

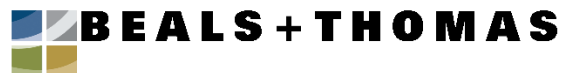
Notice of Intent

Pond Bank Restoration and Stabilization

**Lake Hibiscus
Forest Hills Cemetery
Boston, Massachusetts**

Prepared for:
**Forest Hills Cemetery
95 Forest Hills Avenue
Boston, MA 02130**

Prepared by:



***Submitted in Compliance with the
Massachusetts Wetlands Protection Act, The
Ordinance Protecting Local Wetlands and
Promoting Climate Change Adaptation in the
City of Boston, and the Boston Wetlands
Regulations***

November 9, 2022



November 9, 2022

Boston Conservation Commission
c/o Nicholas Moreno, Executive Director
1 City Hall Square, Room 709
Boston, MA 02201

Via: Certified Mail and Email to cc@boston.gov

Reference: Notice of Intent
Pond Bank Restoration and Stabilization
Lake Hibiscus
Forest Hills Cemetery
Boston, Massachusetts
B+T Project No. 3397.00

Dear Commissioners:

On behalf of the Applicant, Forest Hills Cemetery, Beals and Thomas, Inc. (B+T) respectfully submits this Notice of Intent (NOI) for work on Bank to Lake Hibiscus as well as within the associated 100-foot Buffer Zone and 25-foot Waterfront Area. This NOI is submitted pursuant to an Enforcement Order (EO) issued to the Applicant by the Boston Conservation Commission (BCC) on June 28, 2022 and later revised on September 8, 2022. This revised EO established a filing date of November 16, 2022 by which a NOI must be filed for the following activities undertaken in or around Lake Hibiscus, including:

- 1) Removal of a vehicle which had been driven into the pond and had caused damage to the Bank and Buffer Zone;
- 2) Repair of a water level control device (riprap placement as part of Bank stabilization); and
- 3) Vegetation management within and near the Bank in the interest of public safety.

We understand that the three categories of activities listed in the EO were intended to broadly describe the work performed and proposed therein. As such, the purpose of this NOI is to further refine the activities proposed. Additionally, this NOI further defines the restoration activities (Bank fortification and invasive species removal) beyond what is noted in the EO.

The Applicant is proposing both natural and human-made (e.g., riprap) stabilization measures. The removal of the vehicle from with the pond has already been undertaken at this time, as well as the select invasive species removal. However, the reinforcement and revegetation of a portion of the Bank and Waterfront Area are also proposed.

Civil Engineering ▪ Land Surveying ▪ Landscape Architecture ▪ Land Use Permitting ▪ Environmental Planning ▪ Wetland Science

Corporate Office
144 Turnpike Road
Southborough, MA 01772

T 508.366.0560 | www.bealsandthomas.com | F 508.366.4391

Regional Office
32 Court Street
Plymouth, MA 02360

Boston Conservation Commission
c/o Nicholas Moreno, Executive Director
November 9, 2022
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This filing is also submitted in accordance with the Massachusetts Wetlands Protection Act, MGL, Chapter 131, Section 40 and associated Regulations at 310 CMR 10.00 (collectively referred to as the Act) and the Ordinance Protecting Local Wetlands and Promoting Climate Change Adaptation in the City of Boston ('the Ordinance'; Chapter 7-1.4), and the Boston Wetlands Regulations.

As required, enclosed are the original (with original signature) and an additional copy of the NOI submission package. A digital copy of this filing has been forwarded to your office via e-mail as required. The following information is included for your review:

- Section 1.0: Notice of Intent Forms
- Section 2.0: Project Narrative
- Section 3.0: Plans and Figures

As required, a copy of this filing has been provided to the Northeast Regional Office of the Massachusetts Department of Environmental Protection (MassDEP). Due to the size of the Property (greater than 50 acres) and the fact that no abutters are located within 300 feet of the Project Area, no abutter notifications are required with this NOI filing. We understand that the Conservation Commission will coordinate legal notification of the hearing for this NOI in the newspaper, at least seven (7) days prior to the public hearing, and that B+T will be billed by The Boston Herald for this advertisement.


Enclosed is a check payable to the City of Boston in the amount of \$350.00 for the appropriate filing fee as required by the municipal fee schedule (combined \$300.00 Category 2 fee and \$50.00 fair cost fee). A separate check in the amount of \$237.50 has been forwarded to the MassDEP Lock Box to cover the state portion of the filing fee. We understand from Boston's filing guidelines that the BCC does not collect the municipal portion of the WPA filing fee.

Boston Conservation Commission
c/o Nicholas Moreno, Executive Director
November 9, 2022
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Should you have any questions regarding this matter or require additional information, please contact us at (508) 366-0560. We thank you for your consideration of this NOI and look forward to meeting with the Commission at the next available public hearing.

Sincerely,

BEALS AND THOMAS, INC.



Sarah W. Stearns, PWS
Associate



Andrew Gorman, CESSWI
Senior Environmental Planning Specialist

Enclosures

cc: MassDEP Northeast Regional Office (1 copy via Certified Mail)
George Milley, President, Forest Hills Cemetery (via Email)

AMG/mks/sws/aak/339700NI001

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Section 1.0 **Notice of Intent Forms**

Notice of Intent (WPA Form 3)

Wetland Fee Transmittal Form

City of Boston Notice of Intent Form

Checklist for Filing a Notice of Intent with Boston Conservation Commission



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boston

City/Town

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



Note:
 Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

<u>165A Block Street</u>	<u>Boston</u>	<u>02131</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
	<u>42°17'39.48"N</u>	<u>71° 6'26.23"W</u>
	d. Latitude	e. Longitude
<u>Parcel ID: 1904602000</u>	<u>g. Parcel /Lot Number</u>	
f. Assessors Map/Plat Number		

2. Applicant:

<u>George</u>	<u>Milley</u>	
a. First Name	b. Last Name	
<u>Forest Hills Cemetery</u>		
c. Organization		
<u>165A Block Street</u>		
d. Street Address		
<u>Boston</u>	<u>MA</u>	<u>02131</u>
e. City/Town	f. State	g. Zip Code
<u>h. Phone Number</u>	<u>i. Fax Number</u>	<u>gmilley@foresthillscemetery.com</u>
		j. Email Address

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

<u>a. First Name</u>	<u>b. Last Name</u>	
<u>c. Organization</u>		
<u>d. Street Address</u>		
<u>e. City/Town</u>	<u>f. State</u>	<u>g. Zip Code</u>
<u>h. Phone Number</u>	<u>i. Fax Number</u>	<u>j. Email address</u>

4. Representative (if any):

<u>Sarah</u>	<u>Stearns</u>	
a. First Name	b. Last Name	
<u>Beals and Thomas, Inc.</u>		
c. Company		
<u>32 Court Street</u>		
d. Street Address		
<u>Plymouth</u>	<u>MA</u>	<u>02360</u>
e. City/Town	f. State	g. Zip Code
<u>508-366-0560</u>	<u>ssstearns@bealsandthomas.com</u>	
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$500.00</u>	<u>\$237.50</u>	<u>N/A - See Narrative</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:

Bank restoration, stabilization of water level control device, and removal of submerged motorvehicle pursuant to Boston Conservation Commission's September 8, 2022 Enforcement Order.

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.

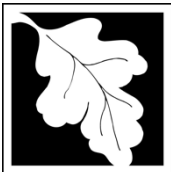
8. Property recorded at the Registry of Deeds for:

<u>Suffolk</u>	
a. County	b. Certificate # (if registered land)
<u>11261</u>	<u>133</u>
c. Book	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.



Massachusetts Department of Environmental Protection
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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 checked="" type="checkbox"/> Bank	330 1. linear feet	330 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 _____ 3. cubic yards dredged	_____ 2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	1,015 1. square feet 37.6 3. cubic feet of flood storage lost	1,015 2. square feet 37.6 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:

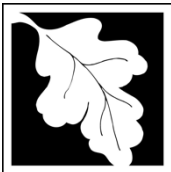
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

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 type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	

4. Restoration/Enhancement
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

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

5. Project Involves Stream Crossings

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



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

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

MassMapper
10/11/2022

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).*

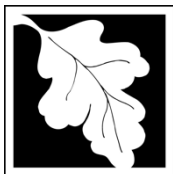
- c. Submit Supplemental Information for Endangered Species Review*

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 <https://www.mass.gov/endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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

- (c) MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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:

North Shore - Hull to New Hampshire border:

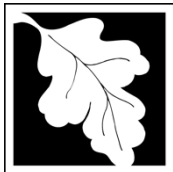
Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

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. Is this an aquaculture project? d. Yes No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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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: **See Narrative**
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.

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



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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.

Pond Bank Restroation and Stabilizatoin, Lake Hibiscus in Forest Hills Cemetary

a. Plan Title

Beals and Thomas, Inc.

b. Prepared By

November 9, 2022

d. Final Revision Date

Daniel Gagne, PE

c. Signed and Stamped by

As Shown

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

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:

N/A – See Narrative

2. Municipal Check Number

Check No. 13889

4. State Check Number

6. Payor name on check: First Name

N/A – See Narrative

3. Check date

October 28, 2022

5. Check date

7. Payor name on check: Last Name



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F. Signatures and Submittal Requirements

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

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

1. Signature of Applicant	2. Date
Proprietors of Forest Hills Cemetery	10-29-22
3. Signature of Property Owner (if different)	4. Date
[Signature]	10-31-22
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:

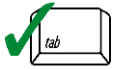
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.



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:

165A Block Street Boston
 a. Street Address b. City/Town
 \$237.50
 c. Check number d. Fee amount

2. Applicant Mailing Address:

George Milley
 a. First Name b. Last Name
 Forest Hills Cemetery
 c. Organization
 165A Block Street
 d. Mailing Address
 Boston MA 02131
 e. City/Town f. State g. Zip Code
 h. Phone Number i. Fax Number gmilley@foresthillscemetery.com
 j. Email Address

3. Property Owner (if different):

a. First Name b. Last Name
 c. Organization
 d. Mailing Address
 e. City/Town f. State g. Zip Code
 h. Phone Number i. Fax Number j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 2(j)	1	\$500.00	\$500.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	<u>\$500.00</u>
State share of filing Fee:	a. Total Fee from Step 5 <u>\$237.50</u>
City/Town share of filing Fee:	b. 1/2 Total Fee less \$12.50 N/A - Boston c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



INSTRUCTIONS FOR COMPLETING APPLICATION NOTICE OF INTENT – BOSTON NOI FORM (2021)

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

_____	_____	_____
a. Street Address	b. City/Town	c. Zip Code
_____	_____	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant

_____	_____	_____
a. First Name	b. Last Name	c. Company

d. Mailing Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email address

3. Property Owner

_____	_____	_____
a. First Name	b. Last Name	c. Company

d. Mailing Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
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)

_____	_____	_____
a. First Name	b. Last Name	c. Company

d. Mailing Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
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

7. Project Type Checklist

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

8. Property recorded at the Registry of Deeds

_____ a. County	_____ b. Page Number
_____ c. Book	_____ d. Certificate # (if registered land)

9. Total Fee Paid

_____ a. Total Fee Paid	_____ b. WPA Fee Paid	_____ c. Ordinance Fee Paid
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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 type="checkbox"/> 25-foot Waterfront Area	_____ Square feet	_____ 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>
N/A <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?



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

N/A - Restoration

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.

[Handwritten Signature]
Signature of Applicant

10-29-22
Date

Proprietors of Forest Hills Cemetery
Signature of Property Owner (if different)

Date

[Handwritten Signature]
Signature of Representative (if any)

10-31-2022
Date



APPENDIX A. - STATUTORY REVIEW & APPROVAL CHECKLIST

Applicants submitting a Notice of Intent to the Boston Conservation Commission are also required to include a list of all permits and approvals either obtained, or necessary to be obtained, for the proposed activity. This checklist is not fully comprehensive but Applicants may utilize this checklist to fulfill this requirement. Any additional permits and approvals needed should be discussed in the narrative accompanying the Notice of Intent.

FEDERAL REVIEWS AND APPROVALS

NEEDED	OBTAINED	REGULATION	REVIEW BODY
N/A <input type="checkbox"/>	<input type="checkbox"/>	National Environmental Policy Act (NEPA)	Varies
N/A <input type="checkbox"/>	<input type="checkbox"/>	Section 404 Permit	U.S. Army Corps of Engineers
N/A <input type="checkbox"/>	<input type="checkbox"/>	National Pollution Discharge Elimination System Permit (NPDES)	U.S. Environmental Protection Agency
N/A <input type="checkbox"/>	<input type="checkbox"/>	Stormwater Construction General Permit	U.S. Environmental Protection Agency
N/A <input type="checkbox"/>	<input type="checkbox"/>	Federal Endangered Species Act (ESA)	U.S. Fish and Wildlife Service or National Marine Fisheries Service
N/A <input type="checkbox"/>	<input type="checkbox"/>	Federal Fisheries Regulations	National Marine Fisheries Service

COMMONWEALTH OF MASSACHUSETTS REVIEWS AND APPROVALS

NEEDED	OBTAINED	REGULATION	REVIEW BODY
N/A <input type="checkbox"/>	<input type="checkbox"/>	Massachusetts Environmental Policy Act (MEPA)	Massachusetts Environmental Policy Act Office
N/A <input type="checkbox"/>	<input type="checkbox"/>	Federal Consistency Review	Office of Coastal Zone Management
N/A <input type="checkbox"/>	<input type="checkbox"/>	Massachusetts Public Waterfront Act (Chapter 91)	Massachusetts Department of Environmental Protection (Waterways Program)
N/A <input type="checkbox"/>	<input type="checkbox"/>	Section 401 Water Quality Certification	Massachusetts Department of Environmental Protection (Wetlands Program)
N/A <input type="checkbox"/>	<input type="checkbox"/>	Massachusetts Endangered Species Act (MESA)	National Heritage and Endangered Species Program
N/A <input type="checkbox"/>	<input type="checkbox"/>	Massachusetts Marine Fisheries Regulations	Massachusetts Division of Marine Fisheries



N/A	<input type="checkbox"/>	<input type="checkbox"/>	Historic Preservation	Massachusetts Board of Underwater Archaeological Resources
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Historic Preservation	Massachusetts Historical Commission
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Massachusetts Contingency Plan	Massachusetts Department of Environmental Protection
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Massachusetts Building Code Variance	Board of Building Regulations and Standards

CITY OF BOSTON LOCAL REVIEWS AND APPROVALS

NEEDED	OBTAINED	REGULATION	REVIEW BODY	
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Boston Zoning Code Article 80	Boston Planning and Development Agency
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Boston Zoning Code	Inspectional Services Department
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Boston Zoning Code Variance	Zoning Board of Appeals
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Project Design Review	Civic Design Commission
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Utility Plan Review	Boston Water and Sewer Commission
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Boston Zoning Code Article 32 (GCOD)	Boston Groundwater Trust
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Historic Preservation	Boston Landmarks Commission
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Boston City Code (100 Foot Rule)	Boston Parks and Recreation Commission
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Public Realm Improvements	Boston Public Improvement Commission
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Parking Freeze/Abrasive Blasting	Boston Air Pollution Control Commission
N/A	<input type="checkbox"/>	<input type="checkbox"/>	Massachusetts Building Code	Inspectional Services Department

Checklist for Filing a Notice of Intent with Boston Conservation Commission

In order for the Boston Conservation Commission to effectively process your Notice of Intent, BCC requests that you complete the checklist below and include it with your submission. If you should need assistance please contact Commission Staff: 617-635-3850 (cc@boston.gov).

Please Submit the Following to the Conservation Commission:

- Two copies (a signed original and 1 copy) of a completed Notice of Intent (WPA Form 3)
- Two copies (a signed original and 1 copy) of a completed Boston Notice of Intent (Local Form)
- Two copies of plans (reduced to 11" X 17") in their final form with engineer's stamp affixed supporting calculations and other documentation necessary to completely describe the proposed work and mitigating measures. Plans must include existing conditions, the proposed project, erosion controls and mitigation measures, grading and spot elevations and all wetland resource areas and associated buffer zones. Some projects may require both an aerial view of the plans along with a profile view of plans depending on the scope of work.
- Two copies of an 8 ½" x 11" section of the [USGS quadrangle map](#) of the area, containing sufficient information for the Conservation Commission and the Department to locate the site of the work.
- (If applicable) Two copies the Federal Emergency Management Agency Flood Insurance Rate Map for the project site. FEMA Flood Maps: <https://msc.fema.gov/portal>.
- N/A Two copies of the determination regarding the Natural Heritage and Endangered Species Program: Review Section C. Other Applicable Standards and Requirements of the Notice of Intent, page 4 of 8, pertaining to wildlife habitat. The Conservation Commission and the [Natural Heritage & Endangered Species Program](#) have the maps necessary to make this determination.
- N/A (If applicable) Two hard copies of a Stormwater Report to document compliance with the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q), including associated drainage calculations for rooftops, parking lots, driveways, etc., for the required design storm events.
- N/A (If applicable) A narrative detailing best management practices for stormwater management as set forth in the Stormwater Management Standards of the Massachusetts Department of Environmental Protection and any separate standards and guidelines prepared by the City and the Boston Water and Sewer Commission.
- N/A (If applicable) Two hard copies of the Checklist for Stormwater Report
- N/A Details of the stormwater management system, including: catch basins, oil separating tanks, detention basins, outfalls, sewer connections, etc.
- Any photographs related to the project representing the wetland resource areas.
- Two copies of a detailed project narrative describing the following: an overview of the entire project, the work proposed within wetland resource areas and/or buffer zones; how the performance standards specific to the wetland resource areas will be met (listing out each performance standard); a consideration of the effect that projected sea level rise, changes in storm intensity and frequency, and other consequences of climate change may have on the resource areas and proposed activities; construction equipment and material involved; and measures to protect wetland resource areas and mitigate impacts. The applicant shall also include narrative on how they plan to integrate climate change and adaptation planning considerations into their project to promote climate resilience to protect and promote Resource Area Values and functions into the future.
- N/A Two copies of an Abutters List, Affidavit of Service and [Abutter Notification](#), filed concurrently with the [See Narrative](#) Notice of Intent. Abutter notices shall be sent in both English and the second most commonly spoken language(s) in the neighborhood(s) where the project is proposed. Notices shall also include Babel notice cards for additional translation and language access services. [All abutters within 300' of the project](#)

Checklist for Filing a Notice of Intent with Boston Conservation Commission

[property line](#) must be notified including those in a neighboring municipality. In such an instance, a copy of the filing must also be sent to the local Conservation Commission of the neighboring municipality.
EXCEPTION: When work is in land under water bodies and waterways or on a tract of land greater than 50 acres, written notification must only be given to abutters within 300 feet of the “project site.”

- N/A Two copies of the BPDA Climate Resiliency Checklist (for new buildings). This can be completed online at <http://www.bostonplans.org/planning/planning-initiatives/article-37-green-building-guidelines>. Please print the pdf that you will receive via email after completion and include it in your submission.
- Electronic copies.** Documents may be submitted via email, or via an email link to downloadable documents.



To minimize the use of non-recyclable materials ***please do not include vinyl or plastic binders, bindings, folders or covers with the filing.*** Staples and binder clips are good choices.

Section 2.0
Project Narrative

2.0 **PROJECT NARRATIVE**

2.1 **Introduction**

The Applicant proposes to conduct restoration activities along the perimeter of Lake Hibiscus within the larger Forest Hills Cemetery property.

Portions of the work detailed herein have already been undertaken by the Applicant, including the removal of a motor vehicle from the pond, Bank repair and reinforcement in select areas as denoted on the plans included herein as well as areas of invasive species removal in addition to the reinforcement of an existing water control structure. In compliance with the EO issued to the Applicant by the Boston Conservation Commission (BCC) on June 28, 2022 and later revised on September 8, 2022, the Applicant is seeking an Order of Conditions authorizing these completed activities.

In addition to the after-the-fact request for the activities undertaken in the EO, the Applicant is proposing further Bank stabilization, as noted on the plans to revegetate and reinforce portions of the Waterfront Area. The remaining Bank restoration activities include stabilizing a portion of the Bank with riprap and revegetating the slope with native plantings and an appropriate seed mix. Disturbed areas will be loamed and seeded with an appropriate conservation mix as denoted on the site plans.

The Project will require work on the Bank itself for fortification and replanting, and the replanting/loaming and seeding will occur within the City's 25-foot Waterfront Area as well as the 100-foot Buffer Zone.



*Outlet structure reinforcement.
Photograph dated October 6, 2022.*

2.2 Existing Conditions

According to the City of Boston's Assessor's Database, the overall parcel spans over 240 acres in size. The Project Area is limited to the Bank of Lake Hibiscus and its surrounding 25-foot Waterfront Area and 100-foot Buffer Zone. Given the use of the Property as a cemetery, the Buffer Zone and Waterfront Area are consistently maintained as an aesthetic landscape with mowed lawn areas along with interspersed tree and shrub cover.

The Project Area is generally comprised of areas of existing lawn where the Bank is eroding and therefore sparsely vegetated. In some areas, the Bank is either undercut or resulting in sedimentation from the unvegetated break in slope.



*Sample of Lake Hibiscus, Bank, and 25-foot Waterfront Area.
Photograph dated September 14, 2022.*

Based on the most recent iteration of the Natural Heritage and Endangered Species Program's (NHESP) Priority Habitat Atlas (15th Edition, 2021), the Project Area does not contain Priority Habitats of Rare Species or Estimated Habitats of Rare Wildlife. Similarly, NHESP GIS data does not map any potential or certified vernal pools within two hundred feet of the Project.

State and Local Wetland Resource Areas and Buffer Zones

Bank (310 CMR 10.54)

Solid pink pin flags labeled B-1000 through B-1052 delineate the Bank of Lake Hibiscus pursuant to 310 CMR 10.54(2). This Bank is comprised of a combination of existing lawn, riprap, and sparse vegetation.

Bordering Land Subject to Flooding (BLSF; 310 CMR 10.57)

Lake Hibiscus is mapped by the Federal Emergency Management Agency (FEMA) as being located within a Zone X that is denoted as the 100-year Floodplain (Panel No. 25025C0086G). Pursuant to 310 CMR 10.57, the lake and its surrounding Bank are regulated as BLSF.

We also note that preliminary FEMA Flood Insurance Rate Maps (FIRMs) published for the locus denote Lake Hibiscus as a Zone A (different than the currently mapped Zone X in the above-referenced map tile). Even with the forthcoming map revisions, B+T understands that Lake Hibiscus and its Bank will still be regulated as BLSF.



Extract from Preliminary FEMA FIRM No. 25025C0086H

Land Under Waterbodies and Waterways (LUWW; 310 CMR 10.56)

LUWW is located down-gradient of the Bank of Lake Hibiscus. No disturbance of LUWW is proposed with this Project other than the removal of the motor vehicle which has already been completed.

100 ft. Buffer Zone

A 100-foot Buffer Zone is applied to the Bank of Lake Hibiscus under the Act and the Ordinance. This Buffer Zone has been reflected in the enclosed plans.

25 ft. Waterfront Area

A 25-foot Waterfront Area extends from the Bank of Lake Hibiscus pursuant to the Ordinance. This Waterfront Area is generally comprised of existing lawn, sparse tree/canopy cover, and existing drainage infrastructure.

2.3 Previously-Completed Work

Portions of the proposed restoration have already been completed under the September 8, 2022 EO, including

- 1) Removal of a vehicle which had been driven into the pond and had caused damage to the Bank and Buffer Zone;
- 2) Repair of a water level control device (stabilized with riprap); and
- 3) Vegetation management (invasive species removal) within and near the Bank in the interest of public safety.

2.4 Proposed Conditions

The Applicant proposes a number of activities to support the restoration of Lake Hibiscus. This proposal is in fulfillment of the BCC's EO and extends the restoration activities to include selective Bank stabilization activities noted on the enclosed plans.

Stabilization

The Applicant shall install 9" diameter straw wattles and other sedimentation control barriers around all disturbed areas prior to the start of work and as necessary to restrict the flow of water through the construction area and discharge of sediment laden construction runoff.

The portions of eroding Bank will be stabilized with a swath of +/- 8" riprap to deter erosion from storm events and overland flow. The riprap will be comprised of washed stone and will be installed in accordance with best practices. The riprap itself will be comprised of approximately 8" stone. Although approximately 330 linear feet of Bank will be temporarily disturbed, this work is for stabilization purposes.

Please refer to the enclosed plans for notes pertaining to the establishment of riprap, installation of fabric material, and loam and seeding to revegetate.

Revegetation

As indicated on the plans, the Applicant shall stabilize areas of the Bank with Curlex erosion control blankets starting from the top of the eroded areas and anchoring at the toe of the slope at the water's edge. The Applicant is proposing to loam and seed the Bank areas with a Conservation and Wildlife Seed Mix from New England Wetland Plants, Inc. or equivalent. Select areas as denoted on the plans will also have winterberry (*Ilex verticillata*) plantings as well as plugs of blueflag iris (*Iris versicolor*) and daffodil (*Narcissus* sp.).

Invasive Species Management

The Applicant removed invasive species within the 25-foot Waterfront Area and 100-foot Buffer Zone. Methodology for invasive species removal included by manual hand removal and cut-stem methods for woody species.

Invasive plants removed on-site include Norway maple (*Acer platanoides*) saplings, Japanese barberry (*Berberis thunbergii*), Asiatic bittersweet (*Celastrus orbiculatus*), multiflora rose (*Rosa multiflora*), Japanese honeysuckle (*Lonicera japonica*), burning bush (*Euonymus alatus*), black locust (*Robinia pseudoacacia*), tree of heaven (*Ailanthus altissima*), and common buckthorn (*Rhamnus cathartica*).

2.4.1 Performance Standards

Bank (310 CMR 10.54)

The Project has been designed in accordance with the Applicable performance standards of 310 CMR 10.54(4)(a through c). The following represents the Applicant's written response to these standards.

(a) Where the presumption set forth in 310 CMR 10.54(3) is not overcome, any proposed work on a Bank shall not impair the following:

1. the physical stability of the Bank;

A primary purpose of this Project is to improve the physical stability of the eroding Bank. Given the existing conditions, the Applicant is proposing intervention of the erodibility of the Bank with a combination of riprap and loam and seeding.

2. the water carrying capacity of the existing channel within the Bank;

The Project is not anticipated to hinder the water carrying capacity of the existing pond. The footprint and configuration of the Bank will remain unchanged.

3. ground water and surface water quality;

The Project involves Bank stabilization through a combination of armoring with riprap and revegetating with the noted species. Therefore, the Applicant maintains that the Project will provide a net positive result in water quality from the perspective of sedimentation.

4. the capacity of the Bank to provide breeding habitat, escape cover and food for fisheries;

Given the landscaped nature of the Property, the existing Bank does not provide significant breeding habitat and escape cover. However, revegetating with species such as winterberry (*Ilex verticillata*) will provide some understory growth and food sources for certain species.

5. the capacity of the Bank to provide important wildlife habitat functions. A project or projects on a single lot, for which Notice(s) of Intent is filed on or after November 1, 1987, that (cumulatively) alter(s) up to 10% or 50 feet (whichever is less) of the length of the bank found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important wildlife habitat functions. In the case of a bank of a river or an intermittent stream, the impact shall be measured on each side of the stream or river. Additional alterations beyond the above threshold may be permitted if they will have no adverse effects on wildlife habitat, as determined by procedures contained in 310 CMR 10.60.

Given the nature of the Project involving the stabilization of approximately 330 linear feet of Bank, the Applicant does exceed the minimum linear feet threshold noted above. However, the primary purpose of this filing a net improvement to the Bank.

Land Under Waterbodies and Waterways (LUWW; 310 CMR 10.56)

The Project has been designed to satisfy the performance standards of LUWW pursuant to 310 CMR 10.56(4)(a. through c.) to the extent practicable as outlined below.

(a) Where the presumption set forth in 310 CMR 10.56(3) is not overcome, any proposed work within Land under Water Bodies and Waterways shall not impair the following:

1. The water carrying capacity within the defined channel, which is provided by said land in conjunction with the banks;

Enhancing the Bank with riprap and the proposed restoration plan will not alter any defined channel nor will it impact the water-holding capacity of the pond.

2. Ground and surface water quality;

The Project is anticipated to improve surface water quality in that it is designed to reduce sedimentation of the pond by stabilizing and vegetating portions of the Bank.

3. The capacity of said land to provide breeding habitat, escape cover and food for fisheries; and

Temporary work within or in close proximity to LUWW is not anticipated to impact areas providing breeding habitat or escape cover based on the existing conditions of the Project Area.

4. The capacity of said land to provide important wildlife habitat functions. A project or projects on a single lot, for which Notice(s) of intent is filed on or after November 1, 1987, that (cumulatively) alter(s) up to 10% or 5,000 square feet (whichever is less) of land in this resource area found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important wildlife habitat functions. Additional alterations beyond the above threshold may be permitted if they will have no adverse effects on wildlife habitat, as determined by procedures established under 310 CMR 10.60.

The Project will not impact 10% of the total LUWW on-site, nor will 5,000 square feet of disturbance be necessary. All work within LUWW will be temporary in nature and limited to those activities necessary for setting the riprap along the Bank.

5. Work on a stream crossing shall be presumed to meet the performance standard set forth in 310 CMR 10.56(4)(a) provided the work is performed in compliance with the Massachusetts Stream Crossing Standards by consisting of a span or embedded culvert in which, at a minimum, the bottom of a span structure or the upper surface of an embedded culvert is above the elevation of the top of the bank, and the structure spans the channel width by a minimum of 1.2 times the bankfull width. This presumption is rebuttable and may be overcome by the submittal of credible evidence from a competent source. Notwithstanding the requirements of 310 CMR 10.56(4)(a)4., the impact on Land under Water Bodies and Waterways caused by the installation of a stream crossing is exempt from the requirement to perform a habitat evaluation in accordance with the procedures established under 310 CMR 10.60.

The Project does not include a stream crossing, and therefore the Massachusetts Stream Crossing Standards are not applicable.

(b) Notwithstanding the provisions of 310 CMR 10.56(4)(a), the issuing authority may issue an Order in accordance with M.G.L. c. 131, § 40 to maintain or improve boat channels within Land under Water Bodies and Waterways when said work is designed and carried out using the best practical measures so as to minimize adverse effects such as the suspension or transport of pollutants, increases in turbidity, the smothering of bottom organisms, the accumulation of pollutants by organisms or the destruction of fisheries habitat or nutrient source areas.

The Project does not involve boat channels and therefore the standards of 310 CMR 10.56(4)(b) are not applicable.

(c) Notwithstanding the provisions of 310 CMR 10.56(4)(a) or (b), 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 10.59.

The Project will not disturb any specified habitat sites of rare vertebrate or invertebrate species based on available NHESP mapping (15th Edition Priority Habitat Atlas).

Bordering Land Subject to Flooding (BLSF; 310 CMR 10.57)

The Project has been designed to satisfy the performance standards for BLSF pursuant to 310 CMR 10.57(4)(a)1. through 3. to the extent practicable as outlined below.

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

The Project will not result in the loss of any flood storage volume within the BLSF. Therefore, compensatory flood storage is not applicable for this restoration plan.

2. Work within Bordering Land Subject to Flooding, including that work required to provide the above-specified compensatory storage, shall not restrict flows so as to cause an increase in flood stage or velocity.

The Project is not anticipated to result in any restrictions to flows that would result in an increase in flood stage or velocity. Although portions of the existing Bank will be stabilized with riprap at grade, there will be no impoundments that would exacerbate flood flows or divert flooding.

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

The Project will not result in alterations to significant wildlife habitat nor will it hinder the Bank's ability to provide wildlife habitat functions. The Project will not exceed the BLSF disturbance thresholds, nor will it result in an alteration of vernal pool habitat as defined in 310 CMR 10.04.

Waterfront Area (Ordinance Sections 7-1.4.b) and 7-1.4.c)

The Ordinance indicates in Section 7-1.4.c), *The Commission therefore may require that any person filing an application (hereinafter, the Applicant) restore or maintain a strip of continuous, undisturbed or restored vegetative cover or waterfront public access throughout the Waterfront Area, unless the Commission determines, based on adequate evidence, that the area or part of it may be altered without harm to the values of the resource areas protected by the Ordinance. Such disturbed areas must be minimized to the greatest extent possible*

Public access to the Waterfront Area shall be maintained in a similar manner to that of its pre-project conditions. Visitors are able to access the Waterfront Area and Bank by way of the existing lawn and landscaped features surrounding Lake Hibiscus. Additionally, replanting within the Waterfront Area shall also be performed with shrub (*Ilex verticillata*) and herbaceous species (*Iris versicolor*).

Buffer Zone (Ordinance Sections 7-1.4.b) and 7-1.4.c)

Although not considered a resource area under the Act, the 100-foot buffer zone is considered a local resource area. The Ordinance indicates in Section 7-1.4.c), *"The Buffer Zone is presumed important to the protection of the resource areas because activities undertaken in close proximity to resource areas have a reasonable probability of adverse impact upon the wetland or other resource, either immediately, as a consequence of construction, or over time, as a consequence of daily operation or existence of the activities. These adverse impacts from construction and use can include, without limitation, erosion, siltation, loss of groundwater recharge, degraded water quality, loss of wildlife habitat, degradation of wetland plant habitat, alteration of hydrology, soil contamination, and proliferation of invasive plants."*

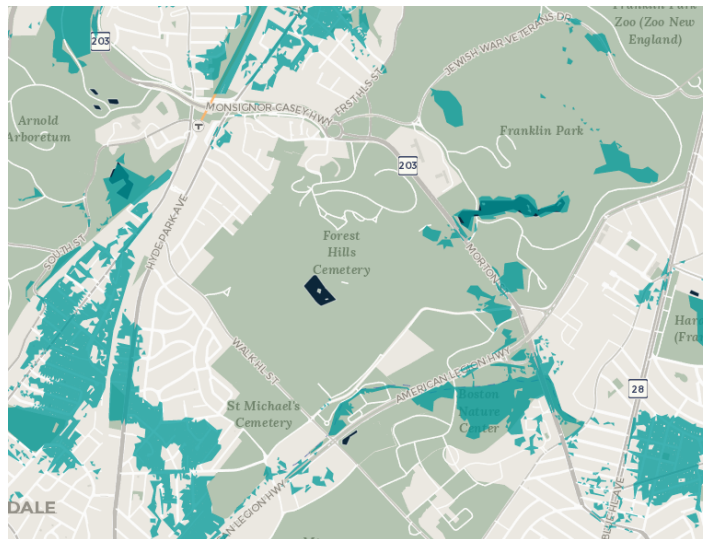
Temporary work within the 100-foot Buffer Zone includes vehicle access for the Bank restoration and staging activities. Following the conclusion of the work, the Buffer Zone will resemble its pre-project conditions of a landscaped area albeit additional areas will be planted with the noted native species. The Project is not anticipated to result in alterations to the Buffer Zone which would enable adverse impacts of the associated resource area.

2.4.2 Consideration of Climate Change and Resiliency

The Ordinance requires that Applicants submitting an NOI include a narrative on how climate change will impact the entire property regardless of whether climate change will have an immediate impact on the project in the proposal. The following represents the Applicant's written responses to the Climate Change review criteria of the Ordinance, including: *sea-level rise, increased heat waves, extreme precipitation events, stormwater runoff, changing precipitation patterns and changes in coastal and stormwater flooding.*

Sea Level Rise and Coastal Flooding

The Applicant has reviewed the Project Area and scope of work in the context of the City's Climate Ready Boston Map Explorer. Please refer to the documents retrieved from this mapping interface enclosed in Section 3.0. Although there are areas within the overall Property that appear to be subject to greater flooding in the mapped 2070 sea level rise scenario, the Project Site surrounding Lake Hibiscus does not appear to be subject to future coastal inundation. However, even if the work were to be located in future flood zones or areas predicted for inundation, the scope of work would remain unchanged pursuant to the EO and need to stabilize the Bank and revegetate portions of the landscape.



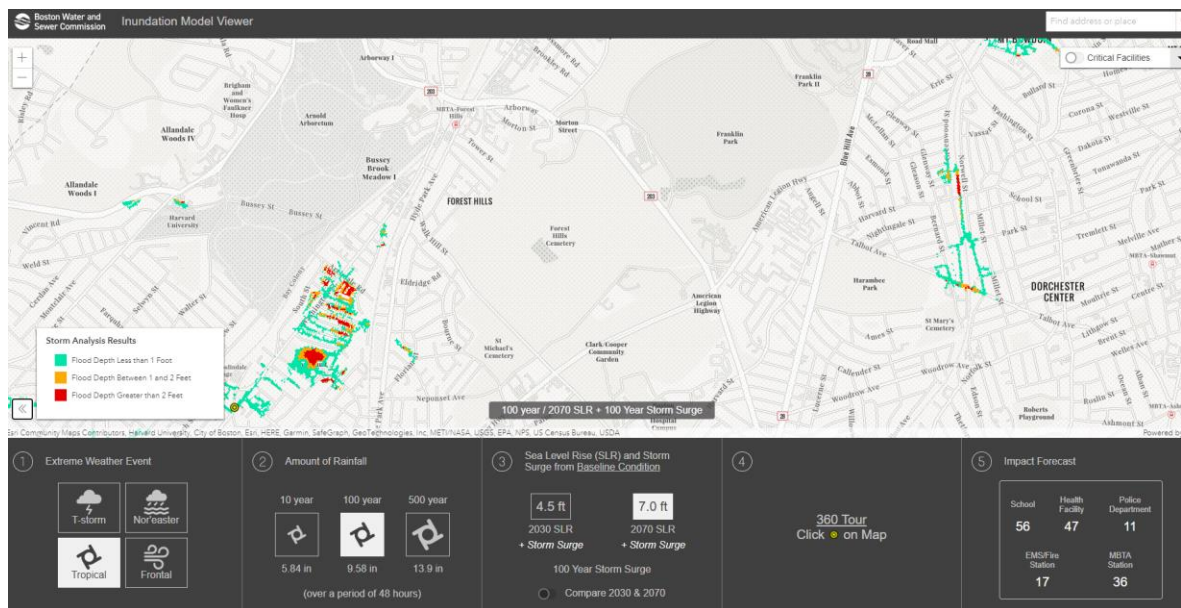
Climate Ready Boston Map Explorer Depicting 2070 100yr Polygons.

The Project does not propose any new structures within the 100-year floodplain/BLSF and therefore has not prepared a BPDA Checklist in accordance with the BCC's filing requirements.

Pond Bank Restoration and Stabilization, Lake Hibiscus, Forest Hill Cemetery
Boston, Massachusetts

Precipitation/Stormwater Flooding

Based on the Boston Water and Sewer Commission’s Inundation Model Viewer using a 2070 Sea Level Rise scenario, the Applicant is not anticipating that the Project will exacerbate future flooding. The Project does not include any buildings, impervious walkways, or parking areas, and is intended to improve the stability of an existing Bank and install new plantings. Therefore, the Applicant maintains that the Project satisfies the Precipitation and Stormwater Flooding criteria of the Ordinance.



Boston Water and Sewer Commission Inundation Model Viewer

Extreme Heat

The Applicant has reviewed the guidance provided by the BCC with respect to analyzing heat resiliency in the project planning process. Although a select hazard tree was removed by this effort, the Applicant is proposing to loam and seed areas of exposed soil and install new herbaceous and shrub plantings. Based on existing conditions, the Project will not result in a net loss of shade trees surrounding Lake Hibiscus. Similarly, no pavement is proposed that would further exacerbate the effect of heat islands and ambient temperature associated with the Project. Therefore, the Applicant has satisfied the Extreme Heat Climate Change considerations of the Ordinance.

2.4.3 Construction Information

Access to the Project Area will be accomplished by way of Fountain Avenue and Lake Avenue—the paved roadways which bound the Project Area. Prior to equipment and/or vehicle access, appropriate sediment controls shall be installed along the authorized limit of disturbance.

A skid steer or similar equipment will access the work area by way of the surrounding lawn. The Applicant does not anticipate that new disturbances to the vegetated portion of the 25-foot Waterfront Area will be necessary to access the Bank.

A combination of equipment and field labor will be needed to install the riprap at-grade along the Bank in the areas designated by the plan. Disturbed areas will be loamed with appropriate topsoil and seeded with a conservation and wildlife mix as noted on the plans. Shrub plantings and plugs of the herbaceous species will subsequently be installed once the area has stabilized.

2.4.4 Avoidance, Minimization, and Mitigation for Work within Wetland Resource Areas

The Applicant has explored ways to avoid resource area impacts to the extent practicable. However, given that the Project requires direct access to the Bank, Waterfront Area, and Buffer Zone to fulfill the restoration activities, complete impact avoidance cannot be achieved.

Bank impacts have been minimized to those which are essential to the stabilization of this resource area and will not encompass the full perimeter of Lake Hibiscus. As such, mitigation in the form of new plantings are proposed in select locations around the pond.

2.5 Interests and Values of the Act and Ordinance

The following is a discussion of the relationship of the Project to the interests of the Massachusetts Wetlands Protection Act (Act) as defined by 310 CMR 10.01(2) and the Ordinance as defined by 7-1.4 (a). The Project is not anticipated to result in adverse impacts to the resource area interests or values as described below.

2.5.1 Protection of Public and Private Water Supply and Ground Water Supply

The Project Area is not located in a Zone I or II Wellhead Protection Areas, nor will the work impact any public or private water supply wells. The Project involves selective restoration activities on an eroding Bank and selective plantings and does not contain any features that would result in new stormwater discharges into Lake Hibiscus. Therefore, the public and private water supply and groundwater supply protection interests of the Act and Ordinance will be upheld.

2.5.2 Flood Control and Storm Damage Prevention

The Project is not anticipated to adversely impact the flood control or storm damage prevention capacity of Lake Hibiscus or its surrounding Bank. As no impervious features will be installed in association with this project, the Applicant is not anticipating any new feature that would tax the water-holding capacity of Lake Hibiscus. As such, the flood control and storm damage prevention interests of the Act and the Ordinance will be maintained.

2.5.3 Prevention of Pollution; Erosion and Sediment Control

Appropriate erosion and sediment control measures shall be implemented to mitigate the risk of sedimentation to the waterbody from any of the earth-disturbing activities necessary to stabilize the Bank. These measures will be subject to monitoring in accordance with best practices. As such, the pollution prevention and erosion and sediment control interests of the Act and Ordinance will be upheld.

2.5.4 Protection of Fisheries, Shellfisheries, Wildlife Habitat, and Rare and Endangered Wildlife Species and Habitat

The Project will alter any land mapped by the NHESP as Priority Habitat of Rare Species or Estimated Habitat of Rare Wildlife, nor will it alter any potential or certified vernal pool. The Bank is currently eroding and fortifying it with riprap and the associated plantings will enhance the wildlife habitat of the resource area. Therefore, the fisheries, shellfisheries, and wildlife habitat interests of the Act and Ordinance will be protected.

2.5.5 Short Term and Long Term Coastal and Stormwater Flood Control

A component of this Project involves repairing an inoperable water control structure so that the pond may be managed consistent with its pre-project conditions. The Applicant is not anticipating any adverse impact or alteration to the stormwater control capacity of the Project site. There will also be no net loss of BLSF to result from this design. As such, this interest of the Ordinance will be upheld.

2.5.6 Protection of Public Health, Safety, and Welfare

The Project will employ standard construction procedures and safety measures to ensure the protection of public health, safety, and welfare as these interests relate to wetland resource areas.

2.5.7 Climate Change Impact Mitigation

With the exception of the proposed riprap to fortify the Bank and repair of the water control structure, there are no structural components of this Project that would exacerbate the impacts of climate change, specifically with reference to future storm events. The proposed repairs and fortifications are necessary components of the Bank restoration effort where the substrate is eroding. Therefore, the Project satisfies the interests of the Ordinance with respect to the resource area's ability to mitigate the impacts from climate change.

2.5.8 Stormwater Management

The project involves the stabilization of a damaged and undercut Bank along the edge of the existing pond, stabilization of an existing water level control device, and vegetative management. The project includes de-minimus changes to existing ground cover and drainage patterns and will result in similarly de-minimus impacts to existing stormwater runoff patterns.

2.6 Summary

The Applicant is seeking an Order of Conditions pursuant to the September 8, 2022 EO and to complete the Bank restoration and reinforcement activities as described herein and detailed on the site plans. Although work within the Bank, Buffer Zone, and Waterfront Area is required for this effort, the proposed work will not have an unacceptable significant or cumulative adverse effect upon the Resource Area Values protected by the Ordinance. Therefore, we respectfully request that the Conservation Commission issue an Order of Conditions (OOC) and release the Enforcement Order.

Section 3.0 Plans and Figures

Locus Map

Aerial Map

300-Foot Abutter Exhibit

FEMA Flood Map

Climate Ready Boston Exhibit

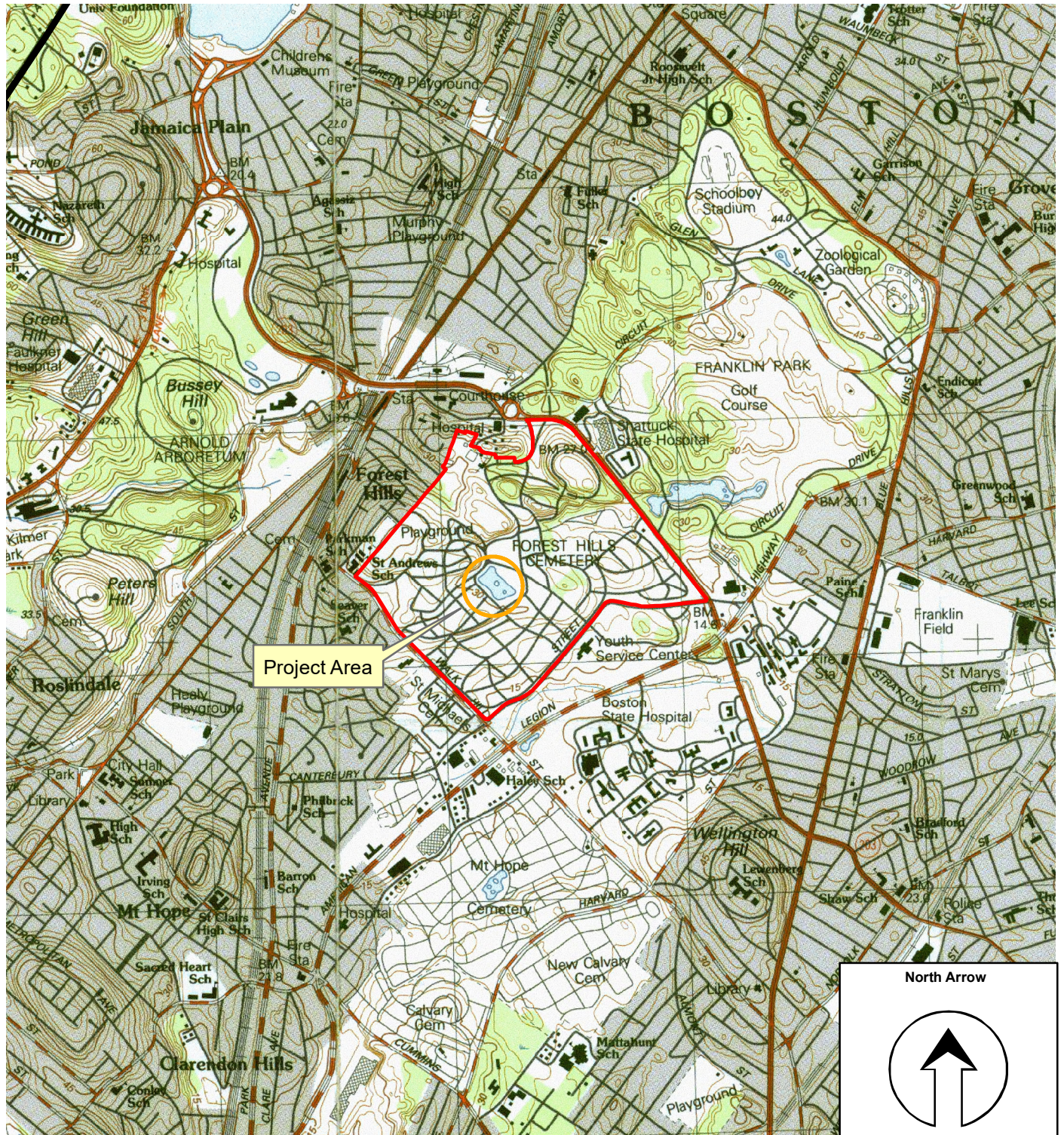
Boston Water and Sewer Commission Inundation Model Viewer

Plan Entitled “Pond Bank Restoration and Stabilization, Lake Hibiscus Forest Hills Cemetery”

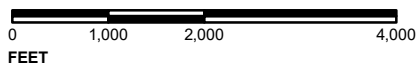
Prepared by Beals and Thomas, Inc.

In 3 Sheets

Dated November 9, 2022



Digital USGS Map of Boston South, MA, dated 1987, provided by the Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services.



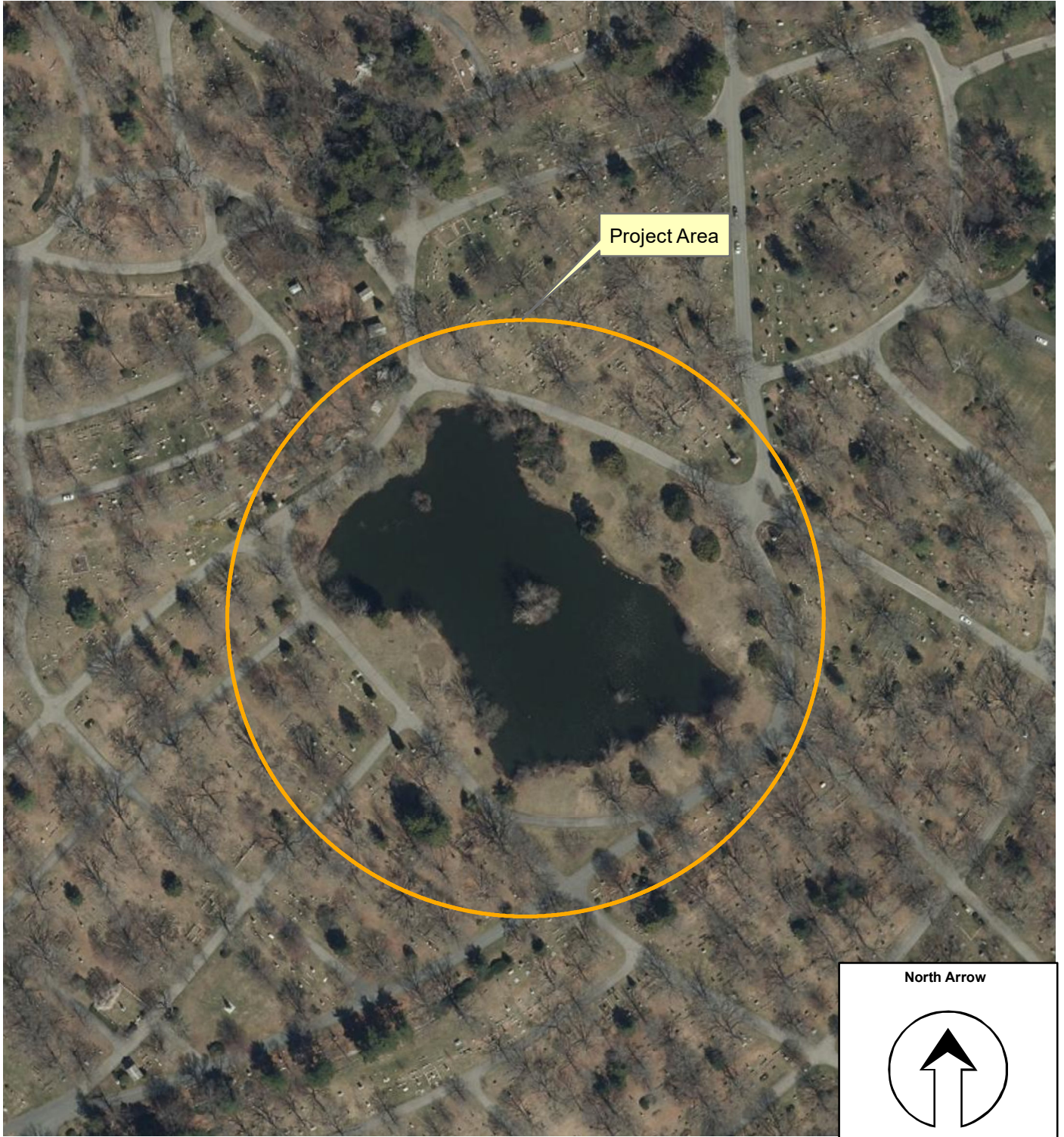
PROJECT:
Bank Restoration and Enhancement
 Boston, Massachusetts

PREPARED FOR:
Forest Hills Cemetery
 95 Forest Hills Avenue
 Boston, MA 02130

Locus Map
 Figure 1

Scale: 1" = 2,000' Date: October 11, 2022

Source File 339700P002A.mxd
 B+T Project No. 3397.00



Digital Orthoimage (2021), provided by the Bureau of Geographic Information (MassGIS), Commonwealth of Massachusetts, Executive Office of Technology and Security Services.



North Arrow

NORTH

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ALL RIGHTS RESERVED

PROJECT:
Bank Restoration and Enhancement
Boston, Massachusetts

PREPARED FOR:
Forest Hills Cemetery
95 Forest Hills Avenue
Boston, MA 02130

Aerial Map

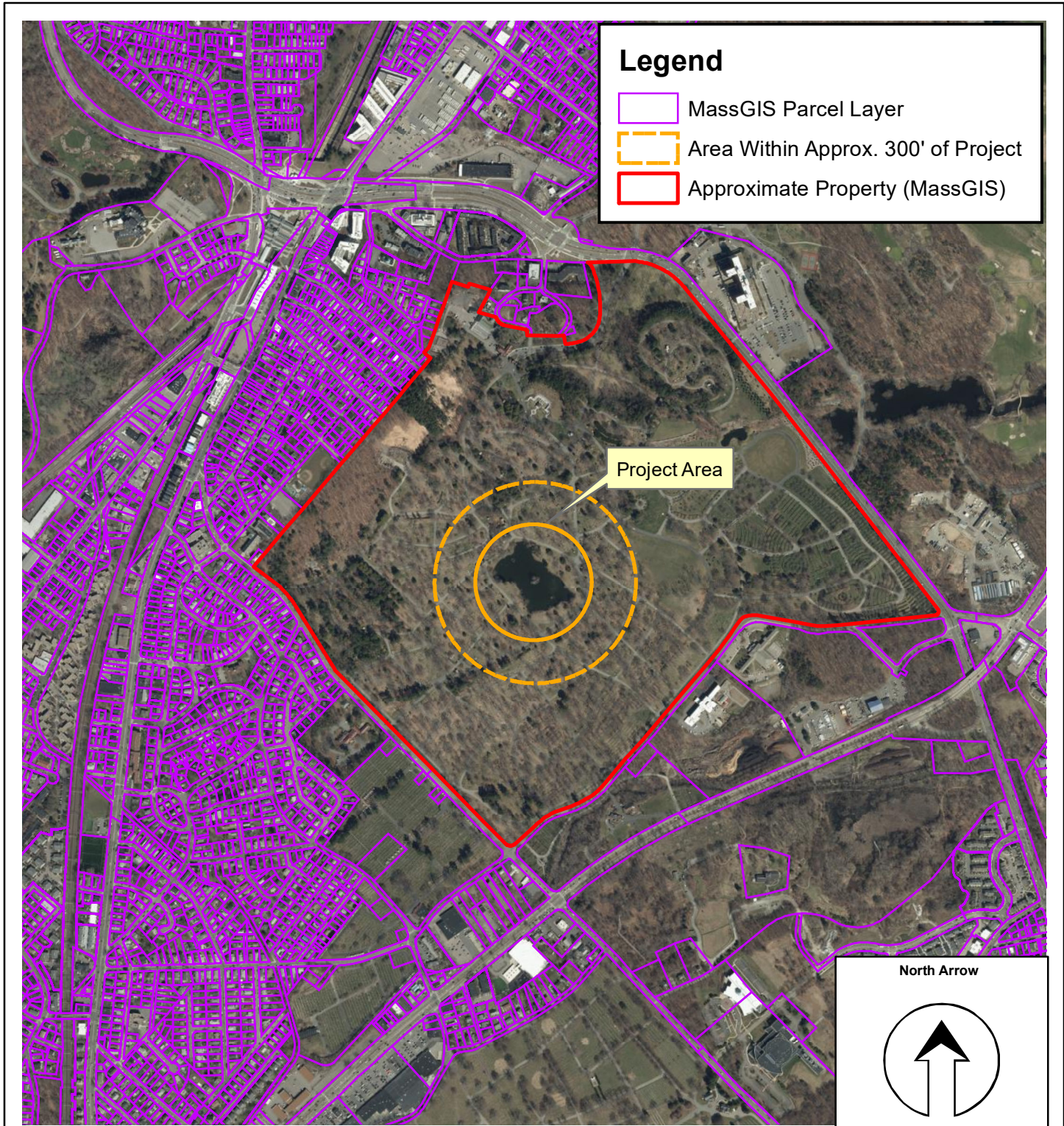
Figure 2

Scale: 1" = 200'

Date: October 11, 2022

Source File 339700P002B.mxd

B+T Project No. 3397.00



PROJECT:
Bank Restoration and Enhancement
 Boston, Massachusetts

PREPARED FOR:
Forest Hills Cemetery
 95 Forest Hills Avenue
 Boston, MA 02130

300' Abutter Map
 Figure 3

Scale: 1" = 200' Date: October 11, 2022

Source File 339700P002B.mxd
 B+T Project No. 3397.00

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where Base Flood Elevations (BFEs) and/or floodways have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

Coastal Base Flood Elevations shown on this map apply only landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The projection used in the preparation of this map was Massachusetts State Plane, mainland zone (FIPSZONE 2001). The horizontal datum was NAD83, GRS1980 spheroid. Differences in datum, spheroid, projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of the FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov/> or contact the National Geodetic Survey at the following address:

NGS Information Services
NOAA, NNGS12
National Geodetic Survey
SSAC-3, #6202
1315 East West Highway
Silver Spring, MD 20910-3282

To obtain current elevation, description, and/or location information for bench marks shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov/>.

Base map information shown on this FIRM was derived from digital orthophotography. Base map files were provided in digital form by Massachusetts Geographic Information System (MassGIS). Ortho imagery was produced at a scale of 1:5,000. Aerial photography is dated April 2005.

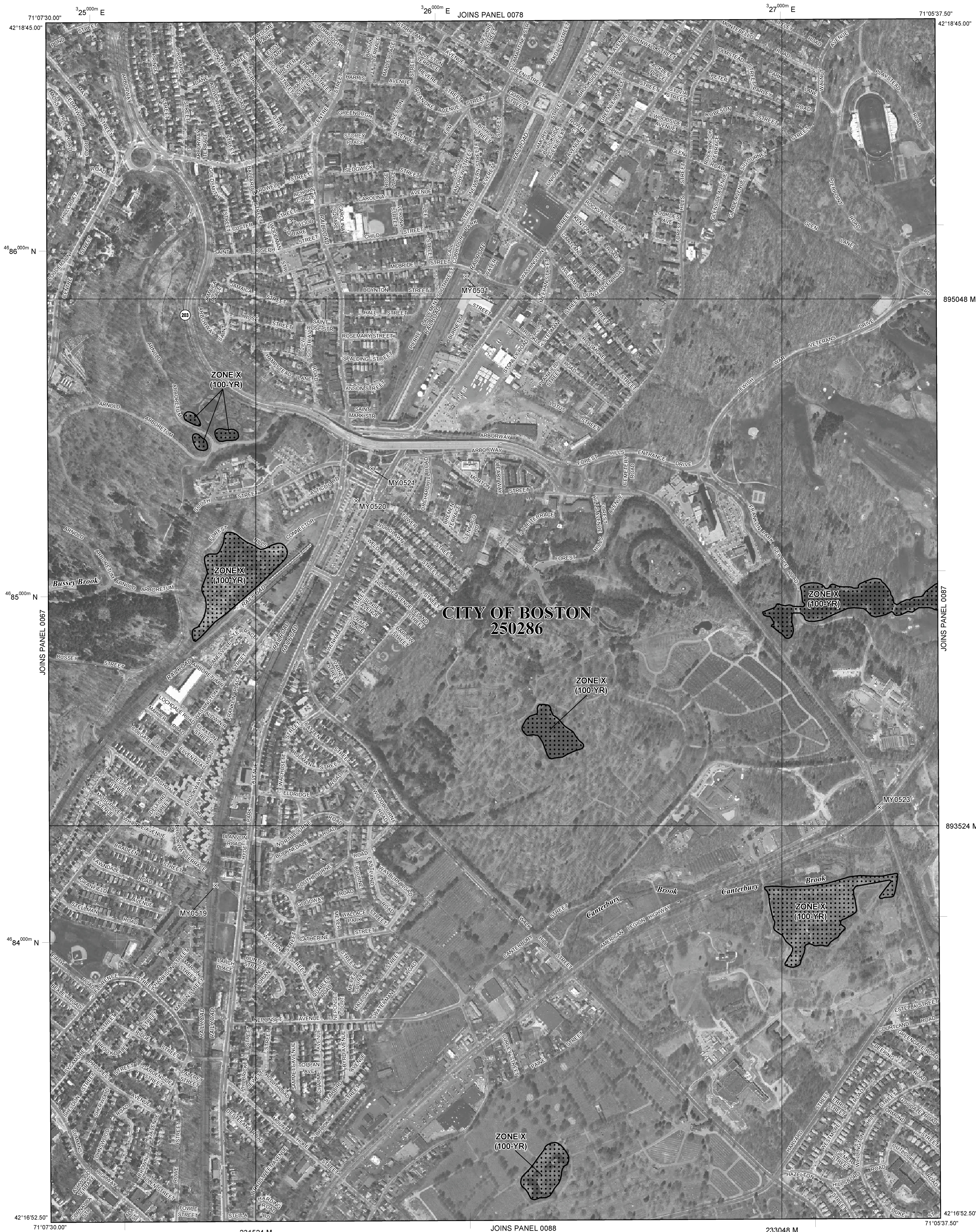
This map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed Map Index for an overview map of the county showing the layout of map panels, community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

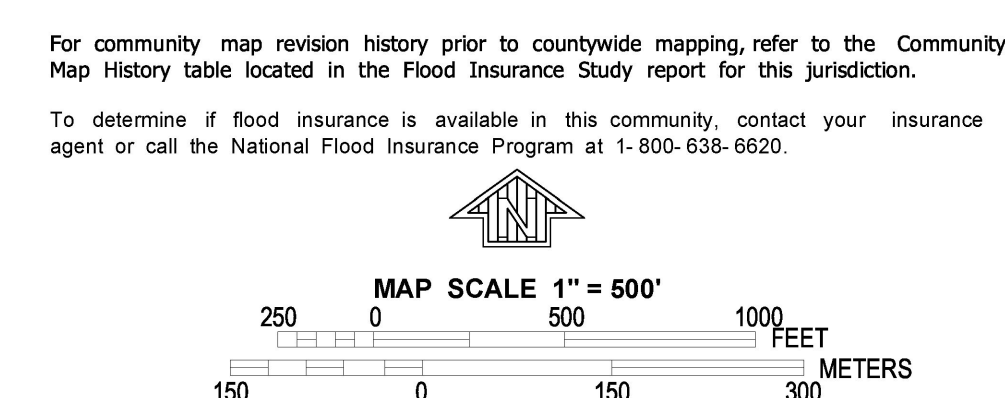
Contact the FEMA Map Service Center at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://www.msc.fema.gov/>.

If you have questions about this map or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/>.



LEGEND

- SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD
- The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.
- ZONE A**
No Base Flood Elevations determined.
- ZONE AE**
Base Flood Elevations determined.
- ZONE AH**
Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO**
Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR**
Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99**
Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V**
Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE**
Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.
- FLOODWAY AREAS IN ZONE AE
- The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.
- OTHER FLOOD AREAS
- ZONE X**
Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- OTHER AREAS
- ZONE X**
Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D**
Areas in which flood hazards are undetermined, but possible.
- COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS
- OTHERWISE PROTECTED AREAS (OPAs)
- CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.
- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- Base Flood Elevation line and value; elevation in feet*
- (EL 987) Base Flood Elevation value where uniform within zone; elevation in feet*
- * Referenced to the North American Vertical Datum of 1988 (NAVD 88)
- Cross section line
- Transect line
- 97°07'30\", 32°22'30\"/> Geographic coordinates referenced to the North American Datum of 1983 (NAD 83)
- 42°5'00\"/> 1000-meter Universal Transverse Mercator grid, zone 19
- 6000000 M 5000-foot grid : Massachusetts State Plane coordinate system, mainland zone (FIPSZONE 2001), Lambert Conformal Conic
- DX5510 x Bench mark (see explanation in Notes to Users section of this FIRM panel)
- M1.5 River Mile
- MAP REPOSITORIES Refer to Map Repositories list on Map Index
- EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP September 25, 2009
- EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL



NFIP PANEL 0086G

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

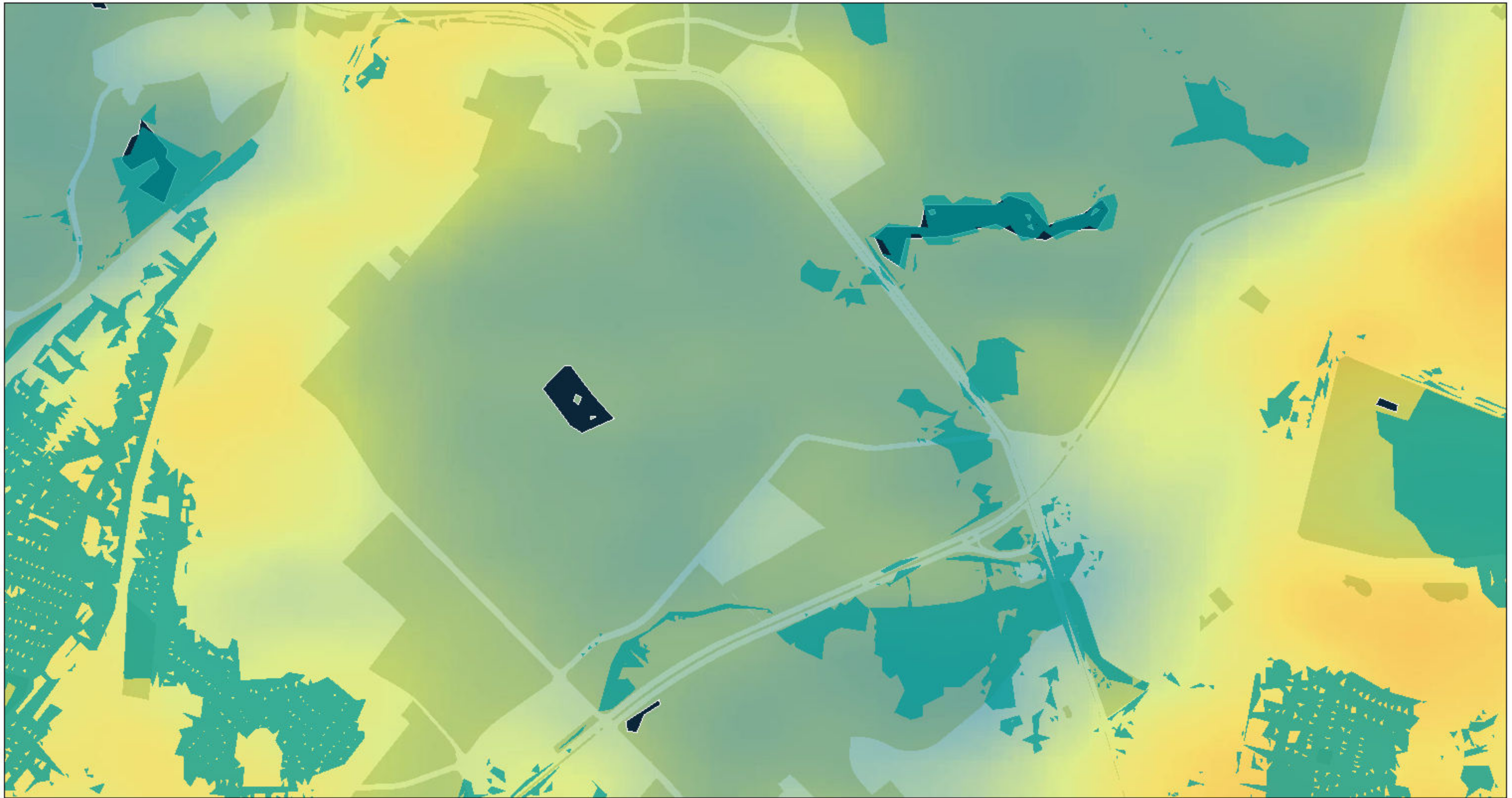
PANEL 86 OF 151
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:
COMMUNITY NUMBER PANEL SUFFIX
BOSTON, CITY OF 250286 0086 G

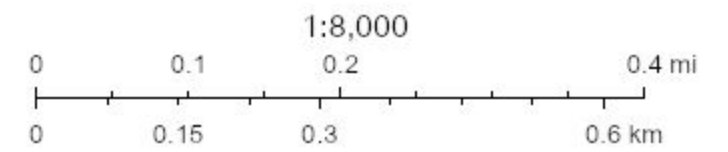
Notice to User: The Map Number shown below should be used when placing map orders. The Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER 2502C0086G
EFFECTIVE DATE SEPTEMBER 25, 2009
Federal Emergency Management Agency

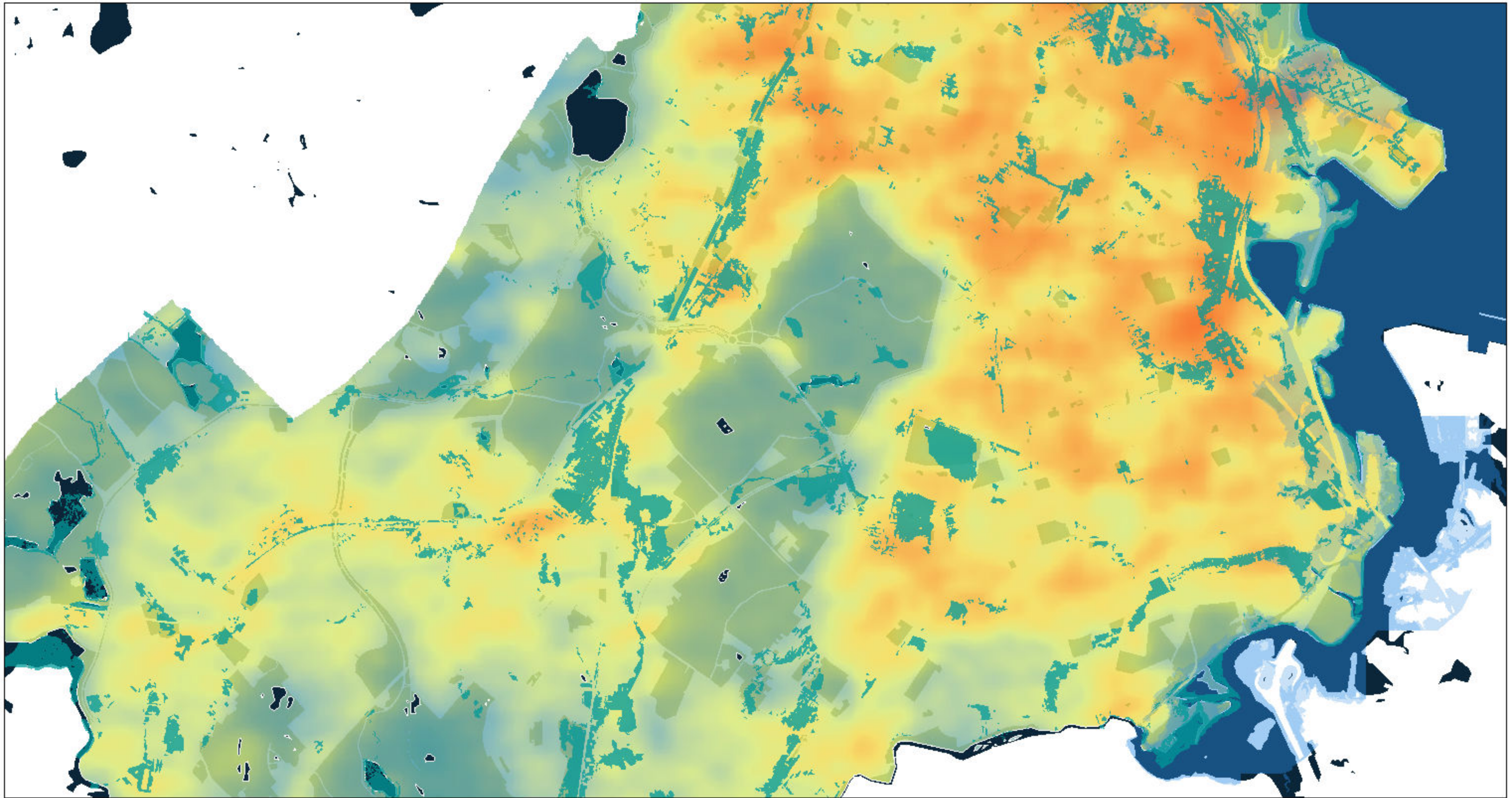
Climate Ready Boston Map Explorer



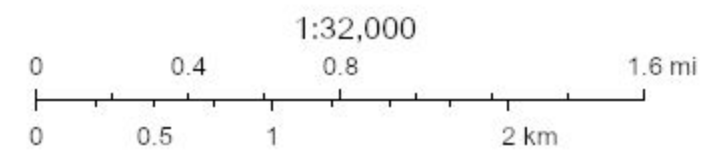
October 13, 2022

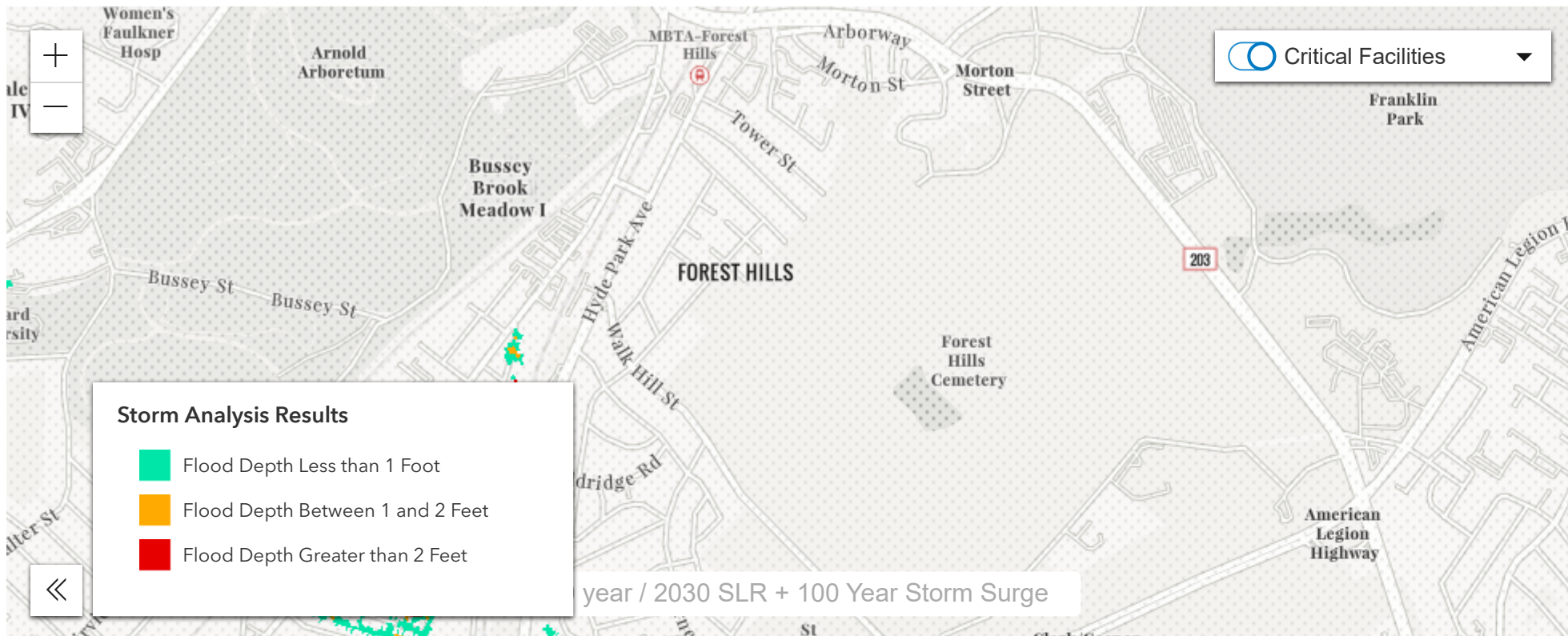


Climate Ready Boston Map Explorer



October 13, 2022





Esri Community Maps Contributors, Harvard University, City of Boston, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US... Powered by Esri

1

Extreme Weather Event

T-storm

Nor'easter



2

Amount of Rainfall

5.84 in 9.58 in

500 year



3

Sea Level Rise (SLR) and Storm Surge

4.5 ft 7.0 ft

2030 SLR 2070 SLR

+ Storm Surge + Storm Surge

4

360 Tour Click on Map

5

Impact Forecast

56 47

Police Department

11

EMS/Fire Station

17


Tropical

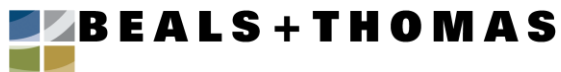
Frontal

13.9 in
(over a period of 48
hours)

100 Year Storm Surge

Compare 2030
& 2070

''
MBTA
Station
36



November 28, 2022

Boston Conservation Commission
c/o Kate Oetheimer, Conservation Agent
1 City Hall Square, Room 709
Boston, MA 02201

Via: Certified Mail and Email to cc@boston.gov

Reference: Response to Comments, DEP File #006-1906
Pond Bank Restoration and Stabilization
Lake Hibiscus
Forest Hills Cemetery
Boston, Massachusetts
B+T Project No. 3397.00

Dear Commissioners:

On behalf of the Applicant, Forest Hills Cemetery, Beals and Thomas, Inc. (B+T), respectfully submits the below responses to Department Comments regarding the Forest Hills Cemetery Notice of Intent (NOI) in Boston, Massachusetts. The Applicant is seeking permission in the form of an Order of Conditions (OOC) with respect to former and proposed restoration activities. The purpose of this supplemental memorandum is to provide the Boston Conservation Commission (BCC) with a written response to the Conservation Agent comments received via email on November 17, 2022, in response to the NOI filing. The following represents the Applicant’s written responses to these department comments.

The impacts to the resource areas quantified on the WPA and Boston NOI forms should include all proposed impacts, including temporary impacts and impacts that have already occurred (for example, removing the vehicle from LUWW). Additionally, it was unclear from the narrative whether any additional work is being proposed in Land Under Waterbodies and Waterways.

Please see below for a tabulation for the resource area impacts proposed or completed by this Project.

Resource Area	Previously Undertaken	Proposed
Bank	Approximately 330 Linear Feet (Bank Stabilization)	Approximately 275 Linear Feet (Bank Stabilization)

Land Under Waterbodies and Waterways	Approximately 340 Square feet (Temporary; removal of submerged vehicle)	N/A
--------------------------------------	---	-----

This work does not meet one of the three exemptions from the Stormwater Standards. As there will not be any changes in topography or increases in impervious surface it is not necessary to provide a completed Stormwater Checklist or report, however the WPA and Boston NOI forms should be revised to indicate that this project must comply with the Stormwater Standards, and this should be discussed in the narrative.

Please see attached for the revised portion of the WPA Form denoting that the MA Stormwater Standards are not applicable. The project involves the stabilization of a damaged and undercut Bank along the edge of the existing pond, stabilization of an existing water level control device, and vegetative management. The project includes de-minimus changes to existing ground cover and drainage patterns and will result in similarly de-minimus impacts to existing stormwater runoff patterns.

What is the elevation of the floodplain detailed as Zone A in the FEMA preliminary FIRMs?

Given that the area is currently mapped as a Zone X and is proposed by FEMA to be mapped as a Zone A, there is no flood elevation established therein. Given the scale of the project and scope of the work (no changes to elevations regardless of presence or absence of Bordering Land Subject to Flooding), no separate flood study is to be undertaken to establish the elevation of the floodplain at this time.

The narrative should provide more details on the means and methods of the work that has already been done.

Please refer to the site plans for additional information. The vehicle within the pond was removed using equipment staged along the maintained area within the buffer zone to Bank, and the vehicle was subsequently removed from the premises once out of the pond. With respect to the undertaken and proposed Bank stabilization activities, please refer to the below-listed sequence of work.

- The Contractor shall install 9" diameter straw wattles and other sediment control areas prior to the start of work as necessary to restrict the flow of water through the construction area and discharge of sediment laden construction runoff into resource areas.

- Areas adjacent to the pond Bank temporarily stabilized with $\frac{3}{4}$ " of washed crushed stone shall be covered with a Curlex erosion control blanket, loamed, and hydroseeded with New England Conservation/Wildlife Mix as supplied by New England Wetland Plants. Alternating mats shall also be planted with *Iris versicolor*, *Ilex verticillata*, and daffodils.
- Other disturbed area adjacent to pond Bank shall be stabilized with Curlex erosion control blankets starting from the top of the eroded areas and anchoring at the toe of the slope at the water's edge. The Contractor shall install a 9" straw wattle at the toe of the slope and approximately eight-inch riprap shall be installed against the wattle. The Contractor shall fill the voids between the riprap with $\frac{3}{4}$ " of washed crushed stone. The Contractor shall also install another Curlex erosion control blanket, loam, and hydroseed over the embankment in accordance with the above note.
- All areas subject to the vegetation management plan shall be loamed and seeded.

Any herbicides already used or any proposed herbicide use should be detailed in the narrative.

Round Up was the herbicide used to manage invasive species surrounding the pond (not located in the water or at the water's edge) and was applied to cut ends of brush (cut stem method, not a broadcast spray) and included hand pulling of woody invasive biomass after root cutting.

No landscaping plan or plant list was provided.

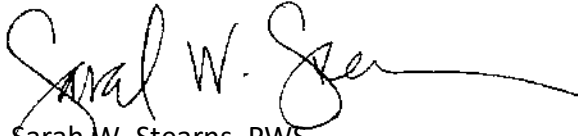
Please refer to notes on enclosed plan for a seed mix and planting plan. Specifically, the Applicant is proposing to plant daffodil bulbs in the fall of 2023 as well as blueflag iris (*Iris versicolor*) plugs and winterberry (*Ilex verticillata*) specimens in the spring of 2023. A separate formalized landscape plan has not been prepared at this time. However, the Applicant anticipates that these species will be installed along the reinforced Bank and buffer zone areas denoted on the enclosed plans.

Should you have any questions regarding this matter or require additional information, please contact us at (508) 366-0560. We thank you for your consideration of this NOI and look forward to meeting with the Commission at the next available public hearing.

Sincerely,

Boston Conservation Commission
c/o Kate Oetheimer, Conservation Agent
November 28, 2022
Page 4

BEALS AND THOMAS, INC.

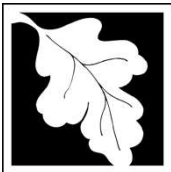
A handwritten signature in black ink, appearing to read "Sarah W. Stearns", with a long horizontal flourish extending to the right.

Sarah W. Stearns, PWS
Associate

Enclosures: Select Revised Pages of WPA Form

cc: Forest Hills Cemetery (via Email)

AMG/sws/339700LT001



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boston

City/Town

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 checked="" type="checkbox"/> Bank	±330 (previous) ±275 (proposed)	±330 (previous) ±275 (proposed)
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input checked="" type="checkbox"/> Land Under Waterbodies and Waterways	±340 (removal of submerged car) N/A 3. cubic yards dredged	±340 2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	±1,015 1. square feet ±37.6 3. cubic feet of flood storage lost	±1,015 2. square feet ±37.6 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. 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:

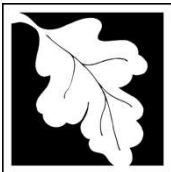
_____	_____	_____
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

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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: **See Narrative – de minimis changes**
 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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 3 - Notice of Intent
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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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.

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Bank, Bordering Vegetated Wetland, and Land Under Waterbodies and Waterways.

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Bordering Land Subject to Flooding and Isolated Land Subject to Flooding.

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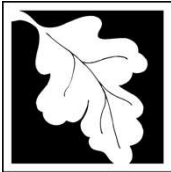
3. Total area of Riverfront Area on the site of the proposed project: square feet

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

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

- 4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 b. ACEC

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 - 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.

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