NOTICE OF INTENT
UNDER BURLINGTON BY-LAW

FOR

127 BEDFORD STREET

ASSESSORS MAP 27  PARCEL 180

BURLINGTON, MA

APPLICANT: KONG K TAING & VANDEN LAY

DECEMBER 2019
PROJECT: 127 BEDFORD STREET - BURLINGTON

APPLICANT: KONG K TAING & VANDEN LAY

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A. General Information

1. Project Location (Note: electronic filers will click on button to locate project site):
   127 Bedford Street
   a. Street Address
   b. City/Town
   c. Zip Code
   01803
   42 30' 10.73" N
   d. Latitude
   71 13' 26.08" W
   e. Longitude
   Map 27
   f. Assessors Map/Plat Number
   Parcel 180
   g. Parcel /Lot Number

2. Applicant:
   Kong K Taing & Vanden Lay
   a. First Name
   b. Last Name
   c. Organization
   127 Bedford Street
   d. Street Address
   Burlington
   e. City/Town
   f. State
   g. Zip Code
   MA
   01803
   (978) 319-5545
   h. Phone Number
   i. Fax Number
   j. Email Address

3. Property owner (required if different from applicant): ☐ Check if more than one owner
   a. First Name
   b. Last Name
   c. Organization
   d. Street Address
   e. City/Town
   f. State
   g. Zip Code
   h. Phone Number
   i. Fax Number
   j. Email Address

4. Representative (if any):
   Maureen
   a. First Name
   b. Last Name
   Norse Environmental Services, Inc.
   c. Company
   92 Middlesex Road, Unit 4
   d. Street Address
   Tyngsboro
   e. City/Town
   f. State
   g. Zip Code
   MA
   01879
   (978) 649-9932
   h. Phone Number
   i. Fax Number
   norseenvironmental@verizon.net
   j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):
   N/A
   a. Total Fee Paid
   N/A
   b. State Fee Paid
   N/A
   c. City/Town Fee Paid
A. General Information (continued)

6. General Project Description:

Proposing an after-the-fact filing under the Burlington Wetland Bylaws, for clearing within an isolated wetland and associated buffer zones. The applicant proposes to restore the wetland, plant trees, shrubs and apply a seed mix. In addition, the applicant is proposing to grade out the backyard, install a retaining wall, extend the driveway, construct an infiltration trench and grass swale.

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)

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

<table>
<thead>
<tr>
<th>Resource Area</th>
<th>Size of Proposed Alteration</th>
<th>Proposed Replacement (if any)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. ☐ Bank</td>
<td>1. linear feet</td>
<td>2. linear feet</td>
</tr>
<tr>
<td>b. ☐ Bordering Vegetated Wetland</td>
<td>1. square feet</td>
<td>2. square feet</td>
</tr>
<tr>
<td>c. ☐ Land Under Waterbodies and Waterways</td>
<td>1. square feet</td>
<td>2. square feet</td>
</tr>
<tr>
<td></td>
<td>3. cubic yards dredged</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resource Area</th>
<th>Size of Proposed Alteration</th>
<th>Proposed Replacement (if any)</th>
</tr>
</thead>
<tbody>
<tr>
<td>d. ☐ Bordering Land Subject to Flooding</td>
<td>1. square feet</td>
<td>2. square feet</td>
</tr>
<tr>
<td>e. ☐ Isolated Land Subject to Flooding</td>
<td>3. cubic feet of flood storage lost</td>
<td>4. cubic feet replaced</td>
</tr>
<tr>
<td>f. ☐ Riverfront Area</td>
<td>1. Name of Waterway (if available) - specify coastal or inland</td>
<td></td>
</tr>
</tbody>
</table>

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.
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.

<table>
<thead>
<tr>
<th>Resource Area</th>
<th>Size of Proposed Alteration</th>
<th>Proposed Replacement (if any)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. ☐ Designated Port Areas</td>
<td>Indicate size under Land Under the Ocean, below</td>
<td></td>
</tr>
<tr>
<td>b. ☐ Land Under the Ocean</td>
<td>1. square feet</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. cubic yards dredged</td>
<td></td>
</tr>
<tr>
<td>c. ☐ Barrier Beach</td>
<td>Indicate size under Coastal Beaches and/or Coastal Dunes below</td>
<td></td>
</tr>
<tr>
<td>d. ☐ Coastal Beaches</td>
<td>1. square feet</td>
<td>2. cubic yards beach nourishment</td>
</tr>
<tr>
<td>e. ☐ Coastal Dunes</td>
<td>1. square feet</td>
<td>2. cubic yards dune nourishment</td>
</tr>
<tr>
<td>f. ☐ Coastal Banks</td>
<td>1. linear feet</td>
<td></td>
</tr>
<tr>
<td>g. ☐ Rocky Intertidal Shores</td>
<td>1. square feet</td>
<td></td>
</tr>
<tr>
<td>h. ☐ Salt Marshes</td>
<td>1. square feet</td>
<td>2. sq ft restoration, rehab., creation</td>
</tr>
<tr>
<td>i. ☐ Land Under Salt Ponds</td>
<td>1. square feet</td>
<td></td>
</tr>
<tr>
<td>j. ☐ Land Containing Shellfish</td>
<td>1. square feet</td>
<td></td>
</tr>
<tr>
<td>k. ☐ Fish Runs</td>
<td>Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. cubic yards dredged</td>
<td></td>
</tr>
<tr>
<td>l. ☐ Land Subject to Coastal Storm Flowage</td>
<td>1. square feet</td>
<td></td>
</tr>
</tbody>
</table>

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
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

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/dfo/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.
C. Other Applicable Standards and Requirements (cont’d)

(c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/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/nhesp/regulatory_review/mesa/mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing.
   a. NHESP Tracking #
   b. Date submitted to NHESP

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

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

   a. ☐ Not applicable – project is in inland resource area only
   b. ☐ Yes ☐ No

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

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:
Division of Marine Fisheries - Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodeny French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@state.ma.us

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

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP’s Boston Office. For coastal towns in the Southeast Region, please contact MassDEP’s Southeast Regional Office.
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.
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.

   Grading Plan
   a. Plan Title
      Land Engineering & Env. Services, Inc.
   b. Prepared By
      Doug Lees
   c. Signed and Stamped by
      12-9-2019
   d. Final Revision Date
      1" = 20'
   e. Scale

   f. Additional Plan or Document Title
   g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. ☑ Attach NOI Wetland Fee Transmittal Form


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:

   Town of Burlington Check #9296 By-Law Fee
   12-23-2019
   3. Check date

   2. Municipal Check Number
   N/A

   4. State Check Number
   Steven

   5. Check date
   Erikson

   6. Payor name on check: First Name

   7. Payor name on check: Last Name
F. Signatures and Submittal Requirements

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

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

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:
Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:
One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a copy of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.
NORSE ENVIRONMENTAL SERVICES, INC.
92 MIDDLESEX RD., UNIT 4
TYNGSBORO, MA 01879
978-648-9932

TD BANK, NATIONAL ASSOCIATION
NASHUA, NH 03060
53-70542113

12/23/2019

PAY TO THE ORDER OF
BURLINGTON, TOWN OF

One Hundred Twenty-Five and 00/100

$ 125.00

DOLLARS

BURLINGTON, TOWN OF
29 CENTER STREET
BURLINGTON, MA 01803

MEMO
TOWN BY-LAW FEE: 127 BEDFORD STREET/BU

*009296* 211370545: 825870394:*
Town of Burlington
29 Center Street, Burlington, MA 01803
Phone 781-270-1655 Fax 781-238-4690

BURLINGTON BY-LAW ARTICLE 14
WETLANDS

APPLICATION FORM

Application for: Notice of Intent X Determination of Applicability ___ ANRAD ___

Filing Fee: $125.00 (By-Law Fee Only)

Applicant: Kong K Taing & Vanden Lay (Please type or print)

Address: 127 Bedford Street, Burlington, MA 01803

E-mail Address: @

Property Owner: Kong K Taing & Vanden Lay (Please type or print)

Address: 127 Bedford Street

Burlington, MA 01803

Location of Site: 127 Bedford Street

Burlington Assessor’s Map No. 27 Parcel No. 180

Project Description: The applicant is proposing an after-the-fact filing under the Burlington Wetlands Bylaws for clearing within an isolated wetland and associated buffer zones. The applicant proposes to restore the wetland, plant trees, shrubs and apply a seed mix. In addition, the applicant is proposing to grade out the backyard, install a retaining wall, extend the driveway, construct an infiltration trench and grass swale.

A signed application by both the applicant, and the property owner, if other than the applicant, is required as part of a complete filing for work in a wetland (both bordering on a water body or isolated); a water body, intermittent stream, and/or ditch; and/or land within 100 feet of such areas; and/or land within 200 feet of a regulated stream. In signing this application form both the owner and applicant shall consent to granting permission to the Burlington Conservation Commission and agents thereof, as well as other Town employees who may be required to view the site, to enter upon and inspect the land in question.

Signature(s)

Vanny _______________________________________________________________________
Applicant

Vanden Lay ___________________________________________________________________
Property Owner

978-319-5545 __________________________________________________________________
Telephone Number

Incorrect information may be grounds to deny an application.
NOTIFICATION TO ABUTTERS UNDER THE
Town of Burlington, General Bylaws, Article XIV

In accordance with the Town of Burlington Bylaws, you are hereby notified of the following work within a resource area or within the 100’ buffer zone of a resource area:

A. The name of the applicant is: Kong K Taing & Vanden Lay.

B. The address of the lot where the activity is proposed is: 127 Bedford Street. Proposing an after-the-fact Notice to Intent for clearing within an isolated wetland and associated buffer zones. The applicant is proposing to restore the wetland, plant trees, shrubs and apply a seed mix. In addition, the applicant is proposing to grade out the backyard, install a retaining wall, extend the driveway, construct an infiltration trench and grass swale.

C. The applicant has filed a X Notice of Intent or a ___ Request for Determination ___ Resource Area Delineation Request with the Burlington Conservation Commission. Said permit applicant is seeking permission to conduct work within a wetland, water body or resource area or a buffer zone to a wetland, water body or resource area subject to protection under the Town of Burlington Wetland Bylaws.

D. Copies of the application may be examined at the office of the Burlington Conservation Commission, Town Hall, 25 Center Street, Burlington, MA between the hours of 8:30 a.m. - 4:30 p.m. on Monday, Tuesday & Thursday, 8:30 a.m. - 7:00 p.m. on Wednesday and 8:30 a.m. - 1:00 p.m. on Friday. Telephone: 781-270-1655.

E. Copies of the application may be viewed from either (check one) the applicant ☐, or the applicant’s representative ☒, by calling this telephone number 978-649-9932 between the hours of 8:00 a.m. and 6:00 p.m. on the following days of the week: Monday thru Thursday/ Friday until 12:00 p.m.

F. Information regarding the date, time, and place of the public hearing may be obtained from the Burlington Conservation Commission. Telephone: 781-270-1655. If available from the applicant, check here ☒ and see the information available in #E.

Note: At least five working days in advance, notice of the Public hearing will be published in The Daily Times Chronicle, Woburn, MA. The notice will include the hearing date, time and place. Notice of the Public Hearing will be posted in the Town Hall not less than forty-eight (48) hours in advance.

If you have any further questions please call Steven Eriksen at Norse Environmental Services, Inc., 978-649-9932.
# Town of Burlington
## Abutters List

**Subject Parcel ID:** 27-180-0

**Subject Property Location:** 127 BEDFORD ST

<table>
<thead>
<tr>
<th>ParcelID</th>
<th>Location</th>
<th>Owner</th>
<th>Co-Owner</th>
<th>Mailing Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>27-178-0</td>
<td>123 BEDFORD ST</td>
<td>ROCCA THOMAS F</td>
<td>EILEEN M ROCCA</td>
<td>123 BEDFORD ST</td>
<td>BURLINGTON</td>
<td>MA</td>
<td>01803</td>
</tr>
<tr>
<td>27-179-0</td>
<td>125 BEDFORD ST</td>
<td>CALLAHAN MICHAEL J</td>
<td>KERRIE E CALLAHAN</td>
<td>125 BEDFORD ST</td>
<td>BURLINGTON</td>
<td>MA</td>
<td>01803</td>
</tr>
<tr>
<td>27-180-0</td>
<td>127 BEDFORD ST</td>
<td>TAING KONG T</td>
<td>VANDEN LAY</td>
<td>127 BEDFORD ST</td>
<td>BURLINGTON</td>
<td>MA</td>
<td>01803</td>
</tr>
<tr>
<td>27-181-0</td>
<td>129 BEDFORD ST</td>
<td>SCAVE JOAN C</td>
<td>MARY D CROSSET</td>
<td>129 BEDFORD ST</td>
<td>BURLINGTON</td>
<td>MA</td>
<td>01803</td>
</tr>
<tr>
<td>27-97-0</td>
<td>1 LIBERTY AVE</td>
<td>WARREN CHIA</td>
<td>LIN CHIA</td>
<td>1 LIBERTY AVE</td>
<td>BURLINGTON</td>
<td>MA</td>
<td>01803</td>
</tr>
<tr>
<td>27-166-0</td>
<td>11 PLEASANT ST</td>
<td>PENNACHIO MICHAEL A</td>
<td>ANDREE D PENNACHIO</td>
<td>11 PLEASANT ST</td>
<td>BURLINGTON</td>
<td>MA</td>
<td>01803</td>
</tr>
<tr>
<td>27-165-0</td>
<td>13 PLEASANT ST</td>
<td>BRADY ROBERT J JR</td>
<td>KRISTIN M BRADY</td>
<td>13 PLEASANT ST</td>
<td>BURLINGTON</td>
<td>MA</td>
<td>01803</td>
</tr>
<tr>
<td>27-164-0</td>
<td>15 PLEASANT ST</td>
<td>COLGAN GLORIA J &amp; C PALMER T</td>
<td>WILCOX FAMILY R E GIFT TF</td>
<td>15 PLEASANT ST</td>
<td>BURLINGTON</td>
<td>MA</td>
<td>01803</td>
</tr>
<tr>
<td>27-163-0</td>
<td>17 PLEASANT ST</td>
<td>BATES ROBERT J &amp; MARYANN TR</td>
<td>BATES FAMILY REV TR</td>
<td>17 PLEASANT ST</td>
<td>BURLINGTON</td>
<td>MA</td>
<td>01803</td>
</tr>
</tbody>
</table>

Parcel Count: 9

*End of Report*
AFFIDAVIT OF SERVICE

Under Town of Burlington, General Bylaws, Article XIV

I, __Maureen Herald_________, hereby certify to the best of my knowledge, under the pains and penalties of perjury that on December 23, 2019 I gave notification to the abutters in compliance with Town of Burlington, General Bylaws, Article XIV in connection with the following matter:

A Notice of Intent filed under the Town of Burlington General Bylaws by Kong K Taing & Vanden Lay with the Burlington Conservation Commission on December 23, 2019 for property located at 127 Bedford Street.

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

[Signature]
Name

[Signature] 12-23-19
Date
Notice of Intent Report

For

127 Bedford Street
Burlington, MA

Prepared For

Kong K Taing & Vanden Lay
127 Bedford Street
Burlington, MA 01803

Prepared By
Norse Environmental Services, Inc.
92 Middlesex Road, Unit 4
Tyngsboro, MA 01879

December 2019
**Narrative**

The applicant is proposing an after-the-fact Notice of Intent filing under the Burlington Wetland Bylaws for clearing and working within an isolated wetland and associated buffer zone. The applicant is proposing to restore the isolated wetland and buffer zones by planting trees, shrubs and applying a seed mix to the areas. In addition, the applicant is proposing to grade out the backyard, install a retaining wall, extend the driveway, construct an infiltration trench and grass swale. Erosion controls will be set and maintained for the duration of the project.

**Site Description**

The lot consists of .57 +/- acres of land located on the southerly side of Bedford Street in Burlington. An existing single-family dwelling, deck, patio, firepit, walkway, driveway and fence are located on the parcel. The site is landscaped with lawn, ornamental shrubs and trees.

An Isolated Vegetated Wetland is located near the easterly property line and is flagged in the field with ground flags and aluminum tags as 1A–6A. The Isolated Vegetated Wetland is located at the low point on the property and continues behind the adjacent dwelling at 125 Bedford Street.

**Soils**

The Web Soil Survey of Middlesex County maps the soils on this site as Paxton-Urban land and Montauk series. Paxton-Urban land complex consists of areas of Urban land on convex slopes of glaciated hills. The areas are oval or irregular in shape and range from 6 to 350 acres in size. These areas are 40 percent Paxton soils, 40 percent Urban land, and 20 percent other soils. The Paxton soils and Urban land occur in such intricate patterns that it was not practical to separate them at the scale of mapping. In the Urban land portion of this complex, the original soil has been covered with impervious surfaces such as asphalt, concrete, and buildings. In many places, the underlying soil has been cut and removed or covered by fill from adjacent areas. Included with this complex in mapping are small areas of Montauk and Charlton soils in similar landscape positions as the
Paxton soils, and Woodbridge soils in drainageways and on benches in the slopes. Minor soils comprise about 20 percent of the map unit. Land in this complex is committed to residential and commercial use. Potential productivity for both eastern white pine and northern red oak is moderate in the Paxton soils in this map unit.

Montauk series consists of nearly level to steep, deep (5+ ft.) well drained soils on drumlins or rounded and elongated hills. They formed in compact glacial till. Montauk soils have friable fine sandy loam surface soil and subsoil that have moderate to moderately rapid permeability over firm loamy coarse sand to sandy loam substratum (hardpan) at 18 to 36 inches with moderately slow or slow permeability. Montauk soils have a very stony or extremely stony surface except where stones have been removed and have stones below the surface. Major limitations are related to slow permeability in the substratum, stoniness and slope.

**Burlington Wetland Bylaw Regulations**

**21.9 Buffer Zones**

**d) General Performance Standards**

1. Work within the Buffer Zone shall result in neither no alteration of a resource area, or an alteration permitted by the Commission that complies with the applicable performance standards for the resource area and any other conditions the Commission may require to enforce those performance standards.

_The applicant is filing an after the fact Notice of Intent filing under the Burlington Wetland Bylaws to restore the Isolated Vegetated Wetland and 20 ft. No Disturb. The applicant is proposing to plant (5) trees, (7) shrubs and apply a conservation/wildlife seed mix to initiate growth within the 20 ft. No Disturb Zone. In addition, signs on a post can be added along the No Disturb Zone every 30 ft. to prevent any future intrusion._

2. Vegetation, particularly mature trees, shall be preserved to the maximum extent possible. Where trees within the buffer zone are cut, the Commission may require plantings of new trees as mitigation.

_The applicant removed (10) trees varying in size from 1.5’-3’ stumps. To mitigate for the clearing the applicant is proposing to restore the IVW and plant (5) trees and (7) shrubs._

3. Cutting of trees in the buffer zone, other than removal of dead limbs or vista pruning, shall require the prior approval of the Conservation Department.
The Applicant is filing an after-the-fact Notice of Intent for performing work within an isolated wetland and buffer zones.

5. Lots that were developed prior to the adoption of the 2013 Wetland Bylaw may not meet the no-disturb or building setbacks required by these regulations. The Commission may require any applicant for projects on pre-existing lots that do not meet the setbacks to increase the naturally vegetated buffer to a resource area as part of the permitting process for new construction on the lot.

The lot was developed prior to 2013 Wetland Bylaw and the applicant is proposing to restore the IVW, provide signage and plant within the 20 ft. No Disturb Zone.

6. The Commission may require that an applicant mitigates any tree cutting in the buffer zone by planting native tree species in at least a 1:1 ratio.

The applicant is proposing to plant (5) trees and (7) shrubs as well as apply a seed mix to the buffer zone.
**Isolated Vegetated Wetland Delineation Field Data Form**

**Applicant:** Vanden Lay  **Prepared by:** Steven Eriksen  **Project Location:** 127 Bedford Street - Burlington  **DEP File #:**

Check all that apply:

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

<table>
<thead>
<tr>
<th>Section I. Vegetation</th>
<th>Observation Plot Number: SP-1</th>
<th>Transect Number: 1</th>
<th>Date of Delineation: 9/9/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Sample Layer and Plant Species (by common/scientific name)</td>
<td>B. Percent Cover (or basal area)</td>
<td>C. Percent Dominance</td>
<td>D. Dominant Plant (yes or no)</td>
</tr>
<tr>
<td><strong>TREES:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>White Pine (Pinus strobus)</td>
<td>20%</td>
<td>100%</td>
<td>Y</td>
</tr>
<tr>
<td><strong>SHRUBS:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>none</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>HERBACEOUS:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cattail (Typha latifolia)</td>
<td>20%</td>
<td>50%</td>
<td>Y</td>
</tr>
<tr>
<td>Sedge (Carex spp.)</td>
<td>10%</td>
<td>25%</td>
<td>Y</td>
</tr>
<tr>
<td>Rush (Juncus spp.)</td>
<td>10%</td>
<td>25%</td>
<td>Y</td>
</tr>
</tbody>
</table>

*Use an asterisk to mark wetland indicator plants: plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

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

---

**Vegetation conclusion:**

<table>
<thead>
<tr>
<th>Number of dominant wetland indicator plants: 3</th>
<th>Number of dominant non-wetland indicator plants: 1</th>
</tr>
</thead>
</table>

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? **Yes**  **No**
Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? Yes No

- Title/Date: Web Soil Survey Middlesex County
- Map number: 302B
- Soil type mapped: Montauk
- Hydric soil inclusions:

Are field observations consistent with soil survey? Yes No

Remarks:

2. Soil Description

<table>
<thead>
<tr>
<th>Horizon</th>
<th>Depth</th>
<th>Matrix Color</th>
<th>Mottles Color</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ap</td>
<td>0-10&quot;</td>
<td>10yr 2/2</td>
<td></td>
</tr>
<tr>
<td>Bw</td>
<td>10-20&quot;</td>
<td>10yr 3/2</td>
<td></td>
</tr>
</tbody>
</table>

Remarks:

3. Other:

Conclusion: Is soil hydric? Yes No

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

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

Vegetation and Hydrology Conclusion

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of wetland indicator plants &gt; number of non-wetland indicator plants</td>
<td>X</td>
</tr>
<tr>
<td>Wetland hydrology present:</td>
<td>X</td>
</tr>
<tr>
<td>Hydric soil present:</td>
<td>X</td>
</tr>
<tr>
<td>Other indicators of hydrology present:</td>
<td>X</td>
</tr>
<tr>
<td>Sample location is in the BVW</td>
<td>X</td>
</tr>
</tbody>
</table>

Submit this form with the Request for Determination of Applicability or Notice of Intent.
### Isolated Vegetated Wetland Delineation Field Data Form

**Applicant:** Vanden Ley  
**Prepared by:** Steven Eriksen  
**Project Location:** 127 Bedford Street – Burlington  
**DEP File #:**

Check all that apply:
- [X] Vegetation alone presumed adequate to delineate IVW boundary: fill out Section I only
- [ ] Vegetation and other indicators of hydrology used to delineate IVW boundary: fill out Sections I and II
- [ ] Method other than dominance test used (attach additional information)

### Section I. Vegetation

<table>
<thead>
<tr>
<th>A. Sample Layer and Plant Species (by common/scientific name)</th>
<th>B. Percent Cover (or basal area)</th>
<th>C. Percent Dominance</th>
<th>D. Dominant Plant (yes or no)</th>
<th>E. Wetland Indicator Category*</th>
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<tr>
<td>TREES: White Pine (Pinus strobus)</td>
<td>20%</td>
<td>100%</td>
<td>Y</td>
<td>FacU</td>
</tr>
<tr>
<td>SHRUBS: none</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**HERBACEOUS:**
- Cattail (Typha latifolia)
  - 10% 50% Y Obl*
- Sedge (Carex spp.)
  - 5% 25% Y FacW*
- Rush (Juncus spp.)
  - 5% 25% Y Obl*

*Use an asterisk to mark wetland indicator plants: plants in the genus Sphagnum; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

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

### Vegetation conclusion:

- Number of dominant wetland indicator plants: 3
- Number of dominant non-wetland indicator plants: 1
- Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? **Yes** **No**
Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site?  Yes  No

title/date:  Web Soil Survey Middlesex County
map number: 302B
soil type mapped: Montauk

hydric soil inclusions:

Are field observations consistent with soil survey?  Yes  No

Remarks:

2. Soil Description

<table>
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<tr>
<th>Horizon</th>
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<tr>
<td>Bw</td>
<td>9-18&quot;</td>
<td>10yr 3/3</td>
<td></td>
</tr>
</tbody>
</table>

Remarks:

3. Other:

Conclusion: Is soil hydric?  Yes  No

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

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

Vegetation and Hydrology Conclusion

Number of wetland indicator plants
> number of non-wetland indicator plants  X

Wetland hydrology present:
- Hydric soil present  X
- Other indicators of hydrology present:  X
- Sample location is in the IVW  X

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

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: Web Mercator (EPSG:3857)
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: Middlesex County, Massachusetts
Survey Area Data: Version 18, Sep 7, 2018

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 25, 2014

The orthoimage 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

<table>
<thead>
<tr>
<th>Map Unit Symbol</th>
<th>Map Unit Name</th>
<th>Acres in AOI</th>
<th>Percent of AOI</th>
</tr>
</thead>
<tbody>
<tr>
<td>302B</td>
<td>Montauk fine sandy loam, 0 to 8 percent slopes, extremely stony</td>
<td>0.3</td>
<td>31.0%</td>
</tr>
<tr>
<td>622C</td>
<td>Paxton-Urban land complex, 3 to 15 percent slopes</td>
<td>0.7</td>
<td>69.0%</td>
</tr>
<tr>
<td><strong>Totals for Area of Interest</strong></td>
<td></td>
<td><strong>1.1</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>
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 9/19/2019 at 3:17:21 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.