

TRANSMITTAL

March 4, 2020

Emily Sullivan
Environmental Planner & Conservation Agent
Town of Arlington Conservation Commission
730 Massachusetts Avenue, Annex
Arlington, Massachusetts 02476

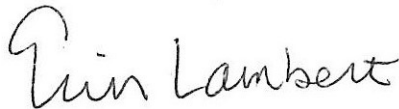
**RE: Wetlands Protection Agency Notice of Intent
D'Agostino's Delicatessen
1297 Massachusetts Avenue, Arlington, MA**

Item No.	Quantity	Description
1	7	WPA Form 3
2	7	Bylaw Filing Fees and Transmittal Form
3	7	Bylaw Filing and State Filing Fees Check
4	7	Abutters List and Abutter Notification Letter Copy
5	7	Affidavit of Service and Copies of Certified Mail Receipts
6	7	Legal Notice of Charge
7	7	Project Narrative
8	7	Site Plans (24x36)
9	7	USGS Site Location Map
10	7	FEMA Site Floodplain Map
11	7	Site Photo Log
12	1	Electronic Copy of Packet Submission

If you have any questions, or require additional information, please contact me at (603) 731-9883.

Very truly yours,

WILCOX & BARTON, INC.



Erin R. Lambert, P.E., LEED AP
Associate Vice President



Massachusetts Department of Environmental Protection

eDEP Transaction Copy

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: **RRUCKER**

Transaction ID: **1179566**

Document: **WPA Form 3 - NOI**

Size of File: **249.37K**

Status of Transaction: **In Process**

Date and Time Created: **3/3/2020:4:14:44 PM**

Note: This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.

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 #:
eDEP Transaction #:1179566
City/Town:ARLINGTON

A.General Information

1. Project Location:

a. Street Address 1297 MASSACHUSETTS AVENUE
b. City/Town ARLINGTON c. Zip Code 02476
d. Latitude 42.42458N e. Longitude 71.18177W
f. Map/Plat # 59 g.Parcel/Lot # 10.D

2. Applicant:

Individual Organization

a. First Name b.Last Name
c. Organization P&D REALTY
d. Mailing Address 109 REFLECTION DRIVE
e. City/Town SANDWICH f. State MA g. Zip Code 02563
h. Phone Number i. Fax j. Email

3.Property Owner:

more than one owner

a. First Name b. Last Name
c. Organization P&D REALTY
d. Mailing Address 109 REFLECTION DRIVE
e. City/Town SANDWICH f.State MA g. Zip Code 02563
h. Phone Number i. Fax j.Email

4.Representative:

a. First Name RUSSELL b. Last Name BARTON
c. Organization WILCOX & BARTON, INC.
d. Mailing Address #1B COMMONS DRIVE, UNIT 12B
e. City/Town LONDONDERRY f. State NH g. Zip Code 03053
h.Phone Number 603-369-4190 i.Fax j.Email rbarton@wilcoxandbarton.com

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

a.Total Fee Paid 110.00 b.State Fee Paid 42.50 c.City/Town Fee Paid 67.50

6.General Project Description:

THE PROPOSED PROJECT INVOLVES THE EXCAVATION AND REMEDIATION OF CONTAMINATED SOIL FROM A COMMERCIAL KITCHEN GREASE STORAGE CONTAINER SPILL.

7a.Project Type:

- Single Family Home Residential Subdivision
Limited Project Driveway Crossing Commercial/Industrial
Dock/Pier Utilities
Coastal Engineering Structure Agriculture (eg., cranberries, forestry)
Transportation Other

7b.Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 (coastal) or 310

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CMR 10.53 (inland)?

1. Yes No If yes, describe which limited project applies to this project:
 2. Limited Project

8. Property recorded at the Registry of Deeds for:

a. County:	b. Certificate:	c. Book:	d. Page:
SOUTHERN MIDDLESEX		21176	327

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

1. Buffer Zone & Resource Area Impacts (temporary & permanent):

This is a Buffer Zone only project - 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)

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	
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. <input checked="" type="checkbox"/> Riverfront Area	Mill Brook	
	1. Name of Waterway (if any)	
2. Width of Riverfront Area (check one)	<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only <input type="checkbox"/> 100 ft. - New agricultural projects only <input checked="" type="checkbox"/> 200 ft. - All other projects	
3. Total area of Riverfront Area on the site of the proposed project		53736 square feet
4. Proposed Alteration of the Riverfront Area:		
2700	2700	0
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

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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)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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 Beaches	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
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, crea.
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

Restoration/Replacement

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 entered the additional amount here.

- a. square feet of BVW b. square feet of Salt Marsh

5.Projects Involves Stream Crossings

Project Involves Streams Crossings

□ **Massachusetts Department of Environmental Protection**

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Provided by MassDEP:
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eDEP Transaction #:1179566
City/Town:ARLINGTON

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

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 of Endangered Species program (NHESP)?

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

b. Date of map:AUGUST 1, 2017

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)...

c. Submit Supplemental Information for Endangered Species Review * (Check boxes as they apply)

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

3. Project plans for entire project site, including wetland resource areas and areas outside of wetland 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

c. MESA filing fee (fee information available at: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>)

Make check payable to "Natural Heritage & Endangered Species Fund" 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

d. 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/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; 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 Number

b. Date submitted to NHESP

□ **Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

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

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3. Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review...

2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?

a. Not applicable - project is in inland resource area only

b. Yes No

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

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 S. Rodney French Blvd
New Bedford, MA 02744

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

If yes, it 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.

3. 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 DEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC Name

4. 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

5. 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

6. 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, Explain why the project is exempt:

1. Single Family Home

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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Provided by MassDEP:
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City/Town:ARLINGTON

- 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

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 by regular mail delivery.

- 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.
- 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.

a. Plan Title:	b. Plan Prepared By:	c. Plan Signed/Stamped By:	c. Revised Final Date:	e. Scale:
SITE PLAN	RUSSEL S. RUCKER	DAVID L. FROTHINGHAM	3/4/2020	1" = 20'
CONSTRUCTION & EROSION CONTROL DETAILS	RUSSEL S. RUCKER	DAVID L. FROTHINGHAM	3/4/2020	N.T.S.

- 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.

□ **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 #:
eDEP Transaction #:1179566
City/Town:ARLINGTON

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. Payer name on check: First Name

7. Payer name on check: Last Name

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.

Sam D'Agostino

3/3/2020

1. Signature of Applicant

2. Date

Sam D'Agostino

3/3/2020

3. Signature of Property Owner(if different)

4. Date

Russell Barton

3/3/2020

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 Section C, Items 1-3, 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
WPA Form 3 - Notice of Wetland Fee Transmittal
Form

Provided by MassDEP:
 MassDEP File #:
 eDEP Transaction #:1179566
 City/Town:ARLINGTON

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

A. Applicant Information

1. Applicant:

a. First Name		b. Last Name	
c. Organization	P&D REALTY		
d. Mailing Address	109 REFLECTION DRIVE		
e. City/Town	SANDWICH	f. State	MA
		g. Zip Code	02563
h. Phone Number	██████████	i. Fax	
		j. Email	██████████

2. Property Owner:(if different)

a. First Name		b. Last Name	
c. Organization	P&D REALTY		
d. Mailing Address	109 REFLECTION DRIVE		
e. City/Town	SANDWICH	f.State	MA
		g. Zip Code	02563
h. Phone Number	██████████	i. Fax	
		j.Email	██████████

3. Project Location:

a. Street Address	1297 MASSACHUSETTS AVENUE	b. City/Town	ARLINGTON
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Are you exempted from Fee? (YOU HAVE SELECTED 'NO')

Note: Fee will be exempted if you are one of the following:

- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

State agencies are only exempt if the fee is less than \$100

B. Fees

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
A.) WORK ON SINGLE FAMILY LOT; ADDITION, POOL, ETC.;	1	110.00		110.00

City/Town share of filing fee	\$67.50	State share of filing fee	\$42.50	Total Project Fee	\$110.00
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Bylaw Filing Fees and Transmittal Form

Rules:

1. Fees are payable at the time of filing the application and are non-refundable.
2. Fees shall be calculated per schedule below.
3. Town, County, State, and Federal Projects are exempt from fees.
4. These fees are in addition to the fees paid under M.G.L. Ch. 131, s.40 (ACT).

Fee Schedule (ACC approved 1/8/15):

\$	No./Area	Category
		(R1) RDA - \$150 local fee, no state fee
\$200	1	(N1) Minor Project - \$200 (house addition, tennis court, swimming pool, utility work, work in/on/or affecting any body of water, wetland or floodplain).
		(N2) Single Family Dwelling - \$600
		(N3) Multiple Dwelling Structures - \$600 + \$100 per unit all or part of which lies within 100 feet of wetlands or within land subject to flooding.
		(N4) Commercial, Industrial, and Institutional Projects - \$800 + 50¢/s.f. wetland disturbed; 2¢/s.f. land subject to flooding or buffer zone disturbed.
		(N5) Subdivisions - \$600 + \$4/l.f. feet of roadway sideline within 100 ft. of wetlands or within land subject to flooding.
		(N6) Other Fees - copies, printouts; per public records law
		(N7) Minor Project Change - \$50
		(N8) Work on Docks, Piers, Revetments, Dikes, etc - \$4 per linear foot
		(N9) Resource Boundary Delineation (ANRAD) - \$1 per linear foot
		(N10) Certificate of Compliance (COC or PCOC) - No charge if before expiration of Order, \$200 if after that date.
		(N11) Amendments - \$300 or 50% of original local filing fee, whichever is less.
		(N12) Extensions -
		a. Single family dwelling or minor project - \$100.
		b. Other - \$150.
		(N13) Consultant Fee -per estimate from consultant
\$200	TOTAL	

Note: Submit this form along with the forms submitted for the ACT - the "Wetlands Filing Fee Calculations Worksheet," and the "Notice of Intent Fee Transmittal Form."

Bank of America

ERIN R LAMBERT

[Redacted]

3/4/2020

Date

54-49/114 NH
1675

Pay Town of Arlington \$ 267.50
to the order of Two-hundred-sixty-seven and 50/100 Dollars

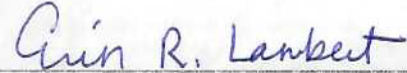
Richard Crane

Photo Safe Deposit®
Details on Back

Bank of America 

ACH R/T 011400495

Memo NDI Fees

Erin R. Lambert 

[Redacted]

NOI for Site Remediation
1297 Massachusetts Avenue, Arlington, MA 02476

Map	Block	Lot	Property Owner	Mailing Address	Quantity
Owner/Applicant:					
59	1	10.D	P&D Realty	109 Reflection Drive Sandwich, MA 02563	1
Abutters:					
59	1	11	1309-1323 Mass Ave, LLC.	12 Pepper Hill Drive Winchester, MA 01890	2
59	1	12	30 Park Ave Associates, LLP.	PO Box 288 Arlington, MA 02476	3
59	1	7	Lacourt Enterprises, LLC.	30 College Avenue Somerville, MA 02144	4
59.A	1	1.1	Xiaohe Ma	1283 Massachusetts Avenue, Unit 1 Arlington, MA 02476	5
59.A	1	1.2	Gregory R. Josephs & Brian D. Stricker	1283-1285 Mass. Avenue, Unit 2 Arlington, MA 02476	6
59.A	1	1.3	Radhika Sriram	1283-1285 Mass. Avenue, Unit 3 Arlington, MA 02476	7
59	1	9	Sean Galvin Trustee	630 High Street Medford, MA 02115	8
59	1	19	30 Park Ave Associates, LLP.	PO Box 288 Arlington, MA 02476	Duplicate
170	2	1	Nigoghos & Carolyn Atinizian	545 Concord Avenue, Suite 400 Cambridge, MA 02138	9
170	2	2	Nicolas Perhandis Trustee	163 Hillside Avenue Arlington, MA 02476	10
170	2	3	Cambridge Savings Bank	1374 Massachusetts Avenue Cambridge, MA 02138	11
170	2	4	Cambridge Savings Bank	1374 Massachusetts Avenue Cambridge, MA 02138	Duplicate
170	3	5	John R. & Mark Wanamaker Trust	1298 Massachusetts Avenue Arlington, MA 02476	12
170	3	6	John R. Wanamaker	41 Dyer Street North Billerica, MA 01862	13
170	3	7	Eleanor Leclain & John Kevin Clark	1292-1294 Massachusetts Avenue Arlington, MA 02476	14
165.A	3	1288	Melissa Dolan	1288 Massachusetts Avenue, Unit 1 Arlington, MA 02476	15
165.A	3	1290	Jesse D. & Regina M. O'Brien	1290 Massachusetts Avenue, Unit 2 Arlington, MA 02476	16

Abutters List Verified: 03/04/2020

Abutter Notification

Notification to Abutters Under the Massachusetts Wetlands Protection Act And Arlington Wetlands Protection Bylaw

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

The Conservation Commission will hold a public hearing in the second floor conference room of the Town Hall Annex, 730 Massachusetts Avenue, Arlington, on March 19, 2020, at 7:30 PM in accordance with the provisions of the Mass. Wetlands Protection Act (M.G.L. Ch. 131, s. 40, as amended) and the Town of Arlington Bylaws Article 8, Bylaw for Wetland Protection, for a Notice of Intent from P&D Realty, for remediation of contaminated soils from a commercial kitchen, grease storage container spill at 1297 Massachusetts Avenue, within 200 feet of a Riverfront area, on Assessor's Property Map #59, Lot #10D.

A copy of the application and accompanying plans are available for inspection Mon. - Thurs. 8am-4pm and Fri. 8am-noon at the Conservation Commission office, first floor of the Town Hall Annex, 730 Massachusetts Avenue, Arlington, MA 02476. For more information call the applicant at 781-756-8071, the project engineer manager at 603-369-4190 x502, or the Arlington Conservation Commission at 781-316-3012, or the DEP Northeast Regional Office at 978-694-3200.

NOTE: Notice of the Public Hearing will be published at least five (5) business days in advance in *The Arlington Advocate* and will also be posted at least 48 hours in advance in the Arlington Town Hall.

The meeting information for your hearing is:

Date: Thursday, March 19, 2020

Time: 7:30 PM

Affidavit of Service

(Please return to Conservation Commission)

I, Russel Rucker, being duly sworn, do hereby state as follows: on March 4, 2020, I mailed a "Notification to Abutters" in compliance with the second paragraph of Massachusetts General Laws, Chapter 131, s.40, the DEP Guide to Abutter Notification dated April 8, 1994, and the Arlington Wetlands Protection Bylaw, Title V, Article 8 of the Town of Arlington Bylaws in connection with the following matter:

Remediation of contaminated soils from a commercial kitchen, grease storage container spill at 1297 Massachusetts Avenue, Arlington, MA.

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

Signed under the pains and penalties of perjury, this 4th day of March 2020.



Name

7019 1120 0001 2181 8666

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.
ARLINGTON, MA 02476

Certified Mail Fee	\$3.55	0301 14
Extra Services & Fees (check box, add fee as appropriate)	\$0.00	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.55	
Total Postage and Fees	\$4.10	

Postmark Here
MAR 04 2020
03/04/2020

Sent To
ELEANOR LECLAIN & JOHN KEVIN CLARK
Street and Apt. No., or PO Box No.
1292-1294 MASSACHUSETTS AVE
City, State, ZIP+4®
ARLINGTON, MA 02476
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.55	
Total Postage and Fees	\$4.10	

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MELISSA DOWD
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WINCHESTER, MA 01890

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.55	
Total Postage and Fees	\$4.10	

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1909-1323 MASS AVE, LLC.
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12 PEPPER HELL DR.
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WINCHESTER, MA 01890
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.55	
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30 PARK AVE ASSOCIATES, LLP.
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Postage	\$0.55	
Total Postage and Fees	\$4.10	03/04/2020

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Postage	\$0.55	
Total Postage and Fees	\$4.10	03/04/2020

Sent To
XIAOHE MA
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.55	
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GREGORY JOSEPHS & BRIAN STRICKER
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<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.55	
Total Postage and Fees	\$4.10	03/04/2020

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RADHIKA SRIRAM
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.55	
Total Postage and Fees	\$4.10	03/04/2020

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630 HIGGINS ST.
 City, State, ZIP+4®
MEDFORD, MA 02155 02155

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<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.55	
Total Postage and Fees	\$4.10	03/04/2020

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NINAOMOS & CAROLYN ATINEZIAN
 Street and Apt. No., or PO Box No.
545 CONCORD AVE., SUITE 400
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CAMBRIDGE, MA 02138

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.55	03/04/2020
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NICOLAS PERHANDIS TRUSTEE
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163 HILLSIDE AVE
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ARLINGTON, MA 02476

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.55	03/04/2020
Total Postage and Fees	\$4.10	

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CAMBRIDGE, MA 02138

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.55	03/04/2020
Total Postage and Fees	\$4.10	

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JOHN R. & MARK WANAMAKER TRUST
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1298 MASSACHUSETTS AVE.
 City, State, ZIP+4®
ARLINGTON, MA 02476

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.55	03/04/2020
Total Postage and Fees	\$4.10	

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41 DYER ST.
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NORTH BILLERICA, MA 01862

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Legal Notice Charge Authorization

DATE: March 4, 2020

TO: legals@wickedlocal.com

I hereby authorize Community Newspapers to bill me directly for the legal notice to be published in the Arlington Advocate newspaper on March 11, 2020 for a public hearing with the Arlington Conservation Commission to review a project at the following location:
1297 Massachusetts Avenue, Arlington, MA

Thank you.

Signed: 

Send bill to:

Wilcox & Barton, Inc. (Address)
PO Box 1630
Derry, NH 03038
603-369-4190 x527 (Phone)

Project Narrative

Project: D'Agostino's Delicatessen Grease Remediation
Address: 1297 Massachusetts Avenue, Arlington, Massachusetts
Owner/Applicant: P&D Realty

The project involves the remediation of contaminated soil from a kitchen grease storage container spill at D'Agostino's Delicatessen. Grease in the storage container has spilled into the area at the top of the bank behind the grease container with some surface runoff on the bank. No spilled grease has impacted Mill Brook at the bottom of the bank, which runs through the project property. Construction activities include the removal and replacement of soil, planting two new trees to replace an existing tree that will be by the excavation, installation of two new traffic bollards behind the grease container, and restoration of areas disturbed during construction activities. An estimated 21 cubic yards of grease-contaminated soil is expected to be removed and replaced with 26 cubic yards of clean, compacted fill. Most of the excavation will take place within the vicinity of the grease container storage area and within the top of the bank behind the grease container. Some surface excavation is expected on the bank to remove grease from the topsoil. A summary of the expected excavation depths at the specified locations is tabulated below.

Excavation & Backfill Calculations

Excavation Volume			
Location	Area (sf)	Depth (ft)	Volume (cf)
Grease container	168	2.0	336
Top of bank	156	1.0	156
Bank	144	0.5	72
Total			564

Fill Volume

Fill Vol. = Excav. Vol. x Compaction Factor
Fill Vol. = 564 cf x 1.25
Fill Vol. = 705 cf
Fill Vol. = 26 cy

In order to complete removal of contaminated soil, an existing 12-inch diameter at breast height (DBH) deciduous tree near the top of the bank behind the grease container shall be removed prior to start of excavation. The base of the tree is in the expected excavation area, and a majority of its base roots are expected to be impacted by excavation activity. There shall be 2 new trees planted at the top of the bank during site restoration activities to replace the removed tree. Impacts to other trees on the bank are not expected given the shallow depth of exaction on the bank. However, the contractor shall notify the engineer immediately should excavation activities require the removal of additional tree roots. New trees planted to replace the removed tree shall be Red Maple (*Acer Rebrum*) of 2.5-inch to 3.5-inch caliper.



Stormwater Management and Erosion Control

The project property is 1.23-acres (53,736-square feet). Most of the ground cover on the property consists of impervious surfaces for two buildings with associated parking lots and driveways, resulting in a total 33,000-square feet of impervious cover (61% of total site area). A catch basin east of the project area captures most of the surface runoff on the property. The rest of the surface runoff is conveyed to Mill Brook, which runs through the northern section of the property. All of the property is within the 200-foot riverfront area, and approximately 36,500-square feet is within 100-feet of Mill Brook. The project area is limited to a 2,700-square foot area along the upper bank and is entirely within 100-feet of Mill Brook.

Most of the stormwater improvements post-construction shall be qualitative. No additional impervious area is proposed for the project, and all disturbed areas will be stabilized to a state equal to or better than their condition prior to construction. The existing bank in the project area is loose and uneven with some vegetative cover and slopes of 2:1 and greater. The contractor shall stabilize the bank with compacted fill at a slope of 2:1 or less where permitted, install erosion control matting, and reseed the disturbed areas. To replace the removal of the existing tree in the excavation zone of the project area, 2 new trees shall be planted at the top of the bank within the project area. Adding new trees and enhancing the vegetative cover on the slope further helps to protect Mill Brook from surface pollutants. Stormwater runoff from the project area will be at or below the current runoff rates due to the enhance vegetative cover.

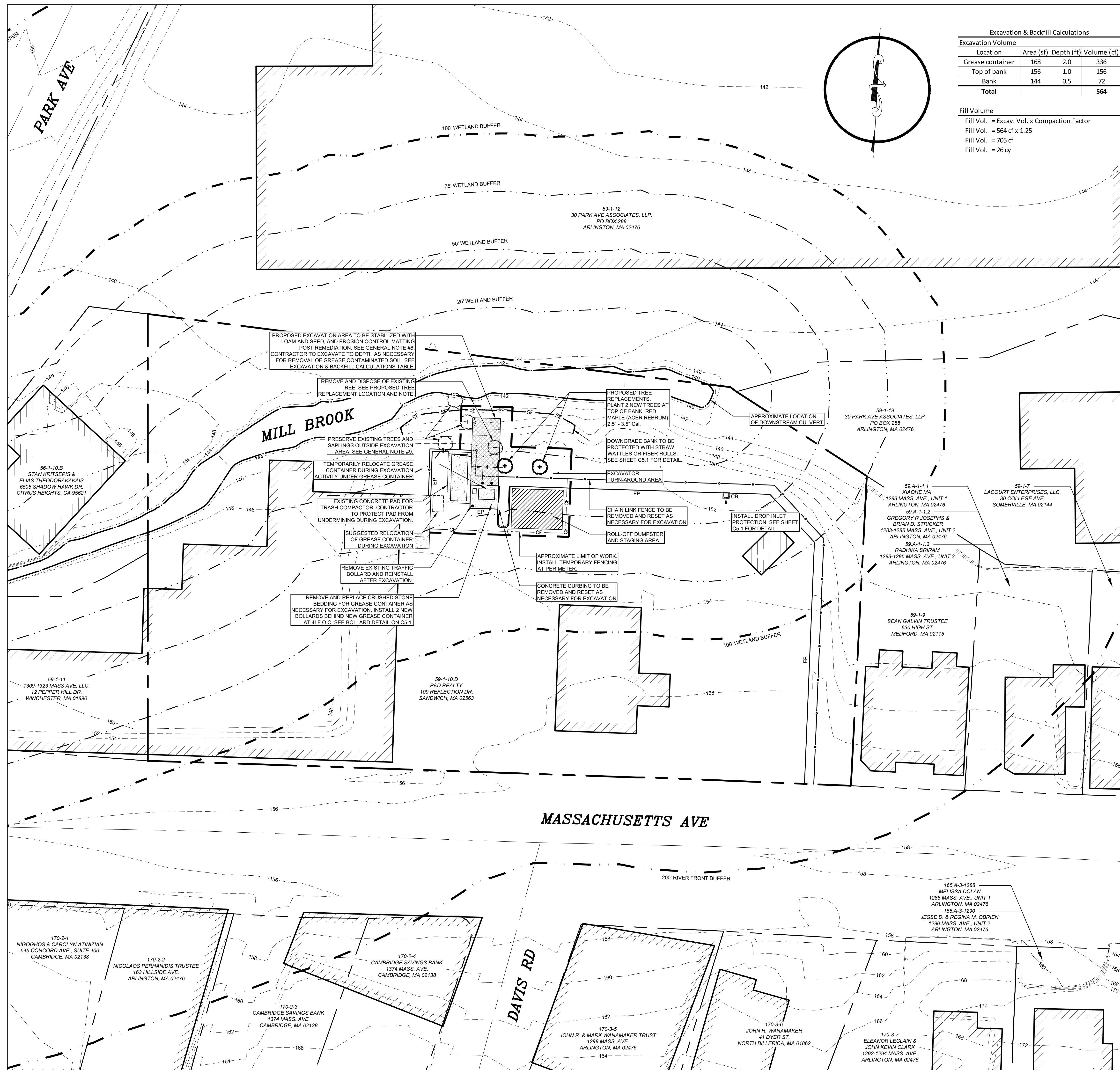
Prior to any earth disturbance, temporary fencing, perimeter barriers, and inlet protections will be installed around the project area. Temporary fencing will be installed at the limits of disturbance for each phase of construction to prevent the expansion of disturbed areas beyond the limits of the phase. Fencing will be inspected weekly and replaced or repaired if damaged. For erosion control, fiber rolls will be placed down gradient of all disturbed areas. The fiber rolls will have a diameter of 9-inches or 12-inches and will be installed with 2-inch x 2-inch x 36-inch wooden stakes placed 10-feet on center. Existing and proposed storm drain inlets will also be protected from the discharge of sediment laden runoff by implementation of fiber rolls. See sheet C5.1 of attached Construction & Erosion Control Details for installation. The fiber rolls will be inspected weekly and after every rain fall event producing runoff. Fiber rolls that are dislodged or damaged will be replaced. Accumulated sediment will be removed when it reaches ½ the exposed height of the fiber roll.

The contractor shall fill and compact excavated areas and restore all disturbed areas with loam and seed. All stockpiles will be encircled with silt fence or fiber rolls to prevent migration of sediment from the stockpile. Erosion control matting shall be installed on the bank to stabilize the slope. The erosion control matting will be inspected weekly and after every rain fall event producing runoff. All disturbed areas which have reached final grade will be seeded and mulched within 48 hours of completion. Seeded areas will be inspected weekly and within 24 hours of all rainfall events of 0.25-inches or greater. Any areas where runoff has displaced the topsoil, seed, or mulch will be repaired immediately. Restoration of the disturbed areas shall be considered stabilize after a minimum of 85% vegetated growth has been established. After the entire site has reached final stabilization, the remaining erosion control measures will be removed within 30 days.



Supporting evidence that the project has sufficient climate change resilience is as followed:

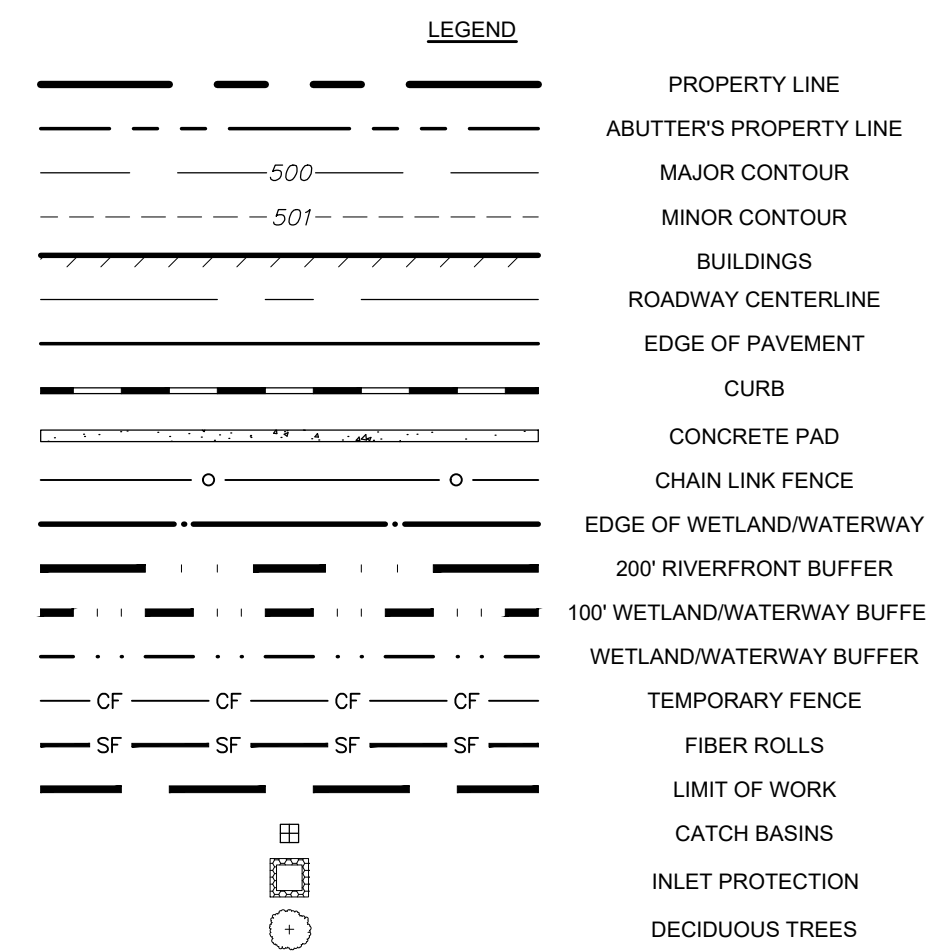
1. The project will not increase impervious area on the site and existing green spaces with sparse vegetation will be reseeded to increase the slope stability of the bank with more dense vegetation. New traffic bollards and planted trees shall help protect the bank as physical barriers.
2. New plantings and vegetation shall revitalize green spaces, decrease total surface runoff in the restored areas, and reduce the amount of common surface pollutants entering Mill Brook.
3. The existing tree to be removed will be replaced with 2 Red Maple trees (native, non-invasive), which are hardy trees, resilient to adverse growing conditions. Restoring disturbed areas with loam and seed also promotes long-lasting ground cover.
4. No new structures are proposed. The existing structures shall be unimpacted by proposed construction activities.



Excavation & Backfill Calculations

Location	Area (sf)	Depth (ft)	Volume (cf)
Grease container	168	2.0	336
Top of bank	156	1.0	156
Bank	144	0.5	72
Total			564

Fill Volume
 Fill Vol. = Excav. Vol. x Compaction Factor
 Fill Vol. = 564 cf x 1.25
 Fill Vol. = 705 cf
 Fill Vol. = 26 cy



GENERAL NOTES:

- EXISTING CONDITIONS, NORTH ORIENTATION, AND COORDINATE VALUES DEPICTED ON THESE DRAWINGS ARE BASED ON DATA COLLECTED AND PROVIDED BY THE BUREAU OF GEOGRAPHIC INFORMATION (MASSGIS), COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF TECHNOLOGY AND SECURITY SERVICES. 1.1. STRUCTURES LAYER UPDATED AUGUST 2019 1.2. TAX PARCELS LAYER UPDATED JANUARY 2020 1.3. ROAD CENTER LINES LAYER UPDATED NOVEMBER 2018
- TOPOGRAPHICAL INFORMATION PROVIDED BY THE TOWN OF ARLINGTON, MA GIS DATA "2-FOOT ELEVATION CONTOURS" DATED 2018.
- CONTRACTOR IS RESPONSIBLE FOR ADEQUATE BRACING OF WALLS AND/OR SHORING OF EXCAVATIONS DURING CONSTRUCTION.
- THE CONTRACTOR SHALL REVIEW AND STAMP ALL SHOP DRAWINGS AND SUBMITTALS BEFORE SUBMISSION TO THE ENGINEER. THIS, PROVIDING ANY INFORMATION REQUIRED BY THE FABRICATOR SUCH AS FIELD DIMENSIONS, ELEVATIONS, ETC. OTHERWISE THE SHOP DRAWINGS OR SUBMITTALS WILL BE REJECTED UNTIL SUCH INFORMATION IS FURNISHED BY THE CONTRACTOR.
- BACKFILL SHALL BE COMPACTED TO 95% OF THE MAXIMUM DENSITY AT OPTIMUM MOISTURE CONTENT. ASTM D1557.
- THE CONTRACTOR SHALL CONTACT DIG-SAFE (1-888-DIG-SAFE) AT LEAST 48 HOURS AND LESS THAN 30 DAYS PRIOR TO STARTING CONSTRUCTION AND SHALL VERIFY ALL UTILITY LOCATIONS IN THE FIELD.
- CONTRACTOR WILL NOTIFY ENGINEERS IMMEDIATELY IF SITE CONDITIONS DIFFER FROM WHAT IS SHOWN ON PLAN.
- CONTRACTOR TO USE NORTH AMERICAN GREEN BIONET SC15028N MATTING FOR ALL EROSION CONTROL MATTING. 70% STRAW / 30% COCONUT FIBER MATRIX.
- CONTRACTOR SHALL PRESERVE AND PROTECT EXISTING TREE ROOTS. IF ADDITIONAL TREES NEED TO BE IMPACTED FOR REMEDIATION ACTIVITIES CONTACT ENGINEER IMMEDIATELY.

LANDSCAPING NOTES:

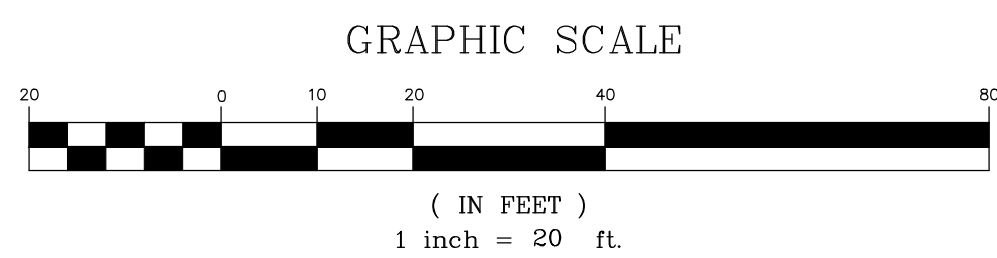
- CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH PLANTING OPERATIONS
- LANDSCAPING CONTRACTOR SHALL RECEIVE SITE GRADE TO +/- 0.10 FOOT.
- ALL PLANT MATERIALS AND FINAL LOCATION OF ALL PLANT MATERIALS SHALL BE SUBJECT TO THE APPROVAL OF THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION
- IF CONFLICTS ARISE BETWEEN SIZE OF AREAS AND PLANS, CONTRACTOR SHALL CONTACT OWNER'S REPRESENTATIVE FOR IMMEDIATE RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO THE OWNER'S REPRESENTATIVE WILL RESULT IN CONTRACTOR'S LIABILITY TO RELOCATE THE MATERIALS.
- CONTRACTOR SHALL FURNISH PLANT MATERIALS FREE OF PESTS OR PLANT DISEASES. PRE-SELECTED OR "TAGGED" MATERIAL MUST BE INSPECTED BY THE CONTRACTOR AND CERTIFIED AS PEST AND DISEASE FREE. IT IS THE CONTRACTOR'S OBLIGATION TO WARRANT ALL PLANT MATERIALS.
- ALL GROUND COVERS SHALL BE TRIANGULARLY SPACED UNLESS OTHERWISE NOTED
- CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACEMENT OF ANY EXISTING MATERIALS DAMAGED DURING PLANTING OPERATIONS.
- ALL LANDSCAPE AREAS SHALL BE COVERED WITH 2-INCHES OF ORGANIC BARK MULCH UNLESS OTHERWISE NOTED.
- AREAS SHOWN AS GROUND COVER AT THE BASE OF TREE AND SHRUB MATERIALS MUST CONFORM TO THE FOLLOWING CRITERIA. THERE SHALL BE NO GROUND COVER PLANT MATERIAL AT THE BASE OF THE TREE OR SHRUB AS FOLLOWS: A) 4-FOOT RADIUS AROUND EVERGREEN TREES; B) 3-FOOT RADIUS AROUND DECIDUOUS TREES; AND C) 2-FOOT RADIUS AROUND LARGE SHRUBS.
- FINAL PLACEMENT OF ALL PLANT MATERIALS SHALL BE SUBJECT TO APPROVAL OF OWNER'S REPRESENTATIVE PRIOR TO FINAL PLACEMENT AND BACKFILL. CONTACT OWNER'S REPRESENTATIVE 24-HOURS PRIOR TO PLACEMENT FOR APPROVAL.
- ALL DISTURBED AREAS, UNLESS OTHERWISE NOTED, TO BE LOAM, SEEDED, AND MULCHED.

EROSION CONTROL SEED

SEED	BY % MASS	% GERMINATION (MIN)
WINTER RYE 80 (MIN)	80 (MIN)	85
RED FESCUE (CREEPING)	4 (MIN)	80
PERENNIAL GRASS	3 (MIN)	90
RED CLOVER	3 (MIN)	90
OTHER CROP GRASS	0.5 (MAX)	
NOXIOUS WEED SEED	0.5 (MAX)	
INERT MATTER	1.0 (MAX)	

PERMANENT SEED MIX

SEED	BY % MASS	% GERMINATION (MIN)
RED FESCUE (CREEPING)	50	85
KENTUCKY BLUE	25	85
PERENNIAL RYE GRASS	10	90
RED TOP	10	85
LANDINO CLOVER	5	85



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 2 CAPITAL PLAZA, SUITE 305
 CONCORD, NH 03301
 603-369-4190
 www.wilcoxandbarton.com

REVISION HISTORY

1.

Issued For

Permitting

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Owner

P&D REALTY

109 REFLECTION DR
 SANDWICH, MA

Site

D'AGOSTINO'S DELICATESSEN

1297 MASS. AVE.
 ARLINGTON, MA

Map/Block/Lot: 59/1/10D

Drawing Title

Site Plan

Scale

1" = 20'

Date

03/04/2020

Drafted By

RSR

Checked By

DLF

Project Mgr

RWB

Project Number

PDRE0001

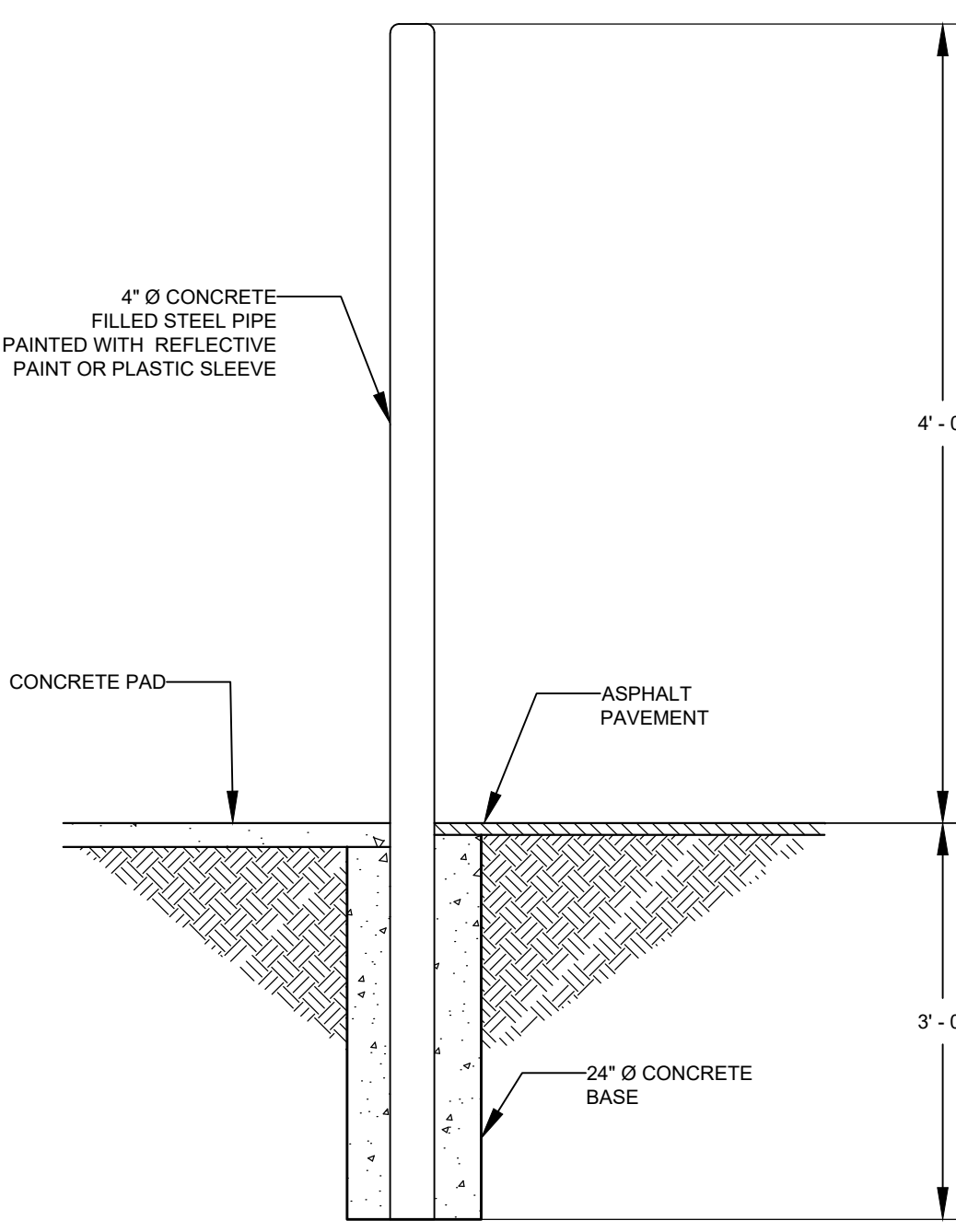
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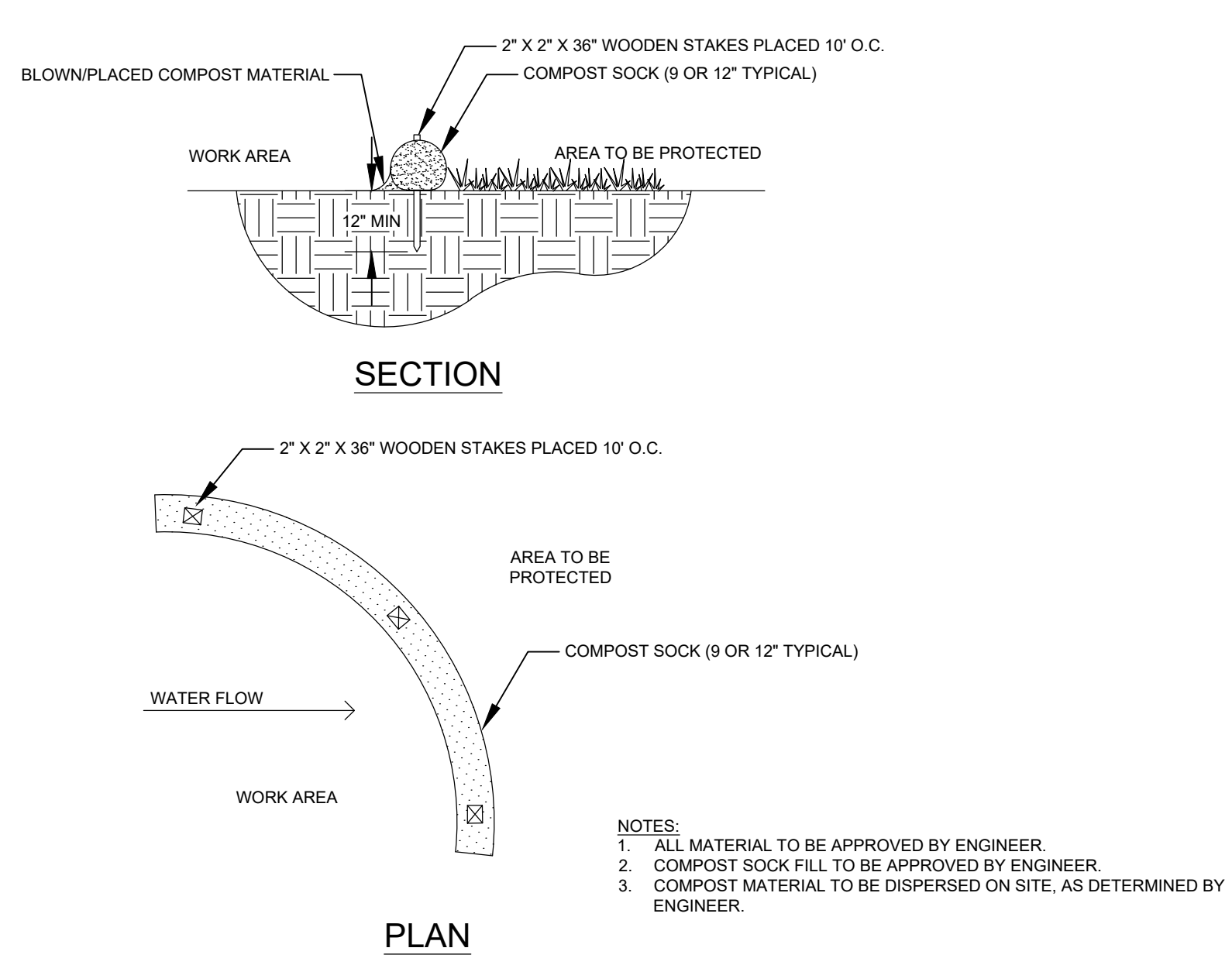
ENGINEER: DAVID L. FROTHINGHAM III
 MA P.E. #53992

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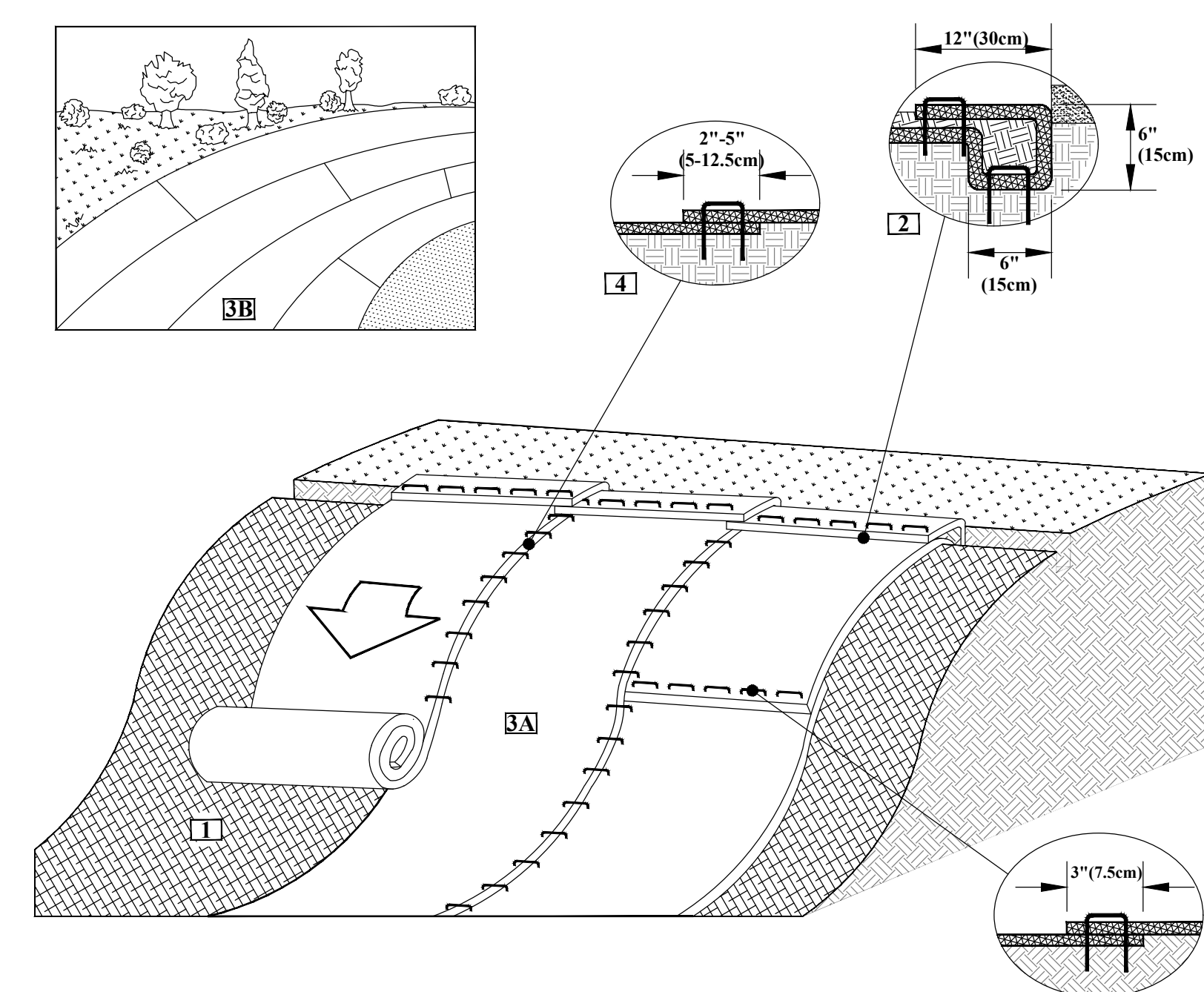
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TRAFFIC BOLLARD
SOURCE: WILCOX & BARTON, INC
NOT TO SCALE



COMPOST SOCK OR FIBER ROLL SEDIMENT CONTROL
NOT TO SCALE

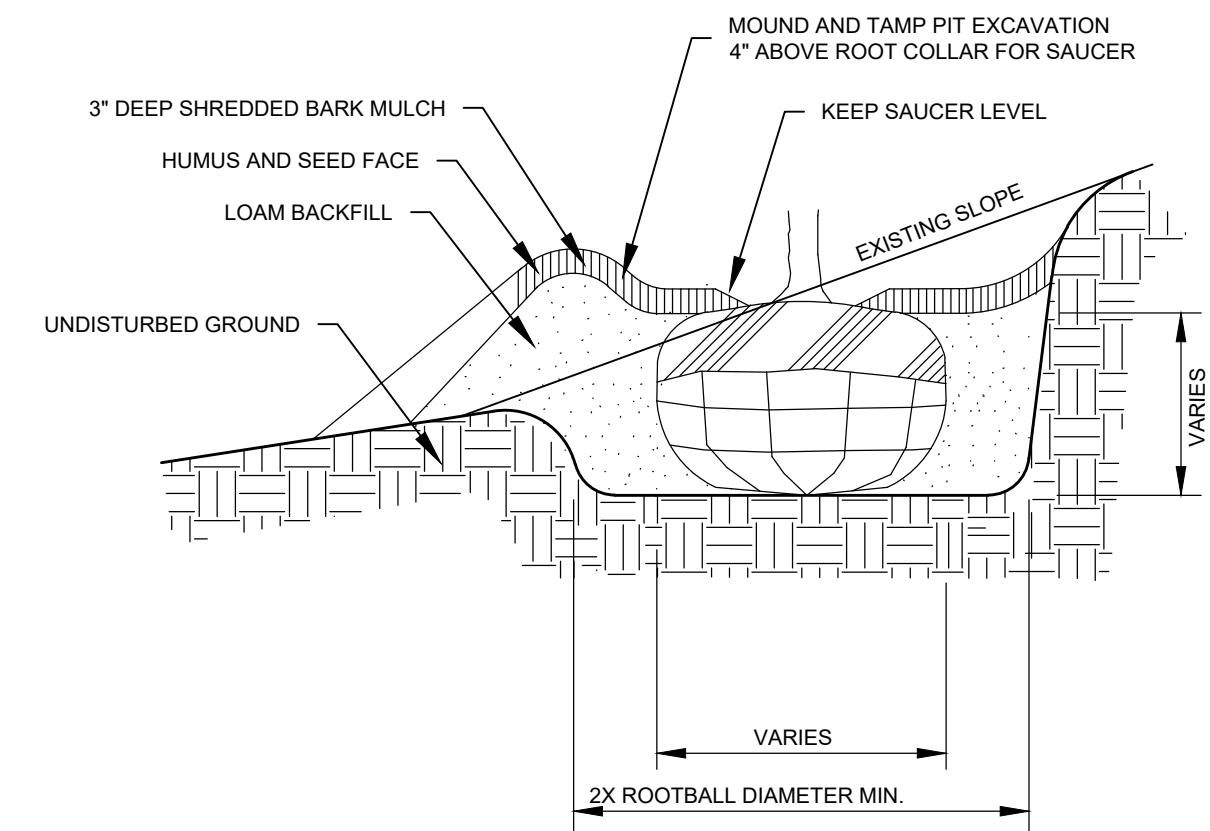


EROSION BLANKET SLOPE INSTALLTION
NOT TO SCALE

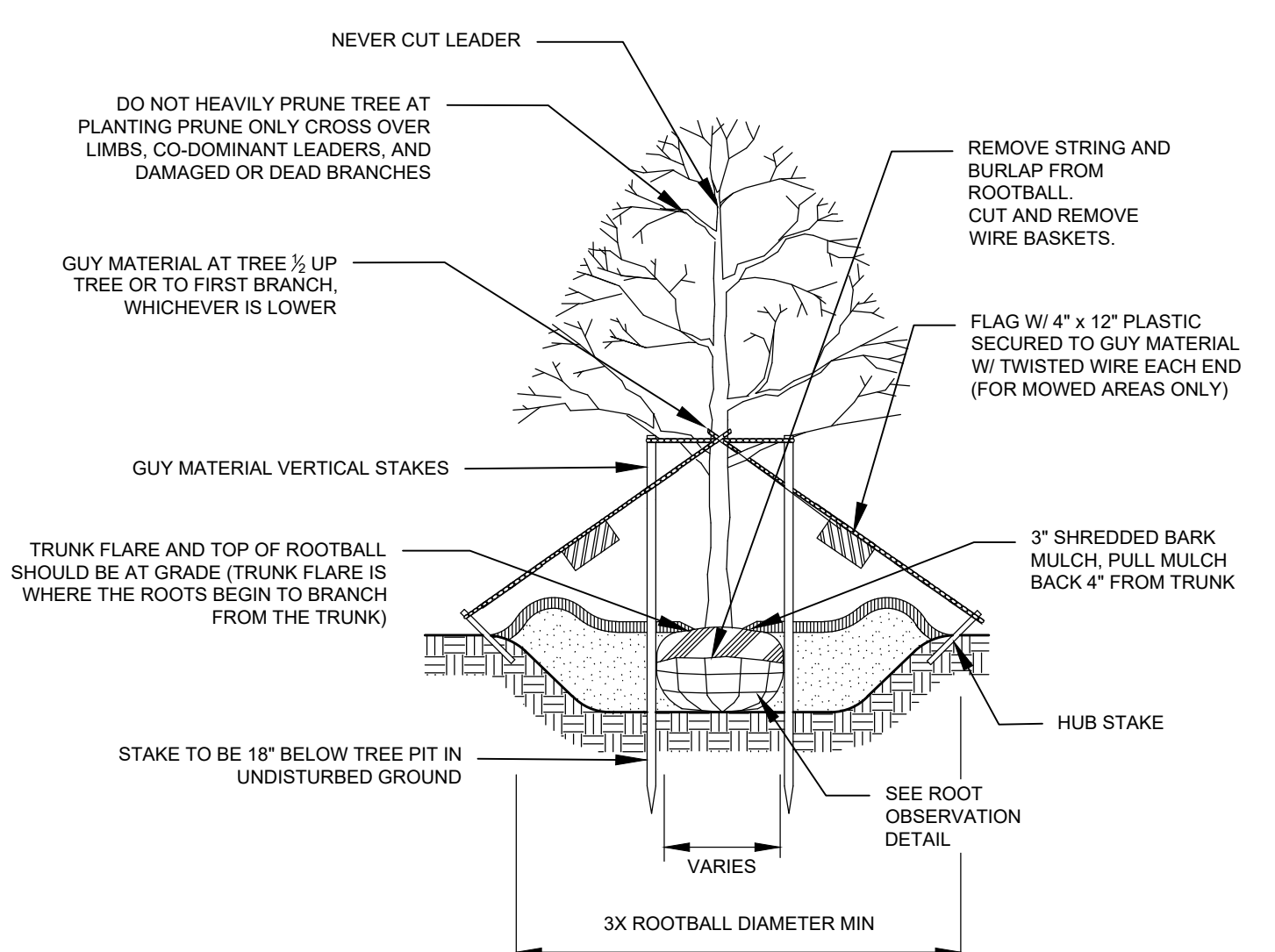
SLOPE INSTALLATION DETAIL

- Prepare soil before installing rolled erosion control products (RECPs), including any necessary application of lime, fertilizer, and seed.
- Begin at the top of the slope by anchoring the RECPs in a 6"(15cm) deep X 6"(15cm) wide trench with approximately 12" (30cm) of RECPs extended beyond the up-slope portion of the trench. Backfill and compact the trench after stapling. Apply seed to the compacted soil and fold the remaining 12"(30cm) portion of RECPs back over the seed and compacted soil. Secure RECPs over compacted soil with a row of staples/stakes spaced approximately 12"(30cm) apart across the width of the RECPs.
- Roll the RECPs (A) down or (B) horizontally across the slope. RECPs will unroll with appropriate side against the soil surface. All RECPs must be securely fastened to soil surface by placing staples/stakes in appropriate locations as shown in the staple pattern guide.
- The edges of parallel RECPs must be stapled with approximately 2" - 5" (5-12.5cm) overlap depending on the RECPs type.
- Consecutive RECPs spliced down the slope must be end over end (single staple) with an approximate 3"(7.5cm) overlap. Staple through overlapped area, approximately 12"(30cm) apart across entire RECPs width.

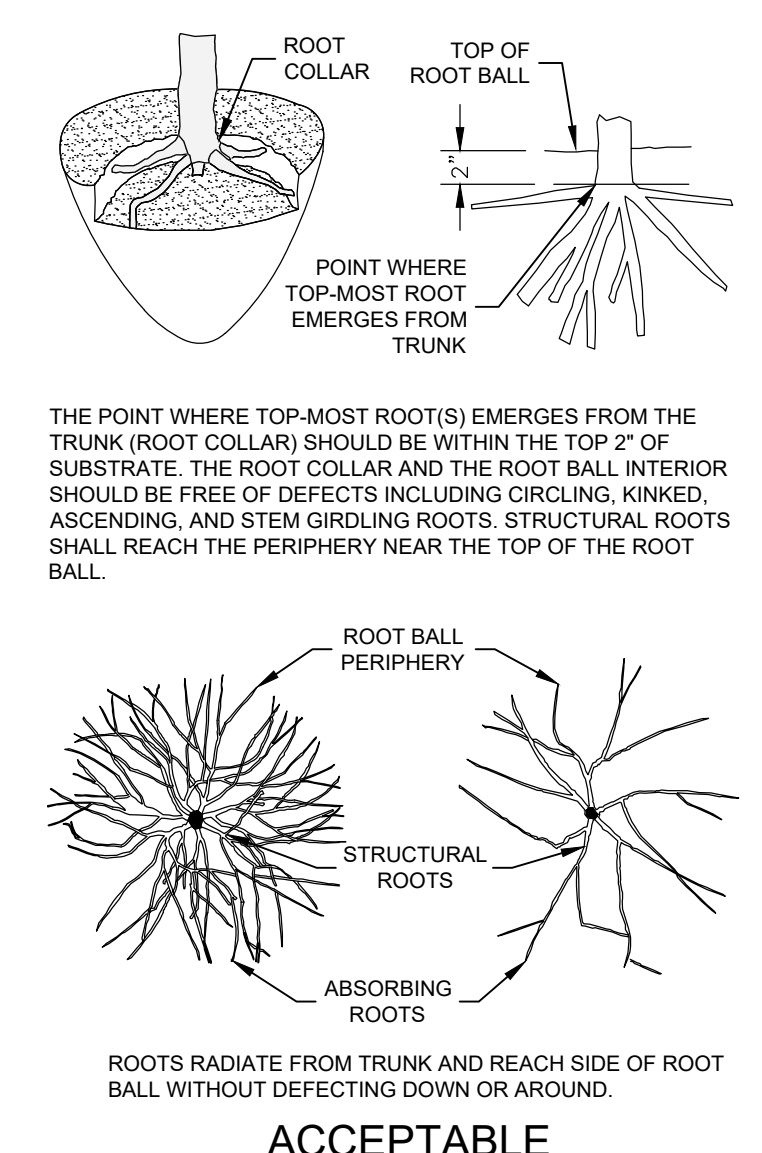
***NOTE:**
In loose soil conditions, the use of staple or stake lengths greater than 6"(15cm) may be necessary to properly secure the RECPs.



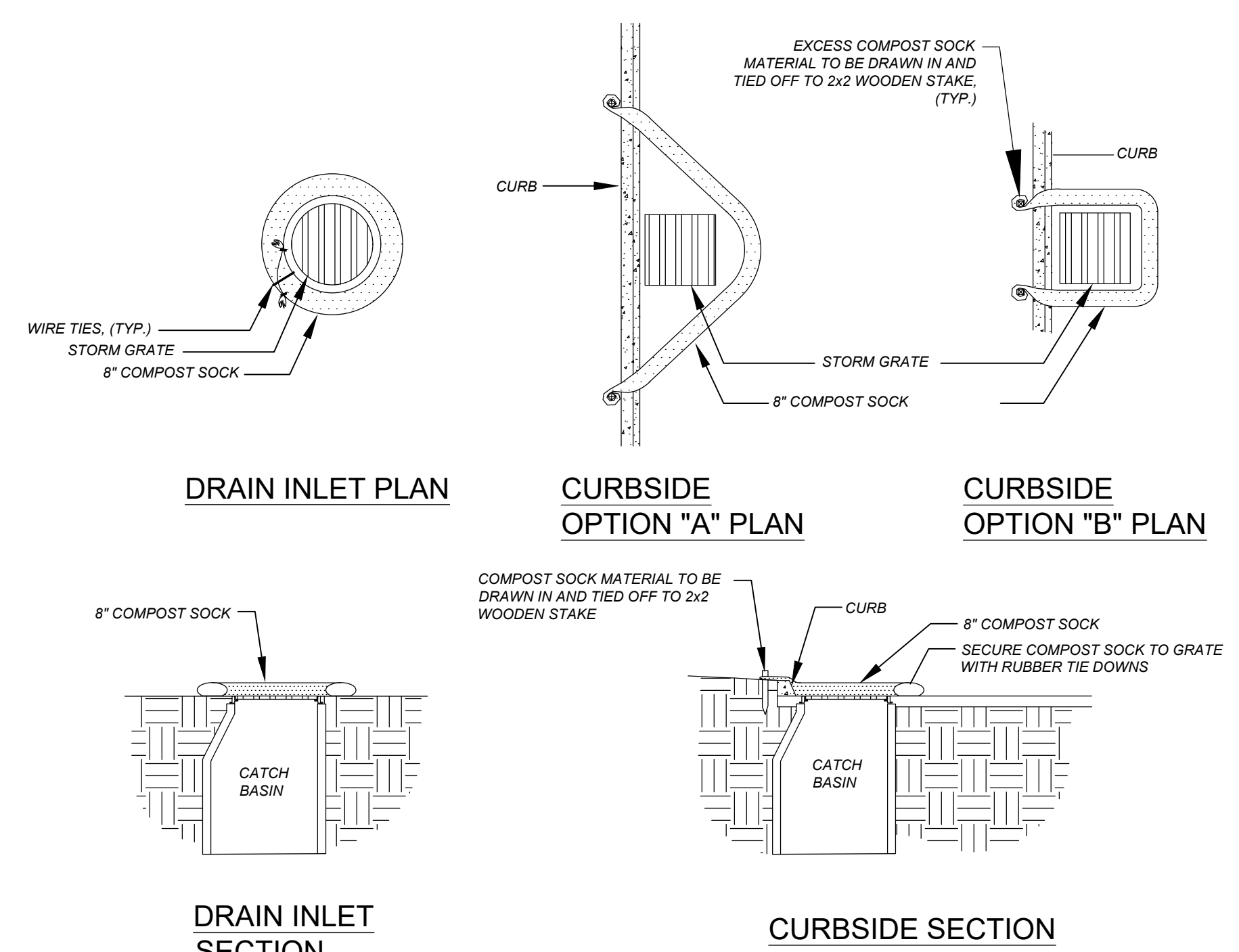
TYPICAL PLANTING PIT ON SLOPE 4:1 OR GREATER
NOT TO SCALE



DECIDUOUS TREE PLANTING
NOT TO SCALE



ROOT OBSERVATION
NOT TO SCALE



SEDIMENT ROLL INLET PROTECTION
NOT TO SCALE

REVISION HISTORY

NO.	DESCRIPTION
1.	

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Owner
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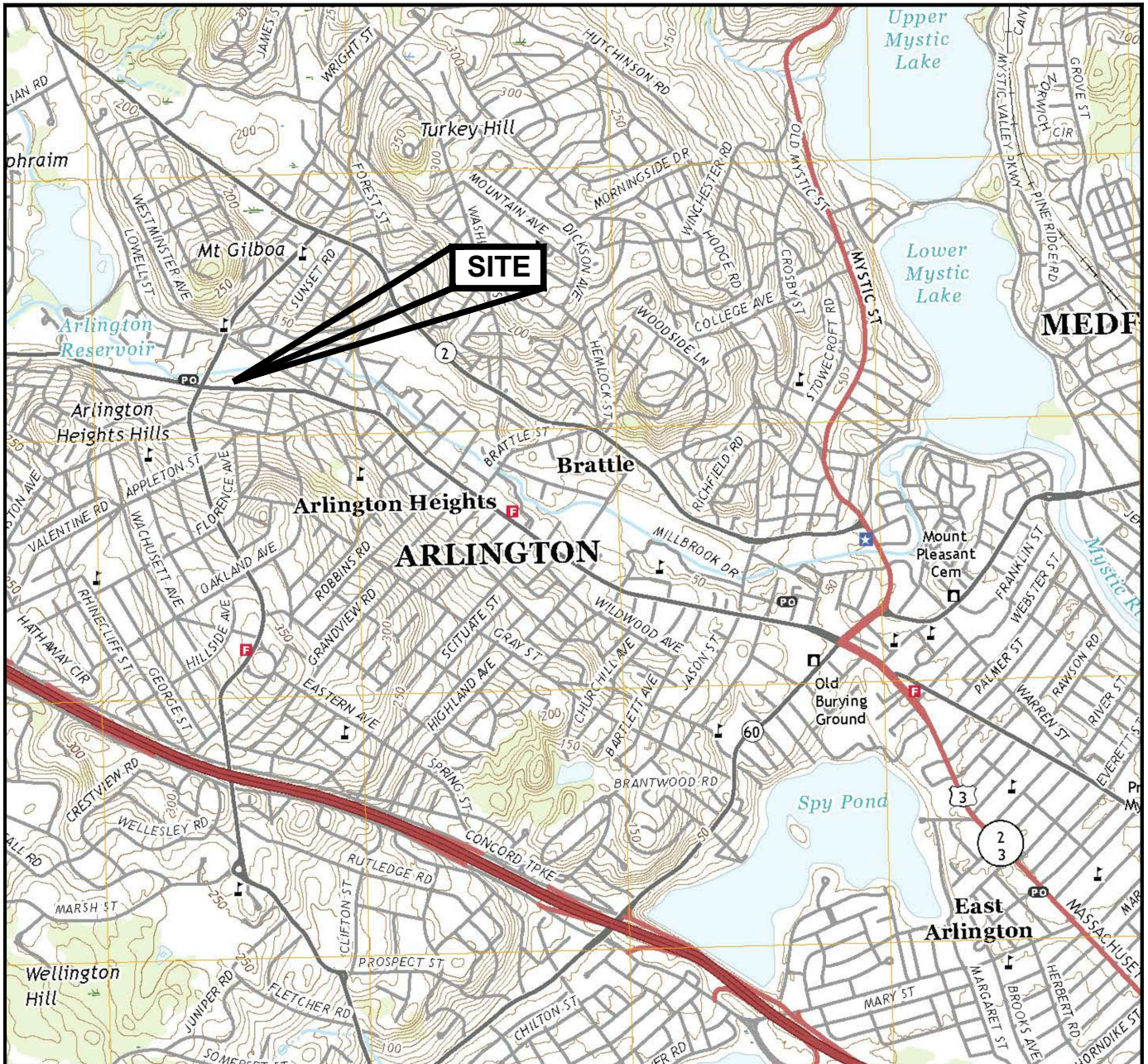
Map/Block/Lot: 59/1/10D
Construction & Erosion Control Details

Scale	N.T.S.	Date	03/04/2020
Drafted By	Checked By	Project Mgr	Project Number
RSR	DLF	RWB	PDRE0001

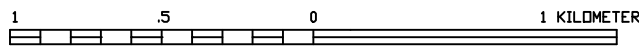
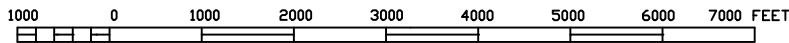
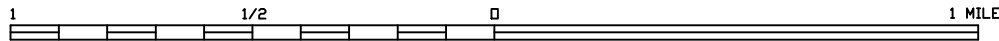
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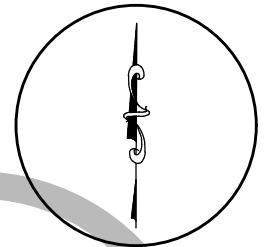
ENGINEER: DAVID L. FROTHINGHAM III
MA P.E. #53992



SCALE: 1:24,000



CONTOUR INTERVAL 10 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988

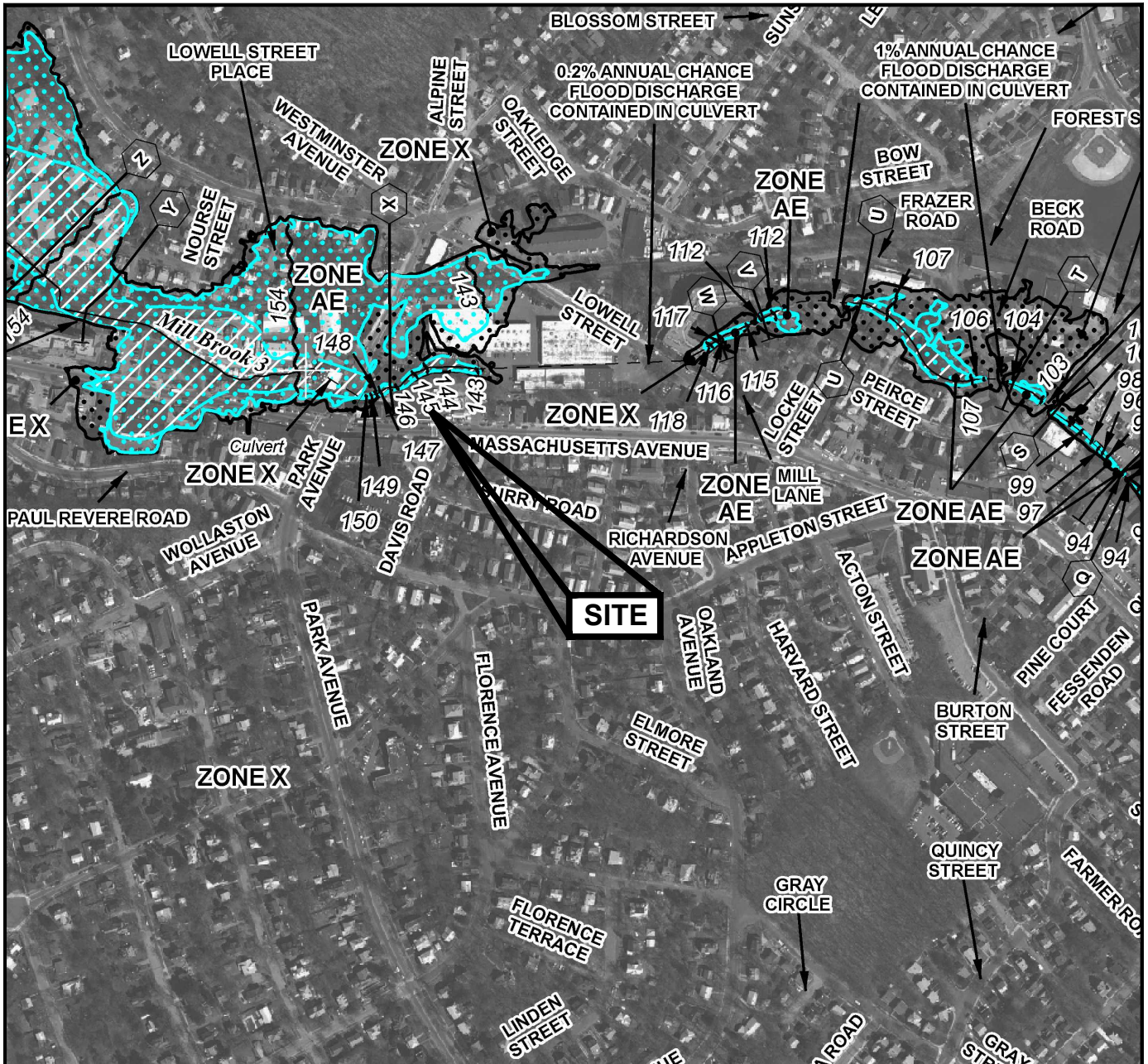


DATE MAR. 4, 2020	SCALE As shown	FILE Site Location Map
APPROVED BY RWB	DRAWN BY RSR	REVISED
CLIENT P&D Realty	JOB NUMBER PDRE0001	
LOCATION D'agostino's Food Store 1297 Massachusetts Ave. Arlington, MA 02476	MAP SOURCE Lexington, MA USGS QUAD 2018	

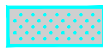
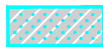
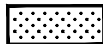
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SITE LOCATION MAP

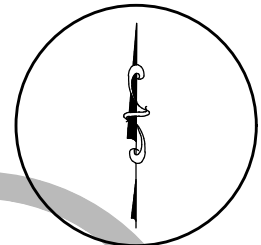
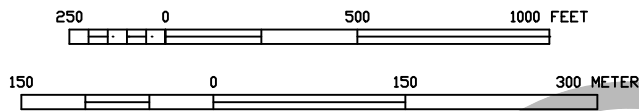
Figure 1



LEGEND

-  1% ANNUAL CHANCE FLOOD
-  ZONE AE
-  ZONE X

SCALE: 1" = 500'



DATE MAR. 04, 2020	SCALE As shown	FILE Floodplain Map
APPROVED BY ERL	DRAWN BY RSR	REVISED
CLIENT P&D Realty	JOB NUMBER PDRE0001	
LOCATION D'agostino's Food Store 1297 Massachusetts Ave. Arlington, MA 02476	MAP SOURCE FIRM Flood Insurance Rate Map Map No.: 25017C0416E June 4, 2010	

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FLOODPLAIN MAP
Figure 2

SITE PHOTOS



Figure 1: Northern view of front of grease trap and trash compactor.



Figure 2: Southern view of eastern side of trash compactor.



Figure 3: Northern view of front of grease trap.



Figure 4: Northeastern view of rear of grease trap.



Figure 5: Western view of top of bank behind grease trap.



Figure 6: Eastern view of top of bank behind grease trap.



Figure 7: Northern view of bank behind grease trap.



Figure 8: Southern view of bank behind grease trap.