



Notice of Intent Application

Massachusetts Wetlands Protection Act (M.G.L. c.131 s.40)
Boston Wetlands Protection Ordinance (Chapter 7-1.4)

SITE IMPROVEMENTS

253 SUMMER STREET

Submitted to:
Boston Conservation Commission
City of Boston Environment Department
Boston City Hall, Room 709
Boston, MA 02201

Prepared by:
Epsilon Associates, Inc.
3 Mill & Main Place, Suite 250
Maynard, Massachusetts 01754

Submitted by:
LCTB Fort Point, LLC
25 Thompson Place, First Floor
Boston, Massachusetts 02210

In Association with:
H.W. MOORE ASSOCIATES
A Division of Hancock Associates

March 17, 2021





March 17, 2021

PRINCIPALS

Boston Conservation Commission
Boston City Hall Room 709
Boston, MA 02201

Subject: Notice of Intent Submittal for 253 Summer Street, Boston

Dear Commissioners and Staff:

On behalf of LCPT Fort Point, LLC (Applicant), Epsilon Associates, Inc. (Epsilon) is pleased to submit this Notice of Intent (NOI) to the Boston Conservation Commission (Commission). This NOI has been prepared in accordance with the Massachusetts Wetlands Protection Act (MGL c. 131 §40 (Act) and implementing Regulations (310 CMR 10.00) (Regulations) and the Boston Wetlands Protection Ordinance (Chapter 7.1-4) and implementing regulations.

The Applicant has constructed an approximately 488 square foot (sf) patio and installed pervious pavers in an approximately 365 sf area adjacent to the patio at the rear of 253 Summer Street in South Boston. The work occurred within the 100-year floodplain (Land Subject to Coastal Storm Flowage), buffer zone to Coastal Bank, and the Waterfront Area as defined by the Boston Wetlands Protection Ordinance.

The Applicant understands that the above-described activities should have been conducted under an Order of Conditions and, as required by an Enforcement Order issued on October 8, 2020 and amended on January 8, 2021, that work is described in the enclosed NOI. The NOI has been prepared and submitted in accordance with these regulations, and requests an Order of Condition for the work completed as subject to the jurisdiction of the Boston Conservation Commission.

The Enforcement Order also notes that certain prior to construction materials for an Order of Conditions (DEP File No. 006-1522) issued for other activities at the Project Site were never submitted to the Commission. Epsilon notes that prior to construction materials identified on the Commission's project management form for DEP File No. 006-1522 provided to Epsilon were submitted to the Commission on April 17, 2018. Copies of those materials are included in Attachment H. If additional information regarding DEP File No. 006-1522 is required, please let me know so that they can be submitted for the Commission's review.

- Theodore A Barten, PE
- Margaret B Briggs
- Dale T Raczynski, PE
- Cindy Schlessinger
- Lester B Smith, Jr
- Robert D O'Neal, CCM, INCE
- Michael D Howard, PWS
- Douglas J Kelleher
- AJ Jablonowski, PE
- Stephen H Slocomb, PE
- David E Hewett, LEED AP
- Dwight R Dunk, LPD
- David C Klinch, PWS, PMP
- Maria B Hartnett
- Richard M Lampeter, INCE
- Geoff Starsiak, LEED AP BD+C
- Marc Bergeron, PWS, CWS

ASSOCIATES

- Alyssa Jacobs, PWS
- Holly Carlson Johnston
- Brian Lever

3 Mill & Main Place, Suite 250
Maynard, MA 01754
www.epsilonassociates.com

978 897 7100
FAX 978 897 0099

Filing fees for this Notice of Intent were submitted under separate cover on February 3, 2021.

This NOI is being submitted for the Commission's review at its regular meeting of April 7, 2021. The Applicant and Epsilon are grateful for the Commission's assistance, patience, and review of the enclosed materials. If you have any questions regarding this NOI please do not hesitate to contact me at (978) 461-6241 or erexford@epsilonassociates.com.

Sincerely,
EPSILON ASSOCIATES, INC.



Erik Rexford
Senior Consultant

Encl.

CC: Steven Leaf, Synergy
Jared Eigerman, Reuben, Junius & Rose LLP
Daniel Padien, DEP Waterways Program
DEP NERO

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Notice of Intent Forms

WPA Form 3

Boston NOI Form



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):

<u>253 Summer Street</u>	<u>Boston</u>	<u>02210</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>42°20'39.1"N</u>	<u>71° 2'16.9"W</u>	
d. Latitude	e. Longitude	
<u>0601163005</u>	<u></u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>LCTB Fort Point LLC</u>		
a. First Name	b. Last Name	
c. Organization		
<u>c/o Coje Management Group, 25 Thomson Place, First Floor</u>		
d. Street Address		
<u>Boston</u>	<u>MA</u>	<u>02210</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

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

<u>Summer Melcher SPE LLC</u>		
a. First Name	b. Last Name	
c. Organization		
<u>10 Post Office Square, 14th Floor</u>		
d. Street Address		
<u>Boston</u>	<u>MA</u>	<u>02109</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Erik</u>	<u>Rexford</u>	
a. First Name	b. Last Name	
<u>Epsilon Associates Inc.</u>		
c. Company		
<u>3 Mill and Main Place</u>		
d. Street Address		
<u>Maynard</u>	<u>MA</u>	<u>01754</u>
e. City/Town	f. State	g. Zip Code
<u>(978) 897-7100</u>	<u>(978) 897-0099</u>	<u>erexford@epsilonassociates.com</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$937.50</u>	<u>\$237.50</u>	<u>N/A (Boston Fee: \$700.00)</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Installation of patio for season dining and pervious paves as described in Attachment A, Project Narrative.

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

47356

c. Book

b. Certificate # (if registered land)

217

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 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 type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
----------------------	-------------------------------	--

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

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

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



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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	

	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	844	
	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**

- 2017 (MassGIS)
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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Provided by MassDEP:
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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
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
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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City/Town

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

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

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

D. Additional Information

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

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

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

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



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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.

Site Development Plans, Proposed Patio

a. Plan Title

H.W. Moore

James White

b. Prepared By

c. Signed and Stamped by

01/21/2021

1"=10'

d. Final Revision Date

e. Scale

Stormwater Report

11/12/2020

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:

43505 & 43506

2/2/2021

2. Municipal Check Number

3. Check date

43507

2/2/2021

4. State Check Number

5. Check date

Epsilon Associates Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



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Provided by MassDEP:

MassDEP File Number

Document Transaction Number



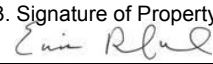
BOSTON

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

 1. Signature of Applicant	February 2, 2021
 3. Signature of Property Owner (if different)	2. Date February 2, 2021
 5. Signature of Representative (if any)	4. Date February 2, 2021
	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.



INSTRUCTIONS FOR COMPLETING APPLICATION NOTICE OF INTENT – BOSTON NOI FORM

The Boston Notice of Intent Form is intended to be a supplement to the WPA Form 3 detailing impacts to locally designated wetland resource areas and buffer zones. Please read these instructions for assistance in completing the Notice of Intent application form. These instructions cover certain items on the Notice of Intent form that are not self-explanatory.

INSTRUCTIONS TO SECTION B: BUFFER ZONE AND RESOURCE AREA IMPACTS

Item 1. Buffer Zone Only. If you check the Buffer Zone Only box in this section you are indicating that the project is entirely in the Buffer Zone to a resource area **under both** the Wetlands Protection Act and Boston Wetlands Ordinance. If so, skip the remainder of Section B and go directly to Section C. Do not check this box if the project is within the Waterfront Area.

Item 2. The **boundaries of coastal resource areas** specific to the Ordinance can be found in Section II of the Boston Wetlands Regulations. You must also include the size of the proposed alterations (and proposed replacement areas) in each resource area.

Item 3. The **boundaries of inland resource areas** specific to the Ordinance can be found in Section II of the Boston Wetlands Regulations. You must also include the size of the proposed alterations (and proposed replacement areas) in each resource area.

INSTRUCTIONS TO SECTION C: OTHER APPLICABLE STANDARDS AND REQUIREMENTS

Item 1. Rare Wetland Wildlife Habitat. Except for Designated Port Areas, no work (including work in the Buffer Zone) may be permitted in any resource area that would have adverse effects on the habitat of rare, “state-listed” vertebrate or invertebrate animal species.

The most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife is published by the Natural Heritage and Endangered Species Program (NHESP). See: http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm or the *Massachusetts Natural Heritage Atlas*.

If any portion of the proposed project is located within Estimated Habitat, the applicant must send the Natural Heritage Program, at the following address, a copy of the Notice of Intent by certified mail or priority mail (or otherwise sent in a manner that guarantees delivery within two days), no later than the date of the filing of the Notice of Intent with the Conservation Commission.

Evidence of mailing to the Natural Heritage Program (such as Certified Mail Receipt or Certificate of Mailing for Priority Mail) must be submitted to the Conservation Commission along with the Notice of Intent.

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581-3336
508.792.7270



A. GENERAL INFORMATION

1. Project Location

<u>253 Summer Street</u>	<u>Boston</u>	<u>02210</u>
a. Street Address	b. City/Town	c. Zip Code
<u> </u>	<u>0601163005</u>	<u> </u>
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant

<u> </u>	<u>LCTB Fort Point, LLC</u>	
a. First Name	c. Company	
<u> </u>	<u> </u>	
b. Last Name	d. Mailing Address	
<u>c/o Coje Management Group, 25 Thomson Place, First Floor</u>		
<u>Boston</u>	<u>MA</u>	<u>02210</u>
e. City/Town	f. State	g. Zip Code
<u> </u>	<u> </u>	<u> </u>
h. Phone Number	i. Fax Number	j. Email address

3. Property Owner

<u> </u>	<u>Summer Melcher SPE LLC</u>	
a. First Name	c. Company	
<u> </u>	<u> </u>	
b. Last Name	d. Mailing Address	
<u>10 Post Office Square, 14th Floor</u>		
<u>Boston</u>	<u>MA</u>	<u>02109</u>
e. City/Town	f. State	g. Zip Code
<u> </u>	<u> </u>	<u> </u>
h. Phone Number	i. Fax Number	j. Email address

Check if more than one owner

(If there is more than one property owner, please attach a list of these property owners to this form.)

4. Representative (if any)

<u>Erik</u>	<u>Rexford</u>	<u>Epsilon Associates, Inc.</u>
a. First Name	b. Last Name	c. Company
<u> </u>	<u> </u>	<u> </u>
<u>3 Mill & Main Place, Suite 250</u>		
d. Mailing Address		
<u>Maynard</u>	<u>MA</u>	<u>01754</u>
e. City/Town	f. State	g. Zip Code
<u> </u>	<u> </u>	<u> </u>
<u>978-897-7100</u>	<u>erexford@epsilonassociates.com</u>	<u> </u>
h. Phone Number	i. Fax Number	j. Email address



5. Is any portion of the proposed project jurisdictional under the Massachusetts Wetlands Protection Act M.G.L. c. 131 §40?

- Yes No

If yes, please file the WPA Form 3 - Notice of Intent with this form

6. General Information

Installation of patio for seasonal dining and pervious pavers as described in Attachment A, Project
narrative.

7. Project Type Checklist

- a. Single Family Home
- b. Residential Subdivision
- c. Limited Project Driveway Crossing
- d. Commercial/Industrial
- e. Dock/Pier
- f. Utilities
- g. Coastal Engineering Structure
- h. Agriculture – cranberries, forestry
- i. Transportation
- j. Other

8. Property recorded at the Registry of Deeds

Suffolk

a. County

217

b. Page Number

47356

c. Book

d. Certificate # (if registered land)

9. Total Fee Paid

\$937.50

a. Total Fee Paid

\$237.50

b. State Fee Paid

\$700.00

c. City Fee Paid

B. BUFFER ZONE & RESOURCE AREA IMPACTS

Buffer Zone Only - Is the project located only in the Buffer Zone of a resource area protected by the Boston Wetlands Ordinance?

- Yes No

1. Coastal Resource Areas



<u>Resource Area</u>	<u>Resource Area Size</u>	<u>Proposed Alteration*</u>	<u>Proposed Mitigation</u>
<input type="checkbox"/> Coastal Flood Resilience Zone	_____ Square feet	_____ Square feet	_____ Square feet
<input checked="" type="checkbox"/> 25-foot Waterfront Area	<u>2,407</u> Square feet	<u>125</u> Square feet	_____ Square feet
<input type="checkbox"/> 100-foot Salt Marsh Area	_____ Square feet	_____ Square feet	_____ Square feet
<input type="checkbox"/> Riverfront Area	_____ Square feet	_____ Square feet	_____ Square feet

2. Inland Resource Areas

<u>Resource Area</u>	<u>Resource Area Size</u>	<u>Proposed Alteration*</u>	<u>Proposed Mitigation</u>
<input type="checkbox"/> Inland Flood Resilience Zone	_____ Square feet	_____ Square feet	_____ Square feet
<input type="checkbox"/> Isolated Wetlands	_____ Square feet	_____ Square feet	_____ Square feet
<input type="checkbox"/> Vernal Pool	_____ Square feet	_____ Square feet	_____ Square feet
<input type="checkbox"/> Vernal Pool Habitat (vernal pool + 100 ft. upland area)	_____ Square feet	_____ Square feet	_____ Square feet
<input type="checkbox"/> 25-foot Waterfront Area	_____ Square feet	_____ Square feet	_____ Square feet
<input type="checkbox"/> Riverfront Area	_____ Square feet	_____ Square feet	_____ Square feet

C. OTHER APPLICABLE STANDARDS & REQUIREMENTS

1. What other permits, variances, or approvals are required for the proposed activity described herein and what is the status of such permits, variances, or approvals?

Massachusetts Department of Environmental Protection - Waterways License. Application to be submitted.



- 2. 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://www.mass.gov/dfwele/dfw/nhosp/nhregmap.htm>.

Yes No

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

A. Submit Supplemental Information for Endangered Species Review

Percentage/acreage of property to be altered:

(1) within wetland Resource Area _____ percentage/acreage

(2) outside Resource Area _____ percentage/acreage

Assessor's Map or right-of-way plan of site

- 3. Is any portion of the proposed project within an Area of Critical Environmental Concern?

Yes No

If yes, provide the name of the ACEC: _____

- 4. Is the proposed project subject to provisions of the Massachusetts Stormwater Management Standards?

Yes. Attach a copy of the Stormwater Checklist & Stormwater Report as required.

Applying for a Low Impact Development (LID) site design credits

A portion of the site constitutes redevelopment

Proprietary BMPs are included in the Stormwater Management System

No. Check below & include a narrative as to why the project is exempt

Single-family house

Emergency road repair

Small Residential Subdivision (less than or equal to 4 single family houses or less than or equal to 4 units in a multifamily housing projects) with no discharge to Critical Areas


- 5. Is the proposed project subject to Boston Water and Sewer Commission Review?

Yes No




D. 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 Protection Ordinance.



Signature of Applicant

February 2, 2021
Date



Signature of Property Owner (if different)

February 2, 2021
Date



Signature of Representative (if any)

February 2, 2021
Date

Attachment A

Project Narrative

ATTACHMENT A – PROJECT NARRATIVE

1.0 Introduction

On behalf of LCTB Fort Point, LLC¹ (the Applicant), Epsilon Associates, Inc. (Epsilon) is pleased to submit this Notice of Intent (NOI) to the Boston Conservation Commission (Commission). This NOI has been prepared in accordance with the Massachusetts Wetlands Protection Act (MGL c. 131 §40 (Act) and implementing Regulations (310 CMR 10.00) (Regulations) and the Boston Wetlands Protection Ordinance (Chapter 7.1-4) and implementing regulations.

The Applicant has constructed, as an expansion of an existing open air dining area, an approximately 488 square foot (sf) patio and, at the same time, installed approximately 365 sf of pervious pavers in an area adjacent to the patio at the rear of 253 Summer Street in South Boston (Project site). The Project site is shown on Figure 1-USGS Locus Map and Figure 2-Aerial Locus Map (refer to Attachment B).

The Applicant understands that the above described activities should have been conducted under an Order of Conditions and, as required by an Enforcement Order issued on October 8, 2020 and amended on January 8, 2021, that work is described in this NOI.

2.0 Existing Conditions

2.1 *Site Description*

The Project site is an approximately 4,850 square foot (sf) rectangular parcel located along the Fort Point Channel at the rear of 253 Summer Street, within which the approximately 488 sf patio and approximately 365 sf of pervious pavers were installed. The rear 253 Summer Street has been improved to accommodate public pedestrian access along the edge of the Fort Point Channel, providing a continuous segment of Harborwalk that seamlessly connects to public open space at the adjacent parcel at 15 Necco Court (See Attachment C – Site Photography and Attachment F-Permit Drawings for a site plan showing the existing conditions).

Prior to its construction, the location of the patio and pervious pavers was used for loading and delivery operations for 253 Summer Street and was entirely impervious pavement. Vehicles continue to access parking adjacent to the Project site, as they did prior to the construction of the patio expansion, from Necco Court, a private way controlled by the owner of the Project site.

¹ LCTB Fort Point, LLC is the leaseholder of the Project site, which is owned by Summer/Melcher SPE LLC.

According to the applicable Federal Emergency Management Agency - Flood Insurance Rate Map (FEMA-FIRM) map for the City of Boston, Community Panel No. 25025C0081J, dated March 16, 2016, the entire Project site is located within mapped Zone AE (See Attachment A, Figure 4). The FEMA FIRM identifies the floodplain elevation as 10.0 feet North American Vertical Datum (NAVD 88) across the entire Project site, which is essentially flat.

No portion of the Project site is located within areas mapped as Priority Habitat of Rare Species and Estimated Habitat of Rare Wildlife by the Natural Heritage and Endangered Species Program under the Massachusetts Endangered Species Act and the Massachusetts Wetlands Protection Act, respectively (Natural Heritage MassGIS, 2017).

2.2 Land Subject to Coastal Storm Flowage

Land Subject to Coastal Storm Flowage (LSCSF) is defined at 310 CMR 10.04 as land subject to any inundation caused by coastal storms up to and including that caused by the 100-year storm, surge of record or storm of record, whichever is greater.

Coastal Storm Flowage is defined in the Ordinance at Chapter 7-1.4 (b) as Land subject to any inundation caused by coastal storms up to and including that caused by the 100-year storm, surge of record, or storm of record, whichever is greater.

According to the updated FEMA FIRM, Community-Panel Numbers 25025C0014J, Effective Date March 16, 2016, the majority of the site is designated as “Zone AE Area of 100-Year Flood” (Elevation 10 feet NAVD 88, 16.46 feet Boston City Base).

2.3 Coastal Bank

The Fort Point Channel directly abuts the Project site and is contained within a vertical block granite seawall. The seawall is considered a man-made coastal bank as defined under the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.04) and the 100-foot buffer zone of this resource area extends across the entire Project site.

Because the coastal bank at this location is a granite block seawall, it is not functioning as a sediment source for any downstream coastal dunes or beaches. As an armored landform, the bank is stable and non-eroding, and functions chiefly to prevent storm damage and provide flood control as a vertical buffer to storm waters.

2.4 Waterfront Area

Relative to the Coastal Bank described in Section 2.3, a portion of the Coastal Bank buffer zone extending 25 feet horizontally from the edge of the Coastal Bank, encompassing approximately 2,407 sf, in total, and 125 sf of the patio, is within the Waterfront Area, as defined under the Ordinance. The extent of Waterfront Area is shown on the attached Sheet C-1 of Attachment F.

Prior to installation of the patio, the Waterfront Area at the Project site was altered to reconstruct the Harborwalk segment and install or rehabilitate other public access and site improvements. At the time those improvements were constructed, the City had not adopted the Ordinance.

The patio does not encroach upon Harborwalk, which provides public access through the Waterfront Area on a ten-foot-wide walkway with a clear width in excess of twelve feet. Within the Waterfront Area, the patio converted 125 sf of impervious surface to pervious pavers and, along the Harborwalk edge of the patio, moveable decorative planters have been installed to separate the patio from Harborwalk. Impacts from the construction and/or use of the patio are not anticipated to cause adverse impacts to the resource area and do not impede continued use of the Waterfront Area for public access.

Materials selected for the patio and adjacent portion of Necco Court are able to withstand periodic inundation of saltwater and will not contribute to the erosion of Coastal Bank or siltation of the adjacent waterway. As noted elsewhere, the installation of pervious pavers will modestly improve groundwater recharge and reduce stormwater runoff, thereby improving water quality of the adjacent Fort Point Channel.

3.0 Project Description

The patio is located entirely within a previously developed area and was installed to accommodate additional seating for open-air dining at the Applicant's restaurant operating within portions of the ground floor of the adjacent structure and, seasonally, on the adjacent deck (refer to Attachment F, Site Plan). The patio is open to the public during the restaurant's typical operating hours, and during the outdoor dining season from approximately March to November. During a typical off-season, tables, chairs, and all other appurtenances are removed from the patio.

As noted above, the patio and the adjacent area of Necco Court were formerly paved with impervious, bituminous concrete which was removed and replaced with pervious pavers. Within the 488 sf footprint of the patio, minor site grading was required to provide an even and nearly level surface on which the pervious pavers were installed. To achieve the desired finish surface elevation, a wooden grade beam was installed around the perimeter of the patio to contain and stabilize fill material consisting of open graded stone and paver base. Filter fabric was also placed on the bottom of the patio and along the grade beams to prevent the migration of materials and fines.

Adjacent to the patio, within an approximately 365 sf area of Necco Court, the impervious, bituminous concrete was also removed and replaced with pervious pavers. This area of pervious pavement was installed to improve stormwater infiltration and to provide a visual cue for pedestrians accessing Harborwalk from Necco Court. The Applicant has installed additional signage adjacent to the patio and at the easterly end of Necco Court to further improve pedestrian wayfinding and to encourage public pedestrian access to Harborwalk along Necco Court.

4.0 Compliance with Regulatory Performance Standards

The Massachusetts Wetlands Protection Act Regulations (310 CMR 10.00) specify performance standards for projects located within or adjacent to wetland resource areas, which restrict the types of activities that can be permitted within these areas. The proposed Project involved work within “Land Subject to Coastal Storm Flowage,” within the buffer zone of a man-made “Coastal Bank,” and partially within the “Waterfront Area” established by the Ordinance.

There are currently no performance standards that apply to projects within Land Subject to Coastal Storm Flowage, and the Applicant understands that performance standards applicable to projects within the Waterfront Area have not yet been established.

The performance standards associated with Coastal Bank are excerpted below from the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.00).

WHEN A COASTAL BANK IS DETERMINED TO BE SIGNIFICANT TO STORM DAMAGE PREVENTION OR FLOOD CONTROL BECAUSE IT IS A VERTICAL BUFFER TO STORM WATERS, 310 CMR 10.30(6) through (8) SHALL APPLY:

(6) Any project on such a coastal bank or within 100 feet landward of the top of such coastal bank shall have no adverse effects on the stability of the coastal bank.

The coastal bank present at the site, a granite block seawall, is an armored landform that is stable and non-eroding. The installation of the patio and pervious pavers did not impact the physical stability of the coastal bank.

(7) Bulkheads, revetments, seawalls, groins or other coastal engineering structures may be permitted on such a coastal bank except when such bank is significant to storm damage prevention or flood control because it supplies sediment to coastal beaches, coastal dunes, and barrier beaches.

No coastal engineering structures were constructed for this Project.

(8) Notwithstanding the provisions of 310 CMR 10.30(3) through (7), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.37.

The installation of the patio and pervious pavers did not adversely affect any specified habitat of rare vertebrate or invertebrate species.

5.0 Climate Resilience

The Project site is anticipated to be impacted by increasing temperature, increasing rainfall, and increasing storm intensity resulting from climate change. The Project site and the parcel on which it's located is particularly vulnerable due to the adjacent Fort Point Channel and the site's existing elevation.

5.1 Coastal Flooding

Low-lying coastal areas can be impacted by storm surge from infrequent storm events (e.g., nor'easters) as well as by astronomical tidal events, also referred to as "king tides." Currently, upland areas surrounding Fort Point Channel are known to flood on occasion, both from astronomical high tides and coastal storm events. A compounding factor for coastal flooding is sea level rise (SLR), a significant effect of climate change, which increases the mean sea level and likelihood of flooding during coastal storm events and king tides.

The likelihood of the Project site being flooded in the near- (by 2030), medium- (by 2050), and long-term (2070) time horizon is increasing, as storm events have been increasing in magnitude and frequency due to warming temperatures. According to the BPDA Sea Level Rise Flood Hazard Area (SLR-FHA) Map, with a potential of 40-inches of SLR by 2070, the Project site has an increased risk of coastal flooding. The BPDA's Coastal Flood Resilience Design Guidelines and mapping tool determined the highest sea level rise base flood elevation (SLR-BFE) for the Project site is 19.5' Boston City Base (BCB).

Prior site improvements, which included reconstruction of the Harborwalk segment, elevated Harborwalk to approximately 16.2' BCB to provide for some additional protection against flooding from the Fort Point Channel in the near-term. For example, according to NOAA tide data, the most recent highest verified tides which exceeded the 10% annual exceedance probability levels occurred on January 4th and March 2nd of 2018. During those extreme tide events, the highest verified tides reached 15.98' BCB and 15.04' BCB, respectively, and would not have inundated Harborwalk at the Project site.

Harborwalk across the Project site is somewhat unique in that it connects to Summer Street through an arcaded passageway within the 253 Summer Street building. A significant challenge to further elevating Harborwalk is maintaining pedestrian access to that arcaded passageway. The earlier site improvements were coordinated with the abutting site owner to ensure grade changes across both the Project site and the abutting property maintained universal accessibility and so that materials installed on the two properties were consistent. As such, Harborwalk was elevated to the extent feasible given the aforementioned issues with access to the arcaded passageway. In all likelihood, additional SLR resiliency measures at the Project site will require elevating the seawall which, at this time, is not feasible and beyond the scope of work identified for the patio installation. Therefore, it is anticipated that further coordination with abutting property owners

and the City will be necessary to implement district-wide solutions being developed at this time. Because the patio was constructed landward of Harborwalk it does not exacerbate inundation risks, nor does the work completed at the Project site preclude implementation of further resiliency measures.

In recognition of near-term flooding risks, the Applicant has selected and installed tables and chairs for use on the patio that can be quickly and easily removed ahead of a predicted flooding event that would inundate the site. Absent implementation of district-wide resiliency solutions that address medium- and long-term flooding risks, and in the event that inundation of the patio occurs with some regularity, the use of the patio can be discontinued without exacerbating flooding risks for the Project site or surrounding area.

5.2 Stormwater

From 1958 to 2010, there was a 70% increase in the amount of precipitation that fell on the days with the heaviest precipitation (*Climate Ready Boston*). With climate change, this trend is expected to continue, with more frequent, higher intensity rainfall events. In consideration of increased precipitation, *Climate Ready Boston* recommends considering a 10% increase in the 10-year rainfall event for the 2060s. By replacing approximately 853 sf of bituminous concrete with permeable pavers, the Project has modestly reduced stormwater runoff from the Project site. The historic Boston Wharf Company building at 253 Summer Street occupies the majority of the parcel and, other than Harborwalk, Necco Court, and the restaurant's patio and deck, there is no open space. Consequently, additional stormwater mitigation may likely require systems to capture and retain/infiltrate stormwater from the building's roof. Such systems are not feasible at this time and beyond the scope of work identified for the patio installation.

5.3 Extreme Heat

Extreme heat is a chronic hazard that is expected to worsen in Boston over time. Both average temperatures as well as the frequency, duration, and intensity of extended periods of severe heat are projected to increase. Average summer temperatures in Boston are projected to rise from 69 degrees Fahrenheit to as high as 76 degrees by 2050 and 84 degrees by 2100. Additionally, by 2030, as many as 40 days per year may experience a heat wave of over 90 degrees, with as many as 90 days per year by 2070 (including up to 33 days over 100 degrees), assuming a business-as-usual carbon emissions scenario (*Climate Ready Boston*).

By replacing approximately 853 sf of bituminous concrete with lighter colored permeable pavers, the Project has modestly reduced heating of surface materials that contributes to heat island effect.

6.0 Mitigation Measures

6.1 Construction-Period BMPs

During construction, certain best management practices (BMPs) were utilized to minimize construction related impacts.

Construction Air Emissions and Dust

During construction, activities such as excavation and temporary material stockpiling have the potential to generate suspended particulate matter. Measures utilized to mitigate fugitive dust included:

- ◆ Water dust suppressant spraying on exposed soils and during concrete-cutting activities;
- ◆ Load covers on trucks hauling dust generating materials to and from the site; and,
- ◆ The Project site was routinely cleaned to minimize the potential of particulate resuspension.

Spill Prevention

It is understood that no storing or handling of fuels, oils and other potentially hazardous materials occurred during construction. All equipment used for construction of the patio and installation of the pavers was removed from the Project site at the conclusion of the workday. Neither vehicle and equipment maintenance nor re-fueling occurred on site during the construction period.

Construction Runoff

Measures to control stormwater in the work zone and construction staging and stockpiling area(s) included:

- ◆ Sedimentation control barriers (straw wattles) installed at the edge of Harborwalk and a silt sack was installed at the adjacent stormwater catch basin.
- ◆ All bulk materials (i.e., graded stone and bedding aggregate) were either installed upon delivery to the Project site or stockpiled within the footprint of the work area.

Dewatering

- ◆ No dewatering occurred during construction.

6.2 Stormwater Management

The introduction of additional pervious surface increased the site's capacity to retain and infiltrate stormwater. The increased infiltration reduced stormwater sheeting to the Fort Point Channel, thus improving its water quality, and reduced stormwater flows to the site's existing stormwater management system. Quality of stormwater runoff was also improved through the change in use from a parking area to a patio and a pedestrian walkway.

Materials selected for the patio and adjacent portion of Necco Court are able to withstand periodic inundation of saltwater. No structures were constructed, and all restaurant-related furniture was selected so that it can be quickly and easily removed from the patio ahead of a forecasted flooding event that would inundate the patio.

6.3 Other Mitigation Measures

The paving material was selected to also provide visual and physical continuity with the adjacent Harborwalk. Additional public amenities, including improved Harborwalk and wayfinding signage has been installed adjacent to the patio and along Necco Court. As part of this Project, the Applicant will relocate five parking spaces reserved for patrons of the public dock at 15 Necco Court to the end of Necco Court closest to the Harborwalk. The relocation of these parking spaces is intended, in part, to provide more convenient access to the public dock, especially for those launching canoes and kayaks at the dock.

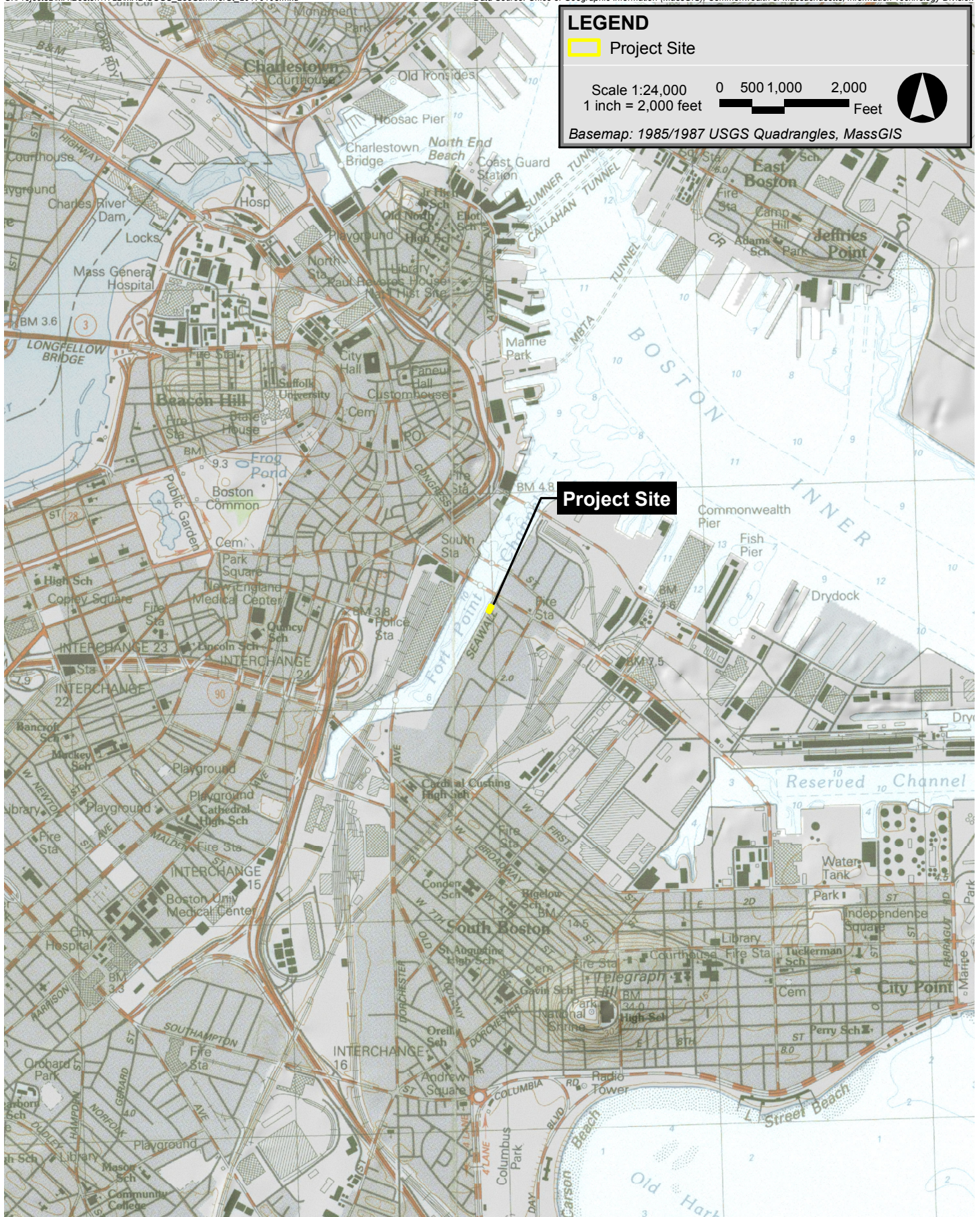
In addition, loading and delivery operations, including removal of trash from the restaurant's indoor trash room, have been relocated from the Project site to an area along Necco Court, thus increasing useable public open space in close proximity to the Fort Point Channel.

7.0 Conclusions

The information contained in this NOI sufficiently describes the Project site, the completed work and the effects of that work on the resource areas and further demonstrates that the work was completed in accordance with the applicable performance standards for the affected resource areas. The Applicant is grateful for the Commission's assistance, patience, and review of the enclosed materials and respectfully requests that the Boston Conservation Commission issue an Order of Conditions, as appropriate, to protect the interests identified in M.G.L. c. 131 §40 and the Ordinance.


Attachment B

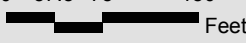
Figures




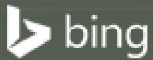
253 Summer Street Boston, Massachusetts

LEGEND

 Project Site

Scale 1:1,800 0 37.5 75 150
1 inch = 150 feet  Feet

Basemap: 2016 Bing Aerial Imagery

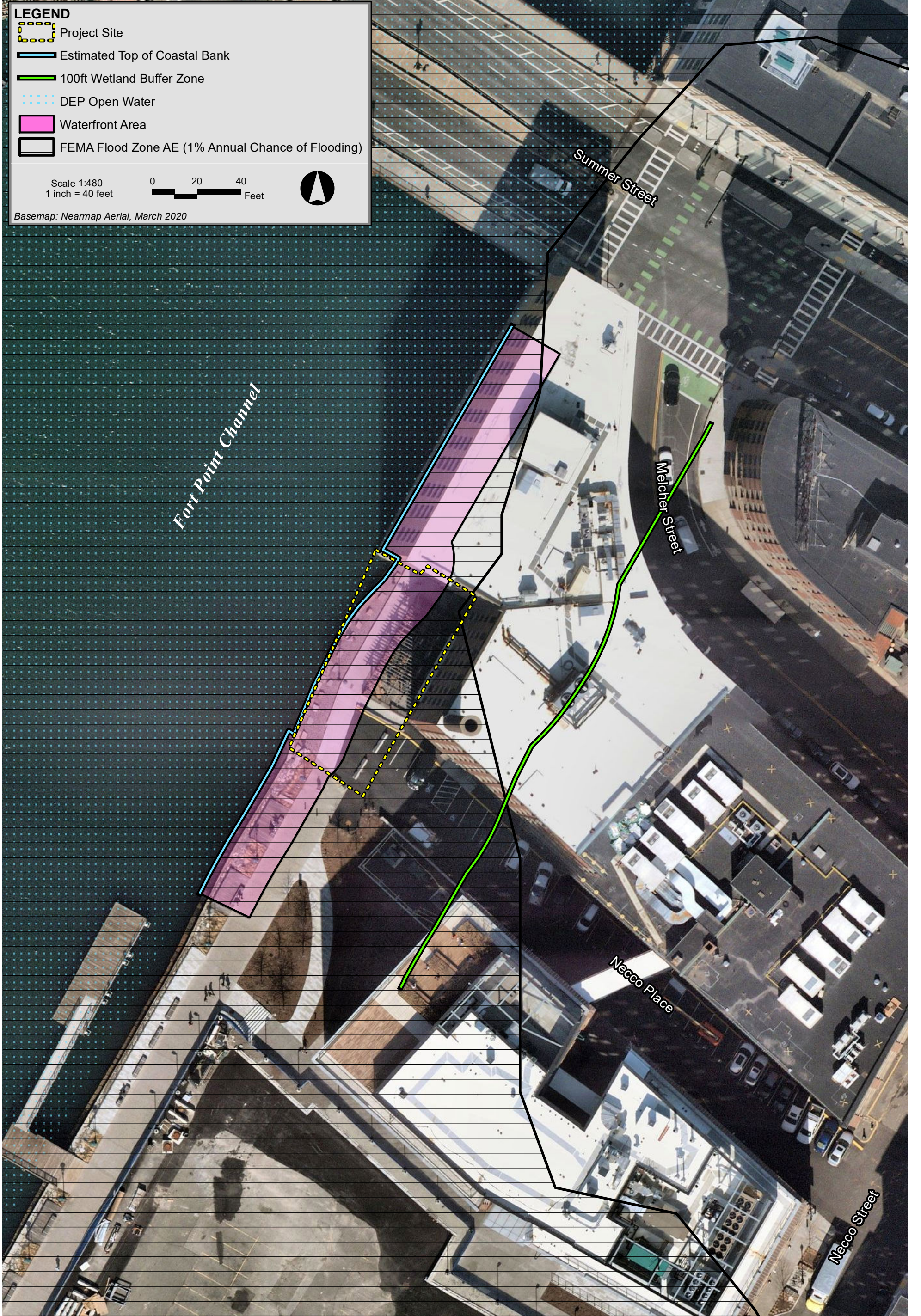



© 2017 Microsoft Corporation

253 Summer Street Boston, Massachusetts



Figure 2
Aerial Locus Map



253 Summer Street Boston, Massachusetts

National Flood Hazard Layer FIRMette



71°3'25"W 42°21'13"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, A99
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee, See Notes, Zone X
- Area with Flood Risk due to Levee Zone D

OTHER AREAS

- NO SCREEN Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/1/2021 at 8:39 PM 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.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, 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 regulatory purposes.

253 Summer Street

Boston, Massachusetts



Figure 4
FEMA FIRMette

Attachment C

Site Photographs



253 Summer Street

Boston, Massachusetts

Attachment D

Filing Fee Information



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



A. Applicant Information

1. Location of Project:

253 Summer Street Boston
 a. Street Address b. City/Town
237.50
 c. Check number d. Fee amount

2. Applicant Mailing Address:

LCTB Fort Point LLC
 a. First Name b. Last Name
 c. Organization
c/o Coje Management Group, 25 Thomson Place, First Floor
 d. Mailing Address
Boston MA 02210
 e. City/Town f. State g. Zip Code

 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

Summer Melcher SPE LLC
 a. First Name b. Last Name
 c. Organization
10 Post Office Square, 14th Floor
 d. Mailing Address
Boston MA 02109
 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).

Attachment E

Abutter Notification Information

Affidavit of Service
Under The Massachusetts Wetlands Protection Act and Boston
Wetlands Protection Ordinance

I, **Erik Rexford**, hereby certify under the pains and penalties of perjury that on **March 17, 2021**, Epsilon Associates, Inc. gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, the DEP Guide to Abutter Notification dated April 8, 1994 in connection with the following matter:

A **Notice of Intent** was filed under the Massachusetts Wetland Protection Act by LCTB Fort Point LLC on **March 17, 2021** for property located at **253 Summer Street and Necco Court** in Boston, MA.

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



Erik Rexford
Senior Consultant

March 12, 2021

DATE



NOTIFICATION TO ABUTTERS
BOSTON CONSERVATION COMMISSION

In accordance with the Massachusetts Wetlands Protection Act, Massachusetts General Laws Chapter 131, Section 40, and the Boston Wetlands Ordinance, you are hereby notified as an abutter to a project filed with the Boston Conservation Commission.

- A. LCTB Fort Point, LLC has filed a Notice of Intent with the Boston Conservation Commission under the Wetlands Protection Act (General Laws Chapter 131, section 40) and Boston Wetlands Ordinance.
- B. The address of the lot where the activity was conducted is **253 Summer Street and Necco Court**.
- C. The project, as described in the Notice of Intent and now, as constructed, includes a patio for seasonal dining and installation of pervious pavers.
- D. Copies of the Notice of Intent may be obtained by contacting the Boston Conservation Commission at CC@boston.gov.
- E. Copies of the Notice of Intent may be obtained from Epsilon Associates (erexford@epsilonassociates.com) or 978-897-7100 between the hours of 8:00am-5:00pm, Monday to Friday.
- F. In accordance with the Commonwealth of Massachusetts Executive Order Suspending Certain Provisions of the Open Meeting Law, the public hearing will take place **virtually** at <https://zoom.us/j/6864582044>. If you are unable to access the internet, you can call 1-929-2056099, enter Meeting ID 686 458 2044 # and use # as your participant ID.
- G. Information regarding the date and time of the public hearing may be obtained from the **Boston Conservation Commission** by emailing CC@boston.gov or calling **(617) 635-4416** between the hours of **9 AM to 5 PM, Monday through 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 **Boston Herald**.

NOTE: Notice of the public hearing, including its date, time, and place, will be posted on www.boston.gov/public-notices and in Boston City Hall not less than forty-eight (48) hours in advance.

NOTE: If you would like to provide comments, you may attend the public hearing or send written comments to CC@boston.gov or Boston City Hall, Environment Department, Room 709, 1 City Hall Square, Boston, MA 02201

NOTE: You also may contact the Boston Conservation Commission or the Department of Environmental Protection Northeast Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call: the Northeast Region: (978) 694-3200.



BABEL NOTICE

English:

IMPORTANT! This document or application contains **important information** about your rights, responsibilities and/or benefits. It is crucial that you understand the information in this document and/or application, and we will provide the information in your preferred language at no cost to you. If you need them, please contact us at cc@boston.gov or 617-635-3850.

Spanish:

¡IMPORTANTE! Este documento o solicitud contiene **información importante** sobre sus derechos, responsabilidades y/o beneficios. Es fundamental que usted entienda la información contenida en este documento y/o solicitud, y le proporcionaremos la información en su idioma preferido sin costo alguno para usted. Si los necesita, póngase en contacto con nosotros en el correo electrónico cc@boston.gov o llamando al 617-635-3850.

Haitian Creole:

AVI ENPÒTAN! Dokiman oubyen aplikasyon sa genyen **enfòmasyon ki enpòtan** konsènan dwa, responsablite, ak/oswa benefis ou yo. Li enpòtan ke ou konprann enfòmasyon ki nan dokiman ak/oubyen aplikasyon sa, e n ap bay enfòmasyon an nan lang ou prefere a, san ou pa peye anyen. Si w bezwen yo, tanpri kontakte nou nan cc@boston.gov oswa 617-635-3850.

Traditional Chinese:

非常重要！這份文件或是申請表格包含關於您的權利，責任，和／或福利的重要信息。請您務必完全理解這份文件或申請表格的全部信息，這對我們來說十分重要。我們會免費給您提供翻譯服務。如果您有需要請聯系我們的郵箱 cc@boston.gov 電話# 617-635-3850..

Vietnamese:

QUAN TRỌNG! Tài liệu hoặc đơn yêu cầu này chứa **thông tin quan trọng** về các quyền, trách nhiệm và/hoặc lợi ích của bạn. Việc bạn hiểu rõ thông tin trong tài liệu và/hoặc đơn yêu cầu này rất quan trọng, và chúng tôi sẽ cung cấp thông tin bằng ngôn ngữ bạn muốn mà không tính phí. Nếu quý vị cần những dịch vụ này, vui lòng liên lạc với chúng tôi theo địa chỉ cc@boston.gov hoặc số điện thoại 617-635-3850.

Simplified Chinese:

非常重要！这份文件或是申请表格包含关于您的权利，责任，和／或福利的重要信息。请您务必完全理解这份文件或申请表格的全部信息，这对我们来说十分重要。我们会免费给您提供翻译服务。如果您有需要请联联系我们的邮箱 cc@boston.gov 电话# 617-635-3850.

Cape Verdean Creole:

INPURTANTI! Es dukumentu ó aplikason ten **informason inpurtanti** sobri bu direitus, rasponsabilidadi i/ó benefisius. Ê krusial ki bu intendi informason na es dukumentu i/ó aplikason ó nu ta da informason na língua di bu preferênsia sen ninhun kustu pa bó. Si bu prisiza del, kontata-nu na cc@boston.gov ó 617-635-3850.

Arabic:

مهم! يحتوي هذا المستند أو التطبيق على معلومات مهمة حول حقوقك ومسؤولياتك أو فوائده. من الأهمية أن تفهم المعلومات الواردة في هذا المستند أو التطبيق. سوف نقدم المعلومات بلغتك المفضلة دون أي تكلفة عليك. إذا كنت في حاجة إليها، يرجى الاتصال بنا على cc@boston.gov أو 617-635-3850.

Russian:

ВАЖНО! В этом документе или заявлении содержится **важная информация** о ваших правах, обязанностях и/или льготах. Для нас очень важно, чтобы вы понимали приведенную в этом документе и/или заявлении информацию, и мы готовы бесплатно предоставить вам информацию на предпочитаемом вами языке. Если Вам они нужны, просьба связаться с нами по адресу электронной почты cc@boston.gov, либо по телефону 617-635-3850.

Portuguese:

IMPORTANTE! Este documento ou aplicativo contém **Informações importantes** sobre os seus direitos, responsabilidades e/ou benefícios. É importante que você compreenda as informações contidas neste documento e/ou aplicativo, e nós iremos fornecer as informações em seu idioma de preferência sem nenhum custo para você. Se precisar deles, fale conosco: cc@boston.gov ou 617-635-3850.

French:

IMPORTANT ! Ce document ou cette demande contient des **informations importantes** concernant vos droits, responsabilités et/ou avantages. Il est essentiel que vous compreniez les informations contenues dans ce document et/ou cette demande, que nous pouvons vous communiquer gratuitement dans la langue de votre choix. Si vous en avez besoin, veuillez nous contacter à cc@boston.gov ou au 617-635-3850.





BENACHRICHTIGUNG AN BENACHBARTE GRUNDBESITZER
BOSTON CONSERVATION COMMISSION (NATURSCHUTZKOMMISSION)

In Übereinstimmung mit dem Massachusetts Wetlands Protection Act, Massachusetts General Laws Chapter 131, Section 40, und der Boston Wetlands Ordinance werden Sie hiermit als benachbarter Grundbesitzer eines bei der Boston Conservation Commission eingereichten Projekts benachrichtigt.

- A. LCTB Fort Point, LLC hat bei der Boston Conservation Commission eine Absichtserklärung unter dem Wetlands Protection Act beantragt (General Laws Chapter 131, Section 40) und der Boston Wetlands Ordinance eingereicht.
- B. Die Adresse des Grundstücks, in dem die Aktivität durchgeführt wurde, lautet: 253 Summer Street und Necco Court.
- C. Das Projekt umfasst, wie in der Absichtserklärung beschrieben und zum aktuellen Zeitpunkt im Bau befindlich, die Terrasse für saisonale Mahlzeiten und die Installation von durchlässigen Pflastersteinen.
- D. Kopien der Absichtserklärung erhalten Sie bei der Boston Conservation Commission unter CC@boston.gov.
- E. Kopien der Absichtserklärung können von Epsilon Associates per E-Mail an [erexford @ epsilonassociates.com](mailto:erexford@epsilonassociates.com) oder telefonisch unter (978) 897-7100 zwischen 9.00 und 17.00 Uhr, montags bis freitags, angefordert werden.
- F. In Übereinstimmung mit der Verordnung des Commonwealth of Massachusetts zur Aussetzung bestimmter Bestimmungen des Gesetzes über offene Sitzungen findet die öffentliche Anhörung virtuell unter <https://zoom.us/j/6864582044> statt. Wenn Sie keinen Internet-Anschluss haben, können Sie 1-929- 205-6099 anrufen, die Meeting-ID 686 458 2044 # eingeben und # als Teilnehmer-ID verwenden.
- G. Informationen über Datum und Uhrzeit der öffentlichen Anhörung können von der **Boston Conservation Commission** per E-Mail an CC@boston.gov oder telefonisch unter (617) 635-4416 zwischen 9.00 und 17.00 Uhr, **montags bis freitags**, eingeholt werden.

HINWEIS: Die Bekanntmachung der öffentlichen Anhörung, einschließlich Datum, Uhrzeit und Ort, wird mindestens fünf (5) Tage im Voraus im **Boston Herald** veröffentlicht.

HINWEIS: Die Bekanntmachung der öffentlichen Anhörung, einschließlich Datum, Uhrzeit und Ort, wird mindestens achtundvierzig (48) Stunden vorher auf www.boston.gov/public-notices und in der Boston City Hall veröffentlicht.

HINWEIS: Wenn Sie Kommentare abgeben möchten, können Sie an der öffentlichen Anhörung teilnehmen oder schriftliche Kommentare an CC@boston.gov oder an die Boston City Hall, Environment Department, Room 709, 1 City Hall Square, Boston, MA 02201, schicken.

HINWEIS: Sie können sich auch an die Boston Conservation Commission oder das Department of Environmental Protection Northeast Regional Office (DEP) wenden, um weitere Informationen über diesen Antrag oder den Wetlands Protection Act zu erhalten. Um sich mit dem DEP in Verbindung zu setzen, rufen Sie bitte die Region Northeast an unter: (978) 694-3200 an.

ALTA Language Services, Inc. Translation Certification

Document(s): Abutter-Notification-Form
Original Language: English
Target Language: German
Project Manager: Jason Ballot
Job Number: 114308

Sworn and subscribed before me
on February 23, 2024



Veronica Stone
Notary Public, Gwinnett County, Georgia
My commission expires February 9, 2024

This is to certify that we have provided complete and accurate German editing of the original English to German translations, and the translator is competent to edit and translate English into German, to the best of my knowledge.

Altimende
Director
ALTA Language Services, Inc.
3355 Lenox Road, Suite 510
Atlanta, GA 30326
404-920-3838



PID	OWNER	ADDRESSEE	MLG_ADDRESS	MLG_CITYSTATE	MLG_ZIPCODE	LOC_ADDRESS	LOC_CITY	LOC_ZIPCODE
601163005	SUMMER MELCHER SPE LLC	SUMMER MELCHER SPE LLC	100 FRANKLIN ST 2ND FLOOR	BOSTON MA	2110	253 SUMMER ST	SOUTH BOSTON	2127
601165030	MASSDEVELOPMENT/NECCO	MASSDEVELOPMENT/NECCO	99 HIGH ST 11TH FLOOR	BOSTON MA	2110	6 NECCO CT	SOUTH BOSTON	2127
601165040	BOSTON REDEVELOPMENT	BOSTON REDEVELOPMENT	1 CITY HALL PLAZA 9TH FLOOR	BOSTON MA	2201	15 NECCO ST	SOUTH BOSTON	2127
601166050	FOURTY-9 MELCHER ST LLC	FOURTY-9 MELCHER ST LLC	133 PEARL ST SUITE #400	BOSTON MA	2110	49 MELCHER ST	SOUTH BOSTON	2127
601166070	MEPT NECCO STREET GARAGE LLC	MEPT NECCO STREET GARAGE LLC	PO BOX 92129	SOUTHLAKE TX	76092	10 NECCO ST	SOUTH BOSTON	2127
602691000	CONGRESS VENTURES LLC	CONGRESS VENTURES LLC	303 CONGRESS ST	BOSTON MA	2210	305 CONGRESS ST	BOSTON	2210
602692000	MEPT FORT POINT CREATIVE	MEPT FORT POINT CREATIVE	PO BOX 92129	SOUTHLAKE TX	76092	313 CONGRESS ST	BOSTON	2210
602699000	TWO 74 SUMMER STREET NOMINEE	TWO 74 SUMMER STREET NOMINEE	274 SUMMER ST	BOSTON MA	2210	274 278 SUMMER ST	BOSTON	2127
602700000	SUMMER EQUITY PARTNERS LLC	SUMMER EQUITY PARTNERS LLC	150 EAST 58TH ST SUITE #2000	NEW YORK NY	10155	268 272 SUMMER ST	BOSTON	2210
602701000	VANDERWEIL RAIMUND G JR TS	VANDERWEIL RAIMUND G JR TS	274 SUMMER ST	BOSTON MA	2210	262 266 SUMMER ST	BOSTON	2210
602701001	PPF/SI 250 SUMMER STREET	PPF/SI 250 SUMMER STREET	1585 BROADWAY 37 TH FL	NEW YORK NY	10036	256 260 SUMMER ST	BOSTON	2210
602702000	T-C FORT POINT CREATIVE	T-C FORT POINT CREATIVE	99 HIGH ST STE 801	BOSTON MA	2110	10 MELCHER ST	BOSTON	2210
602703000	TWO 81 SUMMER ST LLC	TWO 81 SUMMER ST LLC	PO BOX 4900 - DEPT 207	SCOTTSDALE AZ	85261	273 SUMMER ST	BOSTON	2210

Attachment F

Permit Drawings

SITE DEVELOPMENT PLANS

PROPOSED PATIO

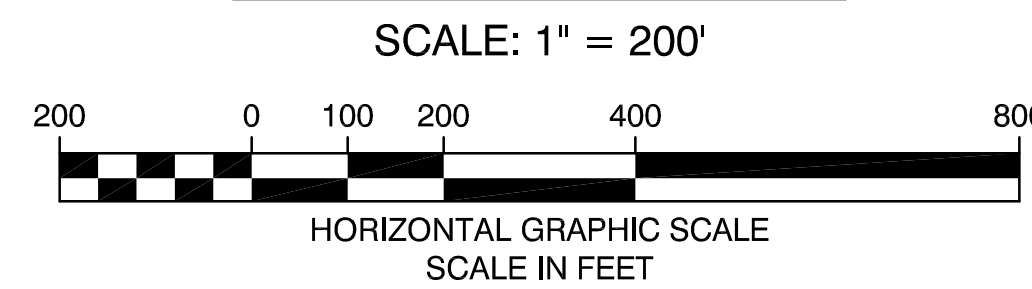
253 SUMMER STREET BOSTON, MASSACHUSETTS JANUARY 21, 2021



Reference:
Aerial Orthophoto from MassGIS website. (www.mass.gov/mgis). Photo tile number coq2013_7. Orthophoto was taken in 2013.

<u>INDEX OF DRAWINGS</u>		
<u>CIVIL DRAWINGS</u>		
<u>SHEET No.</u>	<u>TITLE</u>	<u>DATE</u>
	COVER SHEET	01/21/2021
C-1	SITE PLAN	01/21/2021
C-2	SEDIMENTATION CONTROL PLAN	01/21/2021

LOCUS MAP

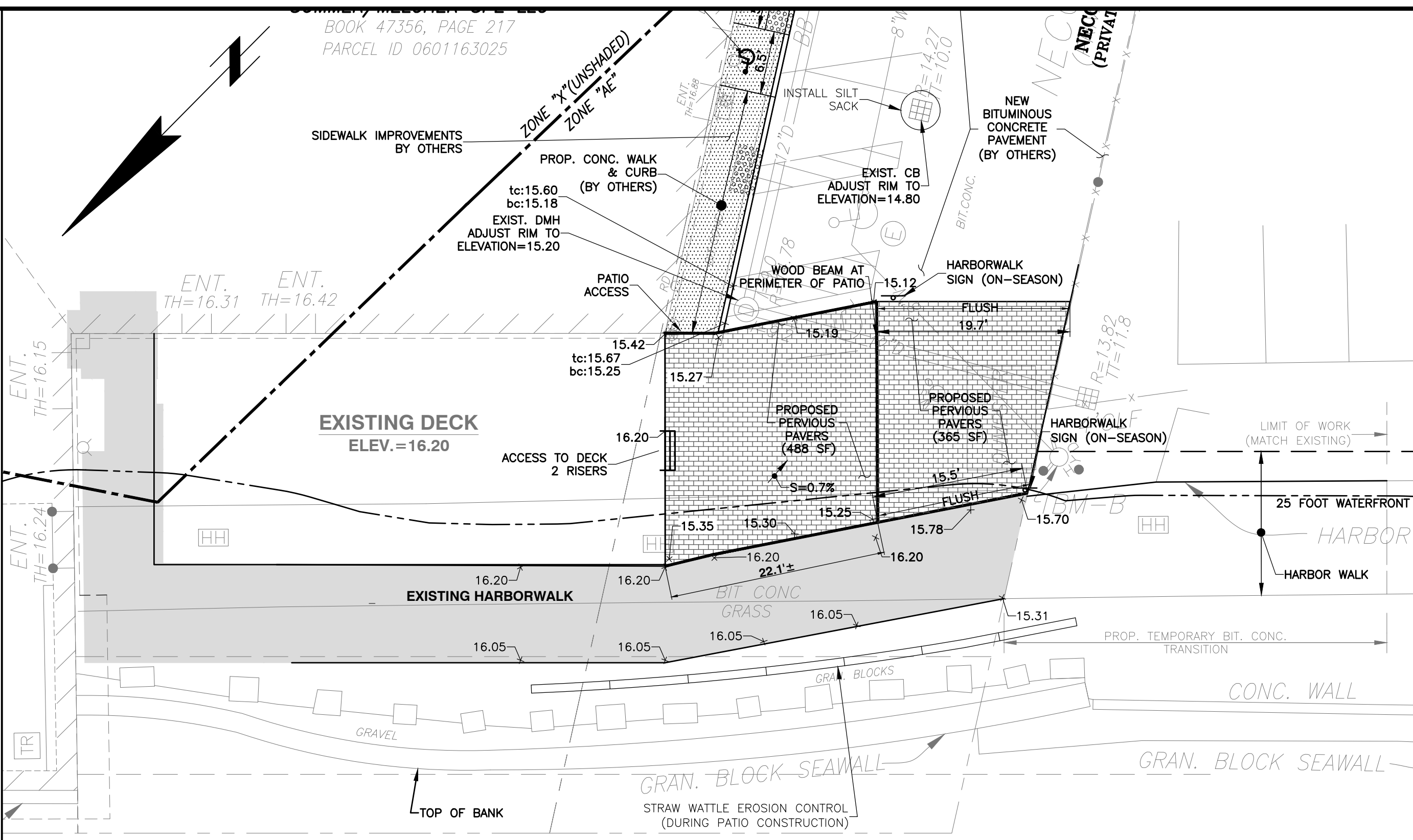
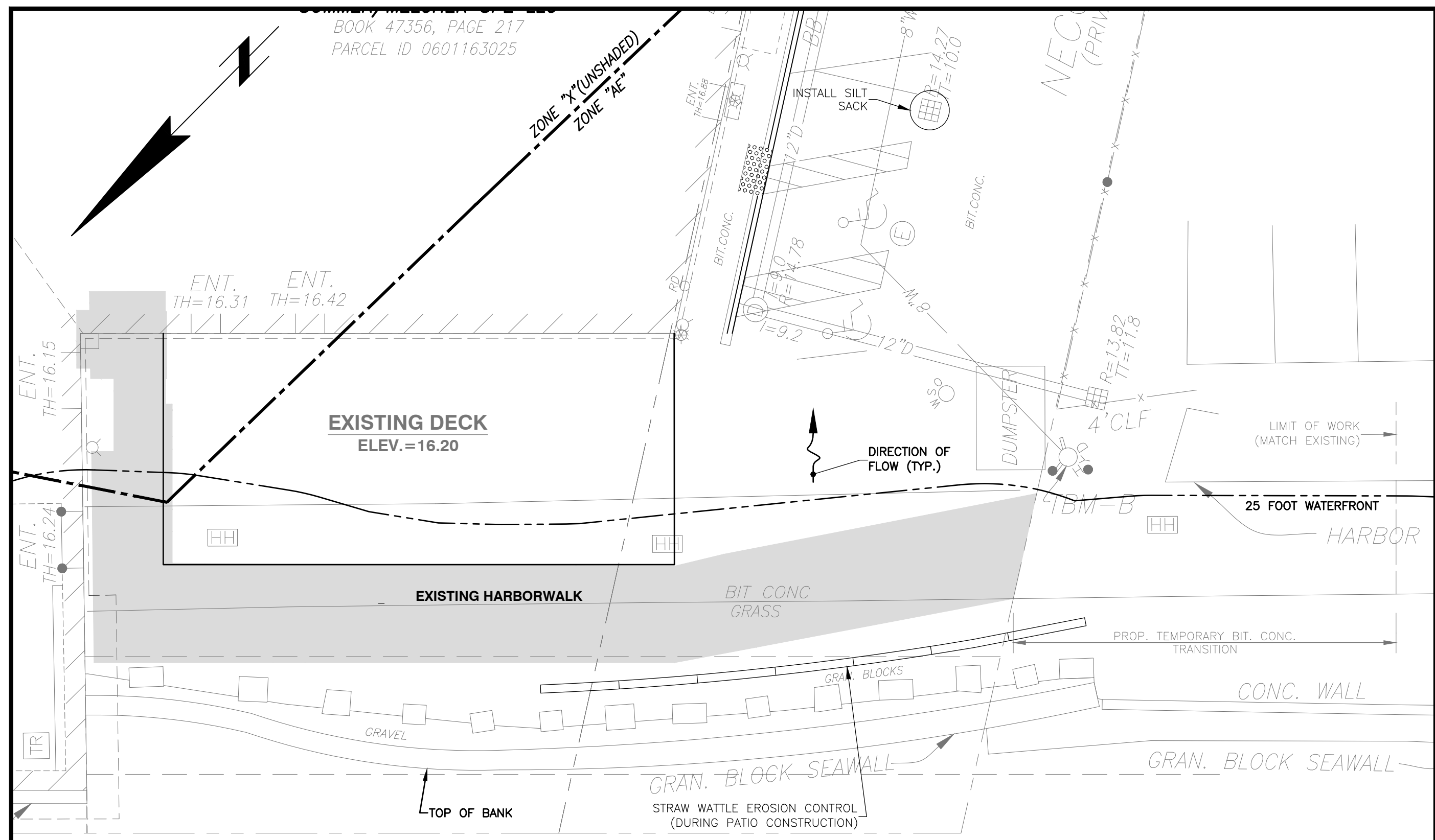


APPLICANT
COJE MANAGEMENT GROUP, CORP.
25 THOMPSON PLACE
BOSTON, MA 02110
TEL. 617-369-5609

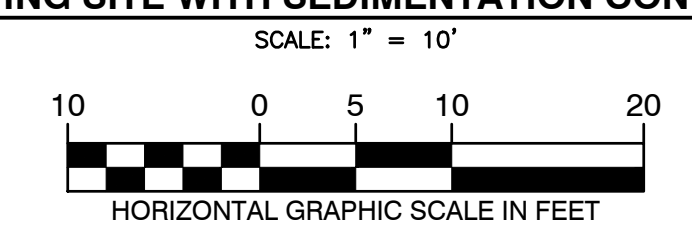
SURVEYOR
FELDMAN LANDSURVEYOR
152 HAMPDEN STREET
BOSTON, MA 02119
TEL. 617-357-9740

CIVIL ENGINEER
H.W. MOORE ASSOCIATES, INC.
121 E BERKELEY STREET
BOSTON, MA 02118
TEL. 617-357-8145
CONTACT: JAMES WHITE, P.E.

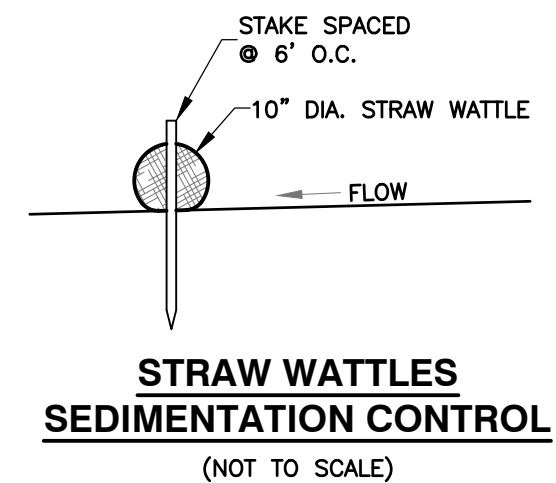
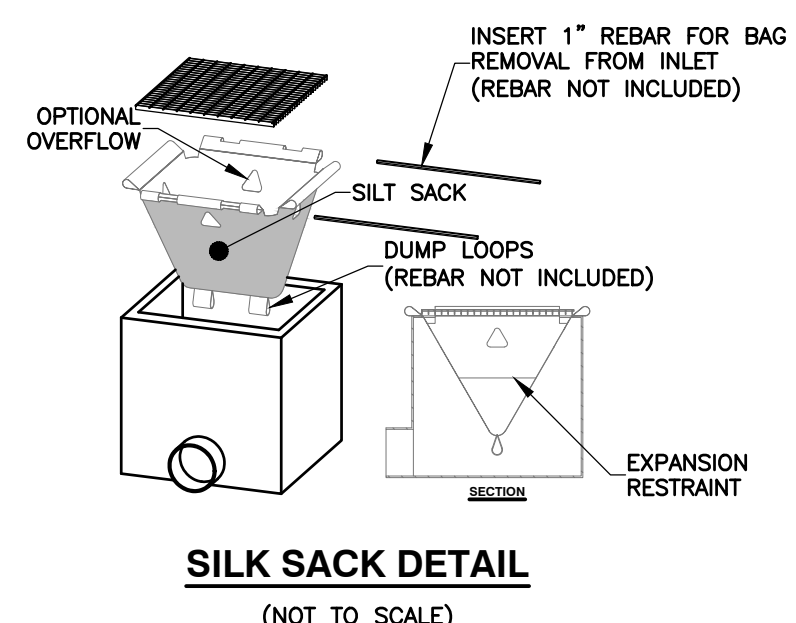
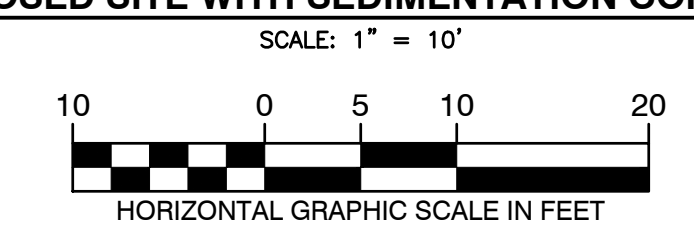
ENVIRONMENTAL CONSULTANT
EPSILON ASSOCIATES, INC.
3 MILL & MAIN PLACE, SUITE 250
MAYNARD, MA 01754
TEL. 978-897-7100



EXISTING SITE WITH SEDIMENTATION CONTROLS



PROPOSED SITE WITH SEDIMENTATION CONTROLS



INTRODUCTION

THE PROPOSED PROJECT INCLUDES THE CONSTRUCTION OF AN OUTDOOR PATIO WITH AN INTENDED USE AS AN OUTDOOR DINING AREA, SIDEWALK IMPROVEMENTS, AND HARBORWALK ACCESS. THE OUTDOOR PATIO IS A 488 SF PERVIOUS PAVER SURFACE UNDERLAIN BY CRUSHED STONE AND SURROUNDED BY A WOOD BERM. THE HARBORWALK ACCESS IS LIKEWISE A PERVIOUS PAVER SURFACE UNDERLAIN BY CRUSHED STONE THAT IS 365 SF IN AREA AND 15.5 FEET MINIMUM WIDTH. THE PROJECT WILL INCLUDE A NEW STORMWATER MANAGEMENT SYSTEM. THE PROPOSED PROJECT WILL RESULT IN A SIGNIFICANT REDUCTION IN IMPERVIOUS AREA. THE PROPOSED STORMWATER MANAGEMENT SYSTEM WILL PROVIDE MITIGATION, RECHARGE, AND TREATMENT OF SITE-GENERATED RUNOFF PRIOR TO DISCHARGE OFFSITE.

THE PROPOSED PROJECT INCLUDES WORK THAT COMES UNDER THE JURISDICTION OF THE BOSTON CONSERVATION COMMISSION. IT IS ANTICIPATED THAT THE CONSERVATION COMMISSION WILL ISSUE AN ORDER OF CONDITIONS, A COPY OF WHICH THE CONTRACTOR MUST RETAIN ON SITE, AND MUST COMPLY WITH ALL CONDITIONS STATED THEREIN. THE PURPOSE OF THE ORDERS IS TO MINIMIZE THE POTENTIAL OF SILT AND SEDIMENT ENTERING BOSTON HARBOR FROM BOTH OVERLAND FLOW AND FROM PIPE FLOW, AND TO MINIMIZE THE IMPACT ON THE BUFFER ZONE ADJACENT TO THE RESOURCE AREA. THE FOLLOWING NOTES AND DETAILS ARE INTENDED TO BE A MINIMUM SET OF GUIDELINES, AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR THEIR IMPLEMENTATION. SHOULD ADDITIONAL CONTROLS BE REQUIRED, THE CONTRACTOR SHALL TAKE WHATEVER STEPS ARE NECESSARY.

THE PROJECT SITE IS LOT 6 OF THE SUMMER STREET, MELCHER STREET, NECCO STREET, AND NECCO COURT PARCEL. NECCO COURT PARCEL IN THE SOUTH BOSTON NEIGHBORHOOD. LOT 6 IS A 13,009 SF LOT CONTAINING THE NECCO COURT RIGHT OF WAY, PARKING, AND HARBOR WALK. THE PROJECT SITE IS A 833 SF SECTION OF LOT 6 BETWEEN THE HARBOR WALK AT THE WESTERN END OF THE NECCO COURT RIGHT OF WAY. LAND COVER IS ENTIRELY BITUMINOUS.

TOPOGRAPHY ONSITE IS ESSENTIALLY FLAT WITH A HIGH ELEVATION OF 15.7 (BCB) ALONG THE NORTHWEST SIDE OF THE SITE NEAREST FORT POINT CHANNEL, AND A LOW ELEVATION OF 15.1 (BCB) ON THE SOUTHEAST SIDE ALONG THE RIGHT OF WAY. OVERALL, THE SITE GENERALLY SLOPES IN A SOUTHEASTERLY DIRECTION TOWARD NECCO COURT.

CURRENTLY THERE ARE NO MANMADE STORMWATER CONVEYANCES ONSITE. ALL STORMWATER FLOWS OVERLAND OFFSITE UNMITIGATED AND UNTREATED TO THE EXISTING NECCO COURT STORM DRAIN SYSTEM. THIS DRAIN SYSTEM DISCHARGES TO FORT POINT CHANNEL. FORT POINT CHANNEL IS CONSIDERED A CLASS "SB (CSO)" SURFACE WATER. THEREFORE IT IS NOT CONSIDERED A "CRITICAL AREA."

THE CURRENT FEMA FLOOD INSURANCE RATE MAP (FIRM) FOR THE CITY OF BOSTON INDICATES THE PROJECT SITE IS WITHIN THE 100 YEAR FLOOD ZONE (ZONE AE), THE 100-YEAR FLOOD ELEVATION IS 11: NAVD88 (16.46 BOSTON CITY BASE) ON THE CURRENT FIRM.

SITE CONTROLS

BEFORE ANY CONSTRUCTION TAKES PLACE, PERIMETER CONSTRUCTION FENCING WITH DUST CONTROL SCREEN WILL BE INSTALLED AROUND THE PERIMETER OF THE SITE. STAKED STRAW WATTLES (EROSION CONTROL TUBES) WILL BE INSTALLED ALONG THE SOUTH SIDE AT THE LIMIT OF WORK. A CRUSHED STONE ACCESS DRIVE WILL BE INSTALLED AND MAINTAINED AT THE CONSTRUCTION DRIVE ENTRANCE. SILT SACKS SHALL BE INSTALLED IN EXISTING CATCH BASINS. SEDIMENTATION CONTROL BARRIERS SHALL BE MAINTAINED AND REPLACED, IF NECESSARY, THROUGHOUT THE COURSE OF CONSTRUCTION.

SITE CONSTRUCTION

PRIOR TO CONSTRUCTION, THE PROPOSED LOCATIONS OF ANY EARTH STOCKPILES SHALL BE SHOWN ON A PLAN AND SHALL BE APPROVED BY THE ENGINEER. STOCKPILES THAT ARE TO BE LEFT FOR MORE THAN FOURTEEN (14) DAYS SHALL BE SHAPED AND SECURED BY SILTATION CONTROLS AROUND THE DOWNSTREAM PERIMETER AND SHALL BE STABILIZED BY TEMPORARY SEEDINGS OR NETTING. THE PERIMETER SEDIMENTATION CONTROLS AT THE STOCKPILES SHOULD BE IN PLACE AT THE END OF EACH DAY AND BEFORE RAIN EVENTS.

A CRUSHED STONE CONSTRUCTION ENTRANCE WILL BE CONSTRUCTED FOR OF THE PROJECT SITE. THE LOCATION TO BE DETERMINED BY THE CONTRACTOR.

DURING THE CONSTRUCTION OF THE DRAINAGE SYSTEM, CARE MUST BE TAKEN TO PREVENT SILTATION FROM ENTERING THE SYSTEM. ORANGE PIPES IN OPEN EXCAVATIONS SHALL NOT REMAIN OPEN OVERNIGHT. SILT SACKS SHALL BE PLACED IN EXISTING CATCH BASINS AROUND THE PROJECT SITE. THE SILT AND SAND, WHICH MAY ACCUMULATE AROUND THE CATCH BASINS, SHALL BE REMOVED AFTER EVERY RAINSTORM. THE ONSITE DRAINAGE SYSTEM SHALL BE CLEANED PRIOR TO ACCEPTANCE.

INSPECTION AND MAINTENANCE

PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL FORMULATE A SCHEDULE FOR INSPECTION AND MAINTENANCE OF THE EROSION AND SEDIMENT CONTROL MEASURES. THIS SCHEDULE SHALL ESTABLISH, AT A MINIMUM, THE WEEKLY INSPECTIONS OF THE SEDIMENTATION CONTROLS, STOCKPILES, CATCH BASINS, UNSTABILIZED AREAS WITHIN THE SITE AND A REPORT OF ANY REQUIRED MAINTENANCE. THE SCHEDULE WILL ALSO APPOINT AN INDIVIDUAL WHO WILL BE RESPONSIBLE FOR PERFORMING THE WEEKLY INSPECTIONS.

DURING THE WEEKLY INSPECTION, AND AT ANY TIME DURING THE COURSE OF CONSTRUCTION, THE ENGINEER, THE OWNER OR THE INDIVIDUAL RESPONSIBLE FOR THE EROSION CONTROL MEASURES MAY DIRECT THE CONTRACTOR TO TAKE IMMEDIATE ACTION TO CORRECT A DEFICIENCY OR TO INCREASE THE EROSION CONTROL MEASURES.

ADDITIONAL REQUIREMENTS

THE CONTRACTOR SHALL EMPLOY MEASURES TO CONTROL DUST DURING CONSTRUCTION. ALL DEBRIS SHALL BE PROPERLY CONTAINED AND DISPOSED OF.

NECCO COURT SHALL BE SWEEPED CLEAN OF ANY SOILS TRACKED ONTO THE PAVEMENT FROM VEHICLES EXITING THE SITE.

A SUPPLY OF CRUSHED STONE, EROSION CONTROL TUBE, AND SILT SACKS SHALL BE KEPT ON SITE TO PROVIDE FOR ADDITIONAL SILTATION CONTROL, AS MAY BE REQUIRED. ANY CONSTRUCTION EQUIPMENT OBSERVED LEAKING OR DRIPPING OIL SHALL BE REMOVED FROM THE SITE. NO CONSTRUCTION EQUIPMENT SHALL BE RE-FUELED WITHIN 100 FEET OF FORT POINT CHANNEL. TEMPORARY GRASS STABILIZATION SHALL BE APPLIED AT RATE OF 4-POUNDS/1,000 SF, AND CONFORM TO THE FOLLOWING MIX SUMMARIZED IN TABLE 1.

TABLE 1

SEED MIXTURE

SEED	% WEIGHT	
	MIN.	MAX.
WINTER RYE	80	
RED FESCUE (CREEPING)	4	
PERENNIAL RYE GRASS	3	
RED CLOVER	3	
OTHER CROP GRASS	0.5	
NOXIOUS WEED SEED		0.5
INERT MATTER		1

CONSTRUCTION SCHEDULE

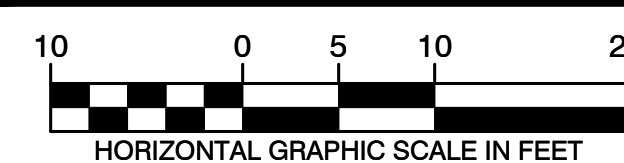
- PRIOR TO CONSTRUCTION, PERIMETER FENCING AND SEDIMENTATION CONTROLS WILL BE PLACED AROUND THE SITE. SILT SACKS SHALL BE INSTALLED IN EXISTING CATCH BASINS AS INDICATED ON THE SITE PLANS.
- AFTER EROSION CONTROLS ARE IN PLACE, CONSTRUCTION OF THE PROPOSED PATIO SHALL COMMENCE.
- ADDITIONAL SILTATION CONTROLS WILL BE ADDED AS CONSTRUCTION PROCEEDS WHERE REQUIRED TO CONTROL EROSION.
- SITE GRADING SUBGRADE PREPARATION AND FINISH PAVING WILL COMMENCE AFTER UTILITY WORK IS COMPLETED.
- ALL STORMDRAIN SYSTEMS SHALL BE INSPECTED AND CLEANED.
- CONSTRUCTION FENCING, EROSION CONTROLS, AND SILT SACKS SHALL BE REMOVED.

BMP MAINTENANCE SCHEDULE FOR CONSTRUCTED SITE

- INSPECT SURFACE DRAIN ON A MONTHLY BASIS AND CLEAN AS NEEDED. INSPECT CHECK VALVES TWICE PER YEAR.
- KEEP ALL PERVIOUS SITE AREAS STABILIZED AT ALL TIMES. RE-SEED LAWN AREAS AS NEEDED TO MAINTAIN STABLE VEGETATION. INSPECT LAWN AREAS IN THE SPRING AND FALL.
- MINIMIZE THE USE OF SAND AND CHEMICALS FOR WINTER DE-ICING OF PAVEMENT AREAS.
- INSPECT SITE WEEKLY AND REMOVE ANY TRASH OR DEBRIS.
- SWEEP THE HARBORWALK AND NECCO COURT TWICE ANNUALLY, ONCE AFTER WINTER SANDING SEASON IS OVER DURING THE EARLY SPRING AND A SECOND TIME DURING THE FALL AFTER THE FOLIAGE HAS FALLEN.
- IT IS ANTICIPATED THAT THE COJE MANAGEMENT GROUP WILL BE THE OWNER AND RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF THE SITE. THEIR ADDRESS IS:

COJE MANAGEMENT GROUP
25 THOMPSON PLACE
BOSTON, MA 02110
TEL: 617.369.5609

DATE: 11/20/20 DESIGN BY: DTW
SCALE: AS NOTED DRAWN BY: EJR
APPRVD. BY: JMW CHECK BY: DTW



REVISIONS		
NO.	DATE	DESCRIPTION

ISSUE DATE DESCRIPTION

DATE: JAN 21, 2021
SCALE: AS NOTED
SHEET **C-2**

253 SUMMER STREET
BOSTON, MASSACHUSETTS

SEDIMENTATION CONTROL PLAN

H.W. Moore
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File Name: C:\projects\3793-518.dwg Saved: 1/22/2021 3:38 PM Plotted: Jan 22, 2021 3:43:41pm
Tab: CS-EROSION CONTROL Plot Style: 1050C.ctb Plotted By: David T. White

3793-518.dwg Saved: 1/22/2021 3:38 PM Plotted: Jan 22, 2021 3:43:41pm

Attachment G

Stormwater Management Report and Checklist

STORM RUNOFF ANALYSIS
AND
OPERATION AND MAINTENANCE PLAN

*PROPOSED PATIO &
SIDEWALK IMPROVEMENTS*

253 SUMMER STREET
BOSTON, MASSACHUSETTS

November 12, 2020

Prepared for: COJE Management Group
25 Thompson Place
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Tel: 617.369.5609

Prepared by: H.W. Moore Associates, Inc.
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121 East Berkley Street
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James M. White

H.W. Moore
ASSOCIATES, INC.

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Checklist for Stormwater Report

B. Stormwater Checklist and Certification

The following checklist is intended to serve as a guide for applicants as to the elements that ordinarily need to be addressed in a complete Stormwater Report. The checklist is also intended to provide conservation commissions and other reviewing authorities with a summary of the components necessary for a comprehensive Stormwater Report that addresses the ten Stormwater Standards.

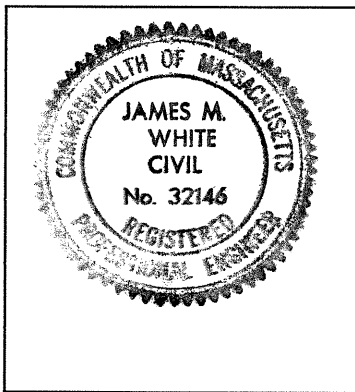
Note: Because stormwater requirements vary from project to project, it is possible that a complete Stormwater Report may not include information on some of the subjects specified in the Checklist. If it is determined that a specific item does not apply to the project under review, please note that the item is not applicable (N.A.) and provide the reasons for that determination.

A complete checklist must include the Certification set forth below signed by the Registered Professional Engineer who prepared the Stormwater Report.

Registered Professional Engineer's Certification

I have reviewed the Stormwater Report, including the soil evaluation, computations, Long-term Pollution Prevention Plan, the Construction Period Erosion and Sedimentation Control Plan (if included), the Long-term Post-Construction Operation and Maintenance Plan, the Illicit Discharge Compliance Statement (if included) and the plans showing the stormwater management system, and have determined that they have been prepared in accordance with the requirements of the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook. I have also determined that the information presented in the Stormwater Checklist is accurate and that the information presented in the Stormwater Report accurately reflects conditions at the site as of the date of this permit application.

Registered Professional Engineer Block and Signature



James M. White
Signature and Date

11/18/20

Checklist

Project Type: Is the application for new development, redevelopment, or a mix of new and redevelopment?

- New development
- Redevelopment
- Mix of New Development and Redevelopment



Checklist for Stormwater Report

Checklist (continued)

LID Measures: Stormwater Standards require LID measures to be considered. Document what environmentally sensitive design and LID Techniques were considered during the planning and design of the project:

- No disturbance to any Wetland Resource Areas
- Site Design Practices (e.g. clustered development, reduced frontage setbacks)
- Reduced Impervious Area (Redevelopment Only)
- Minimizing disturbance to existing trees and shrubs
- LID Site Design Credit Requested:
 - Credit 1
 - Credit 2
 - Credit 3
- Use of “country drainage” versus curb and gutter conveyance and pipe
- Bioretention Cells (includes Rain Gardens)
- Constructed Stormwater Wetlands (includes Gravel Wetlands designs)
- Treebox Filter
- Water Quality Swale
- Grass Channel
- Green Roof
- Other (describe): _____

Standard 1: No New Untreated Discharges

- No new untreated discharges
- Outlets have been designed so there is no erosion or scour to wetlands and waters of the Commonwealth
- Supporting calculations specified in Volume 3 of the Massachusetts Stormwater Handbook included.



Checklist for Stormwater Report

Checklist (continued)

Standard 2: Peak Rate Attenuation

- Standard 2 waiver requested because the project is located in land subject to coastal storm flowage and stormwater discharge is to a wetland subject to coastal flooding.
- Evaluation provided to determine whether off-site flooding increases during the 100-year 24-hour storm.
- Calculations provided to show that post-development peak discharge rates do not exceed pre-development rates for the 2-year and 10-year 24-hour storms. If evaluation shows that off-site flooding increases during the 100-year 24-hour storm, calculations are also provided to show that post-development peak discharge rates do not exceed pre-development rates for the 100-year 24-hour storm.

Standard 3: Recharge

- Soil Analysis provided.
- Required Recharge Volume calculation provided.
- Required Recharge volume reduced through use of the LID site Design Credits.
- Sizing the infiltration, BMPs is based on the following method: Check the method used.
 - Static
 - Simple Dynamic
 - Dynamic Field¹
- Runoff from all impervious areas at the site discharging to the infiltration BMP.
- Runoff from all impervious areas at the site is *not* discharging to the infiltration BMP and calculations are provided showing that the drainage area contributing runoff to the infiltration BMPs is sufficient to generate the required recharge volume.
- Recharge BMPs have been sized to infiltrate the Required Recharge Volume.
- Recharge BMPs have been sized to infiltrate the Required Recharge Volume *only* to the maximum extent practicable for the following reason:
 - Site is comprised solely of C and D soils and/or bedrock at the land surface
 - M.G.L. c. 21E sites pursuant to 310 CMR 40.0000
 - Solid Waste Landfill pursuant to 310 CMR 19.000
 - Project is otherwise subject to Stormwater Management Standards only to the maximum extent practicable.
- Calculations showing that the infiltration BMPs will drain in 72 hours are provided.
- Property includes a M.G.L. c. 21E site or a solid waste landfill and a mounding analysis is included.

¹ 80% TSS removal is required prior to discharge to infiltration BMP if Dynamic Field method is used.



Checklist for Stormwater Report

Checklist (continued)

Standard 3: Recharge (continued)

- The infiltration BMP is used to attenuate peak flows during storms greater than or equal to the 10-year 24-hour storm and separation to seasonal high groundwater is less than 4 feet and a mounding analysis is provided.
- Documentation is provided showing that infiltration BMPs do not adversely impact nearby wetland resource areas.

Standard 4: Water Quality

The Long-Term Pollution Prevention Plan typically includes the following:

- Good housekeeping practices;
 - Provisions for storing materials and waste products inside or under cover;
 - Vehicle washing controls;
 - Requirements for routine inspections and maintenance of stormwater BMPs;
 - Spill prevention and response plans;
 - Provisions for maintenance of lawns, gardens, and other landscaped areas;
 - Requirements for storage and use of fertilizers, herbicides, and pesticides;
 - Pet waste management provisions;
 - Provisions for operation and management of septic systems;
 - Provisions for solid waste management;
 - Snow disposal and plowing plans relative to Wetland Resource Areas;
 - Winter Road Salt and/or Sand Use and Storage restrictions;
 - Street sweeping schedules;
 - Provisions for prevention of illicit discharges to the stormwater management system;
 - Documentation that Stormwater BMPs are designed to provide for shutdown and containment in the event of a spill or discharges to or near critical areas or from LUHPPL;
 - Training for staff or personnel involved with implementing Long-Term Pollution Prevention Plan;
 - List of Emergency contacts for implementing Long-Term Pollution Prevention Plan.
- A Long-Term Pollution Prevention Plan is attached to Stormwater Report and is included as an attachment to the Wetlands Notice of Intent.
 - Treatment BMPs subject to the 44% TSS removal pretreatment requirement and the one inch rule for calculating the water quality volume are included, and discharge:
 - is within the Zone II or Interim Wellhead Protection Area
 - is near or to other critical areas
 - is within soils with a rapid infiltration rate (greater than 2.4 inches per hour)
 - involves runoff from land uses with higher potential pollutant loads.
 - The Required Water Quality Volume is reduced through use of the LID site Design Credits.
 - Calculations documenting that the treatment train meets the 80% TSS removal requirement and, if applicable, the 44% TSS removal pretreatment requirement, are provided.



Checklist for Stormwater Report

Checklist (continued)

Standard 4: Water Quality (continued)

- The BMP is sized (and calculations provided) based on:
 - The ½" or 1" Water Quality Volume or
 - The equivalent flow rate associated with the Water Quality Volume and documentation is provided showing that the BMP treats the required water quality volume.
- The applicant proposes to use proprietary BMPs, and documentation supporting use of proprietary BMP and proposed TSS removal rate is provided. This documentation may be in the form of the propriety BMP checklist found in Volume 2, Chapter 4 of the Massachusetts Stormwater Handbook and submitting copies of the TARP Report, STEP Report, and/or other third party studies verifying performance of the proprietary BMPs.
- A TMDL exists that indicates a need to reduce pollutants other than TSS and documentation showing that the BMPs selected are consistent with the TMDL is provided.

Standard 5: Land Uses With Higher Potential Pollutant Loads (LUHPPLs)

- The NPDES Multi-Sector General Permit covers the land use and the Stormwater Pollution Prevention Plan (SWPPP) has been included with the Stormwater Report.
- The NPDES Multi-Sector General Permit covers the land use and the SWPPP will be submitted **prior to** the discharge of stormwater to the post-construction stormwater BMPs.
- The NPDES Multi-Sector General Permit does **not** cover the land use.
- LUHPPLs are located at the site and industry specific source control and pollution prevention measures have been proposed to reduce or eliminate the exposure of LUHPPLs to rain, snow, snow melt and runoff, and been included in the long term Pollution Prevention Plan.
- All exposure has been eliminated.
- All exposure has **not** been eliminated and all BMPs selected are on MassDEP LUHPPL list.
- The LUHPPL has the potential to generate runoff with moderate to higher concentrations of oil and grease (e.g. all parking lots with >1000 vehicle trips per day) and the treatment train includes an oil grit separator, a filtering bioretention area, a sand filter or equivalent.

Standard 6: Critical Areas

- The discharge is near or to a critical area and the treatment train includes only BMPs that MassDEP has approved for stormwater discharges to or near that particular class of critical area.
- Critical areas and BMPs are identified in the Stormwater Report.



Checklist for Stormwater Report

Checklist (continued)

Standard 7: Redevelopments and Other Projects Subject to the Standards only to the maximum extent practicable

- The project is subject to the Stormwater Management Standards only to the maximum Extent Practicable as a:
 - Limited Project
 - Small Residential Projects: 5-9 single family houses or 5-9 units in a multi-family development provided there is no discharge that may potentially affect a critical area.
 - Small Residential Projects: 2-4 single family houses or 2-4 units in a multi-family development with a discharge to a critical area
 - Marina and/or boatyard provided the hull painting, service and maintenance areas are protected from exposure to rain, snow, snow melt and runoff
 - Bike Path and/or Foot Path
- Redevelopment Project
- Redevelopment portion of mix of new and redevelopment.
- Certain standards are not fully met (Standard No. 1, 8, 9, and 10 must always be fully met) and an explanation of why these standards are not met is contained in the Stormwater Report.
- The project involves redevelopment and a description of all measures that have been taken to improve existing conditions is provided in the Stormwater Report. The redevelopment checklist found in Volume 2 Chapter 3 of the Massachusetts Stormwater Handbook may be used to document that the proposed stormwater management system (a) complies with Standards 2, 3 and the pretreatment and structural BMP requirements of Standards 4-6 to the maximum extent practicable and (b) improves existing conditions.

Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control

A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan must include the following information:

- Narrative;
 - Construction Period Operation and Maintenance Plan;
 - Names of Persons or Entity Responsible for Plan Compliance;
 - Construction Period Pollution Prevention Measures;
 - Erosion and Sedimentation Control Plan Drawings;
 - Detail drawings and specifications for erosion control BMPs, including sizing calculations;
 - Vegetation Planning;
 - Site Development Plan;
 - Construction Sequencing Plan;
 - Sequencing of Erosion and Sedimentation Controls;
 - Operation and Maintenance of Erosion and Sedimentation Controls;
 - Inspection Schedule;
 - Maintenance Schedule;
 - Inspection and Maintenance Log Form.
- A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan containing the information set forth above has been included in the Stormwater Report.



Checklist for Stormwater Report

Checklist (continued)

Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control (continued)

- The project is highly complex and information is included in the Stormwater Report that explains why it is not possible to submit the Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan with the application. A Construction Period Pollution Prevention and Erosion and Sedimentation Control has **not** been included in the Stormwater Report but will be submitted **before** land disturbance begins.
- The project is **not** covered by a NPDES Construction General Permit.
- The project is covered by a NPDES Construction General Permit and a copy of the SWPPP is in the Stormwater Report.
- The project is covered by a NPDES Construction General Permit but no SWPPP been submitted. The SWPPP will be submitted BEFORE land disturbance begins.

Standard 9: Operation and Maintenance Plan

- The Post Construction Operation and Maintenance Plan is included in the Stormwater Report and includes the following information:
 - Name of the stormwater management system owners;
 - Party responsible for operation and maintenance;
 - Schedule for implementation of routine and non-routine maintenance tasks;
 - Plan showing the location of all stormwater BMPs maintenance access areas;
 - Description and delineation of public safety features;
 - Estimated operation and maintenance budget; and
 - Operation and Maintenance Log Form.
- The responsible party is **not** the owner of the parcel where the BMP is located and the Stormwater Report includes the following submissions:
 - A copy of the legal instrument (deed, homeowner's association, utility trust or other legal entity) that establishes the terms of and legal responsibility for the operation and maintenance of the project site stormwater BMPs;
 - A plan and easement deed that allows site access for the legal entity to operate and maintain BMP functions.

Standard 10: Prohibition of Illicit Discharges

- The Long-Term Pollution Prevention Plan includes measures to prevent illicit discharges;
- An Illicit Discharge Compliance Statement is attached;
- NO Illicit Discharge Compliance Statement is attached but will be submitted **prior to** the discharge of any stormwater to post-construction BMPs.

**STORM RUNOFF ANALYSIS
PROPOSED PATIO AND SIDEWALK IMPROVEMENTS
SOUTH BOSTON, MA**

1.0 PROJECT DESCRIPTION

1.1 Existing Conditions

The project site is Lot 6 of the Summer Street, Melcher Street, Necco Street, and Necco Court Parcel Necco Court Parcel in the South Boston neighborhood. Lot 6 is a 13,009 sf lot containing the Necco Court right of way, parking, and a section of the Harbor Walk. The project site is an 853 sf section of Lot 6 between the harbor walk at the western end of the Necco Court right of way. Land cover is entirely bituminous.

Topography onsite is essentially flat with a high elevation of 15.7± (BCB) along the northwest side of the site nearest fort point channel, and a low elevation of 15.1± (BCB) on the southeast side along the right of way. Overall, the site generally slopes in a southeasterly direction toward Necco Court.

Currently there are no manmade stormwater conveyances onsite. All stormwater flows overland offsite unmitigated and untreated to the existing Necco Court storm drain system. This drain system discharges to Fort Point Channel. Fort Point Channel is considered a class “SB (CSO)” surface water; therefore it is not considered a “critical area.”

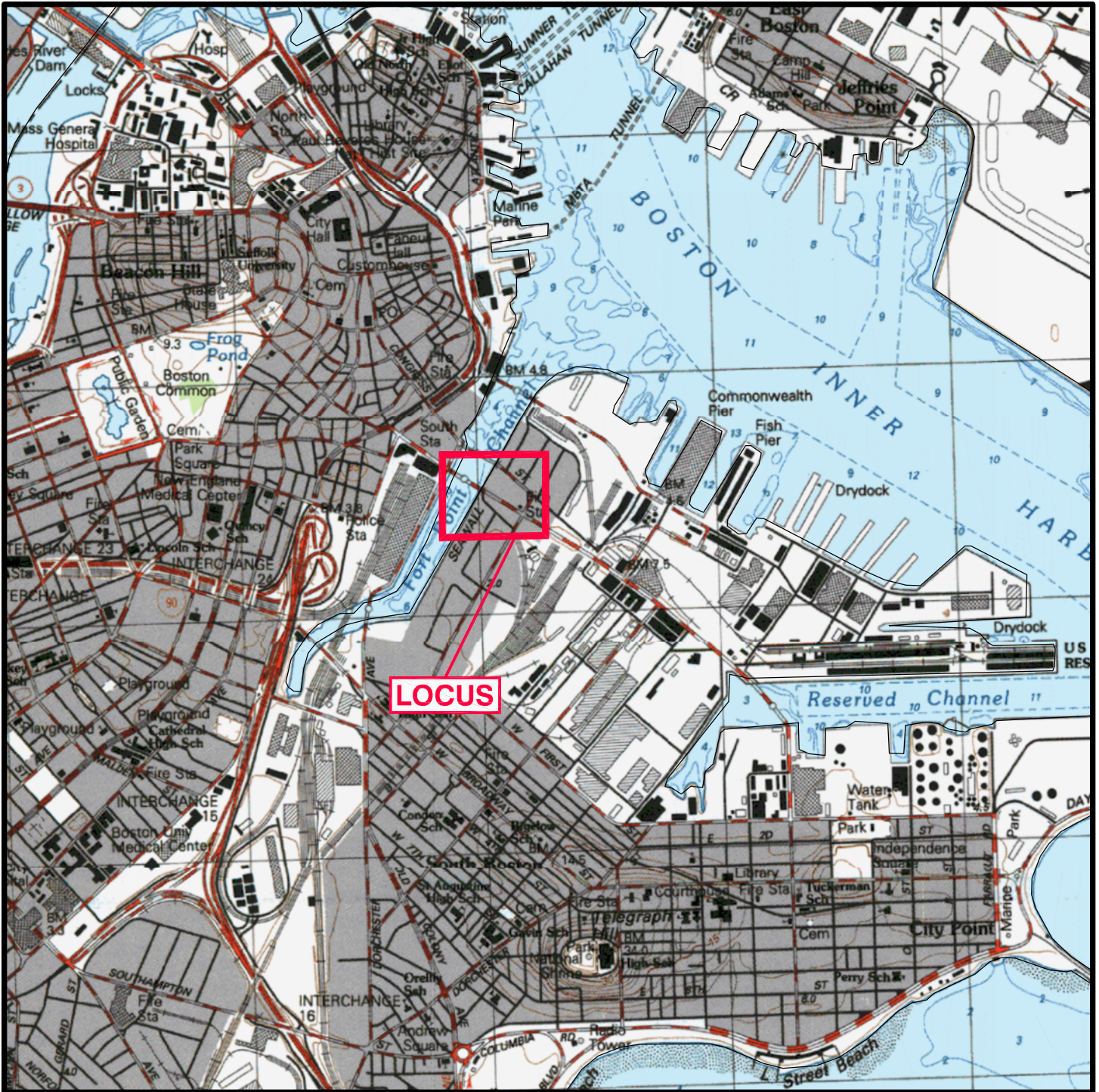
The current FEMA Flood Insurance Rate Map (FIRM) for the City of Boston indicates the project site is within the 100 year flood zone (Zone AE). The 100-year flood elevation is 11± NAVD88 (16.46 Boston City Base) on the current FIRM.

1.2 Proposed Conditions

The proposed project includes the construction of an outdoor patio with an intended use as an outdoor dining area, sidewalk improvements, and Harborwalk access. The outdoor patio is a 488 sf pervious paver surface underlain by crushed stone and surrounded by a wood berm. The Harborwalk access is likewise a pervious paver surface underlain by crushed stone that is 365 sf in area and 15.5 feet minimum width. The project will include a new stormwater management system. The proposed project will result in a significant reduction in impervious area.

1.3 Soils

A review of the Web Soil Survey provided by the Natural Resources Conservation Service (NRCS) indicates that Urban Land (Map Unit 603) is the primary soil type on the project site. Urban Land is comprised of soils that have been previously filled or altered from natural soil conditions and therefore is not given a Hydrologic Soil Group classification. The hydrologic soil group C is used in our calculations which is consistent with the fill material used throughout the Boston area. Groundwater monitoring wells around the project site indicate a seasonal high groundwater elevation of 9.0± (BCB).



USGS QUADRANGLE(S): BOSTON SOUTH, MASSACHUSETTS

Source: Topographic Quadrangle(s) provided by Maptech, Inc.

	Project Title	Necco Court	Project #:	22477	FIGURE: 1
	Location	Boston, MA	Date:	Nov. 11, 2020	
	Plan Title	USGS Plan	Scale:	1" = 2000'	

2.0 STORMWATER MANAGEMENT STANDARDS

The project involves the construction of a new patio in a paved lot. The project site is within the 100 foot buffer zone of Fort Point Channel and therefore is subject to the MassDEP Stormwater Management Standards. The proposed project will decrease impervious area onsite and therefore is considered a redevelopment project. Redevelopment projects are subject to the MassDEP Stormwater Standards 2 through 7 to the maximum extent practicable.

Standard #1

No new stormwater conveyances may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth.

There will be no new stormwater discharges of untreated stormwater into wetlands or waterways of the Commonwealth. All stormwater runoff will flow offsite as under existing conditions.

Standard #2

Stormwater management systems must be designed so that the 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 project site is a redevelopment project which will decrease impervious area by 853 square feet onsite. Also, onsite stormwater discharges to land subject to coastal storm flowage as indicated by the FEMA flood map for the project site. Therefore Standard 2 does not apply to this project. However, this project will result in a decrease in the peak rate of runoff.

Stormwater runoff calculations contained herein for site related runoff have been computed in accordance with methods developed by the NRCS, as described in the “NRCS National Engineering Handbook, Section 5, Hydrology for Small Watershed.” Storm hydrographs were generated and routed using the NRCS TR-20/TR-55 methodologies (incorporated into the hydraulic modeling software HydroCAD) with a Type III Storm Distribution.

The methodologies provide for hydraulic analyses of a watershed under various combinations of land cover/use. Surface runoff hydrographs were developed from storm rainfall data using a dimensionless unit hydrograph, drainage areas, times of concentration (Tc), and NRCS runoff curve numbers. These computer simulated hydrographs have been flood-routed, when appropriate, to account for effects of surface storage and hydraulic constraints provided by the identified mitigative measures.

For this analysis, hydrographs were developed to simulate peak storm runoff flows under existing and proposed conditions for the 2 and 10 year storm events. 24 hour values of 3.2 and 4.6 inches of rainfall were utilized for the respective storm events. These calculations indicate the order-of-magnitude of existing and proposed peak runoff rates anticipated from the project site. The following section provides a brief description of the existing and proposed watershed areas.

2.1 Watersheds

Existing Watershed 1 is 853 sf and contains all areas within the limit of work. Land

cover is bituminous concrete pavement. Stormwater flows overland in a westerly direction to Fort Point Channel.

Proposed Watershed 1 is 853 sf and also includes all areas within the limit of work. Areas included are the proposed patio, Harborwalk, westerly grass areas, and a portion of Necco Court. Stormwater from this watershed continues to flow overland towards Fort Point Channel. The proposed deck is underlain by ten inches of crushed stone. To be conservative, this crushed stone bed was not included in the HydroCAD Calculations.

2.2 Stormwater Mitigation Measures

The project site is “Land Subject to Coastal Storm Flowage” as defined in 310 CMR 10.04, and therefore Standard 2 can be waived. The project site is adjacent to Fort Point Channel and is also within the coastal flood plain. The project will however mitigate peak flows for the two and 10-year storm events as a result of reduction in impervious area. There is no downstream flooding from this site as the stormwater discharges to Boston harbor. Therefore mitigation for the 100 year storm event is waived.

2.3 Stormwater Calculations

The stormwater calculations indicate the “order-of magnitude” of peak runoff rates under existing and proposed conditions for the 2 and 10-year storm event recurrence intervals. Refer to **Table 1** for a summary of the peak runoff rates from on the project site. As shown in the Table, there is no increase in the peak rate of runoff for the 2 and 10-year storm events.

Table 1 – Peak Stormwater Runoff Summary

Existing Peak Rates								Proposed Peak Rates							
Watershed	Area	Runoff Curve Number	Time of Concentraion	Unmitiagated Flow	With Mitigation (if any)	Unmitiagated Flow	With Mitigation (if any)	Watershed	Area	Runoff Curve Number	Time of Concentraion	Unmitiagated Flow	With Mitigation (if any)	Unmitiagated Flow	With Mitigation (if any)
	A	Cn	Tc	Q10-yr		Q2-yr			A	Cn	Tc	Q10-yr		Q2-yr	
	sf.		min.	cfs		cfs			sf.		min.	cfs		cfs	
<i>Reach 1: Flow West to Fort Point Channel</i>															
E1	3,967	92	6.0	0.09	-	0.06	-	P1	3,967	90	6.0	-	0.07	-	0.04
ER	3,967			-	0.09	-	0.06	PR	3,967			-	0.07	-	0.04

- *Flood-routing effect and offset times of concentration results in a combined peak runoff rate that can be less than the sum of the peak rates for the individual watersheds*

Standard #3

Loss of annual recharge to groundwater should 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 proposed project will result in a decrease impervious area onsite and therefore no stormwater recharge is required under MassDEP Stormwater Standard #3. The project will result in the reduction of the impervious area from 853 square feet. Furthermore, there will be eight inches of crushed stone under the patio, so that all stormwater flowing off the patio will be infiltrated into the ground for smaller storm events. Therefore there will be no loss of annual recharge to groundwater as a result of the proposed project.

Standard #4

For new developments, stormwater management systems must be designed to remove 80% of the average annual load (post-development conditions) of Total Suspended Solids (TSS). It is presumed that this standard is met when:

- a. Suitable nonstructural practices for source control and pollution prevention are implemented.*
- b. Stormwater management BMPs are sized to capture the prescribed runoff volume.*
- c. Stormwater management BMPs are maintained as designed.*

Any remaining impervious areas onsite will flow overland offsite as under existing conditions. Quality of stormwater runoff will be improved through a change in use from a parking area to a walk and wooded deck, a decrease in impervious area flowing offsite, and flow over a grass buffer prior to discharge to fort point channel.

2.4 Long-Term Pollution Prevention Plan (LTPPP)

Good Housekeeping BMPS:

Waste Materials: Debris and trash will be collected in a metal dumpster. The dumpster will meet all Municipal requirements. Surplus soil material will be removed from the site and legally disposed of. Handling, sampling, manifesting, transportation and disposal of waste material will be documented.

Hazardous Waste: Hazardous waste will be disposed of as required under local, state and federal regulations. Site personnel will be instructed regarding proper management of hazardous waste. The individual in charge of this activity will be properly trained in hazardous waste management in accordance with OSHA regulations and MassDEP regulation 310 CMR 30 and 310 CMR 40.

Sanitary Waste: Temporary sanitary waste facilities will be provided onsite. Waste will be collected as required, and in any event as required by local regulation, by a sanitary waste management contractor.

Hazardous Products: The following practices will be used to reduce the risks associated with hazardous materials onsite:

- a. All shipments will be promptly inspected to assure that products comply with requirements and items are undamaged.
- b. Products will be stored and protected in accordance with the manufacturer's instructions with seals and labels intact and legible.
- c. Products will be stored in a secure location and access to the materials will be provided to authorized personnel only.

Establish Proper Building Material Staging Areas:

- a. Material deliveries will be coordinated with installation to ensure minimum holding time for items that are hazardous, flammable, easily damaged or sensitive to deterioration.
- b. Deliveries will be scheduled to reduce long-term onsite storage prior to installation, unless written authorization is provided by the engineer.
- c. Materials stored onsite will be stored in manufacturer's original sealed containers or other packing systems complete with instruction for handling, storing, unpacking, protecting and installing.
- d. Adequate equipment and personnel will be provided to ensure materials can be safely handled.
- e. Cement and lime will be stored under a roof and off the ground to be kept completely dry at all times.
- f. Petroleum products will be stored in a secure location under control of the site superintendent.
- g. Mechanical and electrical equipment will be stored in a weatherproof structure.

Designated Washout Areas:

- a. Concrete contractors should be encouraged where possible to use the washout facilities at their own plants.
- b. Concrete washouts areas shall be established onsite with signs noting the locations. The washout area is to be inspected daily during concrete operations.
- c. Provide adequate containment for the amount of wash water that will be used.
- d. Dispose of materials properly. Concrete wash water can be highly polluted. It is not to be discharged to any surface water or storm drain system.

Establish Proper Vehicle / Equipment Maintenance Practices:

- a. Train employees and subcontractor in proper fueling procedures (stay with vehicles during fueling, proper use of pumps, emergency shutoff valves, and such).
- b. Inspect onsite vehicles and equipment daily for leaks, equipment damage and other service problems.

- c. Clearly designate vehicle / equipment service areas away from drainage facilities to prevent stormwater run-on and runoff.
- d. Use drip pans, drip cloths, or absorbent pads when replacing spent fluids.
- e. Collect all spent fluids, store in appropriate labeled containers in the proper storage areas, and recycle fluids whenever possible.

Allowance for Non-Stormwater Discharges & Control Equipment/Vehicle Washing:

There will not be non-permitted non-stormwater discharges associated with this project. Specifically prohibited are the discharges of process water, non-contact cooling water, vehicle wash water and sanitary wastewater via stormwater drainage systems. Allowable non-stormwater discharges include discharges from fire-fighting activities, fire hydrant flushing, water used to wash building where detergent is not used, water used to control dust and uncontaminated air condition condensation.

Spill Prevention and Control Plan:

In addition to the good housekeeping and material management practices discussed in the previous sections of this plan, the following practices will be followed for spill prevention and clean up:

- a. Manufacturer's recommended methods for spill cleanup will be clearly posted and site personnel will be made aware of the procedures and the location of the information and cleanup supplies.
- b. The Contractor shall provide a 55-gallon spill containment kit and maintain it onsite throughout the construction period.
- c. All spills will be cleaned up immediately after discovery.
- d. The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contact with a hazardous substance.
- e. Spills of toxic or hazardous materials, at or greater than reportable quantities, will be reported to the appropriate state or local government agency.
- f. The spill prevention plan will be adjusted to include measures to prevent this type of spill from reoccurring and how to clean up the spill if there is another one. A description of the spill, what caused it, and the cleanup measures will also be included.
- g. The Site Superintendent is the designated responsible party for day to day operations and spill clean up procedures.

Allowable Non-Stormwater Discharge Management:

The allowable non-stormwater discharges may include the following:

- a. Discharges from fire-fighting activities.
- b. Fire hydrant flushings.
- c. Waters used to wash vehicles where detergents are not used.
- d. Water used to control dust in accordance with EPA's CGP Part 3, Subpart 3.4 G.
- e. Potable water including uncontaminated water line flushings.
- f. Routine external building wash down that does not use detergents.

- g. Pavement washes where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used.
- h. Uncontaminated air conditioning or compressor condensate.
- i. Uncontaminated ground water or spring water.
- j. Foundation or footing drains where flows are not contaminated with process materials such as solvents.
- k. Uncontaminated excavation dewatering.
- l. Landscape irrigation.

Non-stormwater discharges should be eliminated or reduced to the maximum extent feasible.

- a. Water used to control dust.

Dust control will be implemented as needed once site excavation has begun and during windy conditions (forecasted or actual wind conditions of 20 mph or greater) while excavation work is occurring.

- b. Uncontaminated Excavation Dewatering

The project will require dewatering for the proposed building foundation waterproofing work. The groundwater will be tested for contaminants prior to the commencement of work. Dewatering water shall flow through a frac tank prior to discharge to the Necco Court storm drain system. Dewatering will be conducted in accordance with MassDEP and BWSC requirements.

- c. Landscape Irrigation

Irrigation waters will not be sprayed onto impermeable surfaces such as paved driveways and roads. Waters will be directed onto soil and lawns by using hoses and correctly sized sprinklers with adjustable spray patterns. There will be no irrigation systems installed.

Inspection Personnel:

Inspection must be conducted by qualified personnel. "Qualified Personnel" means a person knowledgeable in the principals and practice of erosion and sediment controls who possesses the skills to assess conditions at the construction site that could impact stormwater quality and to assess the effectiveness of any sediment and erosion control measure selected to control the quality of stormwater discharges for the construction activity. Prior to construction the Contractor shall submit the names of the personnel whom will be responsible for the inspections.

Inspection Schedule and Procedures:

Inspections of the site will be performed once every 7 days. The inspections will verify that all BMPs required in the Operation and Maintenance Plan are implemented, maintained, and effectively minimizing erosion and preventing stormwater contamination from construction materials. For detailed inspection procedures, see the Operation and Maintenance Plan.

Inspections must include all areas of the site disturbed by construction activity and areas used for storage of materials that are exposed to precipitation. Inspectors must look for evidence of, or the potential for, pollutants entering the stormwater conveyance system. Sedimentation and erosion control measures identified in the LTPPP must be observed to ensure proper operation. Discharge locations must be inspected to ascertain whether erosion control measures are effective. Locations where vehicles enter or exit the site must be inspected for evidence of offsite sediment tracking.

If corrective actions are identified during the inspections, the construction managers will be notified and a copy of the inspection report will be submitted to them. Corrective action is to be initiated within 24 hours of the report and the maintenance completed as soon as possible or before the next storm event. In addition, the LTPPP shall be modified as necessary to include the additional or modified BMP's designed to correct the problems identified. Revisions to the LTPPP must be completed within seven (7) calendar days following the inspection.

Standard #5

Stormwater discharges from areas with higher potential pollutant loads require the use of specific stormwater management BMPs. The use of infiltration practices without pretreatment is prohibited.

This project is not considered a Land Use with Higher Potential Pollutant Loads. Therefore, this standard does not apply.

Standard #6

Stormwater discharges to critical areas must utilize certain stormwater management BMPs approved for "critical areas". Critical areas are Outstanding Resource Waters (ORWs), shellfish beds, swimming beaches, cold-water fisheries and recharge areas for public water supplies.

The proposed project is not located within or discharges to a critical area. Therefore this standard does not apply.

Standard #7

Redevelopment of previously developed sites must meet the Stormwater Management Regulations to the maximum extent practicable. However, if it is not practicable to meet all the Standards, new stormwater management systems must be designed to improve existing conditions.

The proposed project is considered a redevelopment project as it will result in a decrease in impervious area onsite. The proposed project will meet all stormwater standards except for Standard 4 (water quality). However, quality of stormwater runoff will be improved through: a change in use from a parking area to a walk and wooded deck, a decrease in impervious area flowing offsite, and flow over a grass buffer prior to discharge to Fort Point Channel.

Standard #8

Erosion and sediment controls must be implemented to prevent impacts during construction or land disturbance activities.

Downslope areas will be protected through the installation of an erosion control tube to be located along the perimeter and/or elsewhere as required to minimized sedimentation of the surrounding drain systems and Fort Point Channel. All surrounding existing catch basins will be fitted with silt sacks. Refer to the Operation and Maintenance Plan appended to the report, and the Stormwater Pollution Prevention Plan.

Standard #9

All stormwater management systems must have an operation and maintenance plan to ensure that systems function as designed.

The site shall be maintained by the project owner to provide a stabilized, maintained surface thereby preventing excess materials from contacting surface runoff and minimizing transport of materials within the drain system. Refer to the Operation and Maintenance Plan.

Standard #10

All illicit discharges to the stormwater management system are prohibited.

The proposed project does not have any illicit discharges to the proposed stormwater management system. An Illicit Discharge Compliance Certification is appended to the report.

3.0 SILTATION CONTROL PROCEDURES

Fort Point Channel will be protected through the installation of erosion control tube along the northwest side of the site and silt sacks in nearby catch basins. Crushed stone will be judiciously applied to stabilize select areas, as required during the course of construction. The sedimentation controls are further described in the Operation and Maintenance Plan located in the appendix. Necco Court shall be swept clean on a continuous basis during the course of construction.

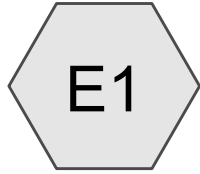
4.0 SUMMARY AND CONCLUSIONS

Significant attention and consideration has been given to proper management of stormwater runoff from the project site. The unique site-specific characteristics and hydrologic setting has been carefully studied to develop a comprehensive plan that fully utilizes and recognizes these attributes. Disposition of stormwater has been considered, with respect to its peak rate, total volume and water quality aspects, to ensure appropriate mitigation upon project completion.

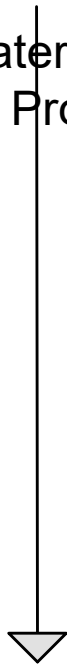
- There will be no adverse impact to any surrounding areas.

A

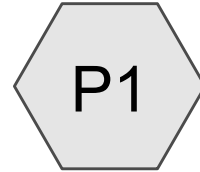
HYDROCAD CALCULATIONS



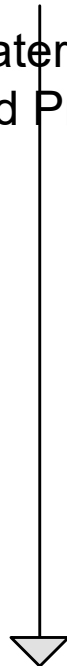
Ex. Watershed 1
(Existing Project Site)



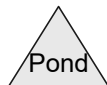
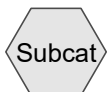
Ex. Reach (Fort Point
Channel)



Pr. Watershed 1
(Proposed Project Site)



Pr. Reach (Fort Point
Channel)



Summary for Subcatchment E1: Ex. Watershed 1 (Existing Project Site)

Runoff = 0.06 cfs @ 12.08 hrs, Volume= 211 cf, Depth= 2.97"

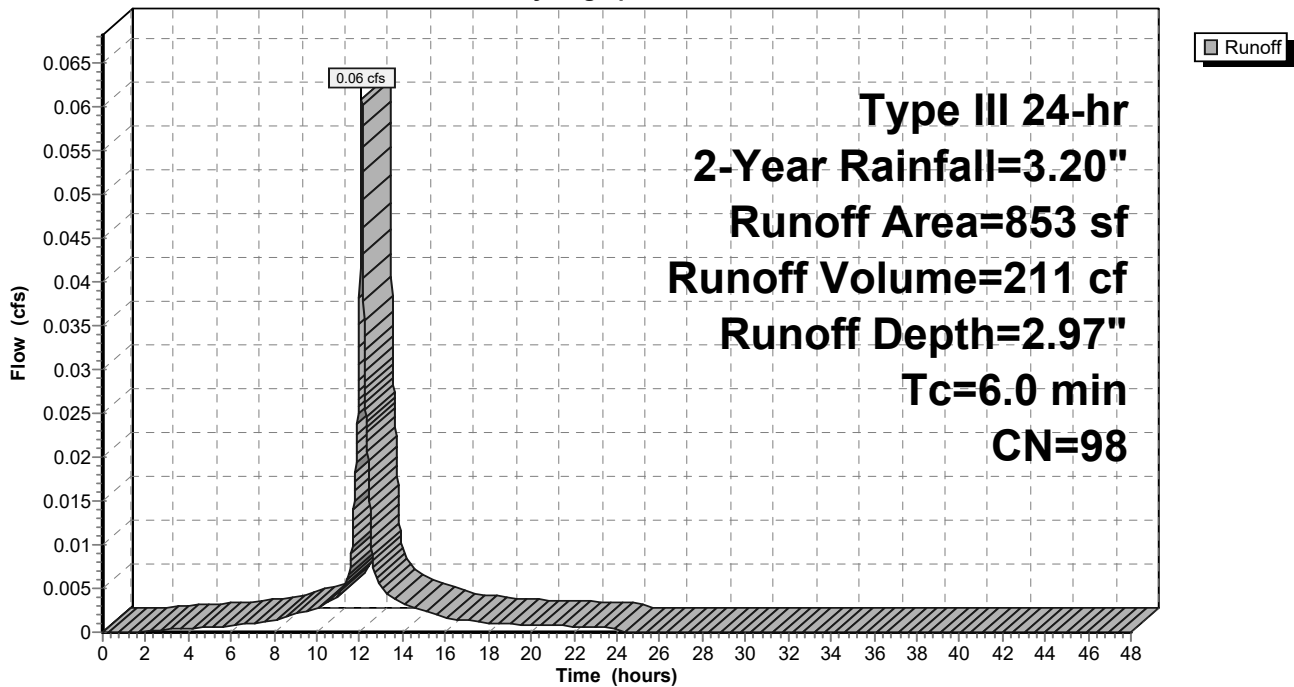
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
 Type III 24-hr 2-Year Rainfall=3.20"

Area (sf)	CN	Description
* 853	98	Impervious
853		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry, 1/10 Hour Minimum

Subcatchment E1: Ex. Watershed 1 (Existing Project Site)

Hydrograph



Summary for Subcatchment P1: Pr. Watershed 1 (Proposed Project Site)

Runoff = 0.04 cfs @ 12.09 hrs, Volume= 125 cf, Depth= 1.76"

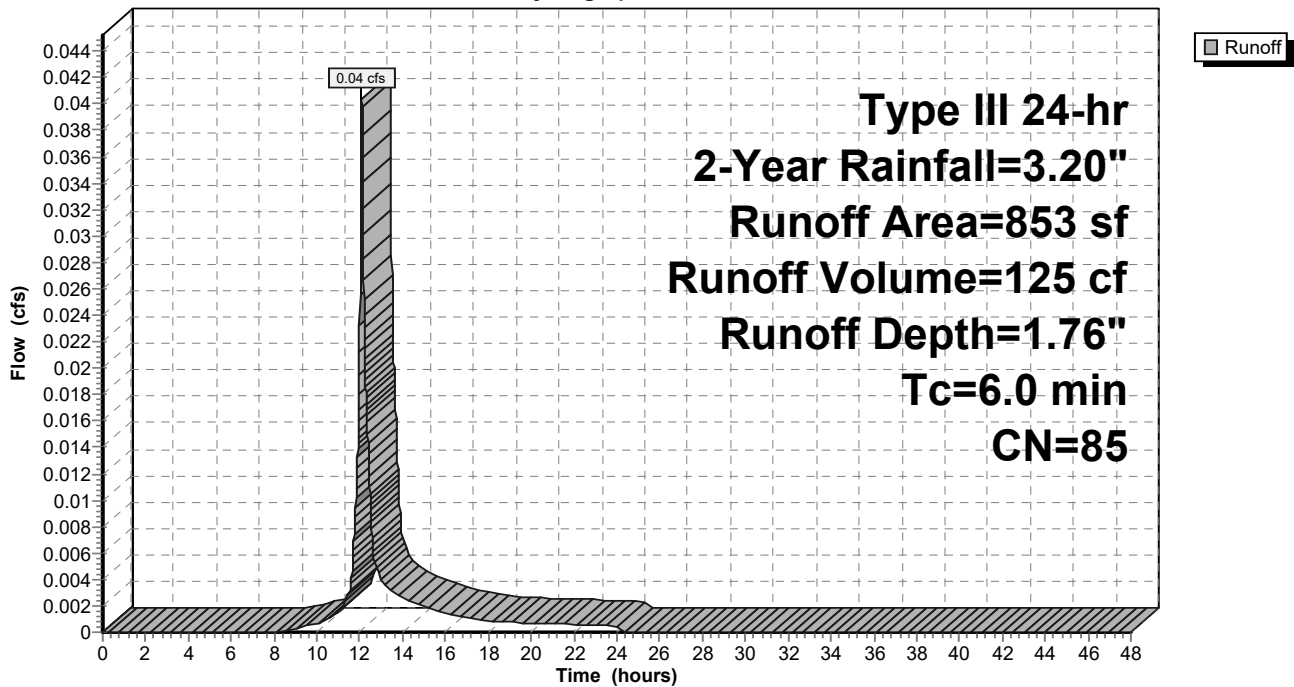
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
 Type III 24-hr 2-Year Rainfall=3.20"

Area (sf)	CN	Description
* 853	85	Pervious Pavers & 10" Crushed Stone (Under Patio)
853		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry, 1/10 Hour Minimum

Subcatchment P1: Pr. Watershed 1 (Proposed Project Site)

Hydrograph



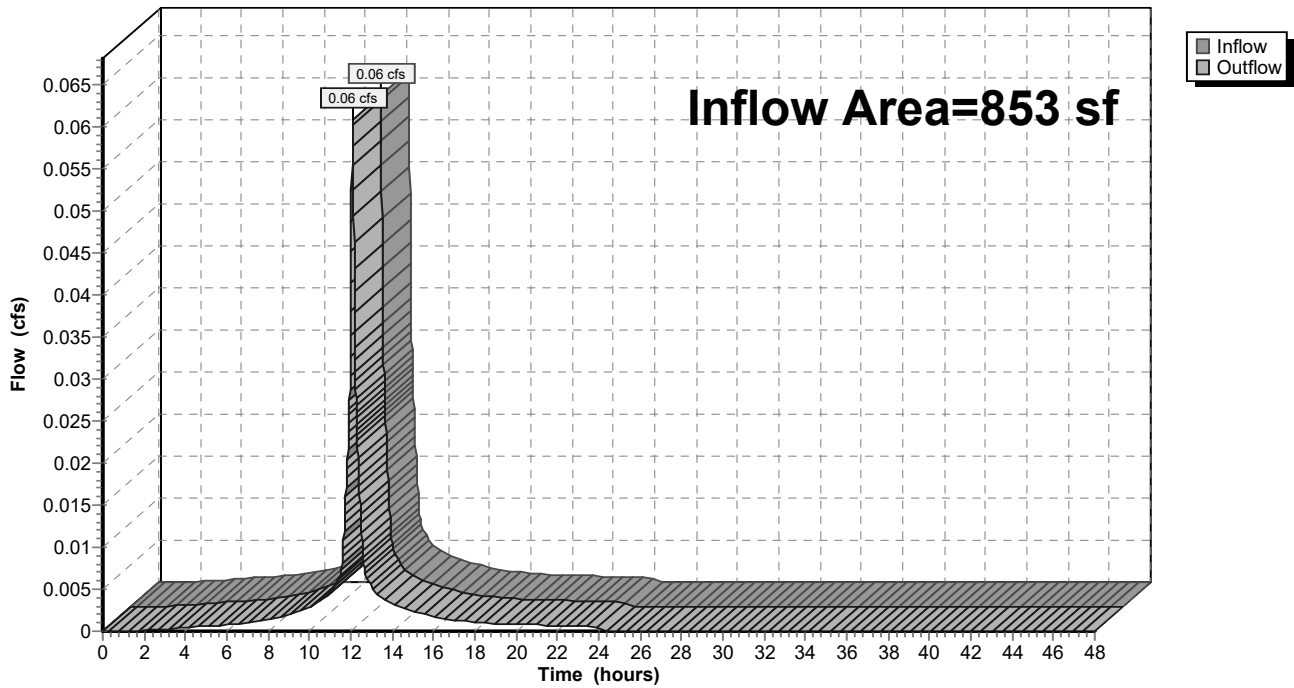
Summary for Reach ER: Ex. Reach (Fort Point Channel)

Inflow Area = 853 sf, 100.00% Impervious, Inflow Depth = 2.97" for 2-Year event
Inflow = 0.06 cfs @ 12.08 hrs, Volume= 211 cf
Outflow = 0.06 cfs @ 12.08 hrs, Volume= 211 cf, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs

Reach ER: Ex. Reach (Fort Point Channel)

Hydrograph



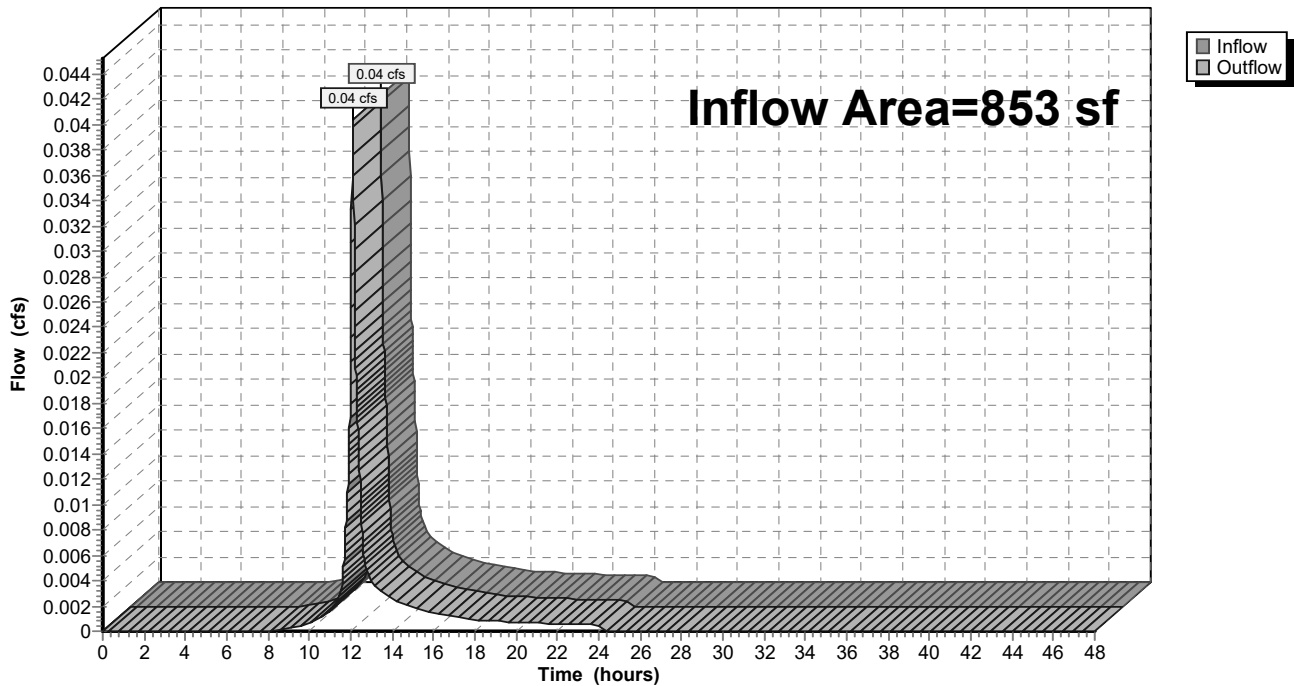
Summary for Reach PR: Pr. Reach (Fort Point Channel)

Inflow Area = 853 sf, 0.00% Impervious, Inflow Depth = 1.76" for 2-Year event
Inflow = 0.04 cfs @ 12.09 hrs, Volume= 125 cf
Outflow = 0.04 cfs @ 12.09 hrs, Volume= 125 cf, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs

Reach PR: Pr. Reach (Fort Point Channel)

Hydrograph



Summary for Subcatchment E1: Ex. Watershed 1 (Existing Project Site)

Runoff = 0.09 cfs @ 12.08 hrs, Volume= 310 cf, Depth= 4.36"

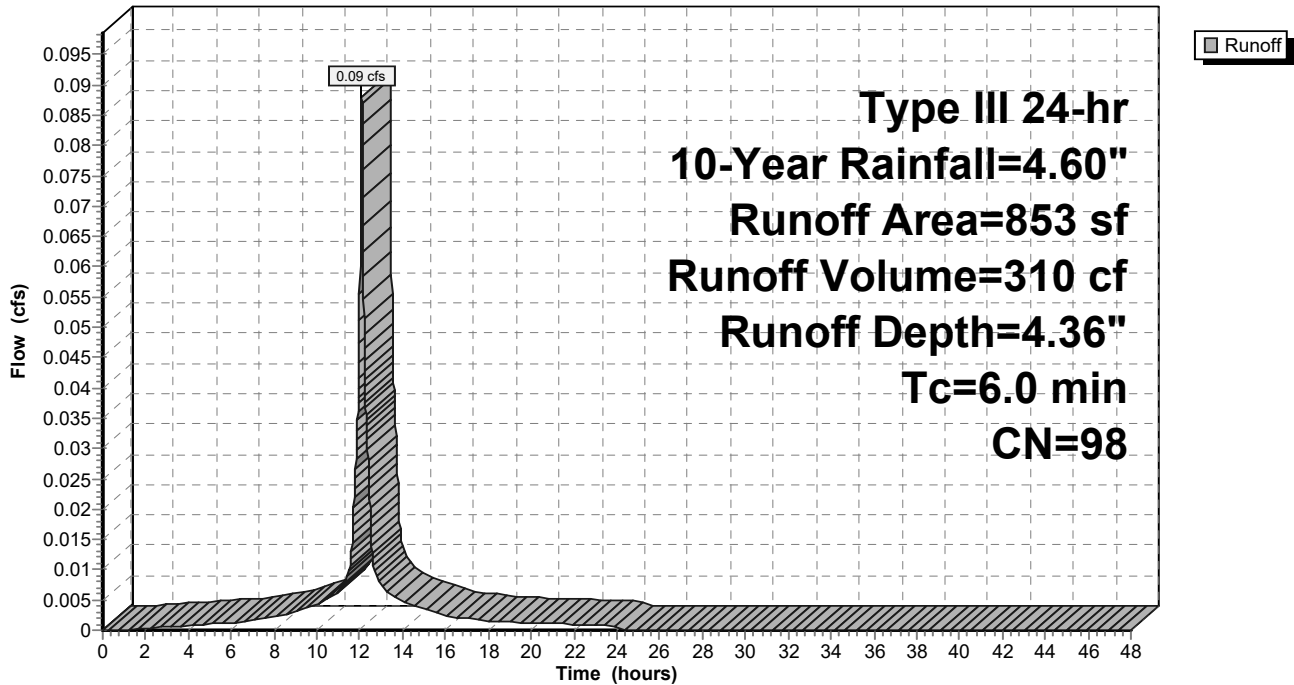
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
 Type III 24-hr 10-Year Rainfall=4.60"

Area (sf)	CN	Description
* 853	98	Impervious
853		100.00% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry, 1/10 Hour Minimum

Subcatchment E1: Ex. Watershed 1 (Existing Project Site)

Hydrograph



Summary for Subcatchment P1: Pr. Watershed 1 (Proposed Project Site)

Runoff = 0.07 cfs @ 12.09 hrs, Volume= 213 cf, Depth= 3.00"

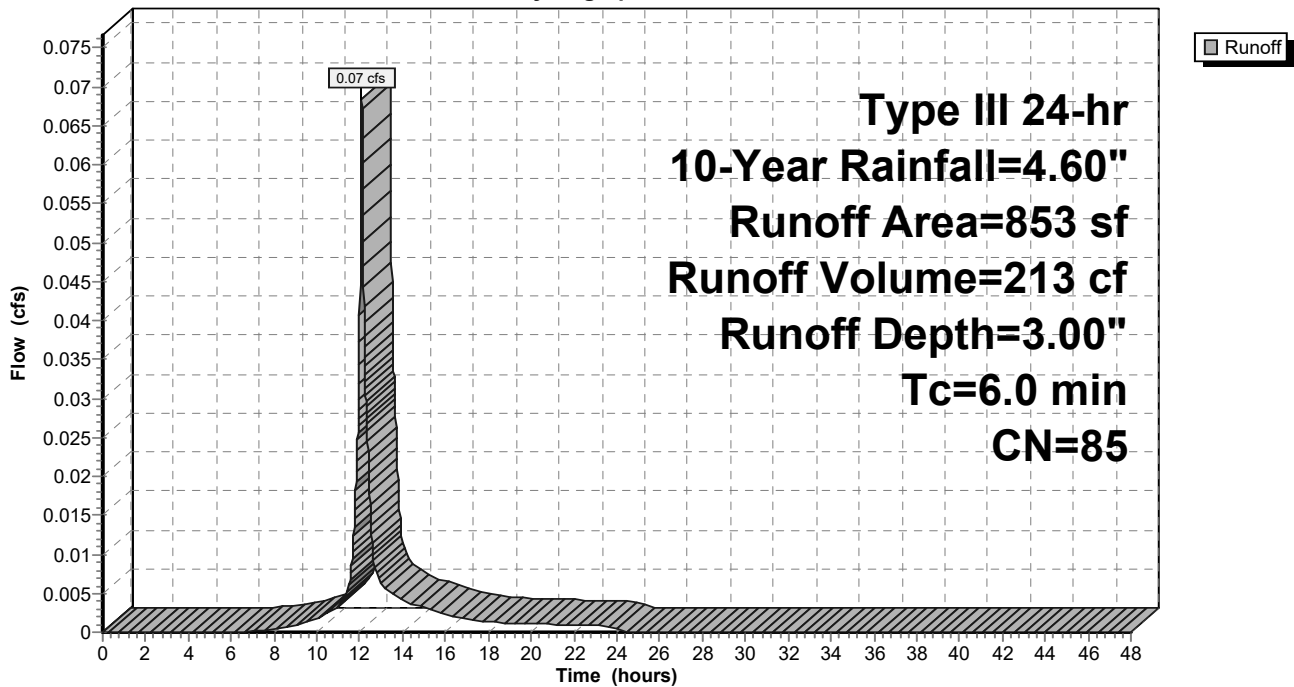
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
 Type III 24-hr 10-Year Rainfall=4.60"

Area (sf)	CN	Description
* 853	85	Pervious Pavers & 10" Crushed Stone (Under Patio)
853		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0					Direct Entry, 1/10 Hour Minimum

Subcatchment P1: Pr. Watershed 1 (Proposed Project Site)

Hydrograph



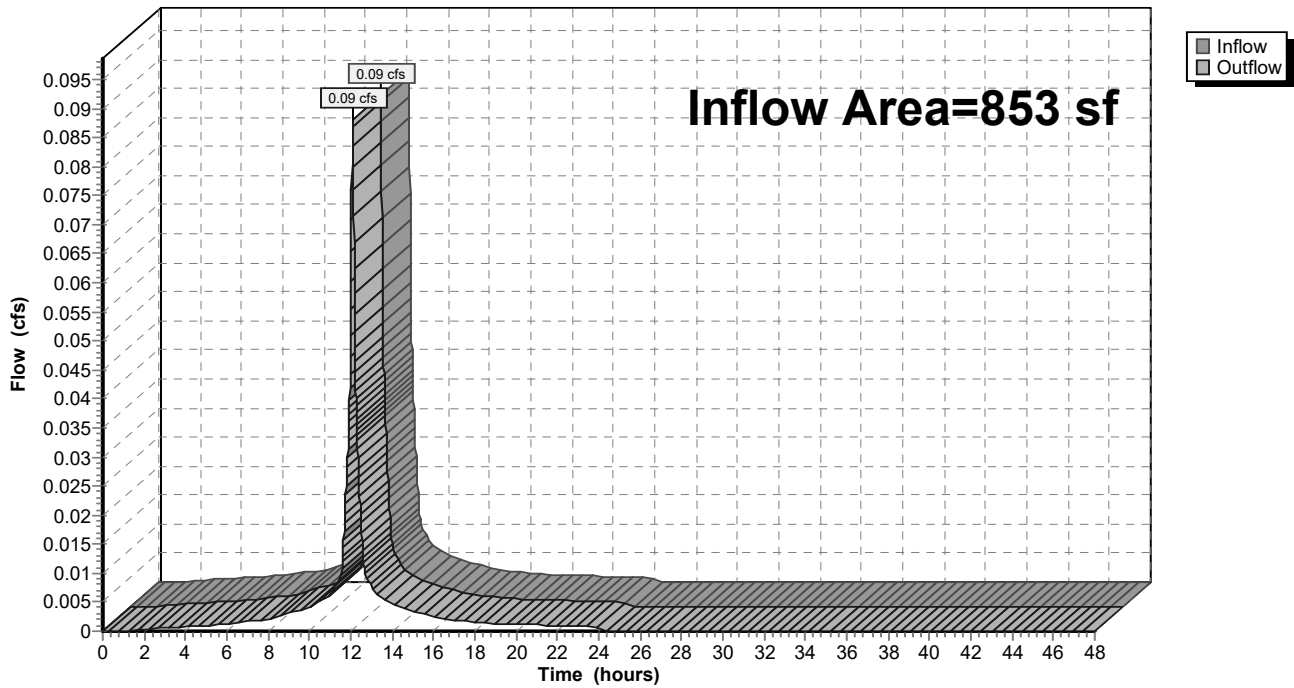
Summary for Reach ER: Ex. Reach (Fort Point Channel)

Inflow Area = 853 sf, 100.00% Impervious, Inflow Depth = 4.36" for 10-Year event
Inflow = 0.09 cfs @ 12.08 hrs, Volume= 310 cf
Outflow = 0.09 cfs @ 12.08 hrs, Volume= 310 cf, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs

Reach ER: Ex. Reach (Fort Point Channel)

Hydrograph



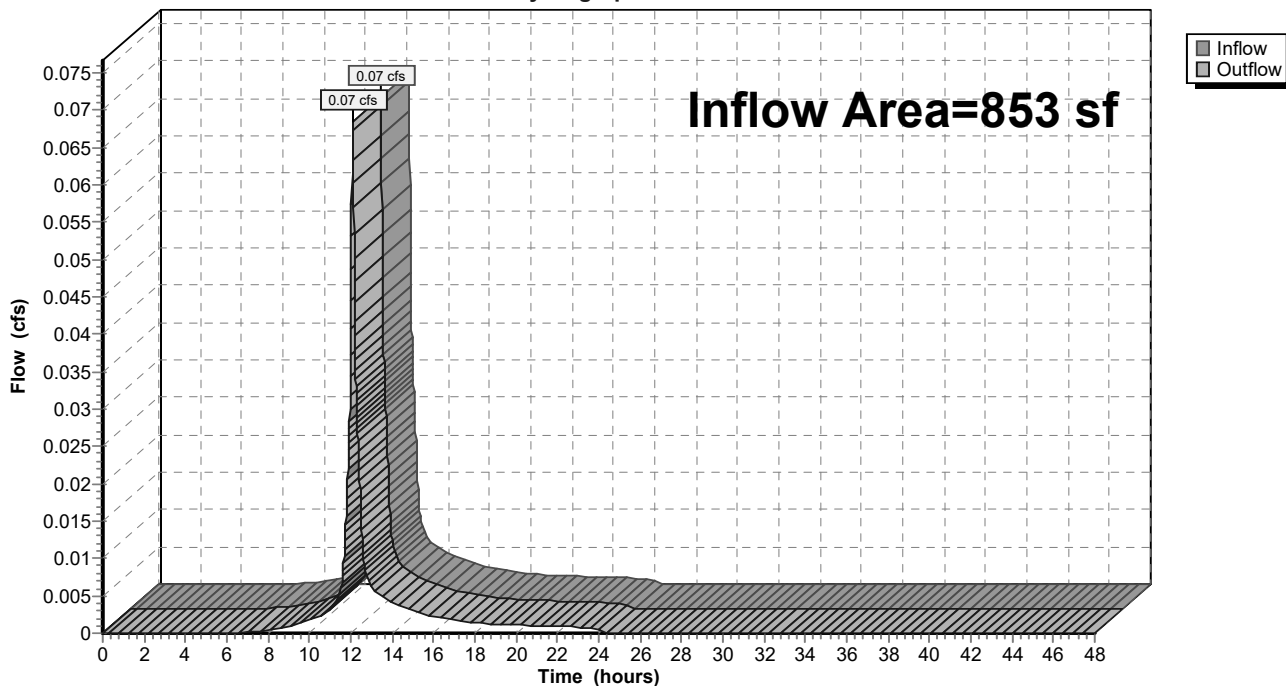
Summary for Reach PR: Pr. Reach (Fort Point Channel)

Inflow Area = 853 sf, 0.00% Impervious, Inflow Depth = 3.00" for 10-Year event
Inflow = 0.07 cfs @ 12.09 hrs, Volume= 213 cf
Outflow = 0.07 cfs @ 12.09 hrs, Volume= 213 cf, Atten= 0%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs

Reach PR: Pr. Reach (Fort Point Channel)

Hydrograph



B

OPERATION AND MAINTENANCE PLAN

**OPERATION AND MAINTENANCE PLAN
PROPOSED DECK
SOUTH BOSTON, MA**

INTRODUCTION

The proposed project includes the construction of an outdoor patio with an intended use as an outdoor dining area, sidewalk improvements, and Harborwalk access. The outdoor patio is a 488 sf pervious paver surface underlain by crushed stone and surrounded by a wood berm. The Harborwalk access is likewise a pervious paver surface underlain by crushed stone that is 365 sf in area and 15.5 feet minimum width. The project will include a new stormwater management system. The proposed project will result in a significant reduction in impervious area. The proposed stormwater management system will provide mitigation, recharge, and treatment of site-generated runoff prior to discharge offsite.

The proposed project includes work that comes under the jurisdiction of the Boston Conservation Commission. It is anticipated that the Conservation Commission will issue an Order of Conditions, a copy of which the Contractor must retain on site, and must comply with all conditions stated therein. The purpose of the Orders is to minimize the potential of silt and sediment entering Boston Harbor from both overland flow and from pipe flow, and to minimize the impact on the buffer zone adjacent to the resource area. The following notes and details are intended to be a minimum set of guidelines, and the Contractor shall be responsible for their implementation. Should additional controls be required, the Contractor shall take whatever steps are necessary.

The project site is Lot 6 of the Summer Street, Melcher Street, Necco Street, and Necco Court Parcel Necco Court Parcel in the South Boston neighborhood. Lot 6 is a 13,009 sf lot containing the Necco Court right of way, parking, and Harbor Walk. The project site is a 853 sf section of Lot 6 between the harbor walk at the western end of the Necco Court right of way. Land cover is entirely bituminous.

Topography onsite is essentially flat with a high elevation of 15.7± (BCB) along the northwest side of the site nearest fort point channel, and a low elevation of 15.1± (BCB) on the southeast side along the right of way. Overall, the site generally slopes in a southeasterly direction toward Necco Court.

Currently there are no manmade stormwater conveyances onsite. All stormwater flows overland offsite unmitigated and untreated to the existing Necco Court storm drain system. This drain system discharges to Fort Point Channel. Fort Point Channel is considered a class “SB (CSO)” surface water; therefore it is not considered a “critical area.”

The current FEMA Flood Insurance Rate Map (FIRM) for the City of Boston indicates the project site is within the 100 year flood zone (Zone AE). The 100-year flood elevation is 11± NAVD88 (16.46 Boston City Base) on the current FIRM.

SITE CONTROLS

Before any construction takes place, perimeter construction fencing with dust control screen will be installed around the perimeter of the site. Staked straw wattles (erosion control tubes) will be installed along the south side at the limit of work. A crushed stone access drive will be installed and maintained at the construction drive entrance. Silt sacks shall be installed in existing catch basins. Sedimentation control barriers shall be maintained and replaced, if necessary, throughout the course of construction.

SITE CONSTRUCTION

Prior to construction, the proposed locations of any earth stockpiles shall be shown on a plan and shall be approved by the Engineer. Stockpiles that are to be left for more than fourteen (14) days shall be shaped and secured by siltation controls around the downstream perimeter and shall be stabilized by temporary seeding or netting. The perimeter sedimentation controls at the stockpiles should be in place at the end of each day and before rain events.

A crushed stone construction entrance will be constructed for of the project site, the location to be determined by the contractor.

During the construction of the drainage system, care must be taken to prevent siltation from entering the system. Drainage pipes in open excavations shall not remain open overnight. Silt sacks shall be placed in existing catch basins around the project site. The silt and sand, which may accumulate around the catch basins, shall be removed after every rainstorm. The onsite drainage system shall be cleaned prior to acceptance.

INSPECTION AND MAINTENANCE

Prior to construction, the Contractor shall formulate a schedule for inspection and maintenance of the erosion and sediment control measures. This schedule shall establish, at a minimum, the weekly inspections of the sedimentation controls, stockpiles, catch basins, unstabilized areas within the site and a report of any required maintenance. The schedule will also appoint an individual who will be responsible for performing the weekly inspections.

During the weekly inspection, and at any time during the course of construction, the Engineer, the Owner or the individual responsible for the erosion control measures may direct the Contractor to take immediate action to correct a deficiency or to increase the erosion control measures.

ADDITIONAL REQUIREMENTS

The Contractor shall employ measures to control dust during construction. All debris shall be properly contained and disposed of.

Necco Court shall be swept clean of any soils tracked onto the pavement from vehicles exiting the site.

A supply of crushed stone, erosion control tube, and silt sacks shall be kept on site to provide for additional siltation control, as may be required. Any construction equipment observed leaking or dripping oil shall be removed from the site. No construction equipment shall be re-fueled within 100 feet of Fort Point Channel. Temporary grass stabilization shall be applied at rate of 4-pounds/1,000 sf. and conform to the following mix summarized in Table 1.

Table 1
Seed Mixture

SEED	% WEIGHT	
	<u>Min.</u>	<u>Max.</u>
Winter Rye	80	
Red Fescue (Creeping)	4	
Perennial Rye Grass	3	
Red Clover	3	
Other Crop Grass	0.5	
Noxious Weed Seed		0.5
Inert Matter		1

CONSTRUCTION SCHEDULE

- A. Prior to construction, perimeter fencing and sedimentation controls will be placed around the site. Silt sacks shall be installed in existing catch basins as indicated on the site plans.
- B. After erosion controls are in place, construction of the proposed patio shall commence.
- C. Additional siltation controls will be added as construction proceeds where required to control erosion.
- D. Site grading subgrade preparation and finish paving will commence after utility work is completed.
- E. All stormdrain systems shall be inspected and cleaned.
- F. Construction fencing, erosion controls, and silt sacks shall be removed.

BMP MAINTENANCE SCHEDULE FOR CONSTRUCTED SITE

1. Inspect surface drain on a monthly basis and clean as needed. Inspect check valves twice per year.
2. Keep all pervious site areas stabilized at all times. Re-seed lawn areas as needed to maintain stable vegetation. Inspect lawn areas in the spring and fall.
3. Minimize the use of sand and chemicals for winter de-icing of pavement areas.
4. Inspect site weekly and remove any trash or debris.
5. Sweep the Harborwalk and Necco Court twice annually, once after winter sanding season is over during the early spring and a second time during the fall after the foliage has fallen.
6. It is anticipated that the **COJE Management Group** will be the owner and responsible for the operation and maintenance of the site. Their address is:

COJE Management Group
25 Thompson Place
Boston, MA 02110
Tel: 617.369.5609

Proposed Patio
South Boston, Massachusetts
Stormwater Operation and Maintenance Plan

INSPECTION SCHEDULE AND EVALUATION CHECKLIST

Best Management practice	Inspection Frequency	Date Inspected	Contractor	Current Conditions and Minimum Maintenance / Repairs, If Necessary	Completed Maintenance / Repair (i.e. date, contractor, tasks complete, etc.)
Pervious Pavers	Biannual				
Overall Site Condition	Monthly				

Property Manager: _____ Date: _____

C

**ILLICIT DISCHARGE
COMPLIANCE CERTIFICATION**

ILLCIT DISCHARGE COMPLIANCE CERTIFICATE

**PROPERTY: 253 Summer Street
Boston, Massachusetts**

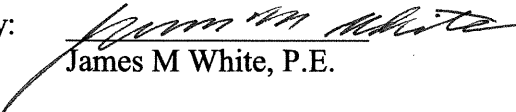
**PROJECT: 253 Summer Street
Boston, Massachusetts**

The undersigned, James White, PE, a professionally licensed civil engineer with the firm of H.W. Moore Associates, Inc. located in Boston, Massachusetts, hereby makes this certification as required under Standard #10 of the MassDEP Stormwater Management Standards. In connection with my review of the Property and the Project, I have reviewed and relied upon the "Partial Existing Conditions Plan, 253 Summer Street, Boston, Mass." dated January 4, 2017, prepared by Feldman Land Surveyors, and the "New Patio at Necco Court, 253 Summer Street, Boston, Massachusetts," dated May 14, 2020, prepared by H.W. Moore Associates, Boston, MA.

In connection with the above referenced matter, I do hereby certify to the best of my knowledge and belief, as of the date set forth above, that there are no illicit sewage discharges to the existing or proposed site stormwater management system.

H.W. MOORE ASSOCIATES

Dated as of: 11/18/20

By: 
James M White, P.E.

D


NRCS SOILS MAP

Custom Soil Resource Report Soil Map




MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)


Soils


 Soil Map Unit Polygons


 Soil Map Unit Lines


 Soil Map Unit Points

Special Point Features

 Blowout

 Borrow Pit


 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot


 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water


 Perennial Water

 Rock Outcrop


 Saline Spot

 Sandy Spot

 Severely Eroded Spot


 Sinkhole


 Slide or Slip

 Sodic Spot


 Spoil Area

 Stony Spot


 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

Water Features


 Streams and Canals


Transportation

 Rails


 Interstate Highways

 US Routes

 Major Roads

 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:25,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Norfolk and Suffolk Counties, Massachusetts
 Survey Area Data: Version 12, Sep 15, 2016

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 10, 2014—Aug 11, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Norfolk and Suffolk Counties, Massachusetts (MA616)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1	Water	1.7	36.6%
603	Urban land, wet substratum, 0 to 3 percent slopes	3.0	63.4%
Totals for Area of Interest		4.7	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however,

Custom Soil Resource Report

onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Norfolk and Suffolk Counties, Massachusetts

1—Water

Map Unit Setting

National map unit symbol: vkyp
Mean annual precipitation: 32 to 50 inches
Mean annual air temperature: 45 to 50 degrees F
Frost-free period: 120 to 200 days
Farmland classification: Not prime farmland

Map Unit Composition

Water: 100 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

603—Urban land, wet substratum, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: vkyl
Mean annual precipitation: 32 to 50 inches
Mean annual air temperature: 45 to 50 degrees F
Frost-free period: 120 to 200 days
Farmland classification: Not prime farmland

Map Unit Composition

Urban land: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Urban Land

Setting

Parent material: Excavated and filled land over herbaceous organic material and/or alluvium and/or marine deposits

Minor Components

Udorthents

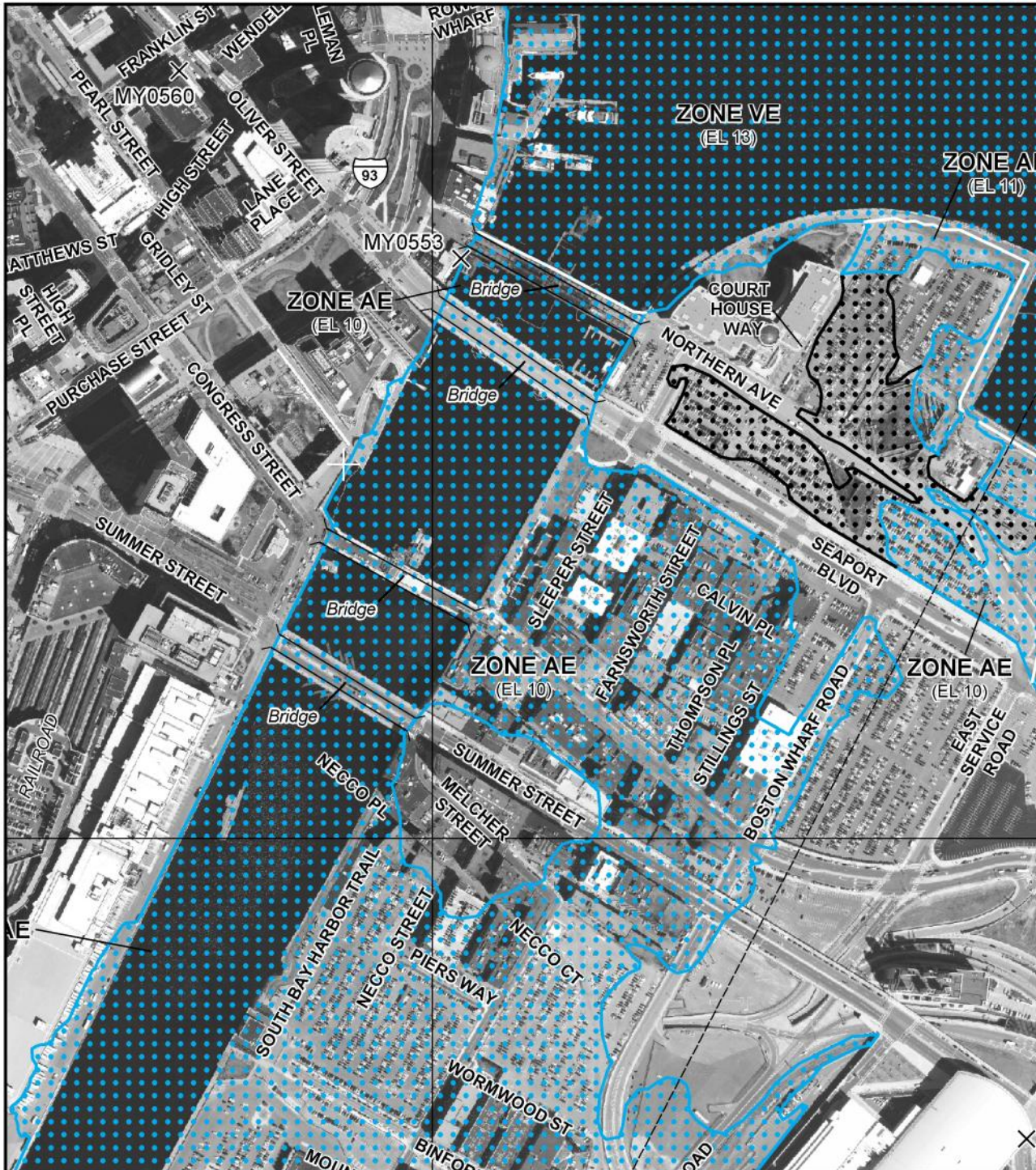
Percent of map unit: 13 percent
Hydric soil rating: Unranked

Beaches

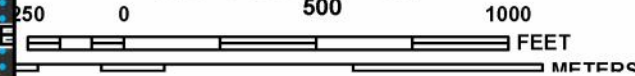
Percent of map unit: 2 percent
Hydric soil rating: Unranked

E

FEMA FLOOD INSURANCE RATE MAP



MAP SCALE 1" = 500'



NFP

PANEL 0081J

FIRM

FLOOD INSURANCE RATE MAP
SUFFOLK COUNTY,
MASSACHUSETTS
(ALL JURISDICTIONS)

PANEL 81 OF 176
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
BOSTON, CITY OF	250286	0081	J

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



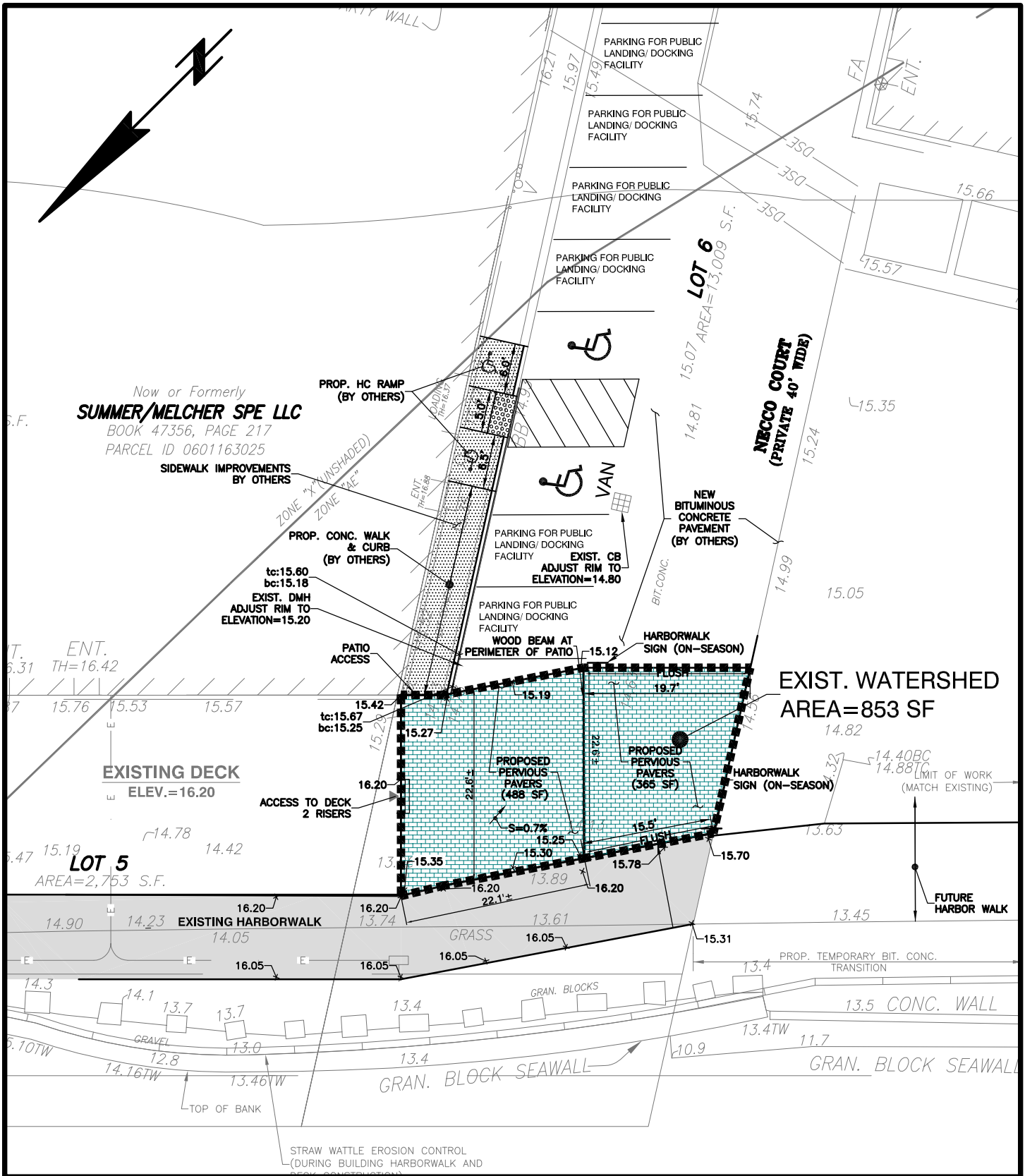
MAP NUMBER
25025C0081J
MAP REVISED
MARCH 16, 2016

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

F

WATERSHED PLANS

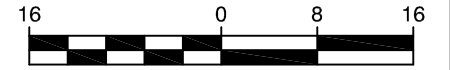


H.W. Moore
 ASSOCIATES
 CIVIL ENGINEERING | LAND PLANNING
 A DIVISION OF HANCOCK ASSOCIATES

Boston, MA 02118
 tel 617-357-8145
 fax 617-357-9495

253 SUMMER STREET
 BOSTON, MASSACHUSETTS
NEW PATIO AT NECCO COURT
 - PROPOSED WATERSHED

Plan Ref.



Scale: 1" = 16' SCALE IN FEET
 Date: 11/12/20
 Rev: _____
 SHEET
W2-2

Attachment H

Prior to Construction Materials (DEP File No. 006-1522)

T R A N S M I T T A L

3 Mill & Main Place, Suite 250
Maynard, MA 01754-0700
Phone: 978/897-7100
Fax: 978/897-0099



Date: April 17, 2018

To: Amelia Croteau
Boston Environment Department
One City Hall Square, Room 709
Boston, MA 02201

From: Erik Rexford

RE: DEP File No. 006-1522 – Construction Start-up Notification

Urgent For Review Please Comment Please Reply For Your Use

◆ Comments:



April 17, 2018

PRINCIPALS

Theodore A Barten, PE
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Amelia Croteau
Executive Secretary
Boston Environment Department
One City Hall Square, Room 709
Boston, MA 02201

Re: DEP File #006-1522, 253 Summer Street – Construction Submittals

Dear Ms. Croteau:

On June 27, 2017, the City of Boston Conservation Commission (the Commission) issued an Order of Conditions (OOC) under the Massachusetts Wetlands Protection Act (WPA) for the 253 Summer Street Project, authorizing the construction of those portions of the Project located within Land Subject to Coastal Storm Flowage and/or the 100-foot buffer zone of Coastal Bank. In addition to 19 Standard Conditions, the OOC included 47 Special Conditions, a number of which required the submittal of additional materials to the Commission. These Special Conditions are reviewed below, with the required submittals accompanying this letter.

In conformance with Special Condition 36, the letter serves as the Project's Construction Startup Notification.

CONSTRUCTION SUBMITTALS

The OOC identifies Special Conditions numbered 32, 35 through 49, 41, 42, and 44 to be completed prior to construction. The status of these Special Conditions as regards the limited work being conducted on-site is reviewed below.

Special Condition 32: Spill Management Plan for hazardous materials. A Spill Management Plan has been provided by the Contractor and is included as Attachment A.

Special Condition 35: Submittal of final plans stamped by a registered professional engineer. A complete set of Site Development Plans is included as Attachment B. No revisions to the Site Development Plans have been made since the Project was reviewed by the Commission.

Special Condition 37: Written notification of responsible party contact information.

The name, title, address, telephone number, and emergency (cell) telephone number of the person “designated by the project proponent to be responsible for compliance with the Order on site” is given below:

Christopher P. Jamison
LCTB Fort Point LLC
2 Oliver Street, #406
Boston, MA 02109
Office/Cell: 978-853-1970

Special Condition 38: Signed Order of Conditions. A copy of the Order of Conditions, reviewed and signed on each page by the project supervisor, indicating that each condition has been read and understood, is included as Attachment C.

Special Condition 39: Final erosion and sedimentation control plan. Erosion control barriers have been placed in accordance with the above-referenced Site Development Plans, Sheet C-3, *Sedimentation Control Plan*.

Special Condition 42: Construction materials and equipment staging plan.

Construction materials and equipment will not be stored at the Project site. To the extent that equipment staging occurs during the construction period, any such activities will occur along Necco Court, where equipment will be loaded and unloaded after being delivered to the site each day. Equipment will be removed from the site at the conclusion of each work day. During the work day, there will be no storage of equipment within 25 feet of coastal bank or within 100 feet of the resource area (excluding LSCSF). Equipment will not be fueled or serviced while on-site.

Special Condition 42: Approval of the Boston Water and Sewer Commission (BWSC).

Because no new connection to BWSC infrastructure will be constructed, impervious surface is being reduced, and all site work will occur within the parcel boundary, it is our understanding the BWSC review is not applicable to this Project.

Special Condition 44: Post-Construction Snow Management Plan. Snow is only removed from the Harborwalk portion of the site and will be stockpiled adjacent to the patio, as shown on the attached Snow Management Plan (Attachment D), where melted snow water is directed away from the Fort Point Channel.

Thank you for your review of the material submitted herein. Should you have any questions concerning this material, please do not hesitate to contact me directly.

Sincerely,



Erik Rexford

cc Synergy Investments
Dalton & Finegold
Epsilon Associates

Attachment A: Oil Spill Prevention Plan
Attachment B: Site Development Plans
Attachment C: Signed OOC
Attachment D: Snow Management Plan

Attachment A

Spill Management Plan

Chapter 32 Spill Prevention & Response Plan

The first step in chemical or biological spill response is to prevent the exposure, release, or spill from happening in the first place. The shop, worksite, or chemical storage area should be examined to identify measures that can be taken to minimize the risk of a release occurring. These measures can be identified during regular worksite and safety inspections. The precautions may include physical controls (secondary containment, safety cabinets); standard operating procedures (labeling, container specifications, lab procedures), or staff training. Housekeeping around the storage areas and work areas should always be maintained as slip/trip/falls while working with products could lead to accidental spills. Whenever possible, chemicals shall be kept in closed containers and stored so they are not exposed to stormwater.

Safety Data Sheets (SDSs) must be maintained reasonably available for each chemical or product containing hazardous chemicals--throughout each of the following activities. Storage may be temporary, long-term, or for daily use. Regardless, certain precautions must be taken.

PERSONNEL TRAINING

Procedures to follow in the event of spills or leaks will be included as a part of every new employee's training. Annual training material will also be provided, as a refresher, for all service employees so that each will know the steps to follow in the event a spill occurs. Records of these training sessions will be kept with this plan for a period of at least three years.

Annual training on spill prevention and response procedures will include, but not be limited to:

- operating and maintaining equipment to prevent oil spills or releases;
- containing oil spills and disposing of oil-contaminated materials;
- reviewing applicable pollution control laws, rules, and regulations;
- reviewing general facility operations including any recent spills, malfunctioning components, and new precautionary measures; and,
- materials available for use, proper waste disposal, and communication procedures.

Spill Containment Kits

Spill containment kits will be available to service area personnel to contain spills. The contents of the spill containment kits will typically include sorbent socks, pads, and pillows, goggles, gloves, a disposal bag, and a 20-gallon poly drum. Spill kits will typically be located on site. These kits will be replenished after use and will be inventoried periodically to verify that adequate supplies are available and can handle the greatest spill that could occur.

SPILL RESPONSE PROCEDURES

Appropriate actions to control, contain, remove, and clean-up spills are to begin immediately

whenever a spill is reported by an employee. The immediate responsibility for these actions rests

with the ranking company employee on the scene. Responsibility will move to higher levels of

management depending upon the size of the spill, the ability of facility personnel to control it

and the potential for damage. See Section 8, "Spill Reporting" for contacts and telephone numbers.

Levels of Responsibility:

Small Spill (25 gallons or less) – The Shift Foreman and mill employees will be responsible for

containing and cleaning up the oil using a spill containment kit.

Large Spill (greater than 25 gallons) – In the event of a large spill, the Shift Foreman will direct

use of heavy equipment to provide berming and other earthmoving activities as needed to contain

the spill.

Spill Response Procedures: Communication Measures

1. Notify the Shift Foreman immediately of any oil spill.
2. If possible, stop the source of the spill by closing valves or transferring the product to another container.
3. Eliminate all potential ignition sources. If necessary, notify the local fire department.
4. Use the spill containment kit materials to contain the spill through the deployment of absorbent material and/or sorbent socks and pads.
5. The spill must be arrested before reaching waters of the State. Use of on-site heavy equipment to provide berming and other earthmoving activities may be necessary for large spills.
6. Once the spill has been contained, the used spill kit materials must be cleaned up and properly disposed by placing them in open drums and labeling them for appropriate offsite disposal; and
7. The spill and cleanup operations and decisions must be documented .

The form should be copied and completed whenever a spill occurs. The completed documentation should be kept onsite with this plan.

If a spill exceeds 25 gallons or has the potential to adversely affect surface waters, then the appropriate regulatory agencies must be notified within 24 hours of the spill. A written follow-up report may also be required in some cases.

Chapter 33 Subcontractor Safety

The purpose of this program is to ensure subcontractors meet safety, and health requirements in order to fulfill the of protecting the health and safety of on-site personnel, the public, and the environment. It covers

- Qualifying prime subcontractors
- Identifying and managing all aspects of subcontracted work
- Communicating responsibilities for subcontractor safety and subcontractor personnel
- Communicating expectations and hazard mitigation requirements, as documented in the hazard-specific chapters of this Manual.

The subcontractor shall have a comprehensive written safety and health program. All employees shall understand basic element of this program prior to assignment to the project. The subcontractor's safety plan, depending on scope of their work should address the following elements:

- Safety Policy
- Control Measures
- Safety Inspections/Audits
- Disciplinary Program
- Training Policy
- Project Site Employee Orientation Program
- Recordkeeping Policy
- Accident/Exposure and investigations policy
- Emergency Action Plan
- Site-Specific medical Emergency plan
- Hazard Communication Program
- Written Trenching and Shoring Plan (if applicable)
- Written 100% Fall Protection Plan
- Personal Protective Equipment

Qualification & Selection

Expectations

Subcontractors must establish and maintain a written and visible contractor safety process that includes, at a minimum, the following:

o Safety expectations and requirements must be clearly communicated to the contractor prior to the contract execution. • Determine contractor performance criteria as a function of risk of the particular work to be performed (e.g., the higher the risk associated with performing the work, the more criteria should be applied). –

Minimum required criteria for subcontractor review:

- o Incident rate performance (e.g, TRIR,EMR DART and Fatality Rate)
- o Incident investigation program, including root cause analysis program
- o Drug and alcohol program
- o Management commitment

ORIENTATION AND TRAINING

Subcontractor's employees shall receive a site specific orientation at initial assignment.

Subcontractors shall document employee attendance at site specific safety orientation and make a copy available to Sean Farrell Excavation. In addition, Sean Farrell Excavation and other subcontractors should be made aware of any special training required as a result of their activities.

Subcontractors are responsible for all safety, health and environmental training related to their work.

SAFETY MEETINGS

Subcontractors will conduct their own safety meetings as required by law. In addition, Subcontractor's personnel will attend Sean Farrell Excavation weekly toolbox training meetings, job safety analysis submittals and reviews, and Sean Farrell Excavation safety Inspections and coordination meetings

At the end of each job, Sean Farrell Excavation will meet with the subcontractor management team and foreman to review safety performance to finalize paperwork and review and improvements that could be carried over to the next project.

All employees working on site that are exposed to hazardous substances, health hazards, or safety hazards and their supervisors and management responsible for the site shall receive training prior to engaging in hazardous waste operations. **OSHA recognizes several levels of training and employees shall be trained to a level required by their job function and responsibility.**

Training for employees is required for the health and safety of the workers identifying, responding to, overseeing, and cleaning up release of, or substantial threats of releases of, hazardous substances, including petroleum products, regardless of the location of the hazard.

Each level requires specific training, and OSHA outlines topics and minimum training duration for each. The following job descriptions and **typical training time** are detailed in **1910.120(q)(6)** at **www.osha.gov/law-regs.html** (note that hours may vary by state requirements):

Train workers to the highest level of responsibility they are assigned.

Not every emergency response worker needs the same amount of training.

First responder awareness level: no minimum time specified in standard, individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying proper authorities of the release.

First responder operations level: 8 hours, individuals who provide initial response for the purpose of protecting nearby persons, property, or the environment from the effects of the release and who have been trained to respond in a defensive fashion without actually trying to stop the release.

Hazardous materials technician: 24 hours, individuals who respond for the purposes of stopping the release, approaching the point of release in order to plug, patch or otherwise stop the release.

Hazard materials specialist: 24 hours, individuals who respond with and provide support to the hazardous materials technician for the purposes of stopping the release, approaching the point of release in order to plug, patch or otherwise stop the release. Requires more specific knowledge on the

various substances and individuals act as site liaison with Federal, state, tribal government authorities in regard to site activities.

On scene incident commander: 24 hours, will assume control of the incident scene.

Annual Refresher

Employees and volunteers shall have annual refresher training of sufficient content and duration to maintain their competencies, or shall demonstrate competency in those areas at least yearly. A record of the methodology used to demonstrate competency must be kept by the employer (or the individual if acting as a volunteer). Training can be conducted in segments throughout the year.

Qualifications for trainers. Trainers shall be qualified to instruct employees about the subject matter that is being presented in training. Such trainers shall have satisfactorily completed a training program for teaching the subjects they are expected to teach, or they shall have the academic credentials and instructional experience necessary for teaching the subjects. Instructors shall demonstrate competent instructional skills and knowledge of the applicable subject matter.

Medical Surveillance and Consultation

The following employees shall be incorporated in a medical surveillance program in accordance with HAZWOPER 29 CFR 1910.120(f):

- Employees engaged in clean-up operations conducted at uncontrolled hazardous waste sites and employees of TSDFs, not covered by exceptions.
- Employees who are or may be exposed to hazardous substances or health hazards at or above the established permissible exposure limit, above the published exposure levels for these substances, without regard to use of respirators, for 30 days or more a year.
- All employees who wear a respirator for 30 days or more a year or as required by 1910.134.
- All employees who are injured, become ill or develop signs or symptoms due to possible overexposure involving hazardous substances or health hazards from an emergency response or hazardous waste operation.
- Members of HAZMAT teams.

Members of an organized and designated HAZMAT team and hazardous materials specialist shall receive a baseline physical examination and be provided with medical surveillance in accordance with HAZWOPER 29 CFR 1910.120(q)(9)

Any emergency response employees who exhibit signs or symptoms which may have resulted from exposure to hazardous substances during the course of an emergency incident either immediately or subsequently, shall be provided with medical consultation in accordance with HAZWOPER 29 CFR 1910.120(f) and in accordance with 1910.120(q)(9).

Chapter 34 Hazardous Waste Operations Safety and Health Program

A written program will be immediately available, indicating the specific chain of command, roles, responsibilities, and authorities that govern hazardous waste operations falling within the scope of this standard. The program will reflect the necessary interface between general program and site-specific activities. A written program will exist at each organizational level where management wishes to exert consistent implementation of administrative procedures for specific hazardous waste site operations.

The program will designate, in writing, a program manager who will have the responsibility and authority to direct all hazardous waste operations within the scope of this section.

Each project that falls under the general category of "hazardous waste operation" will have a comprehensive work plan, as well as a site-specific safety and health plan, in place prior to commencing operations.

The written program, work plan, and site-specific safety and health plan will specify the means to implement the requirements of these standards.

Work Plan

Each facility, site, or project will have a written work plan that reflects the current status of site characterization/analysis and the proposed objectives and tasks.

The plan will identify the personnel requirements and methods to accomplish the identified tasks and objectives.

For uncontrolled hazardous waste sites, characteristics such as location, size, boundaries, topography, accessibility, contaminant concentrations, and contaminant dispersion pathways must be included.

The plan must specify the means for providing required information to employees, contractors, and others who enter the site.

The plan must include the requirements for training, medical evaluations, and record-keeping not specified in site-specific documents.

Site-Specific Health and Safety Plan (HASP)

A HASP will be available to all employees at the worksite, which is inclusive of all organizations/firms/activities at the site.

The plan must include a risk assessment for each identified hazard and associated task in the work plan and specify the requirements and procedures necessary to protect personnel according to all applicable standards.

The plan must indicate specific expectations for meeting the standards, including programs for inspection, training, medical evaluation, contaminant/exposure monitoring, site control, decontamination, personal protective equipment (PPE), emergency response, confined space entry, and spill containment requirements associated with site operations. First Responders are individuals who are likely to witness or discover a hazardous substance release & who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release.

Site Control

The site control program, as a part of the site-specific HASP, must include a site map that characterizes site work zones and identifies any established engineered site safety and health controls, specific work requirements, standard operating procedures, decontamination requirements, safe work practices, site communications including emergency plan, and

provisions for medical emergency services. It will identify names of personnel responsible for site safety and health. At the time of incident, management will stem from the senior official on site who has the responsibility for controlling operations at the site.

All personnel must receive the proper training required for their assigned duties, the provisions of the program, project work plan, and HASP requirements associated with specific personnel assignments and this section.

Personnel are prohibited from participating in, or providing onsite supervision of, site activities unless:

- a. They have been certified as having successfully completed the training requirements for their assigned duties and responsibilities, and
- b. Records of required training and certification have been established and are immediately available at the activity site.

Trainers. The training must be conducted by a trainer meeting the qualifications of OSHA standards in 29 CFR 1910.120 (e)(5). Generally, trainer qualification is based upon the satisfactory completion of a training program for teaching the subject matter, or appropriate academic credentials and experience, combined with demonstrated competency in instructional skills and knowledge of the subject matter.

The minimum training requirements are based upon OSHA requirements contained in 29 CFR 1910.120 (e). The courses established to meet these requirements must address both time and content standards.

Course content and certification must be conducted according to the guidelines in Appendix E of 29 CFR 1910.120.

- a. An offsite hazardous waste orientation course with sessions totaling 40 hours, plus 24 hours of supervised onsite training, will be required of all persons who:

- Enter a site unescorted by trained site personnel
- Enter restricted areas of a site
- May be exposed to hazardous substances
- May be exposed to other health hazards of a physical or biological nature
- May be exposed to safety hazards of any kind
- Are operators of equipment used in site assessment or remediation operations
- Are required or expected to wear respiratory protection or PPE when needed
- Disturb any materials within site boundaries
- Directly supervise site employees

Each year thereafter, 8 hours of supplemental training will be provided which augments the basic knowledge provided by the core course.

- b. All onsite managers and supervisors directly responsible for, or who supervise, personnel engaged in hazardous waste operations must receive an additional 8 hours of training specific to the management responsibilities associated with the program elements and site requirements.

- c. All employees and their managers and supervisors working onsite who are restricted to duties that are fully characterized as nonhazardous and who are not expected to wear PPE or respond to emergencies under any circumstance must receive:

- A minimum of 24 hours of off-site training from a certifying instructor, and
- An additional 8 hours of supervised onsite guidance by an experienced person before assuming their full duties associated with the operations

- Any personnel trained at this level who are reassigned to hazardous duties will be provided an additional 16 hours of training by a certifying instructor as required for the duties and hazard control measures utilized, as well as an additional 16 hours of supervised onsite guidance.

Medical Evaluations

Medical evaluations necessary to meet the requirements of these standards (such as respirator clearances or medical qualifications for specific hazardous jobs) must be provided before employees engage in activities requiring such services.

Medical surveillance must be provided for employees exposed to or affected by site contaminants.

All medical services required by this standard must be rendered under the direction of a board-certified occupational health physician.

The evaluations must be provided in a timely manner. Timeframes for medical screening tests that may become necessary during operations will be specified in the medical surveillance plan before initiating onsite operations.

All employees whose exposure to contaminants exceeds permissible exposure limits for 30 days or more per year will be placed in a medical surveillance program. Medical requirements for the respiratory protection program are separate, but may be included as part of the medical surveillance on the employee.

All employees who wear a respirator must be medically evaluated according to the respiratory protection requirements of these standards and 29 CFR 1910.134.

All employees who wear respiratory protection for 30 days or more per year must be placed in a medical surveillance program.

All employees who develop signs or symptoms of illness or exposure to hazardous substances, who become ill, or who are injured due to overexposure to contaminants must be placed in a medical surveillance program.

Inspections

Inspections will be conducted to assess the proper implementation of hazard control. Identified deficiencies and corrective actions must be documented and appropriate changes made to the plan(s) when necessary.

Contaminant/Exposure Monitoring

Air monitoring will be performed in a manner according to the provisions contained within these standards and as required within the program, work plan, or HASP. Minimum monitoring requirements are:

Upon initial site entry, representative air monitoring will be conducted to identify any Immediately Dangerous to Life and Health (IDLH) condition or potential exposure above permissible exposure limits

Periodic monitoring will be conducted when:

- Work begins on a different portion of the site
- Contaminants other than those previously identified are being handled
- A different type of activity is initiated
- An employees are handling leaking drums or containers, or working in areas with obvious liquid contamination
- There are indications that potentially hazardous conditions exist

Personal monitoring must be performed for personnel who are at high-risk, such as, but not limited to, those handling leaking drums, opening drums containing unknown or hazardous substances, conducting activities in areas with obvious liquid contamination, or during any activity where contaminated substances may be disturbed.

a. After commencing activities, personal exposure monitoring will be performed for employees likely to have the highest exposures to hazardous substances and health hazards or when the airborne concentration of hazardous substances is likely to be above permissible exposure limits.

b. A monitoring result that exceeds permissible exposure limits will be considered a representative exposure of all personnel performing similar duties on the site. The exposure will be accordingly documented until personal monitoring has been accomplished for each person performing similar duties.

Representative sampling will be accepted to document exposures of individuals engaged in similar activities.

Site Control

The site control program, as a part of the site-specific HASP, must include a site map that characterizes site work zones and identifies any established engineered site safety and health controls, specific work requirements, standard operating procedures, decontamination requirements, safe work practices, site communications including emergency plan, and provisions for medical emergency services. It will identify names of personnel responsible for site safety and health. The senior official at an emergency response is the most senior official on the site who has the responsibility for controlling operations at the site.

Control of Worker Exposure to Hazardous Substances

Engineering controls will be the primary means of control for occupational exposure to hazardous substances. Administrative controls, such as scheduling employee rotation as a method of controlling hazardous exposures associated with hazardous waste activities and operations, must not be used.

Personal Protective Equipment

PPE must be provided and used according to the provisions contained in these standards and as stipulated in the program, work plan, or HASP. PPE will be based on the performance characteristics of the equipment, relative to:

- The requirements and limitations of the site
- The task-specific conditions and duration
- The hazards and potential hazards identified at the site

Personal Protective Equipment. The PPE program, as part of the HASP, must address:

- PPE selection based on site-specific hazards
- The use and limitations of PPE
- Activity duration
- Maintenance and storage of PPE
- Decontamination and disposal of PPE
- PPE training and fitting
- Equipment donning and doffing procedures
- Procedures for inspecting equipment before, during, and after use
- Evaluation of the effectiveness of the PPE program
- Medical considerations, including work limitations due to temperature extremes or physical stress

When airline respirators are utilized in hazardous waste operations, an auxiliary self-contained escape air supply system will be incorporated.

When totally encapsulating suits are used, they must be capable of maintaining positive air pressure.

Communications

All high-risk activities such as, but not limited to, remote or unobservable operations, waste drum opening/sampling, or confined space entry must be conducted in a way that ensures constant communication between the worker and site management team. **Decontamination** Decontamination must be conducted in a way that prevents the spread of hazardous contaminants and waste beyond the boundaries of the site of operations. Decontamination will apply to equipment and personnel.

Procedures for all phases of decontamination will be developed, communicated to all personnel, and implemented before any employee or equipment may enter areas on a site where potential exposure to hazardous substances exists. Decontamination procedures, as a part of the site-specific HASP, will specify:

- Decontamination methods and procedures for testing and evaluating their effectiveness
- The number and layout of decontamination stations and decontamination equipment needed
- Procedures to prevent contamination of clean areas and to minimize employee contact with hazardous substances or with contaminated equipment that has contacted hazardous substances
- Procedures to take if the nonimpermeable clothing of personnel becomes wetted with hazardous substances
- Methods for disposing of contaminated clothing and equipment
- Methods for disposing of decontamination water and waste

All personnel leaving a contaminated area must be decontaminated; all contaminated clothing and equipment leaving a contaminated area must be appropriately disposed of or decontaminated.

Decontamination procedures must be monitored by the site safety and health officer to determine their effectiveness. If such procedures are found to be ineffective, site work will immediately cease and remain shut down until the situation has been corrected.

Decontamination must be conducted in geographic areas that minimize the exposure of uncontaminated personnel and equipment to contaminated employees or equipment.

All equipment and material used for decontamination must be decontaminated or disposed of properly.

Decontamination of Personal Protective Equipment

a. PPE will be decontaminated, cleaned, laundered, maintained, stored, and replaced as appropriate to maintain their effectiveness.

b. Unauthorized employees will not remove PPE from change rooms.

c. Commercial laundries or cleaning establishments that decontaminate protective clothing or equipment will be informed of the potential harmful effects of exposures to hazardous substances.

d. Where the decontamination procedure indicates the need for regular showers and change rooms outside the contaminated area, or if cleanup or removal operations will require 6 months or more to complete, showers and change rooms must be provided. If temperature effects prevent the use of water, other effective means for cleansing must be provided and used.

Emergency Planning

Planning for site emergencies must be conducted before commencement of hazardous waste activities. The emergency response plan shall be developed & implemented below is to handle anticipated emergencies prior to the commencement of emergency response operations. The plan is available for inspection by employees, their representatives & OSHA.

Site emergency cleaning must address all anticipated emergency situations. The emergency response plan must be included in the HASP and address the following elements:

- Personnel roles, responsibilities, and lines of communication
 - Emergency recognition and prevention
 - Safe distances and staging areas (safety zones)
 - Site security and control
 - Evacuation routes, procedures and safe distances to refuge
- Pre emergency planning & coordination with outside parties
- Emergency medical treatment
 - Emergency alerting and response procedures
 - Critique of response and followup
 - Procedures for reporting incidents to Federal, State and local governments
 - Decontamination

The emergency response plan will be a separate section of the HASP.

The emergency response plan will be exercised regularly as part of the overall training program. The emergency response plan will be reviewed periodically and, as necessary, amended to keep it current with new or changing site conditions or operations.

A personnel alarm system must be installed to notify personnel of an emergency condition, to stop work activities if necessary, to lower background noise in order to speed communications, and/or to begin emergency procedures.

The emergency planning must be compatible and integrated with the disaster, fire, and/or emergency response plans of local, State and Federal agencies.

Attachment B

Site Development Plans

SITE DEVELOPMENT PLANS PROPOSED DECK FOR CAFE & BUILDING FOUNDATION WATERPROOFING

253 SUMMER STREET
BOSTON, MASSACHUSETTS
MAY 5, 2017

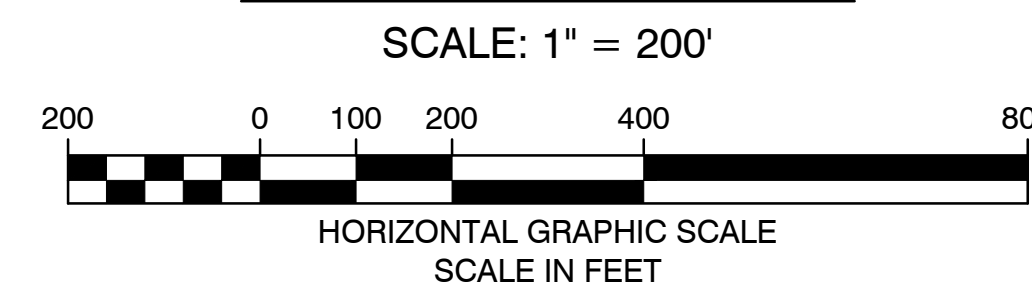


Reference:
Aerial Orthophoto from MassGIS website. (www.mass.gov/mgis). Photo tile number coq2013_7. Orthophoto was taken in 2013.

INDEX OF DRAWINGS

CIVIL DRAWINGS		
<u>SHEET No.</u>	<u>TITLE</u>	<u>DATE</u>
	COVER SHEET	05/05/2017
	PARTIAL EXISTING CONDITIONS PLAN	01/04/2017
C-1	SITE PLAN	05/05/2017
C-2	SITE DETAILS AND FOUNDATION WATERPROOFING PLAN	05/05/2017
C-3	SEDIMENTATION CONTROL PLAN	05/05/2017

LOCUS MAP



APPLICANT

COJE MANAGEMENT GROUP, CORP.
25 THOMPSON PLACE
BOSTON, MA 02110
TEL. 617-369-5609

SURVEYOR

FELDMAN LANDSURVEYOR
152 HAMPDEN STREET
BOSTON, MA 02119
TEL. 617-357-9740

CIVIL ENGINEER

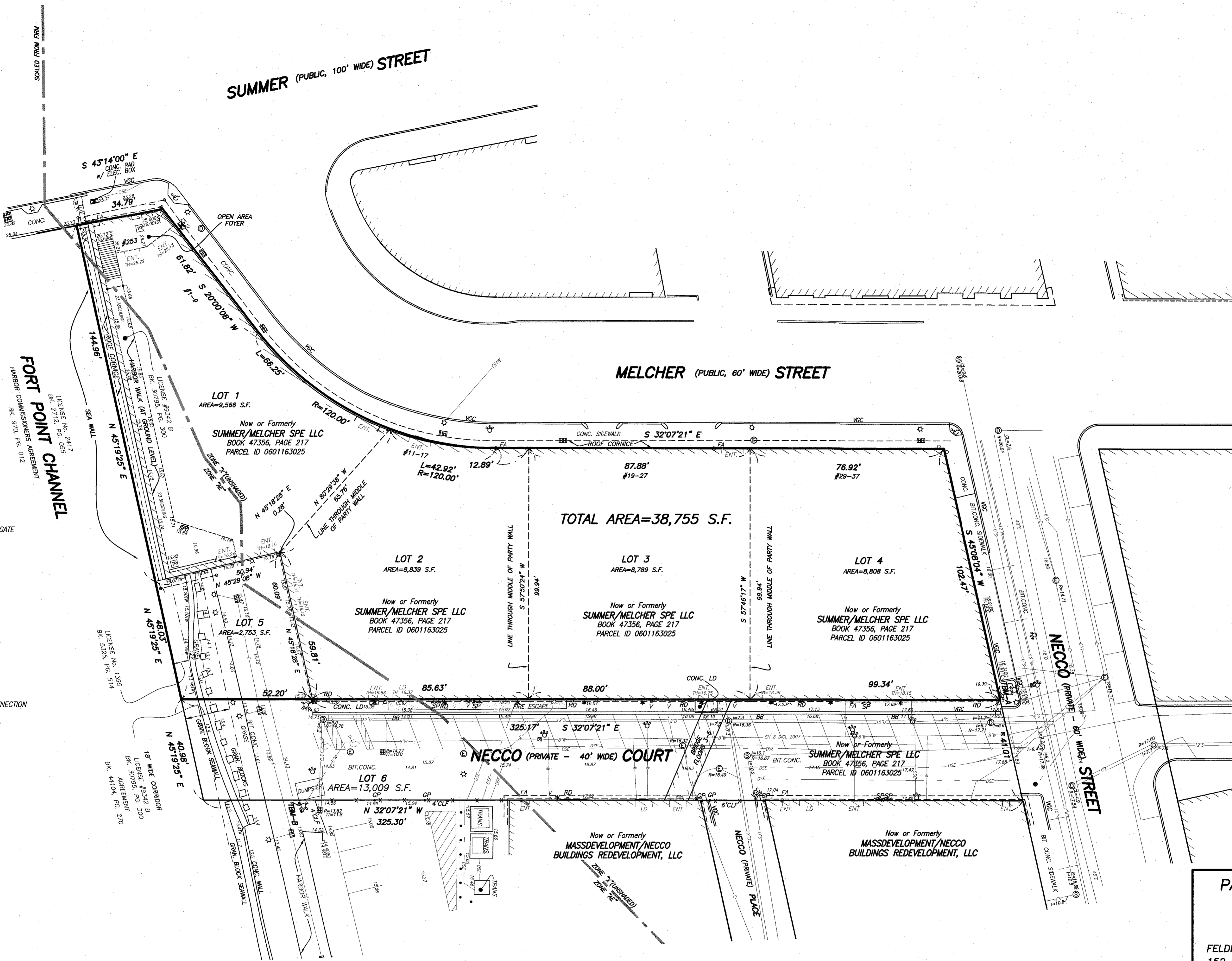
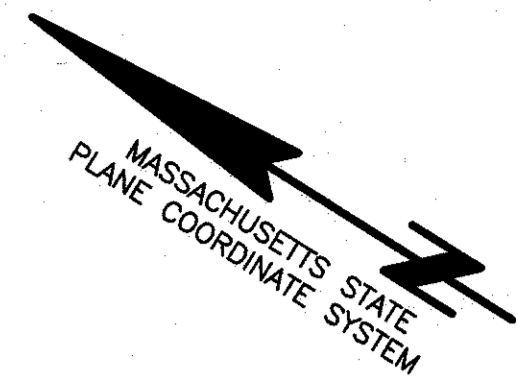
H.W. MOORE ASSOCIATES, INC.
121 E BERKELEY STREET
BOSTON, MA 02118
TEL. 617-357-8145
CONTACT: JAMES WHITE, P.E.

ARCHITECT

BERGMEYER ASSOCIATES, INC.
51 SLEEPER STREET, 6TH FL.
BOSTON, MA 02210-1208
TEL. 617-542-1025

ENVIRONMENTAL CONSULTANT

EPSILON ASSOCIATES, INC.
3 MILL & MAIN PLACE, SUITE 250
MAYNARD, MA 01754
TEL. 978-897-7100



NOTES:

- 1) TEMPORARY BENCH MARKS USED:
 TBM-A: X-CUT ON HYDRANT BOLT IN FRONT OF 50 MELCHER STREET.
 ELEVATION = 20.99 (FLS JOB NO. 13991)
 TEMPORARY BENCH MARKS SET:
 TBM-A: X-CUT SET ON THE FRONT LEFT BOLT OF A HYDRANT ON THE NORTHWESTERLY SIDE OF NECCO STREET AT THE INTERSECTION OF THE NORTHEASTERLY SIDE OF NECCO COURT, AS SHOWN HEREON.
 ELEVATION = 21.11
 TBM-B: X-CUT SET ON THE FRONT LEFT BOLT OF A HYDRANT ON THE NORTHWESTERLY SIDE OF NECCO STREET, 124'± NORTHEASTERLY OF THE SOUTHWESTERLY SIDE OF THE GARAGE ACCESS WAY, AS SHOWN HEREON.
 ELEVATION = 18.28
- 2) BY GRAPHIC PLOTTING ONLY, THE PARCEL SHOWN HEREON LIES WITHIN A ZONE "X" (UNSHADED), AN AREA OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD, AND A ZONE "AE" AN AREA WITHIN THE 1% ANNUAL CHANCE FLOOD, AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP (F.I.R.M.) FOR SUFFOLK COUNTY, MASSACHUSETTS, MAP NUMBER 25025C0081J, CITY OF BOSTON, HAVING AN EFFECTIVE DATE OF MARCH 16, 2018.
- 3) THIS DOCUMENT IS AN INSTRUMENT OF SERVICE OF FELDMAN LAND SURVEYORS ISSUED TO OUR CLIENT FOR PURPOSES RELATED DIRECTLY AND SOLELY TO FELDMAN LAND SURVEYORS' SCOPE OF SERVICES UNDER CONTRACT TO OUR CLIENT FOR THIS PROJECT. ANY USE OR REUSE OF THIS DOCUMENT FOR ANY REASON BY ANY PARTY FOR PURPOSES UNRELATED DIRECTLY AND SOLELY TO SAID CONTRACT SHALL BE AT THE USER'S SOLE AND EXCLUSIVE RISK AND LIABILITY, INCLUDING LIABILITY FOR VIOLATION OF COPYRIGHT LAWS, UNLESS WRITTEN CONSENT IS PROVIDED BY FELDMAN LAND SURVEYORS.
- 4) UTILITY INFORMATION SHOWN IS BASED ON BOTH A FIELD SURVEY AND PLANS OF RECORD. THE LOCATIONS OF UNDERGROUND PIPES AND CONDUITS HAVE BEEN DETERMINED FROM THE AFOREMENTIONED RECORD PLANS AND ARE APPROXIMATE ONLY. WE CANNOT ASSUME RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES THAT ARE OMITTED OR INACCURATELY SHOWN ON SAID RECORD PLANS, SINCE SUBSURFACE UTILITIES CANNOT BE VISIBLY VERIFIED. BEFORE PLANNING FUTURE CONNECTIONS, THE PROPER UTILITY ENGINEERING DEPARTMENT SHOULD BE CONSULTED AND THE ACTUAL LOCATION OF SUBSURFACE STRUCTURES SHOULD BE DETERMINED IN THE FIELD. CALL, TOLL FREE, THE DIG SAFE CALL CENTER AT 1-888-344-7233 SEVENTY-TWO HOURS PRIOR TO EXCAVATION.

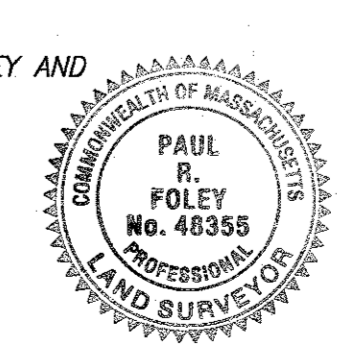
LEGEND

- ⊙ SEWER MANHOLE
- ⊙ DRAIN MANHOLE
- ⊙ ELECTRIC MANHOLE
- ⊙ HYDRANT
- ⊙ WATER SHUT OFF/WATER GATE
- ⊙ GAS SHUT OFF/GAS GATE
- ⊙ BOSTON WATER VALVE
- ⊙ CATCH BASIN
- ⊙ TRAFFIC CONTROL BOX
- ⊙ LIGHT POLE
- ⊙ WALK LIGHT
- ⊙ ELECTRIC HANDHOLE
- ⊙ BOLLARD
- ⊙ SIGN
- ⊙ GATE POST
- ⊙ FA FIRE ALARM
- ⊙ V VENT
- ⊙ RD ROOF DRAIN
- ⊙ OBSERVATION WELL
- ⊙ SECURITY CAMERA
- ⊙ SPIGOT
- ⊙ STAND PIPE/SIAMESE CONNECTION
- ⊙ TRASH RECEPTACLE
- ⊙ HANDICAP PARKING SPACE
- ⊙ BC BOTTOM OF CURB
- ⊙ BB BITUMINOUS BERM
- ⊙ BIT BITUMINOUS
- ⊙ BS BOTTOM OF STEPS
- ⊙ BW BOTTOM OF WALL
- ⊙ CL CENTERLINE OF TROUGH
- ⊙ CLF CHAIN LINK FENCE
- ⊙ CONC CONCRETE
- ⊙ ENT ENTRANCE
- ⊙ I= INVERT ELEVATION
- ⊙ L= ARC LENGTH
- ⊙ LD LOADING DOCK
- ⊙ MTL METAL
- ⊙ R= RADIUS OR RIM ELEVATION
- ⊙ TT= TOP OF TRAP
- ⊙ S. F. SQUARE FEET
- ⊙ TBM TEMPORARY BENCH MARK
- ⊙ TC TOP OF CURB
- ⊙ TH THRESHOLD
- ⊙ TS TOP OF STEPS
- ⊙ TW TOP OF WALL
- ⊙ VCC VERTICAL GRANITE CURB
- ⊙ D DRAIN
- ⊙ E ELECTRIC
- ⊙ G GAS
- ⊙ OHW OVERHEAD WIRES
- ⊙ S SEWER
- ⊙ W WATER
- ⊙ 12" (C) PIPE SIZE AND MATERIAL
- ⊙ X METAL FENCE
- ⊙ DSE DIGSAFE ELECTRIC

FORT POINT CHANNEL
 LICENSE No. 2417
 BK. 274, PG. 085
 HARBOR COMMISSIONERS AGREEMENT
 BK. 970, PG. 012

**PARTIAL EXISTING CONDITIONS PLAN
 253 SUMMER STREET
 BOSTON, MASS.**

FELDMAN LAND SURVEYORS JANUARY 4, 2017
 152 HAMPDEN STREET PHONE: (617)357-9740
 BOSTON, MASS. 02119 www.feldmansurveyors.com



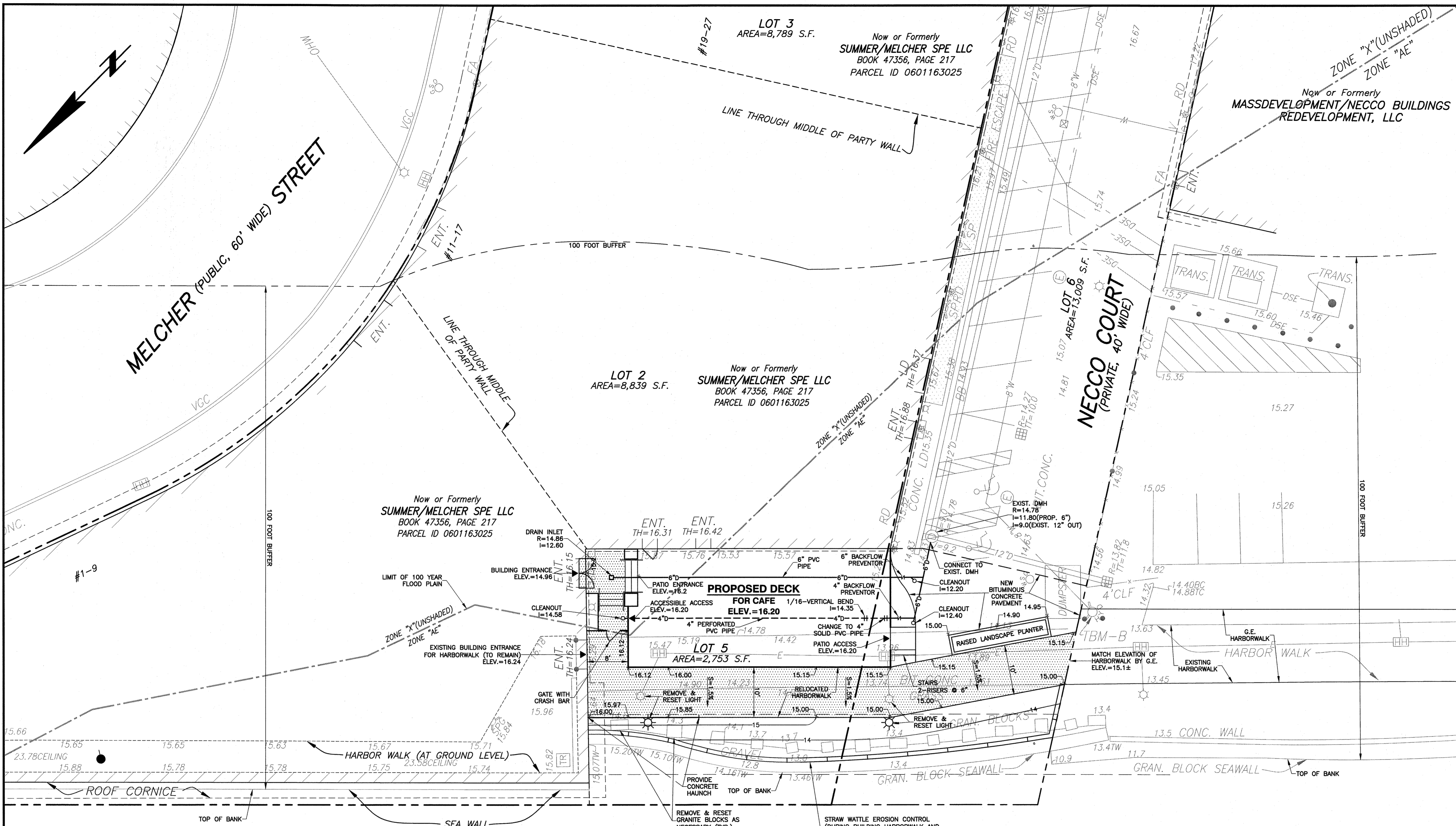
I CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY AND THE LATEST PLANS AND DEEDS OF RECORD.

PAUL R. FOLEY, PLS (MA) 48355
 PRF@FELDMANSURVEYORS.COM
 DATE: 5/14/2017



RESEARCH TRA	FIELD CHIEF JM	PROJ MGR PRF	APPROVED	SHEET NO. 1 OF 1
CALC TRA	CADD JMD	FIELD CHECKED	CRD FILE	JOB NO. 15490

FILENAME: S:\PROJECTS\15400a\15490\DWG\15490-EX.dwg



RESERVED FOR BWSO USE

PROPERTY INFORMATION

Account Number _____ Parcel Number 01163005_Ward_06

Property Location 253 SUMMER STREET

Project Name PROPOSED DECK & FOUNDATION WATERPROOFING

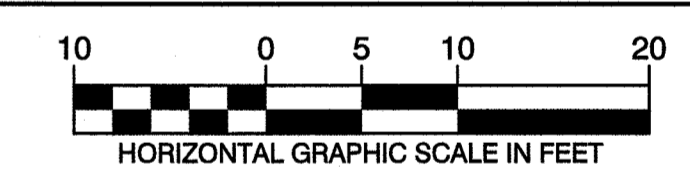
Neighborhood FORT POINT WATERFRONT Extended Zip Code 02210-1114

Type of Premise COMMERCIAL

APPLICANT
 COJE MANAGEMENT GROUP, CORP.
 25 THOMPSON PLACE
 BOSTON, MA 02110
 TEL. 617-369-5609

ARTICLE 32 COMPLIANCE:
 THE PROPOSED PROJECT LOCATED AT 253 SUMMER STREET IS IN COMPLIANCE WITH THE REQUIREMENTS OF ARTICLE 32 OF THE BOSTON ZONING CODE FOR GROUNDWATER STORAGE AND RECHARGE.

LAND USE CODE **C**



REVISIONS

NO.	DATE	DESCRIPTION

ISSUE	DATE	DESCRIPTION

DATE: MAY 5, 2017

SCALE: 1" = 10'

SHEET **C-1**

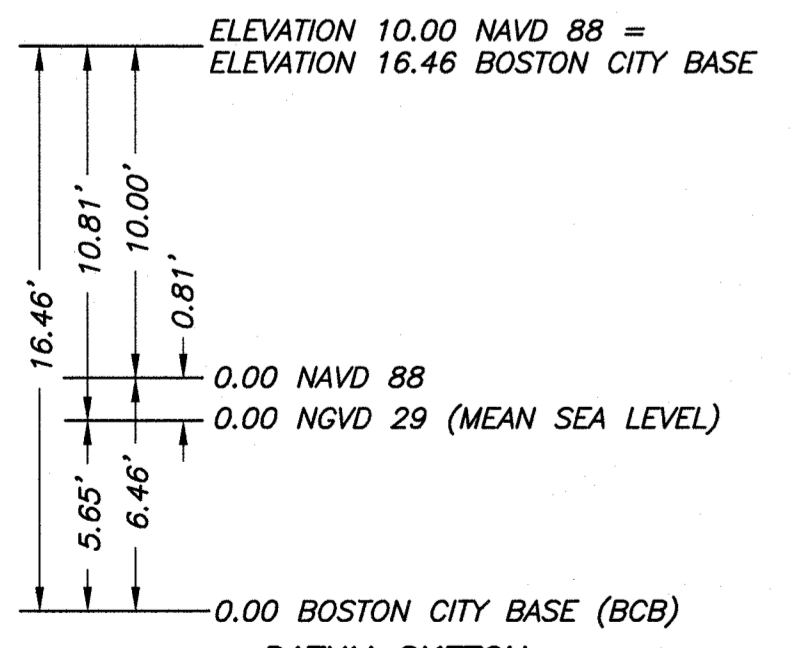
253 SUMMER STREET

BOSTON, MASSACHUSETTS

SITE PLAN

H.W. Moore ASSOCIATES, INC.
 CIVIL ENGINEERING | LAND PLANNING
 121 E. Berkeley Street, 4th Floor, Boston, MA 02118
 tel: 617-357-8145 fax: 617-357-9495 web: hwmoores.com

FORT POINT CHANNEL



DATUM NOTE:
 1. DATUM IS BOSTON CITY BASE. REFER TO DATUM SKETCH FOR CONVERSION TO NAVD 88.

REFERENCES:
 1. EXISTING PROPERTY LINE, TOPOGRAPHIC AND UTILITY INFORMATION HAS BEEN TAKEN FROM A DIGITAL FILE RECEIVED ON JANUARY 20, 2017 AND NAMED "16480-EX-SUBMIT (1-20-2017).dwg" OF A PLAN TITLED "PARTIAL EXISTING CONDITIONS PLAN, 253 SUMMER STREET, BOSTON, MASS." AND DATED JANUARY 4, 2017. PLAN PREPARED BY FELDMAN LAND SURVEYORS, OF BOSTON, MA.
 2. PROPOSED DECK HAS BEEN TAKEN FROM A DIGITAL FILE RECEIVED ON MAY 1, 2017 AND NAMED "2017-05-01 Patio Plan - 253 Summer.dwg". PLAN PREPARED BY BERGMAYER ASSOCIATES, INC. OF BOSTON, MA.

- NOTES:**
- LOCATIONS AND ELEVATIONS OF UNDERGROUND PIPES AND CONDUITS HAVE BEEN DETERMINED FROM THE ABOVE REFERENCED PLAN AND SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. H.W. MOORE ASSOCIATES, INC. ASSUMES NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES INACCURATELY SHOWN OR OMITTED. BEFORE PLANNING FUTURE CONNECTIONS, THE PROPER UTILITY DEPARTMENT SHALL BE NOTIFIED AND THE ACTUAL LOCATIONS OF SUBSURFACE STRUCTURES SHALL BE VERIFIED IN THE FIELD. CALL THE BWSO, (617) 989-7000 AND DIG-SAFE CALL CENTER, (888) 344-7233, 72 HOURS (3 WORKING DAYS) PRIOR TO EXCAVATION.
 - ALL CONSTRUCTION METHODS AND MATERIALS SHALL CONFORM TO BWSO REQUIREMENTS AND ALL OTHER APPLICABLE MUNICIPAL REGULATIONS.
 - ALL DISTURBANCES WITHIN THE PUBLIC WAY SHALL CONFORM TO CITY AND BWSO STANDARDS.
 - THIS PLAN HAS BEEN PREPARED FOR APPROVAL OF THE WATER, DRAIN AND SEWER CONNECTIONS TO THE BWSO FACILITIES. IT IS UNDERSTOOD THAT THE RESPONSIBILITY OF OWNERSHIP AND MAINTENANCE OF THE SEWER CONNECTIONS ON PRIVATE PROPERTY AND/OR PRIVATE AND PUBLIC WAYS SHALL BE THE RESPONSIBILITY OF THE DEVELOPER AND/OR OWNERS. IT IS ALSO UNDERSTOOD THAT THE WATER CONNECTIONS ON PRIVATE PROPERTY INCLUDING PRIVATE WAYS ARE ALSO THE RESPONSIBILITY OF THE DEVELOPER AND/OR OWNERS. IF THE CONNECTIONS CROSS, OR ARE NEAR INDIVIDUAL PROPERTY LINES, PROVISIONS MUST BE MADE TO ALLOW EACH OWNER TO MAINTAIN OR RECONSTRUCT THEIR RESPECTIVE CONNECTIONS. THIS FACT MUST BE INCORPORATED INTO ANY PURCHASE AND SALES AGREEMENT AND DEEDS RELATED TO THE TRANSFER OF OWNERSHIP OF THE PROPERTIES.
 - SITE CONTRACTOR TO PROVIDE ALL EXCAVATION, INSTALLATION, BACK FILLING, PAVEMENT PATCHING, ETC. FOR THE INSTALLATION OF UNDERGROUND GAS, ELECTRIC, TELEPHONE, FIRE ALARM, WATER, SEWER, DRAIN AND SIMILAR SERVICES.
 - IF EXISTING ABANDONED BWSO SERVICES ARE ENCOUNTERED THEY SHALL BE CUT AND CAPPED AT THE MAIN PER BWSO STANDARDS.
 - CONTRACTOR IS TO OBTAIN THE ROUGH CONSTRUCTION SIGN OFF DOCUMENT FROM THE CITY OF BOSTON INSPECTIONAL SERVICES DEPARTMENT PRIOR TO FILING A GENERAL SERVICES APPLICATION WITH BWSO.
 - CONTRACTOR WILL BE RESPONSIBLE FOR PREPARING AS-BUILT PLANS IN ACCORDANCE WITH BWSO REQUIREMENTS.
 - CONTRACTOR TO CONFIRM THE LOCATIONS AND INVERTS OF THE EXISTING UTILITIES IN THE STREET PRIOR TO THE INSTALLATION OF NEW SERVICE CONNECTIONS. SERVICES SHALL BE FIELD VERIFIED BEFORE BEGINNING CONSTRUCTION.
 - ANY CONSTRUCTION DEWATERING SHALL EMPLOY MEASURES TO FILTER OUT SEDIMENT PRIOR TO ITS DISCHARGE AND SHALL CONFORM WITH BWSO REQUIREMENTS. CONTRACTOR TO SUBMIT A SKETCH OF THESE TO THE ARCHITECT FOR APPROVAL.
 - CONTRACTOR TO EMPLOY MEASURES TO CONTROL DUST DURING CONSTRUCTION.
 - THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS FOR THE ALTERATION AND ADJUSTMENT OF GAS, ELECTRIC, TELEPHONE, FIRE ALARM AND OTHER PRIVATE COMPANIES, AS REQUIRED.

FLOOD PLAIN NOTE:
 THE SITE IS LOCATED IN THE 100-YEAR FLOOD PLAIN ELEVATION 16.46 BCB

File Name: C:\3793\3793-56.dwg, Saved: 5/5/2017 10:34 AM, Plotted: May 05, 2017 10:34:36am, Tab: C:\SITE PLAN Plot Style: 1050C.ctb, Plotted By: John Gathwaill

Attachment C

Signed Order of Conditions



**Massachusetts Department of Environmental
Protection**
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:006-1522
eDEP Transaction #:936171
City/Town:BOSTON

Signature of Applicant

Rev 4/1-2010



CITY OF BOSTON

THE ENVIRONMENT DEPARTMENT

Boston City Hall, Room 709 • Boston, MA 02201 • 617/635-3850 • FAX: 617/635-3435

June 27, 2017

Jack Vaccaro
Epsilon Associates, Inc.
3 Mill and Main Place
Maynard, MA 01754

CERTIFIED MAIL: 7015 0640 0001 0462 0220

RE: Notice of Intent for DEP File No. 006-1522 from Epsilon Associates on behalf of LCTB Fort Point LLC for the repair of an existing granite block foundation and the construction of an open-air dining area located at 253 Summer Street in South Boston, MA (LSCSF)

Dear Mr. Vaccaro,

Pursuant to the Massachusetts Wetlands Protection Act, General Laws, Chapter 131, Section 40, I have enclosed the Order of Conditions ("the Order") for the above referenced project. Please arrange to have the Order recorded at the Suffolk County Registry of Deeds in accordance with General Condition 9. Work on the project may not begin until the Boston Conservation Commission receives the completed Recording Information form.

In accordance with General Condition 12 of the Order, upon completion of the project a Request for a Certificate of Compliance (WPA Form 8A), must be filed with the Commission stating that the work has been satisfactorily completed. If the project filing included plans stamped by a registered professional engineer, architect, landscape architect or land surveyor a written statement by such professional must accompany the Certificate request confirming that the project has been completed in substantial compliance with the plans and the conditions of the Order.

Please make certain that all contractors and workers involved in the project review the permit conditions as required. Please also ensure that the pre-construction requirements listed in the section with the heading "Prior to Construction" are satisfied prior to the start of construction.

If you should have any questions regarding the enclosed Order of Conditions you may contact Boston Conservation Commission Staff at cc@boston.gov or 617-635-3850.

For the Commission,

Amelia Croteau
Boston Conservation Commission

Enclosure: WPA Form 5

CC: Summer Melcher SPE, LLC
LCTB Fort Point LLC



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 MassDEP File #:006-1522
 eDEP Transaction #:936171
 City/Town:BOSTON

A. General Information

1. Conservation Commission BOSTON
2. Issuance a. OOC b. Amended OOC
3. Applicant Details
- a. First Name _____ b. Last Name _____
- c. Organization LCTB FORT POINT LLC
- d. Mailing Address 25 THOMPSON PLACE, FIRST FLOOR
- e. City/Town BOSTON f. State MA g. Zip Code 02210
4. Property Owner
- a. First Name _____ b. Last Name _____
- c. Organization SUMMER MELCHER SPE LLC
- d. Mailing Address 100 FRANKLIN STREET, SECOND FLOOR
- e. City/Town BOSTON f. State MA g. Zip Code 02110
5. Project Location
- a. Street Address 253 SUMMER STREET
- b. City/Town BOSTON c. Zip Code 02210
- d. Assessors Map/Plat# 0601163005 e. Parcel/Lot# N/A
- f. Latitude 42.34419N g. Longitude 71.03802W
6. Property recorded at the Registry of Deed for:
- | | | | |
|-----------|----------------|---------|---------|
| a. County | b. Certificate | c. Book | d. Page |
|-----------|----------------|---------|---------|
7. Dates
- a. Date NOI Filed : 5/25/2017 b. Date Public Hearing Closed: 6/7/2017 c. Date Of Issuance: 6/21/2017
8. Final Approved Plans and Other Documents
- a. Plan Title: _____ b. Plan Prepared by: _____ c. Plan Signed/Stamped by: _____ d. Revised Final Date: _____ e. Scale: _____

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act

Following the review of the the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act.

Check all that apply:

a. <input type="checkbox"/> Public Water Supply	b. <input type="checkbox"/> Land Containing Shellfish	c. <input checked="" type="checkbox"/> Prevention of Pollution
d. <input type="checkbox"/> Private Water Supply	e. <input type="checkbox"/> Fisheries	f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat
g. <input type="checkbox"/> Ground Water Supply	h. <input checked="" type="checkbox"/> Storm Damage Prevention	i. <input checked="" type="checkbox"/> Flood Control

2. Commission hereby finds the project, as proposed, is:

Approved subject to:

- a. The following conditions which are necessary in accordance with the performance standards set forth in the





Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 MassDEP File #:006-1522
 eDEP Transaction #:936171
 City/Town:BOSTON

wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

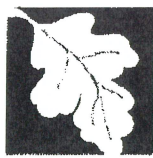
Denied because:

- b. The proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. The information submitted by the applicant is not sufficient to describe the site, the work or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a). _____ feet
a. linear feet

Inland Resource Area Impacts:(For Approvals Only):

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	_____ feet a. linear feet	_____ feet b. linear feet	_____ feet c. linear feet	_____ feet d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	_____ feet a. square feet	_____ feet b. square feet	_____ feet c. square feet	_____ feet d. square feet
6. <input type="checkbox"/> Land under Waterbodies and Waterways	_____ feet a. square feet	_____ feet b. square feet	_____ feet c. square feet	_____ feet d. square feet
7. <input type="checkbox"/> Bordering Land Subject to Flooding	_____ c/y dredged e. c/y dredged	_____ c/y dredged f. c/y dredged		
	_____ square feet a. square feet	_____ square feet b. square feet	_____ square feet c. square feet	_____ square feet d. square feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	_____ cubic feet e. cubic feet	_____ cubic feet f. cubic feet	_____ cubic feet g. cubic feet	_____ cubic feet h. cubic feet
	_____ square feet a. square feet	_____ square feet b. square feet		
9. <input type="checkbox"/> Riverfront Area	_____ cubic feet c. cubic feet	_____ cubic feet d. cubic feet	_____ cubic feet e. cubic feet	_____ cubic feet f. cubic feet
	_____ total sq. feet a. total sq. feet	_____ total sq. feet b. total sq. feet		
Sq ft within 100 ft	_____	_____	_____	_____



Massachusetts Department of Environmental Protection
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Provided by MassDEP:
 MassDEP File #:006-1522
 cDEP Transaction #:936171
 City/Town:BOSTON

Sq ft between 100-200 ft

c. square feet	d. square feet	e. square feet	f. square feet
g. square feet	h. square feet	i. square feet	j. square feet

Coastal Resource Area Impacts:

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
---------------	---------------------	----------------------	----------------------	-----------------------

- 10. Designated Port Areas Indicate size under Land Under the Ocean, below
- 11. Land Under the Ocean

a. square feet	b. square feet
c. c/y dredged	d. c/y dredged
- 12. Barrier Beaches Indicate size under Coastal Beaches and/or Coastal Dunes below
- 13. Coastal Beaches

a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
----------------	----------------	--------------------	--------------------
- 14. Coastal Dunes

a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
----------------	----------------	--------------------	--------------------
- 15. Coastal Banks

a. linear feet	b. linear feet
----------------	----------------
- 16. Rocky Intertidal Shores

a. square feet	b. square feet
----------------	----------------
- 17. Salt Marshes

a. square feet	b. square feet	c. square feet	d. square feet
----------------	----------------	----------------	----------------
- 18. Land Under Salt Ponds

a. square feet	b. square feet
c. c/y dredged	d. c/y dredged
- 19. Land Containing Shellfish

a. square feet	b. square feet	c. square feet	d. square feet
----------------	----------------	----------------	----------------
- 20. Fish Runs Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above

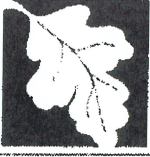
c. c/y dredged	d. c/y dredged
----------------	----------------
- 21. Land Subject to Coastal Storm Flowage

5000	
a. square feet	b. square feet

22. Restoration/Enhancement (For Approvals Only)

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.5.c & d or B.17.c & d above, please entered the additional amount here.





Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 MassDEP File #:006-1522
 eDEP Transaction #:936171
 City/Town:BOSTON

a. square feet of BVW

b. square feet of Salt Marsh

23.

Streams Crossing(s)

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. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work..
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

" Massachusetts Department of Environmental Protection"
 [or "MassDEP"]
 File Number : "006-1522"





Massachusetts Department of Environmental
Protection

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

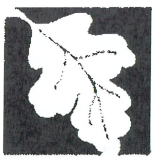
Provided by MassDEP:
MassDEP File #:006-1522
eDEP Transaction #:936171
City/Town:BOSTON

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order(the "Project") is (1) is not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
 - a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
 - b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: *i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized; *iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been





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- inspected to ensure that they are not damaged and that they are in proper working condition; v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.
- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
 - d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Multi-Sector General Permit.
 - e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
 - f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
 - g) The responsible party shall:
 - 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 - 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 - 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
 - h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
 - i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
 - j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
 - k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.



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- 1) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions:
SEE ATTACHMENT





D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No

2. The Conservation Commission hereby (check one that applies):

a. DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

1. Municipal Ordinance or Bylaw _____ 2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

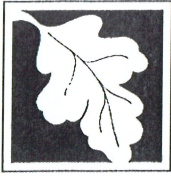
b. APPROVES the proposed work, subject to the following additional conditions.

1. Municipal Ordinance or Bylaw _____ 2. Citation _____

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows:





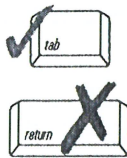
Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
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Provided by MassDEP:
006-1522
 MassDEP File #

eDEP Transaction #
 Boston
 City/Town

E. Signatures

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



This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

6/21/2017
 1. Date of Issuance

Please indicate the number of members who will sign this form.

6
 2. Number of Signers

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy must be mailed, hand delivered or filed electronically at the same time with the appropriate MassDEP Regional Office.

Signatures:

[Handwritten signatures in blue ink on a grid of lines]

by hand delivery on

by certified mail, return receipt requested, on 6/27/17
 Date

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



June 7, 2017

Attachment – Special Conditions

LCTB Fort Point, LLC, Foundation Repairs and Site Improvements, 253 Summer Street
South Boston, Fort Point Channel (LSCSF)

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20. The term "Applicant" as used in this Order of Conditions refers to the owner, any successor in interest or successor in control of the property referenced in the Notice of Intent, supporting documents and this Order of Conditions. The Commission must be notified in writing within 30 days of all transfers of title of any portion of property that take place prior to the issuance of the Certificate of Compliance.
21. The property that is the subject of this Order and upon which the project is located will be referred hereinafter as "the subject property" or the "project site".
22. A member of the Conservation Commission or its agent may enter and inspect the property and the activities that are the subjects of this Order of Conditions (OOC) at all reasonable times, with or without probable cause or prior notice, and until a Certificate of Compliance (COC) is issued, for the limited purpose of evaluating compliance with this OOC.
23. The Applicant is hereby instructed to review such conditions with all contractors and workers involved in on site operations prior to the commencement of construction on this project. Any contractors and workers arriving after construction commences must also be apprised of these conditions.
24. The Applicant must attach a copy of this Final Order of Conditions (hereinafter "the Order") to the contract documents associated with this project.
25. The Commission reserves the right to impose additional conditions or require the submittal of additional information as necessary to protect the interests of the Act.
26. Where relevant, all facilities and equipment will be continually operated and maintained so as to comply with the conditions and the Massachusetts Wetlands Protection Act (hereinafter "the Act"). The Applicant, owner, successor or assigns will be responsible for maintaining all on-site drainage structures and outfalls, assuring the lasting integrity of the surface cover on the site and site activities so as to prevent erosion, siltation, sedimentation, chemical contamination or other detrimental impact to the on-site and/or off-site wetland resource areas. This condition is a **maintenance** condition, and will not expire upon the issuance of a Certificate of Compliance.
27. A copy of the Order, including all referenced documents and plans, and all other subsequent approvals and directives issued by the Commission, must be available for inspection at the work area.
28. All project generated discharges, including stormwater, authorized by a NPDES permit, will be subject to the terms of the NPDES permit which is incorporated herein by reference pursuant to 310 CMR 10.03 (4). The Applicant must submit the NPDES permit to the Commission.
29. There may be no discharge or spillage of fuel, oil, or any other pollutant from this project into adjacent wetland resource areas or 100-foot Buffer Zone (hereinafter "buffer zone") associated with those resource areas. Any equipment used in any wetland resource area or buffer zone that uses fuel, oil or hydraulic fluid must be inspected daily for leakage. Any equipment that requires repair must be repaired outside of any wetland resource area or buffer zone. Any equipment that uses fuel, oil and/or hydraulic fluid must be staffed at all times while operational within wetland resource areas or buffer zone. Equipment must not be re-fueled within any wetland resource areas.
30. The Applicant and/or their contractor will develop a spill management plan for any hazardous materials that may be employed during work in the buffer zone or over the water. Specifically, the Applicant should prepare to effectively deal with spillage of fuel or hydraulic fluids from equipment. A quick-absorbent material, such as "Speedy Dry" or equivalent, must be stored in a dry readily available area at the work site, and on any project related vessels, for use in the event petroleum-based fluids are spilled or leaked. The contractor must have an oil sorbent boom at the project site and deploy the boom immediately upon observing any petroleum sheen on the watersheet. The spent material should be containerized and disposed of properly.
31. The Applicant must inform the Commission of any violation of this Order and any other project related spill or accident that may impact wetland resource areas as soon as possible and at least by the end of the business day, and must take appropriate action to mitigate impacts from such spill or accident.



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 South Boston, Fort Point Channel (LSCSF)

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The Applicant or site supervisor must notify the City of any emergency by calling Commission staff at 617-635-3850 from 9:00 AM - 5:00 PM, Monday - Friday and, at all other times, by calling the Mayor's Office's 24-hour Hotline at 617-635-4500. On the date of the issuance of this Order, the appropriate contact is Amelia Croteau, Conservation Assistant: cc@boston.gov

32. The Applicant must submit for Commission staff review and approval an Oil Spill Prevention, Control and Countermeasure Plan, which must specify the containment measures and notification protocol to be implemented should a fuel spill occur. The fuel tanks must also have a leak detection system. The plan should include the continued maintenance of emergency fuel booms at the facility. The approved plan will be incorporated into this Order by reference herein, and will not expire upon issuance of a Certificate of Compliance.
33. Any mitigation measures required by federal, state, or other local agencies that may impact wetlands resource areas must be submitted to Commission staff for review to determine what level of permitting or authorization will be necessary.
34. All project related correspondence and submittals to the Boston Conservation Commission regarding this Final Order must indicate the DEP File number: 006-1522.

Prior to Construction

35. Prior to construction start up, the Applicant must submit final plans stamped by a registered professional engineer to Commission staff. Commission staff will determine if there have been significant revisions made to the plans referenced in this Order that may require further Commission review.
36. In advance of construction start-up on any section of this project, the Applicant must notify the Commission and, at the request of the Commission, may arrange an on-site conference of representatives of the Commission, the contractor, the project engineer and the Applicant to ensure that all the conditions of this Order are understood. The Commission must be notified at least 48 hours in advance of the date upon which construction activities on the site are to proceed. All appropriate construction impact mitigation measures must be in place prior to initiation of work on the project site.
37. The Applicant and/or their contractor must provide to the Commission written notification of the name, title, address and telephone numbers of the person or persons designated by the project proponent to be responsible for compliance with the Order on site. An emergency telephone number must be provided in the event that action is required during non-working hours.
38. The project supervisor overseeing daily operations at the site must read this Order and sign a copy of each page, indicating that each condition has been read and understood. These signed pages must be submitted to Commission staff.
39. Before work at this site commences, the Applicant or their contractor must submit a final erosion and sediment control plan for review and approval by Commission staff. Final plans showing the points of discharge, wheel wash stations, sedimentation tanks and basins, oil separating equipment and other engineering structures should be provided to the Commission with a certified engineer's stamp and signature. To satisfy this condition the Applicant may submit a Storm Water Pollution Prevention Plan (SWPPP) required under the NPDES Construction General Permit for Storm Water Discharges for Construction Activities. The approved plan will be a condition of this Order by reference herein.
40. Prior to the commencement of construction and site clearing, an erosion and sediment control barrier must be installed along the limit of activity between all work areas and wetland resource areas. Hay bales or straw bales should be double staked (where possible) with bales butted against each other. If straw wattles or filter sox are used, they should be anchored in place. If specified, geotextile siltation fence should be installed no further than twelve (12) inches from the down-gradient side of the barrier. These barriers must be inspected daily and after significant rain events (greater than 0.5 inches of precipitation) and maintained as necessary, including the removal of accumulated



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sediments. The contractor will ensure that additional erosion and sediment control materials are available for immediate installation to replace those that are damaged or degraded. Erosion control measures should be removed upon completion of work and after disturbed areas are stabilized. The geotextile fence will constitute a limit-of-work line, beyond which no work or clearing of vegetation may occur.

41. The contractor must submit a construction materials and equipment staging plan 30 days prior to construction for Commission staff review and approval. Project related staging areas will be subject to all conditions herein. Staging areas located outside the project footprint, as indicated on the approved project plan of record, and within wetland resource areas and the buffer zone may be subject to further Commission review.
42. The Applicant must submit to Commission staff notice of approval by the Boston Water and Sewer Commission (BWSC) of the plans for this project. Any modifications required by BWSC to the plans approved by this Order must be detailed in writing with this submittal so that Commission staff can determine if further conditions are required.
43. Before construction commences, the Applicant must submit to the Commission for its review and approval a landscaping plan that provides native coastal bank vegetation along the Harborwalk; finished details for the Harborwalk; a maintenance plan for these structures and amenities; and plans stamped by a registered engineer depicting the proposed construction of the pile-supported segments of the Harborwalk. These submittals will be incorporated into this Order by reference herein.
44. The Applicant must submit a post-construction snow management plan for Commission staff review and approval. Snow from landside areas may not be plowed or otherwise deposited into the waters of Fort Point Channel or adjacent coastal beaches or banks. Snow must be stockpiled on paved surfaces that direct melted snow water to catch basins. Deicing material and sand must be stored and contained in areas that will not allow for their migration into wetland resource areas. Prior to April 1st, all sand and salt from winter application must be removed from the site. The approved snow management plan will be a perpetual maintenance condition that will not expire upon issuance of a Certificate of Compliance.

During Construction

45. The Applicant, owner, successor or assigns must regularly remove and dispose of debris on all wetland resources areas on the project site. This is a perpetual **maintenance** condition that will not expire upon issuance of a Certificate of Compliance.
46. The Applicant must maintain the project site free of trash and debris during any down time or hiatus in the project during the term of this Order.
47. The Applicant and/or their contractor must clean the work area at the end of each workday to prevent wind deposition of fugitive dust and accumulation of debris in the buffer zone or wetland resource areas. All stored excavate or fill must be contained with appropriate best management practices when not in use. Special attention should be given by the contractor to securing covers on stored excavate, fill, dumpsters and roll-off containers over the weekend or during down time.
48. Disposal of all construction materials, demolition debris and excess fill must be done in accordance with applicable federal, state, and local laws. Proof of proper disposal must be provided in the form of copies of bills of lading, disposal receipts or manifests to Commission staff upon request.
49. All project-related materials must be contained from migration into wetland resource areas and all practical precautions must be used during any construction work. The Applicant and/or their contractor will be responsible for the removal of any project-related debris, material, machinery or equipment lost, dumped, thrown into, or otherwise entering any wetland resource area, regardless of whether it is within or outside of the project limits. The proponent must seek Commission approval for any remedial action involving substantial impacts to wetland resource areas.

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50. On-site discharge of untreated, decanted water from construction dewatering to resource areas is prohibited. If on-site discharge becomes necessary, the Applicant must submit a plan indicating dewatering methodology, water quality monitoring measures, and staging location of dewatering equipment for Commission staff review and approval. Any approved dewatering must treat decanted water according to additional conditions deemed necessary by Commission staff.
51. The Applicant, owner, successor or assigns will ensure the cleanliness of all catch basins on the project site or affected by project related activity. Catch basins will be protected with hay bales and/ or silt sacks during the construction period. The proponent must inspect and, as necessary, clean all catch basins at least weekly during construction and more frequently after a significant rain event. Upon completion of the project, the inspection and cleaning of catch basins on the subject property must occur twice a year: once between March 1st and April 30th and once between November 1st and November 30th of each year, and more often if necessary. This **maintenance** condition is perpetual and will not expire upon issuance of a Certificate of Compliance.
52. Repair or replacement of stormwater infrastructure may not commence in advance of a forecasted rain event.
53. All sheet flow from areas where vehicles drive or park must be directed toward catch basins that meet Boston Water and Sewer Specifications.
54. Any new or reconstructed catch basins, or any new or replaced sections of sidewalk or pavement adjacent to surface drains on the project site, must have a permanent plaque within one foot of the structure that states "Don't Dump - Drains to Boston Harbor."
55. Trucks entering and leaving the site must have their loads completely covered in compliance with M.G.L. Chapter 85 § 36. Vehicles that accumulate soil or any unconsolidated material on their tires due to exposed ground conditions at the site must be thoroughly washed to avoid tracking of material onto the public way.
56. The contractor must have designated washout areas for concrete equipment that will be comprised of impermeable material and sized to contain project concrete wastes and wash water. Washout areas may not be located in the vicinity of storm drain inlets, stormwater conveyance, surface waters or wetlands.
57. There may be no parking of contractor or laborer vehicles in any resource area or associated buffer zone without proper stormwater controls or best management practices installed.
58. Construction activity will be confined within the limits of work as represented on the final plan of record. There may be no staging of construction materials, storage of construction equipment, clearing or disturbance to land beyond the limit of work.
59. There may be no overnight stockpiling or storage of construction material including unconsolidated material, piles, debris, petroleum products or hydraulic fluids (or equipment containing these products or fluids) within the buffer zone, 25 feet of the coastal bank, or the 100-year flood plain. Erosion and sediment control containment measures must be installed and maintained between wetland resource areas and any stored construction materials or staged construction equipment. Under no circumstances may the project contractor store, stage or locate unconsolidated material or construction equipment not directly associated with the project and subject site within resource areas or the buffer zone. At the request of the Applicant, Commission staff may authorize construction lay-down areas within the buffer zone for storage of equipment *during the construction period only*.
60. The Applicant or their contractor must keep a daily log summarizing all construction and demolition activities of this project on every day that such activity occurs, noting turbidity conditions, occurrence of fish kills, debris removal from resource areas and evaluations of measures employed to reduce turbidity and other impacts to the water and wetland resources. The condition of all drainage, erosion controls and sedimentation structures must be noted in the daily log, as well as the performance of maintenance activities on such structures. The contractor must provide Commission staff with a draft



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construction inspection form prior to commencement of work on the project site. This log must be kept at the work area and made available upon demand by Commission staff.

61. The contractor will conduct construction sequencing such that areas cleared of ground vegetation and earth materials are exposed for a minimum of time before they are covered, seeded, or otherwise stabilized to prevent erosion.
62. There may be no dumping of leaves, grass clippings, brush, fill or other debris into wetland resource areas. This condition is perpetual and will not expire upon issuance of a certificate of compliance.
63. All equipment and unconsolidated materials must be removed from areas subject to the 1% annual chance flood (100-year flood, Zone A) in advance of significant rainfall that will exceed the volume of a 2-year storm event.
64. All equipment and unconsolidated materials must be removed from the buffer zone and Land Subject to Coastal Storm Flowage (Special Flood Hazard Areas subject to inundation by the 1% annual chance flood) in advance of any forecasted coastal flooding event.

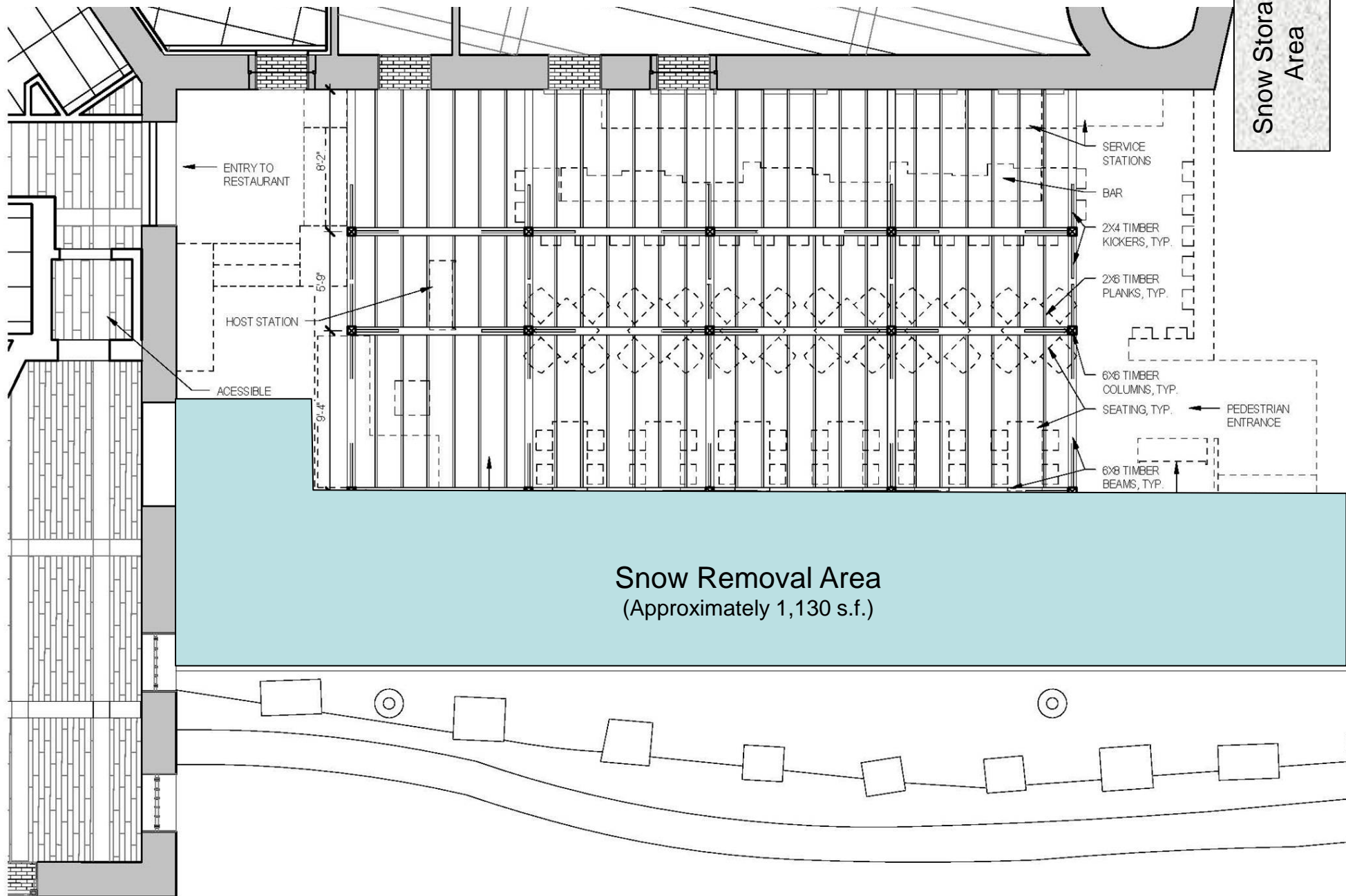
Additional Conditions

65. In the interest of pollution prevention, the Applicant must install pet waste bag dispensers at all parks and reservations subject to this Order. Said dispensers must be installed in visible locations at park entrances. This is a continuing condition and will not expire with the issuance of a Certificate of Compliance.
 66. The Applicant must submit a refuse management plan prior to the opening of the facility to ensure that there is proper containment and disposal of restaurant related trash and debris. Storage areas outside of the existing structure should be indicated on the plan as well as enclosure and containment measures. If applicable, the Applicant must comply with all standards of the City of Boston Public Works Department Regulations regarding dumpsters (City of Boston Code, Ordinances, Title 14, section 264a.). Dumpsters must be constructed and maintained so as to be leak proof and must be equipped with a close fitting permanently attached cover which must remain fully closed except for loading and unloading. The dumpster enclosure must be inspected daily and maintained free of loose debris and trash.
 67. Following the completion of state and local review processes, the Applicants must submit final design plans, including landscaping plans detailing a native species list and the improved Harborwalk signage details and any modifications or additions to the project, to Commission Staff for review and approval. The proposed landscape plan and drainage may be subject to further revisions relative to development on abutting properties.
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Attachment D

Post-Construction Snow Removal Plan



253 Summer Street

Boston, Massachusetts