

# B & C Associates Inc.

*Wetland Consultants*

2 Rice Street ♦ Hudson, Massachusetts 01749

Phone 978/568-0135 ♦ Fax 978/568-0135



Concord Natural Resources Commission  
141 Keyes Road  
Concord, MA 01742

February 12, 2019

RE: Amended Order of Conditions  
70 Elm Street  
DEP #137-1454

Dear Commissioners,

On behalf of the Applicant, Fabio Andrade, I am requesting an Amended Order of Conditions for additional work which has been preformed at 70 Elm Street.

The original Order of Conditions had approved the rebuilding of two retaining walls, the relocation of stairs, the repaving of the driveway and a second story addition to the existing house while also requiring some mitigation along the Sudbury River.

The Applicant has built another wall along the flood plain elevation just south of one of the previously approved walls. We are asking the Commission to amend the current Order of Conditions to include this wall.

The area where the new wall was built did have some impacts to the flood plain. Prior to construction, the northern half of the area between the two walls was at elevation 119.0. From the middle of this area to the new wall, the elevation rose to 121.0 which is just slightly lower than the 100 year flood elevation of 121.1.

The area between the two walls now has a finished elevation of 188.8. This area is now providing a slight increase in flood storage capacity as compared to pre-construction storage volumes. The net change is an increase in flood storage.

There are no other changes to the previously approved work.

Please contact me at the telephone number above if you have any questions or concerns regarding this filing.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Crossman". The signature is stylized and somewhat cursive.

David Crossman  
Sr. Wetland Biologist

**AFFIDAVIT OF SERVICE**

Under the Massachusetts Wetlands Protection Act

And the Town of Concord Wetland Bylaw

I, David Crossman, hereby certify under the pains and penalties of perjury that on February 13, 2019 I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, section 40, the Department of Environmental Protection Guide to Abutter Notification dated April 8, 1994 and in connection with the following matter;

A Request for an Amended Order of Conditions filed under the Massachusetts Wetlands Protection Act by Fabio Andrade with the Town of Concord Natural Resources Commission on February 13, 2019 for additional work within the Buffer Zone of a Bordering Vegetated Wetland, within Bordering Land Subject to Flooding and within Riverfront Area. (Assessors Map G09 Parcel 1725)

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

Signature: \_\_\_\_\_



Date: February 12, 2019

David Crossman - B & C Associates Inc.

## Notification to Abutters Under the Massachusetts Wetlands Protection Act

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following;

The name of the applicant is: Fabio Andrade

The applicant has filed a Request for an Amended Order of Conditions with the Natural Resources Commission for the municipality of Concord seeking permission to remove, fill, dredge or alter an Area Subject to Protection Under the Wetlands Protection Act.

The address of the lot where activity is proposed is: 70 Elm Street  
Assessors Map G09 Parcel 1725

Copies of the Request for an Amended Order of Conditions may be examined at the Town of Concord Division of Natural Resources office located at 141 Keyes Road between the hours of 9:00 AM and 4:00 PM on the following days of the week; Monday through Friday. For more information, please call: (978)318-3285.

Copies of the Request for an Amended Order of Conditions may be purchased (nominal fee) from B & C Associates Inc. by calling 978/568-0135 between the hours of 9:00 AM and 4:30 PM on Mondays through Fridays.

Information regarding the date, time and place of the public hearing may be obtained from the Division of Natural Resources by calling this telephone number (978)318-3285 between the hours of 9:00 AM and 4:00 PM on the following days of the week; Mondays through Fridays.

Notice of the public hearing, including its date, time and place, will be published at least five (5) business days in advance in the Concord Journal.

NOTE: Notice of the public hearing, including its date, time and place, will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

NOTE: You also may contact the nearest Department of Environmental Protection (DEP) Regional Office for more information about this application of the Wetlands Protection Act. To contact DEP, call;

Central Regional: 508/792-7650

Northeast Region: 978/661-7600

Southeast Region: 508/946-2700

Western Region: 413/784-1100



Town of Concord  
Board of Assessors  
P.O. Box 535  
Concord, Massachusetts 01742-0535  
Tel: (978) 318-3070  
Fax: (978) 369-4760  
Office Location – 24 Court Lane  
[www.concordma.gov](http://www.concordma.gov)

### ABUTTERS LIST

**PROPERTY :** 70 Elm St.  
Concord, MA 01742

**MAP:** G09

**PARCEL:** 1725

As per Massachusetts General Laws Chapter 131, Section 40 whereas the “abutters” included shall be:

Any person filing a notice of intention with a conservation commission shall at the same time give written notification thereof, by delivery in hand or certified mail, return receipt requested, to all abutters within one hundred feet of the property line of the land where the activity is proposed, at the mailing addresses shown on the most recent applicable tax list of the assessors, including, but not limited to, owners of land directly opposite said proposed activity on any public or private street or way, and in another municipality or across a body of water.

The Board of Assessors hereby certifies that the attached list contains the record owners as of January 1, 2018, and recorded on the current tax rolls. In addition, the Board certifies that the list includes owners, as per recorded deeds as received up to December 31, 2018.

*Christina C. DeLuca* *Christina J. Kanev*  
\_\_\_\_\_  
*Al M. De* *Thomas J. Matthews*  
\_\_\_\_\_  
Board of Assessors

*1/28/19*  
\_\_\_\_\_  
Date

**Abutters List**[print this list](#)

Date: January 28, 2019

Subject Property Address: 70 ELM ST Concord, MA  
Subject Property ID: 1725

Search Distance: 100 Feet

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Prop ID: 0708  
Prop Location: 81 ELM ST Concord, MA  
Owner: TRINITY CHURCH OF CONCORD  
Mailing Address:

81 ELM ST  
CONCORD, MA 01742

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Prop ID: 0711  
Prop Location: 59 ELM ST Concord, MA  
Owner: VAUGHN THOMAS J  
Co-Owner: VAUGHN CHIARELLI  
Mailing Address:

59 ELM ST  
CONCORD, MA 01742

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Prop ID: 1723  
Prop Location: 56 ELM ST Concord, MA  
Owner: ROSBOROUGH BRIAN A  
Co-Owner: ROSBOROUGH LUCY C  
Mailing Address:

56 ELM ST  
CONCORD, MA 01742

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Prop ID: 1724  
Prop Location: 62 ELM ST Concord, MA  
Owner: MOODY MARK D  
Co-Owner: ACTON GWEN Z  
Mailing Address:

62 ELM ST  
CONCORD, MA 01742

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Prop ID: 1726  
Prop Location: 78 ELM ST Concord, MA  
Owner: TOPOLCIC CLAUDIO

Co-Owner: YOSHIDA JULIA K  
Mailing Address:  
78 ELM ST  
CONCORD, MA 01742

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Prop ID: 1727  
Prop Location: 94 ELM ST Concord, MA  
Owner: DEERING JANE BEATRICE VAN DYKE TR  
Co-Owner: DEERING INVESTMENT TRUST  
Mailing Address:  
18 ARLINGTON ST  
GLOUCESTER, MA 01930

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1769-3

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