



TOWN OF WAKEFIELD

CONSERVATION COMMISSION

NOTICE OF MEETING

September 24th, 2020 | 7:00 p.m.

Via Zoom: <https://us02web.zoom.us/j/89637921246>

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 10 people, this meeting will be conducted by remote participation to the greatest extent possible. The public may not physically attend this meeting, but every effort will be made to allow the public to view and/or listen to the meeting in real time. Persons who wish to do so are invited to click on the following link <https://us02web.zoom.us/j/89637921246>. If you do not have a camera or microphone on your computer you may use the following dial in number: 1-301-715-8592 Meeting ID 896 3792 1246. Please only use dial in or computer and not both as feedback will distort the meeting. This meeting will be audio and video recorded.

AGENDA

6:59 PM - Approval of minutes

7:00PM — DEP#313-592 – 50 Quannapowitt Parkway – TMC 30, LLC - Abbreviated Notice of Resource Area Delineation: continued public hearing – to confirm 11/17/11 wetland delineation approved under Superseding Order of Conditions dated 1/16/13.

7:15PM – DEP#313-XXX – 8 Evangelista Way – Charles and Lauren Donovan – Notice of Intent: continued public hearing – Install in-ground pool within 100' of a wetland.

7:30PM – DEP#313-XXX – 67 Harrison Avenue – Sean Fitzpatrick – Notice of Intent: public hearing – install slope stabilization and associated fencing within 100' of a wetland.

Old/New Business

- 102 New Salem Street – discuss, vote, issue Order of Conditions
- 601/701 Edgewater Place Pond Treatment and Request for Extension Permit

The next meeting of the Conservation Commission will be held on **Thursday**, October 8, 2020.

THIS AGENDA IS SUBJECT TO CHANGE and may include topics not reasonably anticipated prior to the Open Meeting Law posting deadline.

Please call or check the Town website at www.wakefield.ma.us



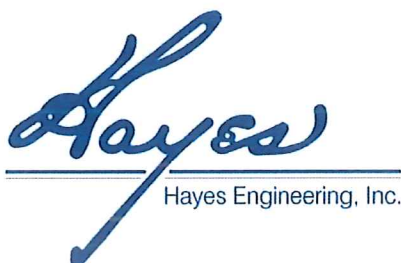
Project File: WAK-0565A

Applicant:
TMC 50, LLC
#200 Summit Drive, Ste 210
Burlington, MA 01803

Abbreviated Notice of Resource Area Delineation Application

#50 Quannapowitt Parkway
Wakefield, Massachusetts

June 2020



603 Salem Street
Wakefield, MA 01880
Tel: (781) 246-2800
Fax: (781) 246-7596

Nantucket, MA 02554
Tel: (508) 228-7909

CONTENTS
ABBREVIATED NOTICE OF
RESOURCE AREA DELINEATION
#50 QUANNAPOWITT PARKWAY
WAKEFIELD, MASSACHUSETTS

June 11, 2020

LIST OF PLANS AND DOCUMENTS

<u>Identifying Number / Letter</u>	<u>Title / Date</u>
DOCUMENT A	WPA Form 4A ANRAD, #50 Quannapowitt Parkway, Wakefield (with accompanying Fee Transmittal Form, USGS Locus Map, Abutters List (June 2020), Affidavit of Service, Abutter Notice, and copies of fee checks).
DOCUMENT B	Superseding Order of Resource Area Delineation, #50 Quannapowitt Parkway, Wakefield, MA issued by the Mass. Department of Environmental Protection (DEP File #313-0502) on January 16, 2013
PLAN	Plan to Accompany Abbreviated Notice of Resource Area Delineation, Wakefield, Mass, #50 Quannapowitt Parkway; Hayes Engineering, Inc.; Scale: 1"=40'; Date: Revised November 17, 2011.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 4A – Abbreviated Notice of
Resource Area Delineation
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number _____
 Document Transaction Number _____
 Wakefield
 City/Town

A. General Information

1. Project Location (**Note:** electronic filers will click on button for GIS locator):

50 Quannapowitt Parkway
 a. Street Address
 Wakefield
 b. City/Town
 01880
 c. Zip Code
 Latitude and Longitude:
 42d 30m 3.79s
 d. Latitude
 -71d 5m 14.91s
 e. Longitude
 Map 01, Block 36B
 f. Assessors Map/Plat Number
 Lot AM3
 g. Parcel /Lot Number

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



2. Applicant:

a. First Name
 TMC 50, LLC c/o Michael A. Manzo
 c. Organization
 200 Summit Drive, Suite 210
 d. Mailing Address
 Burlington
 e. City/Town
 MA
 f. State
 01803
 g. Zip Code
 (617) 807-0963
 h. Phone Number
 i. Fax Number
 MAManzo@ManzoCompany.com
 j. Email Address

3. Property owner (if different from applicant):

Mark
 a. First Name
 WBAM Limited Partnership and Wakefield 200, LLC
 c. Organization
 c/o The Beal Companies LLP, 177 Milk Street
 d. Mailing Address
 Boston
 e. City/Town
 MA
 f. State
 02109
 g. Zip Code
 (617) 807-0963
 h. Phone Number
 i. Fax Number
 mbiondi@relatedbeals.com
 j. Email Address
 Check if more than one owner (attach additional sheet with names and contact information)

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

4. Representative (if any):

a. Contact Person First Name
 Hayes Engineering, Inc.
 c. Organization
 603 Salem Street
 d. Mailing Address
 Wakefield
 e. City/Town
 MA
 f. State
 01880
 g. Zip Code
 (781)246-2800
 h. Phone Number
 (781)246-7596
 i. Fax Number
 lwallis@hayeseng.com
 j. Email Address

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

\$2,000.00
 a. Total Fee Paid
 \$987.50
 b. State Fee Paid
 \$1,012.50
 c. City/Town Fee Paid

Fees will be calculated for online users.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
**WPA Form 4A – Abbreviated Notice of
Resource Area Delineation**
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Wakefield
City/Town

B. Area(s) Delineated

1. Bordering Vegetated Wetland (BVW) 1,097 ft. (specifically BVW flags A1 through 28)
Linear Feet of Boundary Delineated
2. Check all methods used to delineate the Bordering Vegetated Wetland (BVW) boundary:
 - a. MassDEP BVW Field Data Form (attached)
 - b. Other Methods for Determining the BVW boundary (attach documentation):
 1. 50% or more wetland indicator plants
 2. Saturated/inundated conditions exist
 3. Groundwater indicators
 4. Direct observation
 5. Hydric soil indicators
 6. Credible evidence of conditions prior to disturbance
3. Indicate any other resource area boundaries that are delineated:

a. Resource Area

b. Linear Feet Delineated

c. Resource Area

d. Linear Feet Delineated

C. Additional Information

Applicants must include the following plans with this Abbreviated Notice of Resource Area Delineation. 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. ANRAD (Delineation Plans only)
2. 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.)
3. Plans identifying the boundaries of the Bordering Vegetated Wetlands (BVW) (and/or other resource areas, if applicable).
4. List the titles and final revision dates for all plans and other materials submitted with this Abbreviated Notice of Resource Area Delineation.

D. Fees



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4A – Abbreviated Notice of
Resource Area Delineation
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Wakefield
City/Town

The fees for work proposed under each Abbreviated Notice of Resource Area Delineation must be calculated and submitted to the Conservation Commission and the Department (see Instructions and Wetland Fee Transmittal Form).

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 the attached Wetland Fee Transmittal Form) to confirm fee payment:

# 1736	6/25/20
2. Municipal Check Number	3. Check date
# 1735	6/25/20
4. State Check Number	5. Check date
TMC Real Estate Services, LLC	
6. Payor name on check: First Name	7. Payor name on check: Last Name

E. Signatures

I certify under the penalties of perjury that the foregoing Abbreviated Notice of Resource Area Delineation and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4A – Abbreviated Notice of
Resource Area Delineation
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

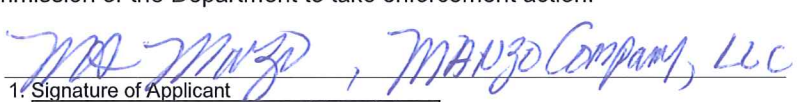
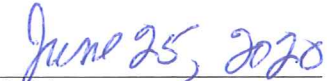
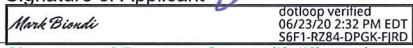

Wakefield
City/Town

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 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.

I hereby grant permission, to the Agent or member of the Conservation Commission and the Department of Environmental Protection, to enter and inspect the area subject to this Notice at reasonable hours to evaluate the wetland resource boundaries subject to this Notice, and to require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.

I acknowledge that failure to comply with these certification requirements is grounds for the Conservation Commission or the Department to take enforcement action.

	
1. Signature of Applicant	2. Date
	June 23, 2020
3. Signature of Property Owner (if different)	4. Date
	6/26/20
5. Signature of Representative (if any)	6. Date

For Conservation Commission:

Two copies of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; two copies of the ANRAD Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

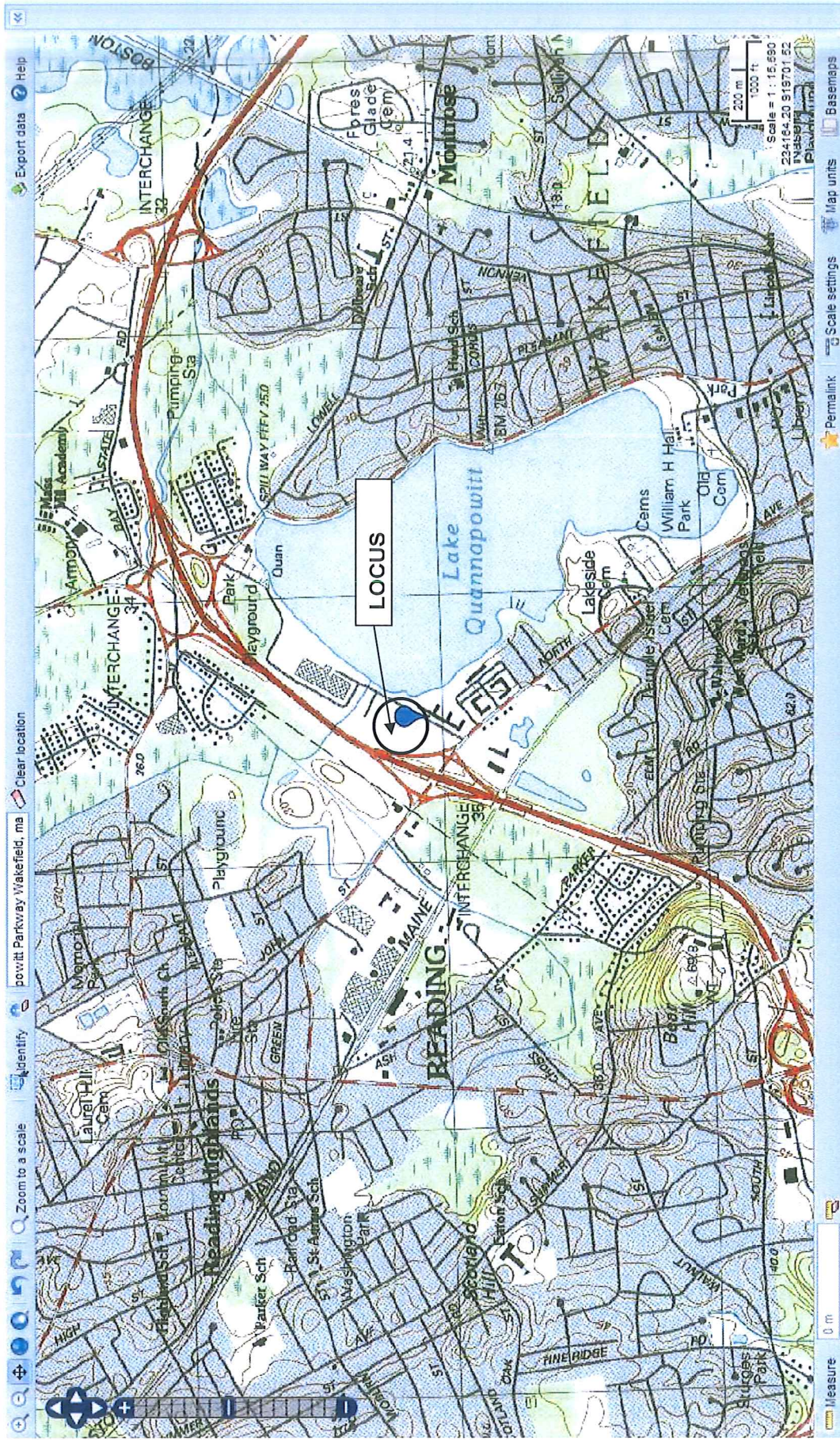
One copy of the completed Abbreviated Notice of Resource Area Delineation (Form 4A), including supporting plans and documents; one copy of the ANRAD Wetland Fee Transmittal Form; and a copy of the state fee payment must be sent to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery. (E-filers may submit these electronically.)

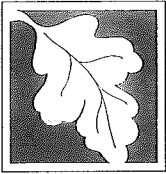
The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



HAYES ENGINEERING, INC.
CIVIL ENGINEERING &
LAND SURVEYORS

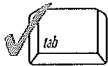
603 SALEM STREET
WAKEFIELD, MA 01880
(781) 246-2800





Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
ANRAD 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:

50 Quannapowitt Parkway Wakefield
 a. Street Address b. City/Town

 c. Fee amount d. Check number

2. Applicant:

_____ TMC 50, LLC c/o Michael A. Manzo
 a. First Name b. Last Name
 200 Summit Drive, Suite 210
 d. Mailing Address
 Burlington MA 01803
 e. City/Town f. State g. Zip Code
 (617) 807-0963
 h. Phone Number

3. Property Owner (if different):

Mark Biondi WBAM Limited Partnership and Wakefield 200, LLC
 a. First Name b. Last Name
 c/o The Beal Companies LLP, 177 Milk Street
 d. Mailing Address
 Boston MA 02109
 e. City/Town f. State g. Zip Code

 h. Phone Number

B. Fees

The fee is calculated as follows for each Resource Area Delineation included in the ANRAD (check applicable project type). The maximum fee for each ANRAD, regardless of the number of Resource Area Delineations, is \$200 activities associated with a single-family house and \$2,000 for any other activity.

Bordering Vegetated Wetland Delineation Fee:

1. <input type="checkbox"/>	single family house project	_____	x \$2.00 = _____	_____
2. <input checked="" type="checkbox"/>	all other projects	1,097 ft.	x \$2.00= \$2,194	2,000.00 (Max. Fee)
		a. feet of BVW	x \$2.00 = _____	b. Fee for BVW
		a. feet of BVW	x \$2.00 = _____	b. Fee for BVW

Online users: check box if fee exempt.

Other Resource Area (e.g., bank, riverfront area, etc.):

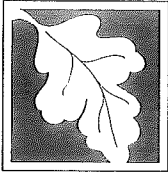
3. <input type="checkbox"/>	single family house project	_____	x \$2.00 = _____	_____
4. <input type="checkbox"/>	all other projects	_____	x \$2.00 = _____	_____
		a. linear feet	x \$2.00 = _____	b. Fee
		a. linear feet	x \$2.00 = _____	b. Fee

Total Fee for all Resource Areas: _____

State share of filing fee: _____

City/Town share of filing fee: _____

2,000.00 (Max. Fee)
 Fee
 \$987.50
 5. 1/2 of total fee less \$12.50
 \$1,012.50
 6. 1/2 of total fee plus \$12.50



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

C. Submittal Requirements

- a.) Send a copy of this form, with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts, to:

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Abbreviated Notice of Resource Area Delineation; a **copy** of this form; and the city/town fee payment.
- c.) **To DEP Regional Office:** Send one copy of the Abbreviated Notice of Resource Area Delineation (and any additional documentation required as part of a Simplified Review Buffer Zone Project); a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

TMC REAL ESTATE SERVICES LLC
C/O GOODWIN PARTNERS
200 SUMMIT DRIVE, SUITE 210
BURLINGTON, MA 01803-5500

**BOSTON PRIVATE BANK
AND TRUST COMPANY**
BOSTON, MASSACHUSETTS 02109

5-234/110

1736

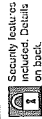
6/25/2020

PAY TO THE
ORDER OF Town of Wakefield

\$ **1,012.50

One Thousand Twelve and 50/100*****

DOLLARS



Security features
included. Details
on back.

Town of Wakefield

AUTHORIZED SIGNATURE

BP

MEMC

⑈00⑆735⑈ ⑆0⑆1002343⑆ 094328087⑈

TMC REAL ESTATE SERVICES LLC
C/O GOODWIN PARTNERS
200 SUMMIT DRIVE, SUITE 210
BURLINGTON, MA 01803-5500

**BOSTON PRIVATE BANK
AND TRUST COMPANY**
BOSTON, MASSACHUSETTS 02109

5-234/110

1735

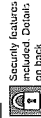
6/25/2020

PAY TO THE
ORDER OF Commonwealth of Massachusetts -

\$ **987.50

Nine Hundred Eighty-Seven and 50/100*****

DOLLARS



Security features
included. Details
on back.

Commonwealth of Massachusetts -

AUTHORIZED SIGNATURE

BP

MEMC

⑈00⑆735⑈ ⑆0⑆1002343⑆ 094328087⑈

TMC REAL ESTATE SERVICES LLC
C/O GOODWIN PARTNERS
200 SUMMIT DRIVE, SUITE 210
BURLINGTON, MA 01803-5500

**BOSTON PRIVATE BANK
AND TRUST COMPANY**
BOSTON, MASSACHUSETTS 02109

5-234/110

1737

6/25/2020

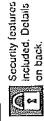
PAY TO THE ORDER OF

Wakefield Daily Item

\$ **112.00

One Hundred Twelve and 00/100*****

DOLLARS



Wakefield Daily Item

AUTHORIZED SIGNATURE

MEMO

⑆001737⑆ ⑆011002343⑆ 094328087⑆

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act
(to be submitted to the Massachusetts Department of
Environmental Protection and the Conservation Commission
when filing an Abbreviated Notice of Resource Area Delineation)

I, Diane Benoit, hereby certify under the pains and
penalties of perjury that on 6/29/20 I gave notification to abutters in
compliance with the second paragraph of Massachusetts General Laws, Chapter 131, Section
40, and the **DEP Guide to Abutter Notification** dated April 8, 1994, in connection with the
following matter:

Resource Area Determination

An Abbreviated Notice of Resource Area Delineation has been filed under the
Massachusetts Wetlands Protection Act by TMC 50, LLC with the Wakefield Conservation
Commission on 6/29/20 for property located at #50 Quannapowitt Parkway
(assessors map 01, block 36B, lot AM 3).

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

Diane Benoit
Name - Signature

6/29/20
Date

NOTIFICATION TO ABUTTERS

Under the Massachusetts Wetlands Protection Act

(This form must be completed and copies sent, by certified mail or hand-delivered, to all abutters within 100 feet of the location of the project.)

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 TMC 50, LLC.

The applicant has filed with the Wakefield Conservation Commission for a: (Please check applicable filing.)

Notice of Intent, seeking permission to alter an area subject to protection under the Wetlands Protection Act.

Request to amend an existing Order of Conditions.

Notice of Resource Area Delineation application, seeking to determine the extent of areas subject to protection under the Wetlands Protection Act.

The proposed work includes: No Site work is proposed. The applicant is requesting the Conservation Commission to reconfirm previously approved flagged wetland boundaries on the property.

Site location #50 Quannapowitt Parkway.

Copies of the Abbreviated Notice of Resource Area Delineation application may be examined or obtained (for a fee) from:

(Check all that apply)

Applicant at _____

Representative at #603 Salem Street, Wakefield, MA 01880, Phone: (781)246-2800 between the hours of 8 am and 4:30 pm and by appt. on the following days: Monday -Friday.

Conservation Department – Wakefield Town Hall 1 Lafayette Street, 2nd floor, Wakefield, MA - Tuesdays between 8:30 a.m. - 1:30 p.m, Thursdays between 8:30 a.m. to 7:00 p.m., and Fridays between 9:00 a.m. and 12.00 p.m. Please call the Conservation office at 781-224-5015 or email concom@wakefield.ma.us for information or to schedule an appointment.

Electronic copies of these filings may also be available through the Conservation Department. To request an e-copy, please email concom@wakefield.ma.us or call the Conservation Office directly at 781-224-5015. Meeting information is available on the Conservation Commission's website at: <https://www.wakefield.ma.us/conservation-commission> .

Note: Notice of the public hearing, including its date, time and place will be published in the **Wakefield Daily Item** at least five (5) business days prior to the public hearing date.

Note: Notice of the public hearing, including its date, time and place will be posted in **Wakefield Town Hall** at least 48 hours prior to the public hearing date. This information will also be listed on the town website at www.wakefield.ma.us at the home page under Upcoming Meetings.

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

**LIST OF 100' ABUTTERS
50 QUANNAPOWITT PARKWAY
WAKEFIELD, MASSACHUSETTS**

June 11, 2020

LOCUS

<u>MAP</u>	<u>Block</u>	<u>Lot</u>	<u>Location</u>	<u>Owner</u>
1	36B	AM3	50 Quannapowitt Parkway	WBAM Limited Partnership B-X Limited Partnership c/o The Beal Companies, LLP 177 Milk Street Boston, MA 02109

ABUTTERS

<u>MAP</u>	<u>Block</u>	<u>Lot</u>	<u>Location</u>	<u>Owner</u>
1	36A	AM2	100 Quannapowitt Parkway	100 Q Owner LLC. 55 Cambridge St. Burlington, MA 01803
2A	24	PAM	607 North Avenue	QP 607 LTD, c/o QP Holdings LLC P.O. Box 2037 Wakefield, MA 01880
2A	23	47C	610 North Avenue	335 Washington Street LLC
2B	4	44A+	618 North Avenue	394 Wahington St. Woburn, MA 01801

WBAM Limited Partnership
B-X Limited Partnership
c/o The Beal Companies, LLP
177 Milk Street
Boston, MA 02109

100 Q Owner LLC.
55 Cambridge St.
Burlington, MA 01803

QP 607 LTD,
c/o QP Holdings LLC
P.O. Box 2037
Wakefield, MA 01880

335 Washington Street LLC
394 Wahington St.
Woburn, MA 01801

WAK-0565



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

DEVAL L. PATRICK
Governor

RICHARD K. SULLIVAN JR.
Secretary

TIMOTHY P. MURRAY
Lieutenant Governor

KENNETH L. KIMMELL
Commissioner

JAN 17 2013

Peter A. Spellios
c/o Richard A. Nylen, Jr.
Lynch, Desimone, & Nylen, LLP
10 Post Office Square, Suite 970N
Boston, MA 02109

**RE: WETLANDS/Wakefield
DEP FILE #313-0502
50 Quannapowitt Parkway
SUPERSEDING ORDER OF
RESOURCE AREA DELINEATION**

Dear Mr. Nylen:

Following an in-depth review of the file referenced above, and in accordance with Massachusetts General Laws, Chapter 131, Section 40, the Massachusetts Department of Environmental Protection, Wetlands and Waterways Program (MassDEP), is issuing the enclosed Superseding Order of Resource Area Delineation. This Superseding Order confirms the proposed BVW line as accurate based upon information and plans submitted and information gathered during the on-site inspections.

On or about September 12, 2011, the applicant filed an Abbreviated Notice of Resource Area Delineation (ANRAD) for the site located at 50 Quannapowitt Parkway. The purpose of the ANRAD was to confirm the BVW boundary as shown on the submitted plan. The Wakefield Conservation Commission (WCC) issued an Order of Resource Area Delineation (ORAD) on June 13, 2012 determining the delineation was inaccurate because soils information was not submitted. You appealed the ORAD on June 26, 2012 on behalf of the applicant, stating that the BVW delineation is accurate.

MassDEP accepted the appeal and conducted a site visit on July 18, 2012. Present during the site inspection were representatives of the WCC and the applicant's representatives. Wetland consultants for the WCC and the applicant were also present. During the site visit, the wetland flags were reviewed in the field by MassDEP staff, the WCC, and the wetland consultants.

This area was historically wetland and was filled prior to the Wetlands Protection Act. It is currently maintained as lawn and is regularly mowed. MassDEP staff observed wetland indicator species growing within the lawn and "upland" of the proposed wetland line. MassDEP staff also noted a number of areas where it appears that the soils were investigated previously. Based upon these observations, MassDEP requested permission to dig holes in order to analyze the soils to determine if they were hydric. The applicant refused the request and no observation holes were dug.

On July 27, 2012, MassDEP issued a letter requesting the applicant to re-flag the site using hydric soils criteria in accordance with 310 CMR 10.55 (2) (c) 2 and as outlined within MassDEP's Inland Wetland Delineation manual. Soil logs noting the depths, textures, mottling (if any), hues and chromas, as well as depth to weeping and/or standing water (if any) were requested to be submitted to MassDEP and copied to the Wakefield Conservation Commission.

MassDEP received the requested information from the applicant's wetland specialist on September 27, 2012 and comments regarding the submission from the WCC on October 26, 2012. On January 3, 2013, MassDEP revisited the site with the applicant's wetland specialist and investigated the soils and observed the relative elevation of water in the adjacent wetland and associated stream. Based upon these observations, it is MassDEP's opinion that the soils in the lawn area and do not qualify as BVW.

Because the applicant's ANRAD only requested review of the BVW line, MassDEP reviewed only that delineation. MassDEP's review is only based upon the Wetlands Act and does not address any bylaw issues. It is MassDEP's opinion that the BVW boundary shown on the referenced plan revised November 17, 2011, is accurate.

It is MassDEP's opinion that the enclosed Superseding Order of Resource Area Delineation serves to protect the statutory interests identified in the Wetlands Protection Act, M.G.L., Chapter 131, section 40. However, MassDEP reserves the right, should there be further proceedings in this case, to raise additional issues and present further evidence as may be appropriate. Should you or any other party dispute these findings, your attention is directed to the language at the end of the attached Order specifying the rights and procedures for appeal.

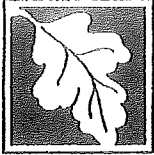
Should you have any questions relative to this decision, please contact Michael Abell at (978) 694-3257.

Very truly yours,



Rachel Freed
Section Chief
Wetlands and Waterways Program - NERO

Michael Abell
Environmental Analyst
Wetlands and Waterways Program - NERO



**WPA Form 4B - Superseding Order of Resource Area
Delineation**

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

B. Order of Delineation

1. The MassDEP has determined the following (check whichever is applicable):

a. **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

1. **Bordering Vegetated Wetlands**
2. **Other Resource Area(s), specifically:**

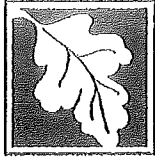
b. **Modified:** The boundaries described on the plan(s) referenced above, as modified by the MassDEP from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1. **Bordering Vegetated Wetlands**
2. **Other Resource Area(s), specifically:**

c. **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. **Bordering Vegetated Wetlands**
2. **Other Resource Area(s), specifically:**

3. The boundaries were determined to be inaccurate because:



**WPA Form 4B – Superseding Order of Resource Area
Delineation**

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

C. Simplified Buffer Zone Review

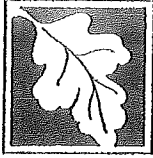
Work within the Buffer Zone pursuant to the Simplified Review (310 CMR 10.02) requires that you must comply with the following conditions. If your project does not meet these requirements, you are required to either file a Determination of Applicability or Notice of Intent or take other corrective measures as directed by the MassDEP.

Simplified Review Conditions:

Work conducted under Simplified Review requires the following:

1. No work of any kind shall occur within any wetland resource areas including Riverfront Area and Bordering Land Subject to Flooding.
2. The Inner 0-to-50-foot wide area from the delineated wetland boundary that has a Buffer Zone shall not be disturbed by any work associated with this project, including placement of any stormwater management components.
3. No work shall occur in the Buffer Zone bordering an Outstanding Resource Water (e.g., certified vernal pool, public water supply reservoir or tributary), as defined in 314 CMR 4.00 or border coastal resource areas at 310 CMR 10.25-10.35.
4. No work shall occur in the Buffer Zone adjacent to wetland resources with estimated wildlife habitat (which is identified on the most recent Estimated Habitat Map of State-listed Rare Wetlands Wildlife).
5. Erosion and Sedimentation controls shall be installed and maintained at the 50-foot Buffer Zone line or limit of work (whichever is a greater distance from the resource area) to protect resource areas during construction.
6. If the project is subject to the Massachusetts Stormwater Policy, all work shall be conducted in conformance with an approved Stormwater Management Plan.
7. The Buffer Zone does not contain a slope greater than an average of 15% at its steepest gradient across the 100-foot Buffer Zone.
8. The amount of new impervious surface, in combination with existing impervious surfaces, shall not exceed 40% of the Buffer Zone between 50 and 100 feet.
9. No work is allowed, and no additional NOI or RDA shall be filed, for any work within the 0-to-50-foot Buffer Zone during the three-year term of an Order associated with this application.
10. Prior to any work being undertaken pursuant to this Order, the wetland resource boundary shall be flagged; all boundary delineation flagging should be maintained for the term of the Order.
11. If stormwater management structures are proposed in the Buffer Zone, the stormwater management structures shall be maintained as required in the Stormwater Plan. Such maintenance constitutes an ongoing condition and is not subject to further permitting requirements.
12. If this Order involves work as part of a Simplified Review, the Order shall be recorded at the Registry of Deeds prior to the commencement of work per the requirements of Section F.
13. Prior to proceeding with any work under Simplified Review, applicants are required to provide written notice to MassDEP one week prior to commencing any work.
14. If work authorized under Simplified Review is commenced, no work is allowed, and no additional NOI or RDA may be filed, for any work within the 0-to-50-foot buffer zone during the term of an ORAD associated with this application. If work authorized under Simplified Review is **not** commenced, then future NOIs or RDAs may be filed for work within the 0-to-50-foot portion of the buffer zone.

--End of Conditions--



**WPA Form 4B - Superseding Order of Resource Area
Delineation**

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

C. Simplified Buffer Zone Review (cont.)

Stormwater Applicability

1. The project is not subject to the Stormwater Policy.
2. The project is subject to the Stormwater Policy and the Stormwater Plan included for the project complies with all stormwater standards.

Ineligibility Determinations

Site Conditions: The applicant is not eligible for Simplified Buffer Zone review and must file a Request for Determination of Applicability or Notice of Intent prior to any work because:

3. Work is within the Buffer Zone of a Coastal Resource Area as defined at 310 CMR 10.25-10.35.
4. The Buffer Zone contains existing slopes greater than an average of 15%.
5. Buffer Zone contains estimated rare wildlife habitat.¹
6. The site borders an Outstanding Resource Water.²

Stormwater

7. The project is subject to the Stormwater Policy and the applicant has not submitted sufficient information to demonstrate compliance with the Stormwater Management Policy. Prior to any work, the applicant must submit plans showing compliance with the standards in the Stormwater Policy, the location of the work, the amount of impervious surface, and the location of erosion controls, to the Commission for its concurrence. (See instructions to ANRAD Form 4A.) The following necessary stormwater information was not submitted by the applicant:

a. _____

8. The project is subject to the Stormwater Policy but the project does not comply with one or more of the stormwater standards (specify which standard(s) not met).

a. Standard # _____ :

b. Standard # _____ :

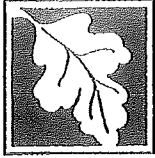
9. Impervious surface exceeds 40% of the area of the Buffer Zone between 50 and 100 feet from the resource area.
10. The applicant did not submit plans depicting adequate erosion and sedimentation controls located at the limit of work or at least 50 feet from any resource areas, whichever will be greater.
11. Work is proposed within 50 feet of a resource area.

Notice to Conservation Commission and MassDEP

Any applicant proposing to proceed under Simplified Buffer Zone Review, as specified in 310 CMR 10.02, must provide written notice to the Commission and MassDEP one week prior to any work.

¹ Identified on the most recent Estimated Habitat Map of State-listed Rare Wetlands Wildlife of the Natural Heritage and Endangered Species Program.

² Certified Vernal Pools, public water supplies, or inland ACECs as identified in 314 CMR 4.00.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

**WPA Form 4B - Superseding Order of Resource Area
Delineation**

313-0602
Provided by DEP

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

D. Findings

This Order of Resource Area Delineation determines that the Stormwater Plan, if applicable, and the boundaries of those resource areas noted above, have been delineated and approved by the MassDEP and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

The Agent or members of the Conservation Commission and the MassDEP shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or MassDEP for that evaluation.

If the Abbreviated Notice of Resource Area Delineation was filed as Simplified Review for a Buffer Zone project, the applicant has certified that any work associated with the proposed project meets all eligibility requirements for Simplified Review listed in Section C of this Order. Any work that does not comply with the Simplified Review requirements will require a Notice of Intent or Request for Determination of Applicability.

The applicant is responsible for promptly requesting a Certificate of Compliance following completion of any work allowed pursuant to a Simplified Review or no later than three years from the date of the Order of Resource Area Delineation unless the Order is extended.

Failure to comply with the conditions of this Order is grounds for the Conservation Commission or the MassDEP to take enforcement action.

This Order must be signed by the MassDEP Regional Office Wetland Section Chief. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Conservation Commission.

E. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, MassDEP's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to MassDEP, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant. Any appellants seeking to appeal MassDEP's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to MassDEP prior to issuance of a Superseding Order or Determination.

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

**WPA Form 4B - Superseding Order of Resource Area
Delineation**

313-0502
Provided by DEP

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

F. Signatures and Notary Acknowledgement

MassDEP Regional Wetlands and Waterways Section Chief

Rachel Freed

MassDEP Regional Wetlands and Waterways Section Chief

This Order is valid for three years from the date of issuance.

This Order is issued to the applicant and the property owner (if different) as follows:

by hand delivery on

by certified mail, return receipt requested on

Date

Date

1-16-13

Notary Acknowledgement

Commonwealth of Massachusetts County of

Middlesex

On this

11th
Day

of

January
Month

2013
Year

Before me, the undersigned Notary Public,
personally appeared

Rachel Freed
Name of Document Signer

proved to me through satisfactory evidence of identification, which was/were

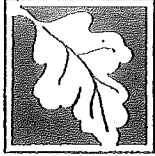
Personally known
Description of evidence of identification

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Place notary seal and/or any stamp above

Elizabeth Sabounyan
Signature of Notary Public
Elizabeth Sabounyan
Printed Name of Notary Public

My commission expires: *January 13, 2017*
Commission Expires (Date)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

**WPA Form 4B – Superseding Order of Resource Area
Delineation**

313-0502
Provided by DEP

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

G. Recording Information

If this Order is issued for purposes of Resource Area Delineation only, this Order should NOT be recorded. If this Order of Resource Area Delineation is issued as part of a Simplified Review, this Order must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on Page 6 of this form shall be submitted to the MassDEP listed below.

Northeast Regional Office, 205b Lowell Street, Wilmington, MA 01887
MassDEP

Detach on dotted line, have stamped by the Registry of Deeds and submit to MassDEP.

To:

Northeast Regional Office, 205b Lowell Street, Wilmington, MA 01887
MassDEP

Please be advised that the Order of Conditions for the Project at:

Project Location

DEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

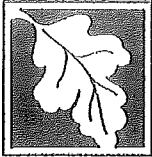
If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
DEP Regional Addresses
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Mail transmittal forms and DEP payments, payable to:
 Commonwealth of Massachusetts
 Department of Environmental Protection
 Box 4062
 Boston, MA 02211

DEP Western Region
 436 Dwight Street
 Suite 402
 Springfield, MA 01103
 Phone: 413-784-1100
 Fax: 413-784-1149

Adams	Colreth	Hampden	Monroe	Pittsfield	Tyringham
Agawam	Conway	Hancock	Montague	Plainfield	Wales
Alford	Cummington	Hatfield	Monterey	Richmond	Ware
Amherst	Dallon	Hawley	Montgomery	Rowe	Warwick
Ashfield	Deerfield	Heath	Monson	Russell	Washington
Becket	Easthampton	Hinsdale	Mounl Washington	Sandisfield	Wendell
Belchertown	East Longmeadow	Holland	New Ashford	Savoy	Westfield
Bernardston	Egremont	Holyoke	New Marlborough	Shelfield	Westhampton
Blanford	Eving	Huntington	New Salem	Shelburne	West Springfield
Brimfield	Florida	Laneborough	North Adams	Shutesbury	West Stockbridge
Buckland	Gill	Lee	Northampton	Southampton	Whately
Charlemont	Goshen	Lenox	Northfield	South Hadley	Wilbraham
Cheshire	Granby	Leverett	Orange	Southwick	Williamsburg
Chester	Grenville	Leyden	Otis	Springfield	Williamstown
Chesterfield	Great Barrington	Longmeadow	Palmer	Stockbridge	Windsor
Chicopee	Greenfield	Ludlow	Palham	Sunderland	Worthington
Clarksburg	Hadley	Middlefield	Peru	Tolland	

DEP Central Region
 627 Main Street
 Worcester, MA 01605
 Phone: 508-792-7650
 Fax: 508-792-7621
 TDD: 508-767-2788

Action	Charlton	Hopkinton	Millbury	Rutland	Uxbridge
Ashburnham	Clinton	Hubbardston	Milville	Shelley	Warren
Ashby	Davens	Hudson	New Braintree	Shrewsbury	Webster
Athol	Douglas	Holliston	Northborough	Southborough	Westborough
Auburn	Dudley	Lancaster	Northbridge	Southbridge	West Boylston
Ayer	Dunstable	Leicester	North Brookfield	Spencer	West Brookfield
Barnes	East Brookfield	Leominster	Oakham	Storling	Westford
Belknap	Fitchburg	Littleton	Oxford	Stow	Westminster
Berlin	Gardner	Lunenburg	Paxton	Sturbridge	Winchendon
Blackstone	Gremlin	Marlborough	Pepperell	Sutton	Worcester
Bolton	Groton	Maynard	Petersham	Templeton	
Boxborough	Harvard	Medway	Phillipston	Townsend	
Boynton	Hardwick	Mendon	Princeton	Tyngsborough	
Brookfield	Holden	Millis	Royalston	Upton	

DEP Southeast Region
 20 Riverside Drive
 Lakeville, MA 02347
 Phone: 508-946-2700
 Fax: 508-947-6557
 TDD: 508-946-2795

Abington	Dartmouth	Freetown	Malden	Provincetown	Tisbury
Acushnet	Dennis	Gosnold	Middleborough	Raynham	Truro
Aquinnah	Dighton	Halifax	Nantucket	Rehoboth	Wareham
Attleboro	Duxbury	Hanover	New Bedford	Rochester	Wellfleet
Avon	Eastham	Hanson	North Attleborough	Rockland	West Bridgewater
Barnstable	East Bridgewater	Harwich	Norton	Sandwich	Westport
Berkley	Easton	Kingston	Norwall	Scituate	West Tisbury
Bourne	Edgartown	Lakeville	Oak Bluffs	Seekonk	Wintham
Brewster	Fairhaven	Mansfield	Orleans	Sharon	Wrentham
Bridgewater	Fall River	Marion	Pembroke	Somerset	Yarmouth
Brookton	Falmouth	Marshfield	Pleinville	Stoughton	
Carver	Foxborough	Mathpea	Plymouth	Swansea	
Chatham	Framlin		Plympton	Taunton	
Chilmark					

DEP Northeast Region
 One Winter Street
 Boston, MA 02108
 Phone: 617-654-6500
 Fax: 617-556-1049
 TDD: 617-574-6668

Amesbury	Chelmsford	Hingham	Merrimac	Quincy	Wakefield
Andover	Chelsea	Holbrook	Methuen	Randolph	Walpole
Arlington	Cohasset	Hull	Middleton	Reading	Waltham
Ashland	Concord	Ipswich	Mills	Revere	Watertown
Bedford	Danvers	Lawrence	Millis	Rockport	Wayland
Belmont	Dedham	Lexington	Nahant	Rouley	Wellesley
Beverly	Dover	Lincoln	Natick	Salem	Wenham
Billerica	Dracut	Lowell	Needham	Salisbury	West Newbury
Boston	Essex	Lynn	Newbury	Saugus	Weston
Boxford	Everett	Lynnfield	Newburyport	Sherborn	Westwood
Braintree	Framingham	Malden	Newton	Somerville	Weymouth
Brookline	Georgetown	Manchester-By-The-Sea	Norfolk	Stoneham	Wilmington
Burlington	Gloucester	Marblehead	North Andover	Stoughton	Winchester
Cambridge	Groveland	Medfield	North Reading	Swampscott	Winthrop
Canlon	Hamilton	Medford	Norwood	Tyngsbury	Woburn
Carlsle	Haverhill	Melrose	Peabody	Topsfield	



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Request Information

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



1. Person or party making request (if appropriate, name the citizen group's representative):

Name _____
Mailing Address _____
City/Town _____ State _____ Zip Code _____

Phone Number _____ Fax Number (if applicable) _____

Project Location _____
Mailing Address _____

City/Town _____ State _____ Zip Code _____

2. Applicant (as shown on Notice of Intent (Form 3), Abbreviated Notice of Resource Area Delineation (Form 4A); or Request for Determination of Applicability (Form 1)):

Name _____

Mailing Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Fax Number (if applicable) _____

3. DEP File Number:

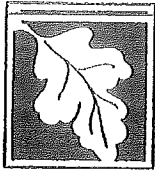
B. Instructions

1. When the Departmental action request is for (check one):

- Superseding Order of Conditions
 Superseding Determination of Applicability
 Superseding Order of Resource Area Delineation

Send this form and check or money order for \$100.00 (single family house projects) or \$200 (all other projects), payable to the *Commonwealth of Massachusetts* to:

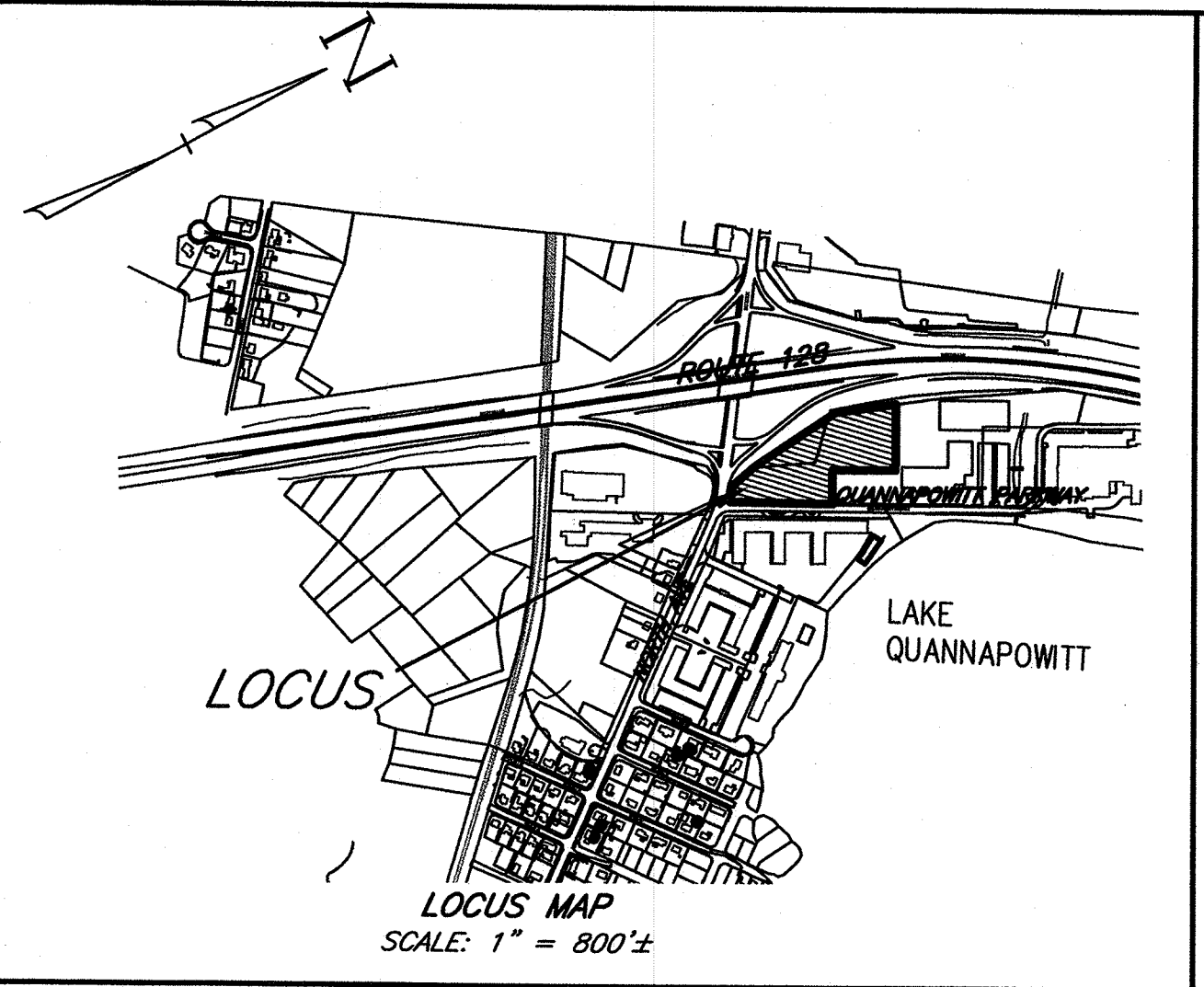
Department of Environmental Protection
Box 4062
Boston, MA 02211



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Instructions (cont.)

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a copy of this form and a copy of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office.
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.



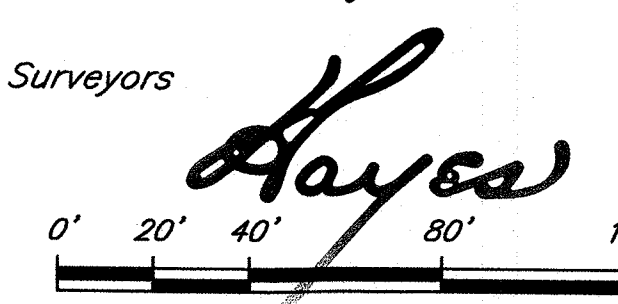
Plan to Accompany Abbreviated Notice Of Resource Area Delineation

In
WAKEFIELD, MASS.

Hayes Engineering, Inc.
Civil Engineers & Land Surveyors
603 Salem Street
Wakefield, MA 01880

Telephone: 781.246.2800
Facsimile: 781.246.7596
www.hayeseng.com

Scale: 1" = 40'



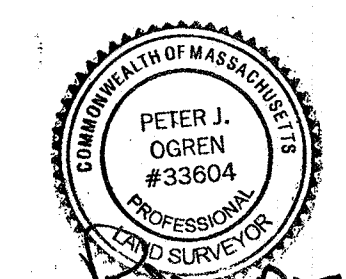
June 23, 2011
Rev.: November 17, 2011

#50 Quannapowitt Parkway

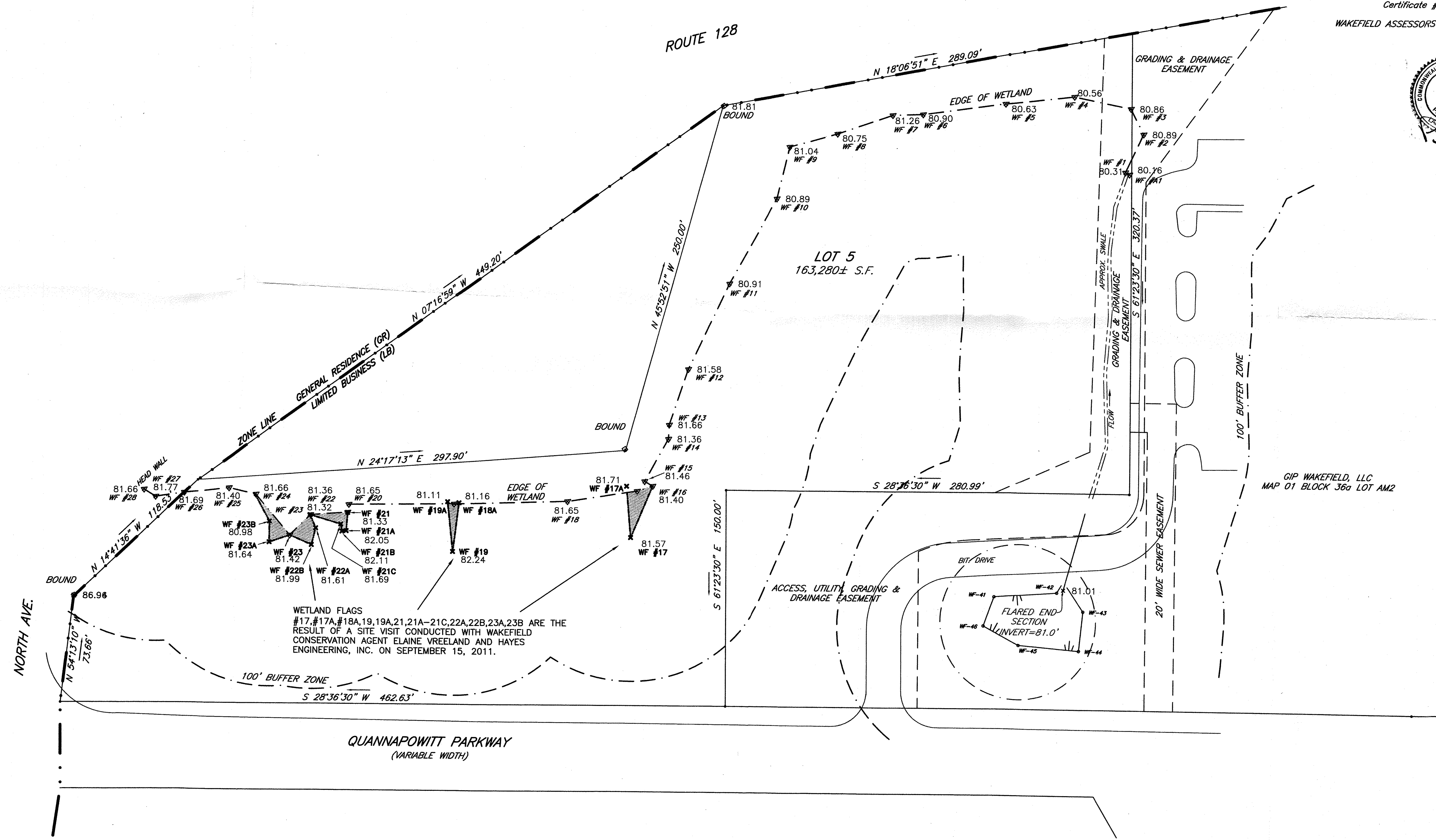
APPLICANT: The Beal Companies, LLP
177 Milk Street
Boston, MA 02109

OWNER: Wakefield 200 LLC
Book 30314 Page 195
Certificate #215277

WAKEFIELD ASSESSORS MAP 01 BLOCK 36B LOT AM3



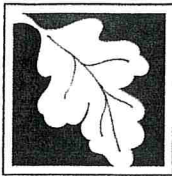
Nov. 17, 2011



WETLAND FLAGS #17, #17A, #18A, #19, #19A, #21, #21A-#21C, #22A, #22B, #23A, #23B ARE THE RESULT OF A SITE VISIT CONDUCTED WITH WAKEFIELD CONSERVATION AGENT ELAINE VREELAND AND HAYES ENGINEERING, INC. ON SEPTEMBER 15, 2011.

LIMITED BUSINESS (LB)
MINIMUM SETBACKS:
FRONT = 50'
SIDE = 20'
REAR = 20'
MIN. FRONTAGE = 150'
MIN. LOT AREA = 40,000 S.F.
FLOOR AREA RATIO = 1.5
MAX BUILDING COVERAGE = 40%
MIN. OPEN AREA = 30%

NOTE:
1.) ELEVATIONS BASED ON NAVD83.
2.) WETLAND FLAGS #1 - #28 DELINEATED AND LOCATED BY HAYES ENGINEERING INC., JUNE 14, 2011.
3.) WETLAND FLAGS #41 - #46, DRIVEWAY AND SWALE OBTAINED FROM A PLAN TITLED "GRADING PLAN" BY BEALS AND THOMAS, INC. DATED NOVEMBER 21, 2008 BEING SHEET 3 OF 8
4.) PERIMETER REFERENCE: PLAN 633 OF 1999 AS RECORDED AT THE MIDDLESEX REGISTRY OF DEEDS, SOUTHERN DISTRICT.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Wakefield

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>8 Evangelista Way</u>	<u>Wakefield</u>	<u>01880</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	<u>42.5174</u>	<u>-71.0611</u>
	d. Latitude	e. Longitude
<u>14C</u>	<u>64B-01C</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Charles and Lauren</u>	<u>Donovan</u>	
a. First Name	b. Last Name	
<u>80 Evangelista Way</u>		
d. Street Address		
<u>Wakefield</u>	<u>MA</u>	<u>01880</u>
e. City/Town	f. State	g. Zip Code
<u>978-500-2152</u>		
h. Phone Number	i. Fax Number	j. Email Address

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

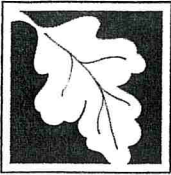
<u></u>	<u></u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u></u>		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Paul</u>	<u>Finocchio</u>	
a. First Name	b. Last Name	
<u>PJF & Associates</u>		
c. Company		
<u>4 Highland Avenue</u>		
d. Street Address		
<u>Wakefield</u>	<u>MA</u>	<u>01880</u>
e. City/Town	f. State	g. Zip Code
<u>781-883-5473</u>	<u>paulpjf@verizon.net</u>	
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$310.00</u>	<u>\$142.50</u>	<u>\$167.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Wakefield

City/Town

A. General Information (continued)

6. General Project Description:

construction of an inground pool within 100 feet of wetlands resource area.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> 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 CMR 10.24(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:

Middlesex

a. County

71573

c. Book

b. Certificate # (if registered land)

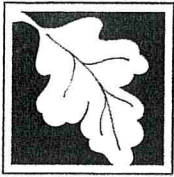
281

d. Page Number

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

- 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.
- 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
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number _____

Document Transaction Number _____

Wakefield

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 type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____	2. square feet _____
	3. cubic yards dredged _____	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____	
	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____

- f. 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

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number _____

Document Transaction Number _____

Wakefield

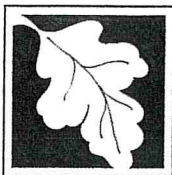
City/Town

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. <input type="checkbox"/> 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 BWV _____	b. square feet of Salt Marsh _____
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings _____	b. number of replacement stream crossings _____



WPA Form 3 – Notice of Intent

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

MassDEP File Number _____

Document Transaction Number _____

Wakefield

City/Town

C. Other Applicable Standards and Requirements

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

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

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

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

2017

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area _____
percentage/acreage

(b) outside Resource Area _____
percentage/acreage

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

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

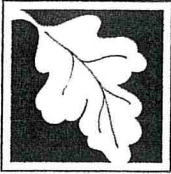
(a) Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mass-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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number _____

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Wakefield

City/Town

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

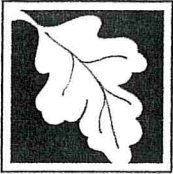
Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

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).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Wakefield

City/Town

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

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

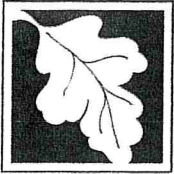
D. Additional Information

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

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

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Document Transaction Number

Wakefield

City/Town

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.

Plot Plan of Land

a. Plan Title

PJF & Associates

Paul J. Finocchio

b. Prepared By

c. Signed and Stamped by

August 14, 2020

1" = 20'

d. Final Revision Date

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:

1372

8/24/2020

2. Municipal Check Number

3. Check date

1373

8/24/2020

4. State Check Number

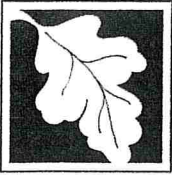
5. Check date

Charles & Lauren

Donovan

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Wakefield

City/Town

F. Signatures and Submittal Requirements

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

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

Chonex Jovanis
1. Signature of Applicant

8/24/2020
2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

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

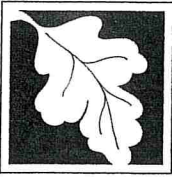
For MassDEP:

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

Other:

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

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



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:

8 Evangelista Way

a. Street Address

Wakefield

b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

Charles and Lauren

a. First Name

Donovan

b. Last Name

c. Organization

80 Evangelista Way

d. Mailing Address

Wakefield

e. City/Town

MA

f. State

01880

g. Zip Code

978-500-2152

h. Phone Number

i. Fax Number

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).

CHARLES J DONOVAN
LAUREN E DONOVAN
8 EVANGELISTA WAY
WAKEFIELD, MA 01880-1981

1373

53-13/110 MA
26762

8/24/2020

Date

Pay to the Order of Commonwealth of MA \$ 142.50

one hundred forty two and 50/100 Dollars



Photo Safe Deposit
Details on back

BANK OF AMERICA

ACH R/T 011000138

For 8 Evangelista Way

Charles J Donovan

MP

⑆0⑆1⑆000⑆138⑆ 004628⑆1⑆1⑆555⑆1⑆373

Harland Clarke

ISLAND BREEZES®

CHARLES J DONOVAN
LAUREN E DONOVAN
8 EVANGELISTA WAY
WAKEFIELD, MA 01880-1981

1372

53-13/110 MA
26762

8/24/2020

Date

Pay to the Order of Town of Wakefield \$ 167.50

One hundred sixty seven and 50/100 Dollars



Photo Safe Deposit
Details on back

BANK OF AMERICA

ACH R/T 011000138

For 8 Evangelista Way

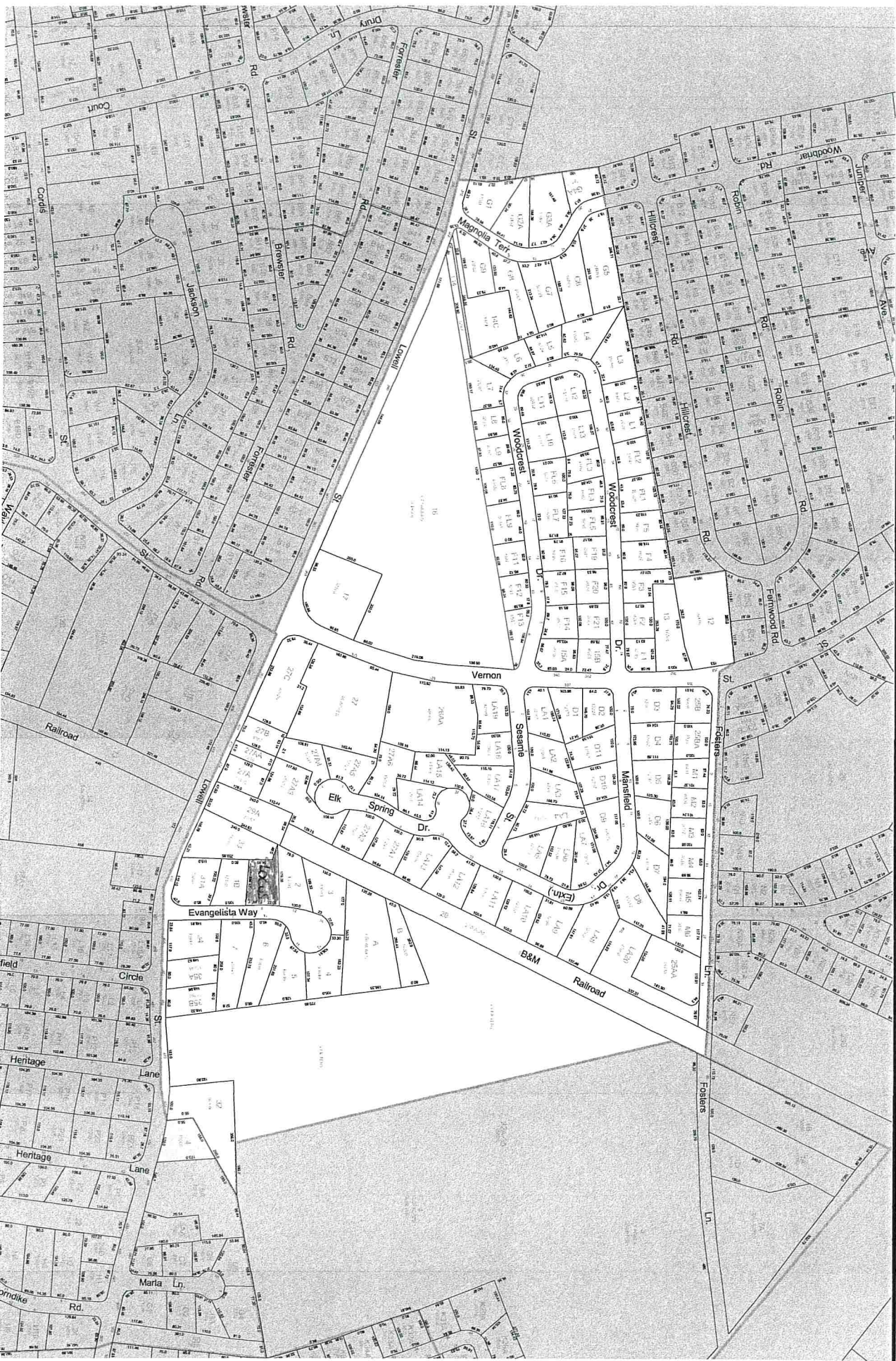
Charles J Donovan

MP

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Harland Clarke

ISLAND BREEZES®



14C

Map

Revised: May 9, 2005 Scale: See Graphic Scale
 Print Date: May 16, 2005

This map was created from data provided by the Town of Wakefield. The information is provided as is and is not intended for reference purposes only. The Town of Wakefield and our Survey Associates shall not be held responsible for the accuracy or omission of the data or errors.



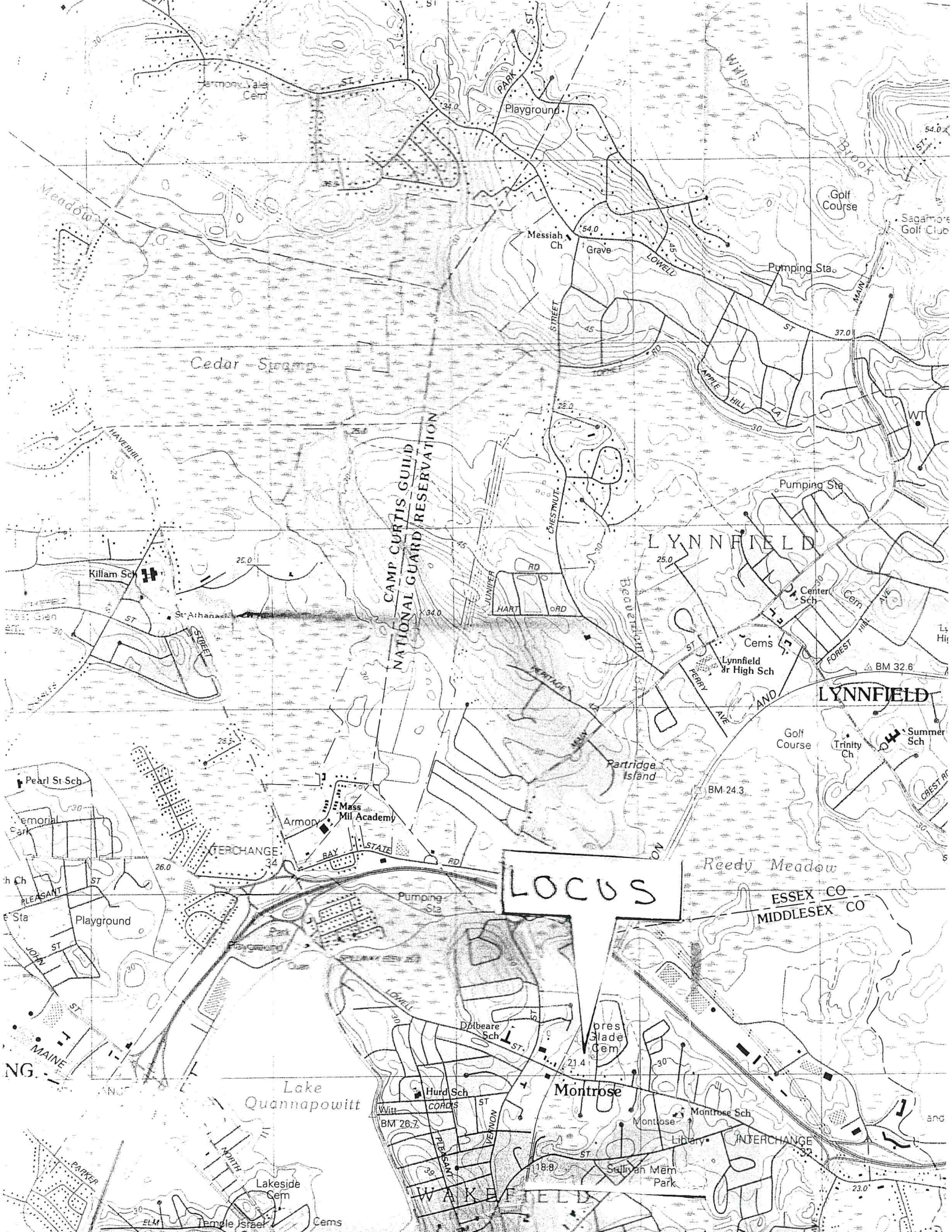
Town of Wakefield
Assessors Map

Revisions & GIS Layout by:

Hayes & Associates
 Civil Engineers

40 Harrison Avenue
 Woburn MA 01801
 Phone - 781-938-0246
 email - HayesAssociates@earthlink.net
 web - www.HayesAssoc.net





LOCUS

LYNNFIELD

LYNNFIELD

Lake Quannapowitt

Montrose

WAKEFIELD

ESSEX CO
MIDDLESEX CO

Cedar Swamp

Reedy Meadow

Killam Sch

Mass Mill Academy

Lynnfield Jr High Sch

Dobere Sch

Hurd Sch

Pres Glade Cem

Lakeside Cem

Temple Israel

Trinity Ch

Summer Sch

Playground

Messiah Ch

Grave

Pumping Sta

Pumping Sta

Center Sch

Cem

Cems

Golf Course

Forest

Summer Sch

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AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

I, Paul Finocchio hereby certify under the pains and penalties of perjury that on August 31, 2020 I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws, Chapter 131, Section 40 and the DEP Guide to Abutter Notification in connection with the following matter:

A(n) NOT application was filed under the Massachusetts Wetlands Protection Act by

Charles + Lauren Donovan with the Wakefield Conservation Commission on
name

August 31, 2020 for a property located at
date
8 E Vangelista Way.

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

Paul Finocchio
signature

8/28/2020
date

NOTIFICATION TO ABUTTERS

Under the Massachusetts Wetlands Protection Act

(This form must be completed and copies sent, by certified mail or hand-delivered, to all abutters within 100 feet of the location of the project.)

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 Charles + Lauren Donovan

The applicant has filed with the **Wakefield Conservation Commission** for a: (Please check applicable filing.)

Notice of Intent, seeking permission to alter an area subject to protection under the Wetlands Protection Act.

Request to amend an existing Order of Conditions.

Notice of Resource Area Delineation, seeking to determine the extent of areas subject to protection under the Wetlands Protection Act.

The proposed work includes Construction of an inground swimming pool within the 100 ft buffer zone to a wetlands

Site location 8 Evangelista way, Wakefield, MA

Copies of the Notice of Intent may be examined or obtained (for a fee) from:

(Check all that apply)

Applicant at _____

Representative at 781-883-5473 - Paul

between the hours of 9am and 4pm on the following days: Monday - Friday

Conservation Department – Wakefield Town Hall 1 Lafayette Street, 2nd floor, Wakefield, MA - Tuesdays between 9:00 a.m. and 1:00 p.m., Thursdays between 9:00 a.m. and 6:00 p.m. and Fridays between 9:00 a.m. and 11:30 p.m. Please call the Conservation office at 781-224-5015 to verify arrangements prior to visiting.

Electronic copies of these filings may also be available through the Conservation Department. To request an e-copy, please email concom@wakefield.ma.us or call the Conservation Office directly at 781-224-5015.

Note: Notice of the public hearing, including its date, time and place will be published in the **Wakefield Daily Item** at least five (5) business days prior to the public hearing date.

Note: Notice of the public hearing, including its date, time and place will be posted in **Wakefield Town Hall** at least 48 hours prior to the public hearing date. This information will also be listed on the town website at www.wakefield.ma.us at the home page under Upcoming Meetings.

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

**WAKEFIELD
Abutters List**

Subject Parcel ID: 14C-164B-01C
Subject Property Location: 8 EVANGELISTA WAY

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
14C-161-29A	LOWELL ST	TOWN OF WAKEFIELD, FOL TT	%TOWN TREASURER	5 COMMON ST	WAKEFIELD	MA	01880
14C-162-029	VERNON ST	BOSTON & MAINE RR	%GUILFORD TRANSP IND	402 AMHERST ST #300	NASHUA	NH	03063-1287
14C-163-033	438 LOWELL ST	TRACY MICHAEL W	TRACY ERIN K	438 LOWELL ST	WAKEFIELD	MA	01880
14C-164-31A	450 LOWELL ST	EVANGELISTA JOSEPH N	EVANGELISTA LEST ANTH	58 ORLANDO AVE	WINTHROP	MA	02152
14C-164A-01B	4 EVANGELISTA WAY	MISHINA CHRISTINE D	MISHINA RYAN S	4 EVANGELISTA WAY	WAKEFIELD	MA	01880
14C-164B-01C	8 EVANGELISTA WAY	DONOVAN CHARLES J	DONOVAN LAUREN E	8 EVANGELISTA WAY	WAKEFIELD	MA	01880
14C-164C-002	12 EVANGELISTA WAY	SASSO SHARON A	SASSO THOMAS	12 EVANGELISTA WAY	WAKEFIELD	MA	01880
14C-164D-003	16 EVANGELISTA WAY	NOREEN LUKE	NOREEN GREASSE SCARL	16 EVANGELISTA WAY	WAKEFIELD	MA	01880
14C-164F-005	15 EVANGELISTA WAY	CATANZANO, PHILIP J	JOANNE M CATANZANO	15 EVANGELISTA WAY	WAKEFIELD	MA	01880
14C-164G-006	11 EVANGELISTA WAY	ROCHE, ALLEN D	HELEN E ROCHE	11 EVANGELISTA WAY	WAKEFIELD	MA	01880
14C-164H-007	7 EVANGELISTA WAY	DIPRIZIO JANICE M	DIPRIZIO MICHAEL	7 EVANGELISTA WAY	WAKEFIELD	MA	01880
14C-165-034	458 LOWELL ST	SCHAEFER, ROBERT D	SUSAN SCHAEFER	458 LOWELL ST	WAKEFIELD	MA	01880

Parcel Count: 12

End of Report

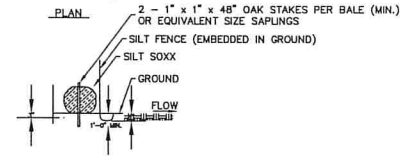
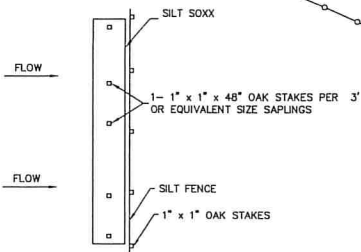
100ft Abutters List of the Subject Parcel ID 14C-164B-01C

Requested by: Paul J. Finocchio

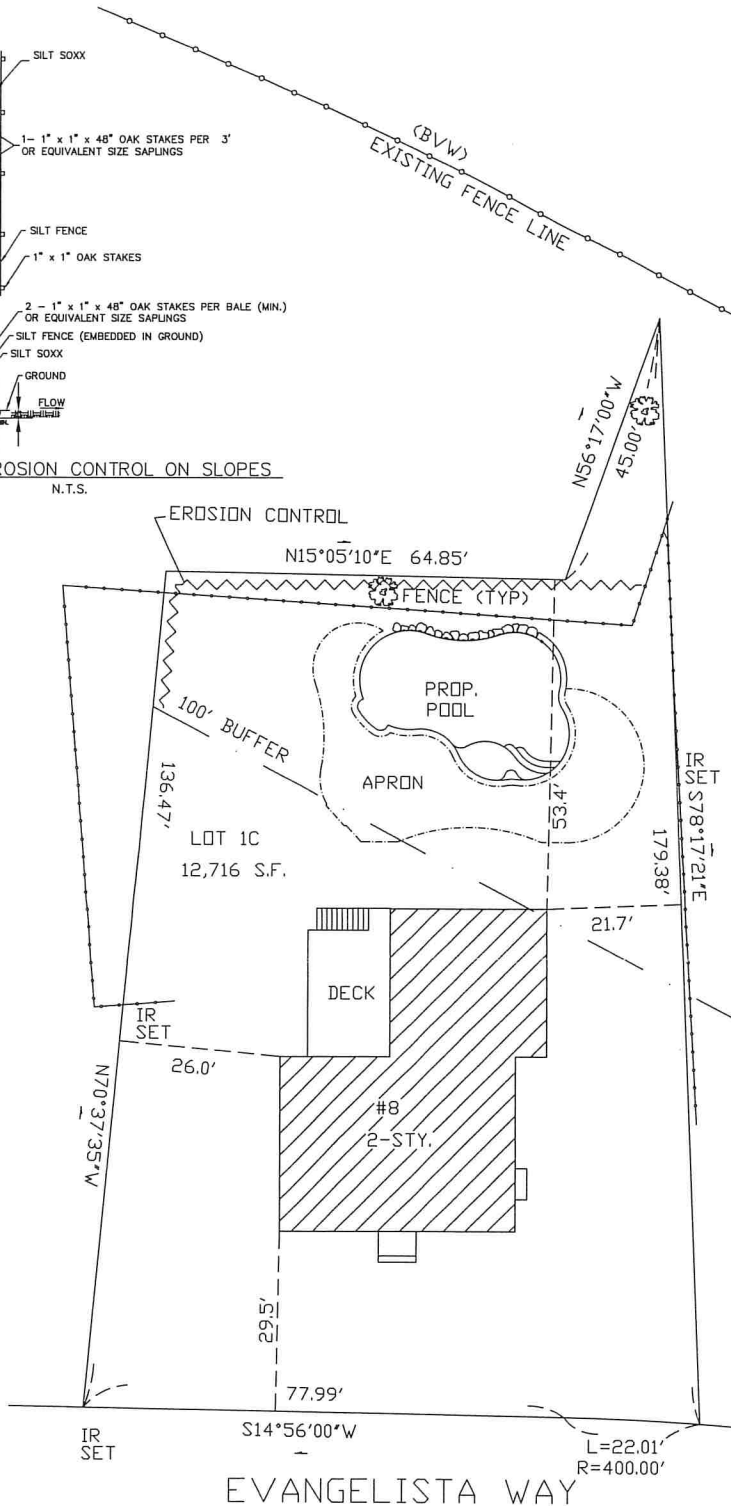
4 Highland Ave
Wakefield, MA 01880
(781) 883-5473

Scott W. Morrison

BOARD OF ASSESSORS



DETAILS - EROSION CONTROL ON SLOPES
N.T.S.



TREES TO BE REMOVED

POOL SETBACKS
 SIDE (LEFT) 33'
 SIDE (RIGHT) 16'
 REAR 8'

EXISTING FENCES TO BE RELOCATED.

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED FROM AN ACTUAL ON THE GROUND INSTRUMENT SURVEY.



Paul J. Finocchio 8/14/20

PAUL J. FINOCCHIO P.L.S. No.36115

DATE

PLOT PLAN OF LAND
 IN
 WAKEFIELD, MA

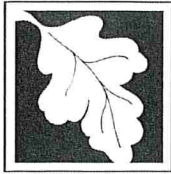
PREPARED BY:
 PJF & ASSOCIATES
 4 HIGHLAND AVE WAKEFIELD, MA
 PAUL J. FINOCCHIO-P.L.S.
 (781)883-5473

SCALE: 1" = 20'

DEED REF.: PL.767 OF 1993

DATE: AUGUST 14, 2020

FILE No.: 7400CC



Massachusetts Department of Environmental Protection

Provided by MassDEP:

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Intent

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

MassDEP File Number

Document Transaction Number

Wakefield

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):

67 Harrison Avenue

a. Street Address

Wakefield

b. City/Town

01880

c. Zip Code

Latitude and Longitude:

34-113

f. Assessors Map/Plat Number

d. Latitude

102N

g. Parcel /Lot Number

e. Longitude

2. Applicant:

Sean

a. First Name

Fitzpatrick

b. Last Name

c. Organization

d. Street Address

67 Harrison Avenue, Wakefield

e. City/Town

MA

f. State

01880

g. Zip Code

781-389-7372

h. Phone Number

i. Fax Number

fitz1321@gmail.com

j. Email Address

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

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

a. First Name

b. Last Name

c. Company

d. Street Address

e.

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

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

\$ 110.00

a. Total Fee Paid

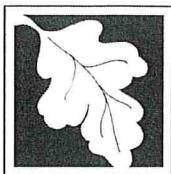
\$ 42.50

b. State Fee Paid

\$ 67.50

c. City/Town Fee Paid

Handwritten signature and date: 9/10/2020, Charles Butters



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

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A. General Information (continued)

6. General Project Description:

Install slope stabilization and associated fencing within the buffer zone.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> 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:

Middlesex

a. County

71127

c. Book

b. Certificate # (if registered land)

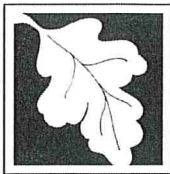
201

d. Page Number

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

- 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.
- 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
Bureau of Resource Protection - Wetlands

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Provided by MassDEP:

MassDEP File Number _____

Document Transaction Number _____

Wakefield _____

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 type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____ 3. cubic yards dredged _____	2. square feet _____

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

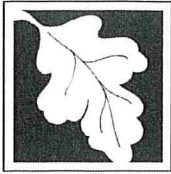
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

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.



Massachusetts Department of Environmental Protection
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Provided by MassDEP:

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

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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.

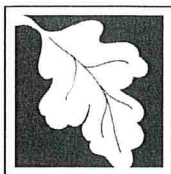
a. square feet of BVW

b. square feet of Salt Marsh

5. Project Involves Stream Crossings

a. number of new stream crossings

b. number of replacement stream crossings



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

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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

- b. Date of map _____

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area _____
percentage/acreage

(b) outside Resource Area _____
percentage/acreage

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

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

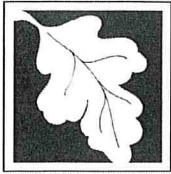
(a) Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mass-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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

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

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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

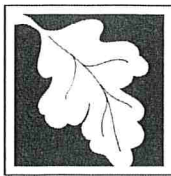
Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

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).



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

D. Additional Information

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

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

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

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

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

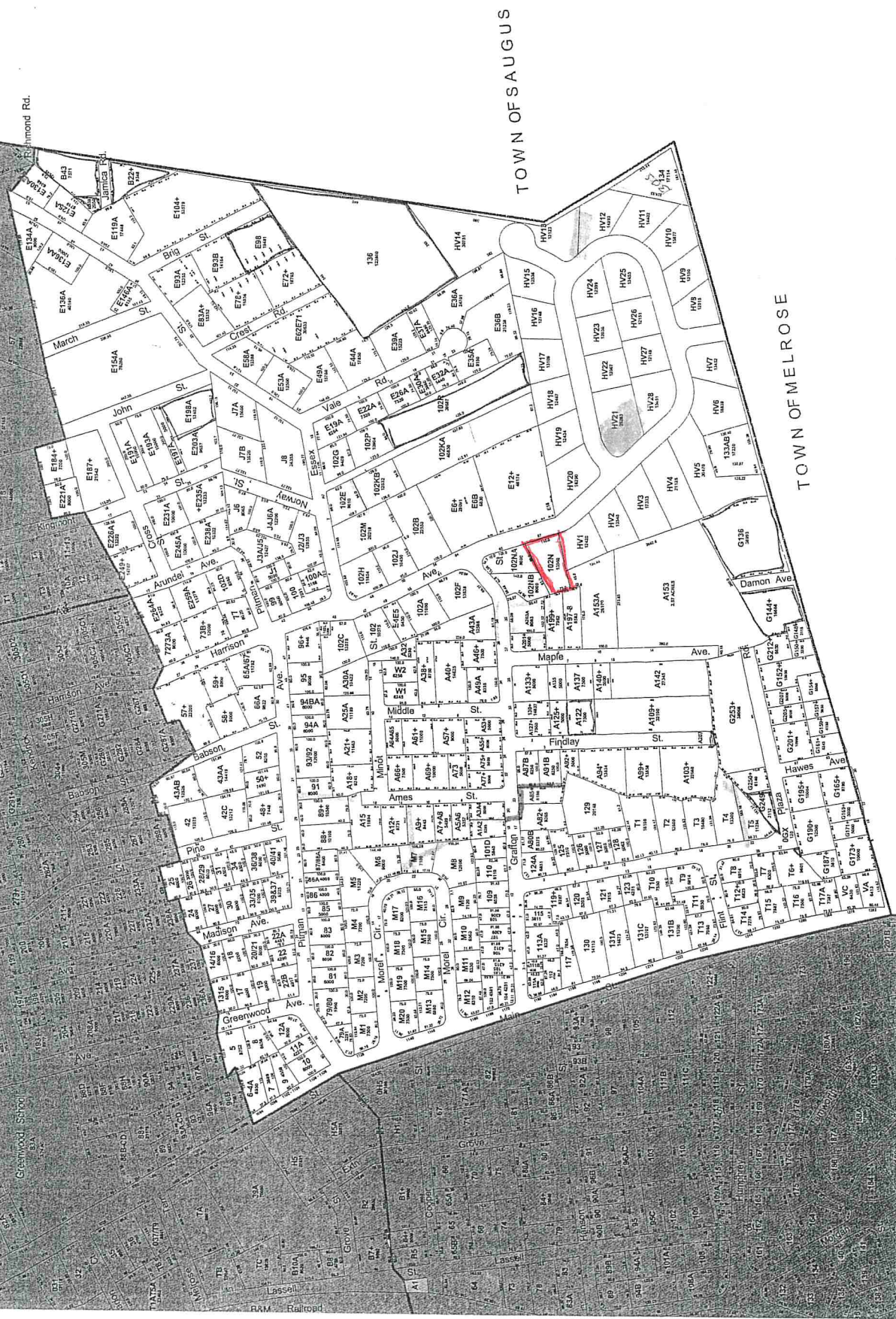


Revised May 9, 2005. Scale: See Graphic Scale.
Print Date: May 16, 2005.
The Town of Wakefield and Town of Melrose are pleased to provide this Town of Wakefield Assessor's Map. The Assessor's Map is provided to the public for informational purposes only. It is not intended to be used for legal purposes. The Assessor's Map is provided to the public for informational purposes only. It is not intended to be used for legal purposes.



Town of Wakefield Assessor's Map

Revisions & GIS Layout by:
Haves & Associates
Civil Engineers
40 Horton Avenue
Woburn, MA 01801
Phone: 781.993.0246
Fax: 781.993.0246
www.havesandassociates.com



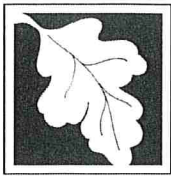
OLIVER: MassGIS's Online Mapping Tool Please take our user survey

Search for a location Zoom to a town



0 m Basen

Navigation icons: Home, Back, Forward, Print, Refresh, Stop, and other standard browser controls.



Massachusetts Department of Environmental Protection
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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.

Plot Plan Proposed House

a. Plan Title

Edward J. Farrell

Mark A. Sleger

b. Prepared By

c. Signed and Stamped by

9/1/2020

1"=20'

d. Final Revision Date

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:

✓ 1055

2. Municipal Check Number

09/11/2020

3. Check date

✓ 1056

4. State Check Number

09/11/2020

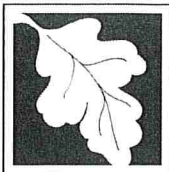
5. Check date

✓ SEAN

6. Payor name on check: First Name

FITZPATRICK

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

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

MassDEP File Number

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Wakefield

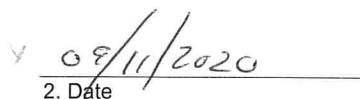
City/Town

F. Signatures and Submittal Requirements

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

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


1. Signature of Applicant


2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

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

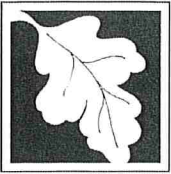
* For MassDEP:

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

Other:

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

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



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
slope stabilization	1	\$110.00	\$110.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	\$110.00
State share of filing Fee:	\$42.50
City/Town share of filling Fee:	\$67.50
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	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.)

SEAN FITZPATRICK
67 HARRISON AVE
WAKEFIELD, MA 01880

53-8199/2113

1056



PAY TO THE ORDER OF

Commonwealth of Massachusetts

\$ 42.50

50/100 DOLLARS

DATE *09/11/2020*



MEMO *NOT*

www.metrocu.org

⑆211381990⑆ 0000230925201⑆

1056

MP

Judith Green

From: Benjamin DeChristoforo - *Building Inspector*
Sent: Thursday, September 10, 2020 8:25 AM
To: Judith Green
Subject: RE: Harrison - slope in rear of property

I am fine with the Civil engineers recommendations.

From: Judith Green
Sent: Thursday, September 3, 2020 3:31 PM
To: Benjamin DeChristoforo <bdechristoforo@wakefield.ma.us>
Cc: Judith Green <jgreen@wakefield.ma.us>
Subject: FW: Harrison - slope in rear of property

Hi – Could you let conservation know if you are ok with this slope, or if you want a wall instead? Thanks, Elaine

From: Benjamin DeChristoforo
Sent: Tuesday, September 01, 2020 2:11 PM
To: Judith Green <jgreen@wakefield.ma.us>
Subject: FW: Harrison

The attachment may not have come with my response Sorry.

Benny

From: sean fitzpatrick <fitz1321@gmail.com>
Sent: Tuesday, September 1, 2020 2:02 PM
To: Benjamin DeChristoforo <bdechristoforo@wakefield.ma.us>
Subject: Fwd: Harrison

Sorry hope this works.

----- Forwarded message -----
From: Mark Sleger <msleger@verizon.net>
Date: Tue, Sep 1, 2020, 13:37
Subject: Harrison
To: sean fitzpatrick <fitz1321@gmail.com>

Sean,

Here's the plot plan with the slope stabilization specification. Basically, remove the debris and regrade it to a 2:1 slope. Then add 4" loam & seed and install jute netting. I'm also recommending a post & rail fence at the top of the slope for safety.

Mark A. Sleger, P.E.

ALAN Engineering, L.L.C.

110 Winn Street, Suite 209

Woburn, MA 01801

781-287-9789

NOTIFICATION TO ABUTTERS

Under the Massachusetts Wetlands Protection Act

(This form must be completed and copies sent, by certified mail or hand-delivered, to all abutters within 100 feet of the location of the project.)

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 Sean Fitzpatrick

The applicant has filed with the **Wakefield Conservation Commission** for a: (Please check applicable filing.)

Notice of Intent, seeking permission to alter an area subject to protection under the Wetlands Protection Act.

Request to amend an existing Order of Conditions.

Notice of Resource Area Delineation, seeking to determine the extent of areas subject to protection under the Wetlands Protection Act.

The proposed work includes Installation of slope stabilization and fencing within the buffer zone.

Site location 67 Harrison Avenue

Copies of the Notice of Intent may be examined or obtained (for a fee) from:

(Check all that apply)

Applicant at _____

Representative at _____

between the hours of _____ and _____ on the following days: _____

Conservation Department – Wakefield Town Hall 1 Lafayette Street, 2nd floor, Wakefield, MA - Tuesdays between 9:00 a.m. and 1:00 p.m., Thursdays between 9:00 a.m. and 6:00 p.m. and Fridays between 9:00 a.m. and 11:30 p.m. Please call the Conservation office at 781-224-5015 to verify arrangements prior to visiting.

Electronic copies of these filings may also be available through the Conservation Department. To request an e-copy, please email concom@wakefield.ma.us or call the Conservation Office directly at 781-224-5015.

Note: Notice of the public hearing, including its date, time and place will be published in the **Wakefield Daily Item** at least five (5) business days prior to the public hearing date.

Note: Notice of the public hearing, including its date, time and place will be posted in **Wakefield Town Hall** at least 48 hours prior to the public hearing date. This information will also be listed on the town website at www.wakefield.ma.us at the home page under Upcoming Meetings.

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


AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

I, Sean Fitzpatrick hereby certify under the pains and penalties of perjury that on 9/15/2020 I gave notification to abutters in compliance with the second paragraph of the Massachusetts General Laws, Chapter 131, Section 40 and the DEP Guide to Abutter Notification in connection with the following matter:

A(n) Notice of Intent application was filed under the Massachusetts Wetlands Protection Act by Wakefield with the Wakefield Conservation Commission on 9/11/2020 for a property located at 67 Harrison Avenue.

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


signature

9/15/2020
date

**WAKEFIELD
Abutters List**

Subject Parcel ID: 34-113-102N

Subject Property Location: 67 HARRISON AVE

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
34-097-E6+	64 HARRISON AVE	JONES RAYMOND	JONES DAWN A	64 HARRISON AVE	WAKEFIELD	MA	01880
34-103-E12+	68 HARRISON AVE	MCSHEEHY MARK & BARBARA A L	BROGNA LAURA TR	68 HARRISON AVE	WAKEFIELD	MA	01880
34-113-102N	67 HARRISON AVE	FITZPATRICK SEAN	BOLDUC DANIELLE A	67 HARRISON AVE	WAKEFIELD	MA	01880
34-114-102NA	65 HARRISON AVE	MORABITO, ANTHONY S	JOAN E MORABITO	65 HARRISON AVE	WAKEFIELD	MA	01880
34-115-102NB	41 GRAFTON ST	HESS CRAIG H	HESS NANCY V	41 GRAFTON ST	WAKEFIELD	MA	01880
34-116-A203A	39 GRAFTON ST	MALEK CHARLENE A TR	MELEK JOSEPH S JR TR	5 FAIRVIEW ST	NO READING	MA	01864
34-119-A199+	2 MAPLE AVE	GRADY, JAMES C	LAURA J CASEY	2 MAPLE AVE	WAKEFIELD	MA	01880
34-121-A1978	6 MAPLE AVE	JOHNSTON, GARY S	CATHERINE MARY JOHNST	6 MAPLE AVE	WAKEFIELD	MA	01880
34-123-A153A	10 MAPLE AVE	PURRINGTON ELAINE K TR	PURRINGTON LIVING TRUS	10 MAPLE AVE	WAKEFIELD	MA	01880
34-89A-HV1	77 HARRISON AVE	BROWN KRISTIN V TR	BROWN TRUST KRISTIN V	77 HARRISON AVE	WAKEFIELD	MA	01880
34-89B-HV2	81 HARRISON AVE	SALEMI RICHARD S	SALEMI ALICIA A	81 HARRISON AVE	WAKEFIELD	MA	01880
34-89T-HV20	78 HARRISON AVE	DONOVAN M PATRICK	DONOVAN LISA L	78 HARRISON AVE	WAKEFIELD	MA	01880
34-97B-E6B	HARRISON AVE	MACONE, THOMAS J	BRAMAC DVLPMNT TRUST I	6 MACONE CIR	STONEHAM	MA	02180

Parcel Count: 13

End of Report

100ft Abutters List of the Subject Parcel ID

Requested by: Sean Fitzpatrick

67 Harrison Ave

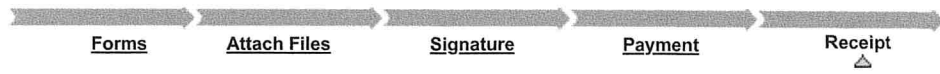
Wakefield, MA 01880

781-389-7372

Scott W. Morrison

BOARD OF ASSESSORS

Receipt



Summary/Receipt

Your submission is complete. Thank you for using DEP's online reporting system. You can select "My eDEP" to see a list of your transactions.

DEP Transaction ID: 1223119
Date and Time Submitted: 9/12/2020 11:05:35 AM
Other Email :

Form Name: WPA Form 3 - NOI

Project Location
City/Town Name: WAKEFIELD
location: 67 HARRISON AVENUE
General Description: INSTALL SLOPE STABILIZATION AND ASSOCIATED FENCING WITHIN BUFFER ZONE.

Applicant Information
Name: SEAN FITZPATRICK
Company
Address: 67 HARRISON AVENUE, WAKEFIELD, MA, 01880

Payment Information
Your fee for the state share is \$: 42.50
If you have paid by credit card or ACH, thank you for your payment. If you are paying by check or money order, please send your check (payable to the Commonwealth of Massachusetts) to MassDEP, Box 4062, Boston, MA 02211

Additional Forms Submitted
WPA Form 3 - NOI (Fee Transmittal)(ONLINE ONLY)

[My eDEP](#)

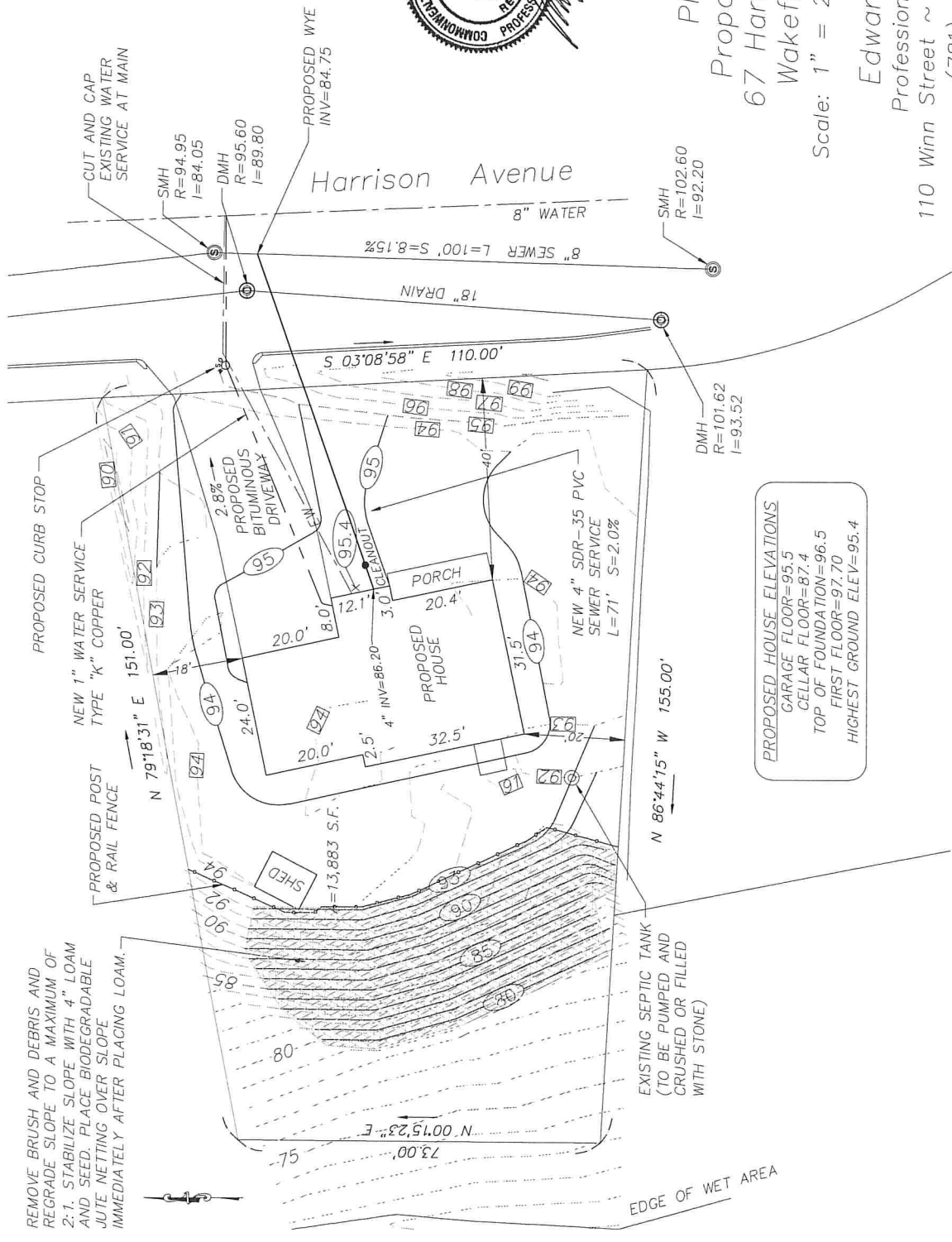
OWNER OF RECORD
 SEAN FITZPATRICK & DANIELLE BOLDUC
 BOOK 71127 PAGE 201 M.S.R.D.
ZONING DISTRICT

SR RESIDENCE
PLAN REFERENCES
 PLAN # 693 OF 1954
 PLAN # 863 OF 2007



Plot Plan
Proposed House
 67 Harrison Avenue
 Wakefield, Mass.

Scale: 1" = 20' April 15, 2020
 Prepared By
 Edward J. Farrell
 Professional Land Surveyor
 110 Winn Street ~ Suite 203 ~ Woburn, MA.
 (781) - 933 - 9012



PROPOSED HOUSE ELEVATIONS
 GARAGE FLOOR=95.5
 CELLAR FLOOR=87.4
 TOP OF FOUNDATION=96.5
 FIRST FLOOR=97.70
 HIGHEST GROUND ELEV=95.4

REMOVE BRUSH AND DEBRIS AND REGRADE SLOPE TO A MAXIMUM OF 2:1. STABILIZE SLOPE WITH 4" LOAM AND SEED. PLACE BIODEGRADABLE JUTE NETTING OVER SLOPE IMMEDIATELY AFTER PLACING LOAM.

EXISTING SEPTIC TANK (TO BE PUMPED AND CRUSHED OR FILLED WITH STONE)

EDGE OF WET AREA