October 24, 2019 for property located at 1155R Massachusetts Avenue.

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

In Mod

10/24/19

Date

Notification to Abutters under the Massachusetts Wetlands Protection Act

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 Yukon Realty LLC.
- B. The applicant has filed a Request for Determination of Applicability application with the Conservation Commission for the Town of Arlington, MA seeking permission to conduct activities within jurisdictional areas of the Massachusetts Wetlands Protection Act.
- C. The address of the lots is 1155R Massachusetts Avenue, Arlington, MA 02476.
- D. Copies of the Request for Determination of Applicability, (RDA), may be examined at the offices of Williams & Sparages, between the hours of 8:00am and 4:30pm on the following days of the week: Monday through Friday. For more information, call: (978) 539-8088. This is the applicant's representative.
- E. Copies of the NOI may be obtained from the Arlington Conservation Commission by calling (781) 316-3012 between the hours of 8:00am and 4:00pm on the following days of the week: Monday – Wednesday, between the hours of 8:00am and 7:00pm on Thursday, and between the hours of 8:00am and 12:00pm on Friday.
- F. Information regarding the date, time and place of the public hearing may be obtained from the Arlington Conservation Commission by calling (781) 316-3012 between the hours of 8:00am and 4:00pm on the following days of the week: Monday – Wednesday, between the hours of 8:00am and 7:00pm on Thursday, and between the hours of 8:00am and 12:00pm on Friday.

Note: Notice of the Public Hearing, including its date, time and place will be published at least five (5) days in advance in the local newspaper.

Note: Notice of the Public Hearing, including its 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: Northeast Region: 978-694-3200



Office of the Board of Assessors Robbins Memorial Town Hall Arlington, MA 02476 (781) 316-3050 Assessors@town.arlington.ma.us

Abutters List

Date: October 16, 2019

Subject Property Address: 1155-R MASS AVE Arlington, MA Subject Property ID: 57-2-16.A

Search Distance: 100 Feet- Conservation/NOI

The Board of Assessors certifies the names and addresses of requested parties in interest, all abutters and owners of land within 100 feet of the property line, of subject property.

in G. Feeley but E. Greeky Board of Assessors

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Abutters List Date: October 16, 2019

Subject Property Address: 1155-R MASS AVE Arlington, MA Subject Property ID: 57-2-16.A

Search Distance: 100 Feet

Prop ID: 148-1-13.A Prop Location: 1166 MASS AVE Arlington, MA Owner: HOUSING CORP OF ARLINGTON Co-Owner: Mailing Address: 252 MASSACHUSETTS AVE ARLINGTON, MA 02474

Prop ID: 148-1-1.A Prop Location: 1160 MASS AVE Arlington, MA Owner: ARLINGTON-GROVE REALTY LLC Co-Owner: Mailing Address: 59 UNION SQ SOMERVILLE, MA 02143

Prop ID: 56-3-1 Prop Location: 26 HOBBS CT Arlington, MA Owner: YUKON REALTY LLC Co-Owner: Mailing Address: 1125 MASS AVE ARLINGTON, MA 02476

Prop ID: 56-3-2 Prop Location: 1125-R MASS AVE Arlington, MA Owner: YUKON REALTY LLC Co-Owner: Mailing Address: 1125 MASS AVE ARLINGTON, MA 02476

Prop ID: 57-2-10.B Prop Location: 1165-1167 MASS AVE Arlington, MA Owner: ARLINGTON CENTER GARAGE & Co-Owner: SERVICE CORP Mailing Address: 438 MASS AVENUE SUITE 127 ARLINGTON, MA 02474

Prop ID: 57-2-13 Prop Location: 5 FOREST ST Arlington, MA Owner: H.A.F. INC. Co-Owner: ATTN WILLIAM C LOOBY JR Mailing Address: 7 STRAWBERRY LANE WOBURN, MA 01801

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Prop ID: 57-2-15 Prop Location: 0-LOT RYDER ST Arlington, MA Owner: YUKON REALTY LLC Co-Owner: Mailing Address: 1125 MASS AVE ARLINGTON, MA 02476

Prop ID: 57-2-15.A Prop Location: 1171 MASS AVE Arlington, MA Owner: ANNESE ROBERT J TR J-JUDITH Co-Owner: 1171 MASS AVE REALTY TRUST Mailing Address: 2 SHIRE LANE BEDFORD, MA 01730

Prop ID: 57-2-15.B Prop Location: 1173 MASS AVE Arlington, MA Owner: HOUSING CORPORATION OF Co-Owner: ARLINGTON Mailing Address: 252 MASS AVE ARLINGTON, MA 02476

Prop ID: 57-2-16 Prop Location: 1165 MASS AVE Arlington, MA Owner: YUKON REALTY LLC Co-Owner: Mailing Address: 1125 MASS AVE ARLINGTON, MA 02476

Prop ID: 57-2-16.A Prop Location: 1155-R MASS AVE Arlington, MA Owner: YUKON REALTY LLC Co-Owner: Mailing Address: 1125 MASS AVE ARLINGTON, MA 02476

Prop ID: 57-2-16.B Prop Location: 1151-R MASS AVE Arlington, MA Owner: YUKON REALTY LLC Co-Owner: Mailing Address: 1125 MASS AVE ARLINGTON, MA 02476

Prop ID: 57-2-17 Prop Location: 0-LOT MASS AVE Arlington, MA Owner: YUKON REALTY LLC Co-Owner: Mailing Address: 1125 MASS AVE ARLINGTON, MA 02476 Prop ID: 57-2-19 Prop Location: 0-LOT QUINN RD Arlington, MA Owner: YUKON REALTY LLC Co-Owner: Mailing Address: 1125 MASS AVE ARLINGTON, MA 02476

Prop ID: 57.B-1-1 Prop Location: 9 RYDER ST UNIT 1 Arlington, MA Owner: TZOVARAS GREGORIOS Co-Owner: Mailing Address: 3 THOMAS STREET WOBURN, MA 01801

Prop ID: 57.B-1-10 Prop Location: 9 RYDER ST UNIT 10 Arlington, MA Owner: HAMPTON SHELDON Co-Owner: Mailing Address: 9 RYDER STREET #10 ARLINGTON, MA 02476

Prop ID: 57.B-1-11 Prop Location: 9 RYDER ST UNIT 11 Arlington, MA Owner: HAN XIAOGANG Co-Owner: DONG JENNIFER Mailing Address: 508 LOWELL ST LEXINGTON, MA 02420

Prop ID: 57.B-1-12 Prop Location: 9 RYDER ST UNIT 12 Arlington, MA Owner: AGUILAR LUZ G Co-Owner: Mailing Address: 9 RYDER ST UNIT 12 ARLINGTON, MA 02476

Prop ID: 57.B-1-13 Prop Location: 9 RYDER ST UNIT 13 Arlington, MA Owner: WINNIG-GIULIANO MICHAEL R Co-Owner: Mailing Address: 10 WOODLAND ST NATICK, MA 01760

Prop ID: 57.B-1-14 Prop Location: 9 RYDER ST UNIT 14 Arlington, MA Owner: GILMARTIN WILLIAM T Co-Owner: Mailing Address: 9 RYDER ST #14 ARLINGTON, MA 02476

Prop ID: 57.B-1-15

Prop Location: 9 RYDER ST UNIT 15 Arlington, MA Owner: RYDER STREET LLC Co-Owner: Mailing Address: 46 COLUMBIA RD ARLINGTON, MA 02474

Prop ID: 57.B-1-16 Prop Location: 9 RYDER ST UNIT 16 Arlington, MA Owner: JACOB JOAN/TRUSTEE Co-Owner: 33 REGENT RD TRUST Mailing Address: 107 CLOCKTOWER DR UNIT 204 WALTHAM, MA 02452

Prop ID: 57.B-1-17 Prop Location: 9 RYDER ST UNIT 17 Arlington, MA Owner: CHIN YOLANDA & JENNIFER Co-Owner: Mailing Address: 17 PIEDMONT ST ARLINGTON, MA 02474

Prop ID: 57.B-1-18 Prop Location: 9 RYDER ST UNIT 18 Arlington, MA Owner: FALLAVOLLITA ROBERT P & Co-Owner: PETITTO CATERINA & ANGLEA E Mailing Address: 9 RYDER ST #18 ARLINGTON, MA 02474

Prop ID: 57.B-1-19 Prop Location: 9 RYDER ST UNIT 19 Arlington, MA Owner: BALIJEPALLI SURYA Co-Owner: Mailing Address: 568 NORTH RD SUDBURY, MA 01776

Prop ID: 57.B-1-2 Prop Location: 9 RYDER ST UNIT 2 Arlington, MA Owner: CASEY TERESAE C Co-Owner: Mailing Address: 15 MARKET STREET BILLERICA, MA 01821

Prop ID: 57.B-1-20 Prop Location: 9 RYDER ST UNIT 20 Arlington, MA Owner: RAFI SHOWKAT A Co-Owner: Mailing Address: PO BOX 1134 BURLINGTON, MA 01803 Prop ID: 57.B-1-21 Prop Location: 9 RYDER ST UNIT 21 Arlington, MA Owner: CHIN RUSSELL Co-Owner: Mailing Address: 17 PEARL STREET LEXINGTON, MA 02420

Prop ID: 57.B-1-22 Prop Location: 9 RYDER ST UNIT 22 Arlington, MA Owner: OWEN GERALDINE M ETAL/TRUSTEES Co-Owner: EDWARD R OWEN FAMILY TRUST Mailing Address: 9 RYDER ST #22 ARLINGTON, MA 02476

Prop ID: 57.B-1-23 Prop Location: 9 RYDER ST UNIT 23 Arlington, MA Owner: KIM JIN W & SUNGJA Y Co-Owner: Mailing Address: 1 BLANCHARD RD CAMBRIDGE, MA 02138

Prop ID: 57.B-1-24 Prop Location: 9 RYDER ST UNIT 24 Arlington, MA Owner: HSU CHIAO MOA Co-Owner: SHAI WHE LIEN Mailing Address: 45 PARK ST ARLINGTON, MA 02474

Prop ID: 57.B-1-3 Prop Location: 9 RYDER ST UNIT 3 Arlington, MA Owner: BUTTERS ARLENE Co-Owner: Mailing Address: 9 RYDER STREET--UNIT 3 ARLINGTON, MA 02476

Prop ID: 57.B-1-5 Prop Location: 9 RYDER ST UNIT 5 Arlington, MA Owner: DOTALO CAROL A Co-Owner: Mailing Address: 9 RYDER STREET #5 ARLINGTON, MA 02476

Prop ID: 57.B-1-6 Prop Location: 9 RYDER ST UNIT 6 Arlington, MA Owner: YANG JIQIN/LUO GUOYING Co-Owner: TRS/THE YANG AND LUO TRUST Mailing Address: 21 HERITAGE DRIVE LEXINGTON, MA 02420 Prop ID: 57.B-1-7 Prop Location: 9 RYDER ST UNIT 7 Arlington, MA Owner: OLIVER JEFFREY F & HOLLY H Co-Owner: Mailing Address: 40 BURNHAM RD WINDHAM, NH 03087

Prop ID: 57.B-1-8 Prop Location: 9 RYDER ST UNIT 8 Arlington, MA Owner: GRAZIANO GERALD J Co-Owner: Mailing Address: 59 THESDA STREET ARLINGTON, MA 02474

Prop ID: 57.B-1-9 Prop Location: 9 RYDER ST UNIT 9 Arlington, MA Owner: CHEN JERRY C Co-Owner: Mailing Address: 18 DOUGLAS ROAD LEXINGTON, MA 02420