



TOWN OF HAMILTON Conservation Commission

Town Offices at Patton Homestead
650 Asbury Street, Hamilton, MA 01982
P. O. Box 429
(978) 656-5247 <https://www.hamiltonma.gov>

Public Meeting Notice Hamilton Conservation Commission Remote Meeting (ZOOM log-in access below)

Directions to Join Zoom Meeting

<https://us02web.zoom.us/j/83524711666?pwd=b4lkQHhXH2vEsxZVbJdbTkHx6cC9ou.1>

Meeting ID: 835 2471 1666

Passcode: 868152

One tap mobile:

One tap mobile

+13092053325,,83524711666#,,, *868152# US

+13126266799,,83524711666#,,, *868152# US (Chicago)

MEETING AGENDA

Wednesday, March 26, 2025 – 7:00 PM

CALL TO ORDER

The Interim Chair convenes the meeting pending the establishment of a quorum. The following items shall be addressed in order, subject to the discretion of the Chair and the Members

PUBLIC MEETINGS AND HEARINGS

Continued Notice of Intent: MassDEP #172-0656, 31 Bradford Road, Hamilton, MA.

Applicant: Richard and Karl Hayes

Representative: William Manuell, Wetlands & Land Management, Inc.

Project: Proposed installation of a repair of a septic system within the 100- foot buffer zone to BVW (bordering vegetated wetlands).



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Continued Notice of Intent: MassDEP #172- 0655, 470 Essex Street, Hamilton, MA.

Applicant: Roger Leblanc

Representative: Joel Favazza, Seaside Legal Solutions, P.C.

Project: Proposed construction of a single-family home and associated amenities, including a driveway and a septic system within the 100-foot buffer zone.

Notice of Intent: MassDEP #172- 0657, 540 Highland Street, Hamilton, MA.

Applicant: Thomas Valton of Massachusetts Department of Conservation and Recreation

Property owner: Priscilla Geigis of Massachusetts Department of Conservation and Recreation

Representative: Jessica Marino of AECOM.

Project: Proposed resurfacing of Bradley Palmer State Park Road and the repair of a culvert within the roadway. The proposed project is located between the Topsfield Town Line and Highland Street, at 540 Highland Street, Hamilton, MA, (Map 12, Parcel 20-1). Most of the proposed work is located within the Bordering Vegetated Wetland, Bordering Land Subject to Flooding, and the 200-foot Riverfront Area.

Request for Determination of Applicability, Railroad Right of Way in Hamilton, MA.

Applicant: Ana Rita Pascoal of Keolis Commuter Services.

Property Owner: The Massachusetts Bay Transportation Authority

Representative: William Manuell, Wetlands & Land Management, Inc.

Project: Proposed renewal of the five-year Vegetation Management Plan (VMP).

INFORMATIONAL:

Draft Tree Removal Application

Project: Draft proposed tree removal application to streamline processes.

ENFORCEMENT ORDERS/VIOLATIONS

1. 185 Bridge Street (58-9-53) – issued March 14, 2023, reissued May 23, 2024

Notice of Intent Application

Wetlands Protection Act and Hamilton Wetlands By-law

**31 Bradford Road
Hamilton, MA**

February 2025



**Wetlands & Land Management, Inc.
100 Conifer Hill Drive-Suite 516
Danvers, MA 01923**

Wetlands & Land Management, Inc.

100 Conifer Hill Drive - #516
Danvers, MA 01923
978-777-0004 Telephone

January 28, 2025

Mark Connors
Hamilton Conservation Commission
PO Box 429
Hamilton, MA 01936

RE: Notice of Intent (NOI) Application for a septic system repair
31 Bradford Road

Dear Mr. Connors and Conservation Commission Members:

This NOI application is for installation of a repair septic system. The proposed work is within buffer zone to bordering vegetated wetlands which occur off the rear property boundary. The new septic tank and new leaching field will be within buffer zone but greater than 50 feet from the flagged wetlands. The existing septic system leaching pits are in the rear yard, within the 50-foot setback zone. These pits need to be exposed pumped and backfilled with clean earth.

Normally, if possible, we try to file a Request for Determination of Applicability for these types of projects, however on this site, the existing septic pits already closer than 50 feet to wetlands. Therefore, in accordance with your Town "50-foot" Policy for septic system repairs, the applicant has filed this NOI application.

The new system will replace the existing substandard system. There is no expansion of use or increase in number of bedrooms for the existing house, and the rate of flow will remain the same. All proposed work avoids wetland alteration and we expect the plans to be approved by the Board of Health shortly.

Site Description

The project site is located at 31 Bradford Road. The lot size is only 10,010 sure feet. The entire property is encumbered by the 100-foot buffer zone. The current house sits a few feet off Bradford Road. The house has a short drive off Bradford Road. The area around the house is maintained with lawn, various ornamental trees and landscaping.

Wetland Resources at the Site

Wetlands were marked on this site in December 2024. There was no snow cover on the ground on the day of flagging. There was no ground frost that impeded examination of the wetland soils.

The wetland boundary extended across the width of the rear yard, just beyond the rear property boundary. We placed flags A1 through A10 to mark the wetland boundary. All flags were located along a fairly distinct break in grade leaving little room for variation or interpretation of the wetland line.

The delineation occurred outside of the Hamilton wetland delineation season. A waiver for the cold weather delineation would be required. Given the project purpose for a replacement septic system, the short length of wetlands marked and the clear environmental conditions encountered on the field work day, the Commission should have confidence that despite the season, the wetland flags accurately define the boundary affecting this project.

A 100-foot buffer zone extends from the wetland flags.

Rare Species

According to the MassMapper data layer for the Massachusetts Natural Heritage Program, there are no areas mapped as estimated habitat of rare wetlands wildlife, priority habitat of threatened or endangered species or certified vernal pools or near the subject parcel.

Proposed Work

The NOI application is for installation of a new septic system to service the existing residential home. The system upgrade provides for replacement of the current sub-standard wastewater disposal at the house.

The system upgrade will feature a new multi-chamber septic tank which will then flow to a new leaching field which is appropriately sized for the flow volume and soil percolation rates.

The current building sewer exits to the rear of the house and the current septic system is located in the rear yard – as close to the wetlands as could be possible on this lot. The designer has relocated the building sewer such that it exits out the right or east side of the house. The new septic tank is now located in the side yard, more than 50 feet from the wetlands.

The new leaching field is relocated to the front of the property – now more than 80 feet from the wetlands, but also has the entire house between the new system and the wetlands. This is an overall dramatic improvement from the current system location.

All of the work occurs within maintained lawn area.

The septic system construction involves pumping the existing system and backfilling the existing system components with earth back fill. This is consistent with the procedures

for abandoning a septic system under Title 5 – the State Sanitary Code. This is the closest work to the wetlands. The earth fill is brought to the abandoned leaching pits in the front bucket of a small machine and then dumped directly into or hand shoveled into the current leaching pits. The earth is filled to the surface to match the adjacent grade, then loamed and seeded.

The septic tank installation involves excavating the appropriate size hole, installing the tank and plumbing, and backfilling the area

The leaching field is constructed as designed by removing unsuitable earth material such as the topsoil from the leaching site, excavating to the proper depth and installing the appropriate leaching distribution network. The system is connected back to the septic tank via a PVC sewer pipe.

All disturbed areas will be loamed and seeded at the conclusion of the project.

Buffer Zone Impacts

The septic tank is roughly 63 feet from the edge of wetlands. The leaching field is roughly 84 feet from wetlands (but separated from the wetlands by the mass of the existing home.) To avoid impacts, appropriate erosion controls will be installed as indicated on the permit plan.

The erosion controls shall serve to arrest overland travel of sediment during rain events, and also serve as a visual barrier and physical determination of the limit of work. The erosion control barrier will remain in place until the final cover over the septic system is well established.

We expect this plan to be approved by the Board of Health shortly. Conservation Commission approval will be the final permit needed for the upgrade of the current leaching field system. Would you please schedule this matter for your earliest available meeting? I will attend to present the project and answer any questions.

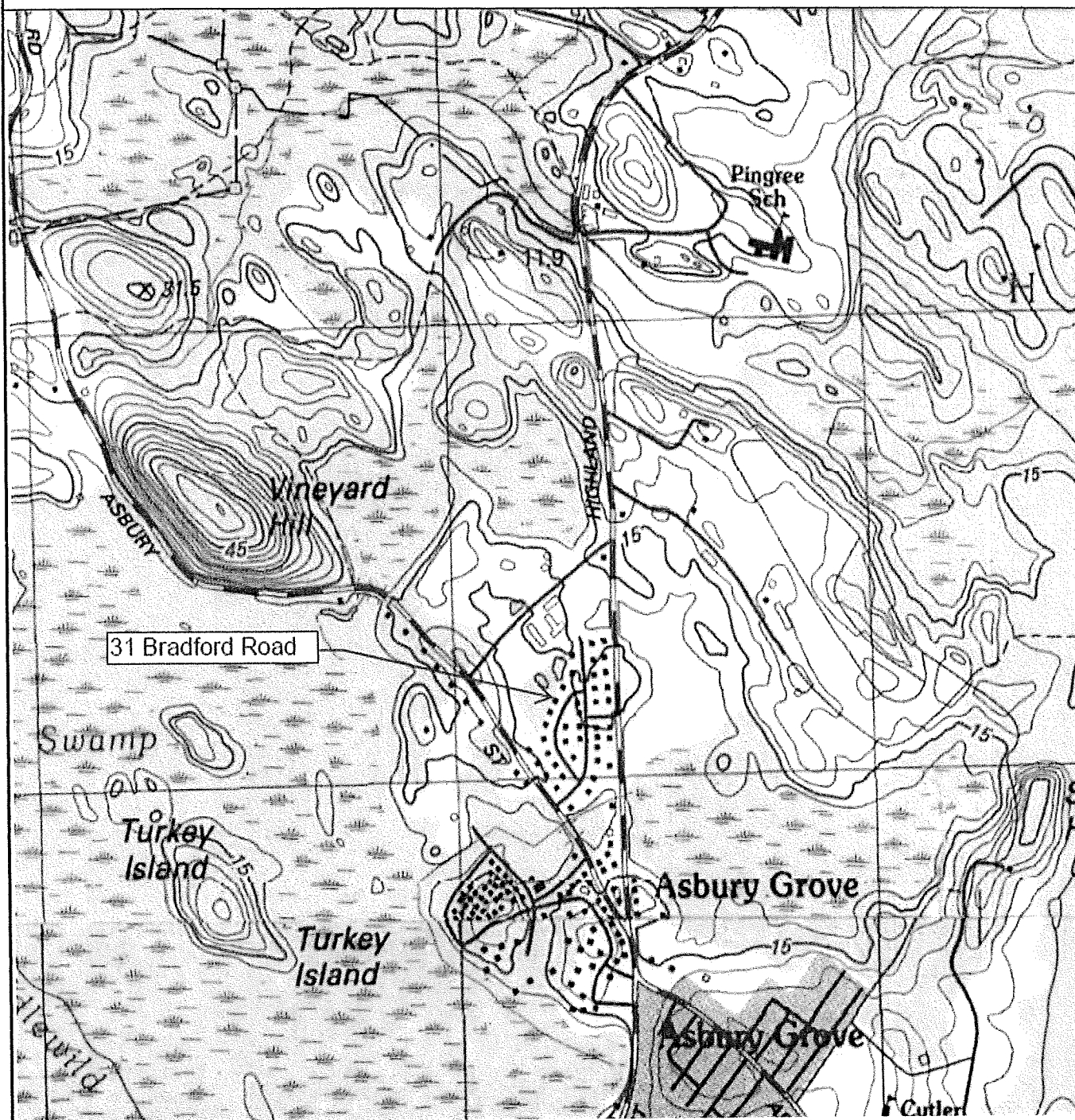
Sincerely,

Wetlands and Land Management, Inc.

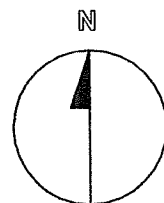
William Manuell

William J. Manuell
Wetland Scientist

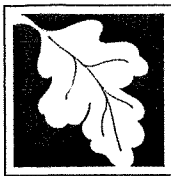
Locus Map
Source: United States Geological Survey



Wetlands & Land Management, Inc.
100 Conifer Hill Drive - #516
Danvers, MA 01923
978-777-0004



NOTICE OF INTENT APPLICATION (WPA FORM 3)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

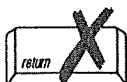
MassDEP File Number

Document Transaction Number

South Hamilton

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):

31 Bradford Road

a. Street Address

South Hamilton

b. City/Town

01982

c. Zip Code

Latitude and Longitude:

42.62944

d. Latitude

-70.88679

e. Longitude

37

f. Assessors Map/Plat Number

38

g. Parcel /Lot Number

2. Applicant:

Richard and Karyl

a. First Name

Hayes

b. Last Name

c. Organization

31 Bradford Road

d. Street Address

South Hamilton

e. City/Town

MA

f. State

01982

g. Zip Code

978-468-1028

h. Phone Number

i. Fax Number

rikahayes@comcast.net

j. Email Address

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

SAME

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):

William

a. First Name

Manuell

b. Last Name

Wetlands & Land Management, Inc.

c. Company

100 Conifer Hill Drive #516

d. Street Address

Danvers

e. City/Town

MA

f. State

01923

g. Zip Code

978-777-0004

h. Phone Number

i. Fax Number

bill@wetlandslm.com

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 plus 175.00 local fee

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

South Hamilton

City/Town

A. General Information (continued)

6. General Project Description:

Construct a repair septic system

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:

Essex South

a. County

5637

c. Book

b. Certificate # (if registered land)

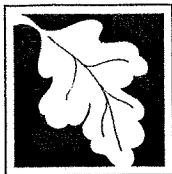
119

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

WPA Form 3 – Notice of Intent

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

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

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

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.



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

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

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

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

4. ☐ Restoration/Enhancement

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

a. square feet of BVW _____

b. square feet of Salt Marsh _____

5. ☐ Project Involves Stream Crossings

a. number of new stream crossings _____

b. number of replacement stream crossings _____



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C. Other Applicable Standards and Requirements

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

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

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

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

MassGIS

b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

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

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

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

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <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
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C. Other Applicable Standards and Requirements (cont'd)

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

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site

- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. ☐ Separate MESA review ongoing.

a. NHESP Tracking #

b. Date submitted to NHESP

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

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

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

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

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

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

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

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

- c. ☐ Is this an aquaculture project? d. ☐ Yes ☒ No

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



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

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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

WPA Form 3 – Notice of Intent

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Provided by MassDEP:

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South Hamilton

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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.

Subsurface Sewage Disposal System, 31 Bradford Road

a. Plan Title

Domestic Septic Design, Inc.

Daniel Johnson, RS

b. Prepared By

c. Signed and Stamped by

1-6-25

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:

1638

2-4-24

2. Municipal Check Number

3. Check date

1637

2-4-24

4. State Check Number

5. Check date

Richard

Hayes

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

South Hamilton

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.

Richard J. Hayes

1. Signature of Applicant

1-28-25

2. Date

3. Signature of Property Owner (if different)

William J. Munney

5. Signature of Representative (if any)

4. Date

1-28-25

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.

NOTICE OF INTENT FEE TRANSMITTAL FORM



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:

31 Bradford Road

a. Street Address

1637

c. Check number

South Hamilton

b. City/Town

\$42.50

d. Fee amount

2. Applicant Mailing Address:

Richard and Karyl

a. First Name

Hayes

b. Last Name

c. Organization

31 Bradford Road

d. Mailing Address

South Hamilton

e. City/Town

MA

f. State

01982

g. Zip Code

978-468-1028

h. Phone Number

i. Fax Number

rikahayes@comcast.net

j. Email Address

3. Property Owner (if different):

SAME

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

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

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

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

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

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

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

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

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



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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Septic system repair in BZ	one	\$110	\$110.00

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

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

RICHARD S. HAYES
KARYL R. HAYES

1637

94-221/1212
3500

Feb. 4, 2024
Date

Pay to the
Order of

Commonwealth of MA

\$ 42.50

Forty two dollars and 50/100

50
100 Dollars

Photo
Safe
Deposit
Details on back

High Yield Investor Checking

For

Septic filing fee

Karyl Hayes
1637

Hazard Clarke

RICHARD S. HAYES
KARYL R. HAYES

1638

94-221/1212
3500

Feb. 4, 2024
Date

Pay to the
Order of

Town of Hamilton

\$ 242.50

Two hundred forty two dollars and 50/100

50
100 Dollars

Photo
Safe
Deposit
Details on back

High Yield Investor Checking

For

septic filing fee

Karyl Hayes
1638

Hazard Clarke

ABUTTER INFORMATION

Notification to Abutters Under the Massachusetts Wetlands Protection Act

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

- A. The name of the applicant is Richard and Karyl Hayes
- B. The applicant has filed a Notice of Intent with the Conservation Commission for work subject to jurisdiction under the Wetlands Protection Act (General Laws Chapter 131, Section 40).

Activities Proposed: Install a septic system upgrade.

- C. The Address of the Lot where the activity is proposed is 31 Bradford Road, South Hamilton
- D. Copies of the Notice of Intent may be examined by appointment at Wetlands & Land Management, Inc between the hours of 9 AM and 3 PM on the following days of the week: M-F
For an appointment, call: (978) 777-0004
This is the applicant's representative. _____

Name of Representative: Wetlands & Land Management, Inc. – William Manuell

- E. Copies of the Notice of Intent may be obtained from the Town Hall or for a fee from the applicant's representative by calling this telephone number (978)-777-0004 between the hours of 9 AM and 4 PM on the following days of the week: M-F
- F. Information regarding the date, time, and place of the public hearing may be obtained from the Conservation Commission by calling this telephone number 978-626-5247 between the hours of 9AM and 4PM on the following days of the week: Mon. to Fri. Leave a message if no one is available to answer.

NOTE: Notice of the public hearing, including its date, time and place, will be published at least five (5) days in advance in the Hamilton-Wenham Chronicle
(name of newspaper)

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

NOTE: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act.

To contact DEP, call:

Central Region: 508-792-7650

Northeast Region: 978-694-3200

Southeast Region: 508-946-2800

Western Region: 413-784-1100

January 13, 2025

MAP 37 LOT 38

TOWN OF HAMILTON
Conservation Commission
CERTIFICATE OF PARTIES IN INTEREST

Pursuant to Massachusetts General Laws, Chapter 40A, Section 11, the undersigned Assessor of the Town of Hamilton, hereby certifies that the names and addresses appearing on the list appended hereto are those of the:

- (a) abutters 100'
- (b) owners of land directly opposite on any public or private street or way
- X (c) owners of land within 300' of the property line of the property at:

31 Bradford Road

So. Hamilton

Dated **January 13, 2025**

Prepared by Assessor's Office of the Town of Hamilton.

Jane Dooley
Assistant Assessor



300 feet Abutters List Report

Hamilton, MA
January 13, 2025

Subject Property:

Parcel Number: 37-0038
CAMA Number: 37-000-0038
Property Address: 31 BRADFORD RD

Mailing Address: HAYES RICHARD S HAYES KARYL R
31 BRADFORD RD
SOUTH HAMILTON, MA 01982

Abutters:

Parcel Number: 28-0009
CAMA Number: 28-000-0009
Property Address: 35 BRADFORD RD

Mailing Address: SEDGWICK PAUL H PATRICIA A
35 BRADFORD RD
SOUTH HAMILTON, MA 01982

Parcel Number: 28-0010
CAMA Number: 28-000-0010
Property Address: 50 SHARON RD

Mailing Address: AUSTIN JEFFREY CALZADA XOCHI
50 SHARON RD
SOUTH HAMILTON, MA 01982

Parcel Number: 28-0011
CAMA Number: 28-000-0011
Property Address: 56 SHARON RD

Mailing Address: MALATZKY LARRY MALATZKY JODIE
56 SHARON RD
SOUTH HAMILTON, MA 01982

Parcel Number: 28-0013
CAMA Number: 28-000-0013
Property Address: 57 SHARON RD

Mailing Address: MCULLOCH SCOTT A FAITH A TE
57 SHARON RD
SOUTH HAMILTON, MA 01982

Parcel Number: 28-0014
CAMA Number: 28-000-0014
Property Address: 51 SHARON RD

Mailing Address: LUDDEN MICHAEL J TRS MICHAEL J
LUDDEN REVOCABLE
51 SHARON RD
SOUTH HAMILTON, MA 01982

Parcel Number: 28-0015
CAMA Number: 28-000-0015
Property Address: 47 SHARON RD

Mailing Address: JOLY PAUL R WENDY E
47 SHARON RD
SOUTH HAMILTON, MA 01982

Parcel Number: 28-0016
CAMA Number: 28-000-0016
Property Address: 308 HIGHLAND ST

Mailing Address: SHECKELLS BRYAN M SHECKELLS
TINAMARIE B
308 HIGHLAND ST
SOUTH HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-001-0008
Property Address: 1 CANTER BROOK LN

Mailing Address: BROWNSON MICHAEL S. LYONS
KATHLEEN M.
1 CANTER BROOK LANE UNIT 1
S. HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-002-0008
Property Address: 2 CANTER BROOK LN

Mailing Address: BODENGRAVEN FRANK
BODENGRAVEN BARBARA
2 CANTER BROOK LANE UNIT 2
HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-003-0008
Property Address: 3 CANTER BROOK LN

Mailing Address: DOLINSKY DEBORAH F.
3 CANTER BROOK LN 3
SOUTH HAMILTON, MA 01982



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1/13/2025

Page 1 of 4



300 feet Abutters List Report

Hamilton, MA
January 13, 2025

Parcel Number: 28-0008
CAMA Number: 28-004-0008
Property Address: 4 CANTER BROOK LN

Mailing Address: DEARBORN MARY R BOSTON
FIDUCIARY SERVICES LLC
4 CANTER BROOK LANE
HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-005-0008
Property Address: 5 CANTER BROOK LN

Mailing Address: PATRICIA TERRIEN TRUST TERRIEN
PATRICIA D
5 CANTER BROOK LANE UNIT 5
HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-006-0008
Property Address: 6 CANTER BROOK LN

Mailing Address: ELLEN L ROTHMAN TRUST ZDENEK
EDWARD J.
6 CANTER BROOK LANE UNIT 6
S. HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-007-0008
Property Address: 7 CANTER BROOK LN

Mailing Address: KAHN RICHARD KAHN SANDRA
7 CANTER BROOK LANE
HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-008-0008
Property Address: 8 CANTER BROOK LN

Mailing Address: MCGARRY JAMES F MCGARRY
KIMBERLE J
8 CANTER BROOK LANE
HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-009-0008
Property Address: 9 CANTER BROOK LN

Mailing Address: ROGERS GERALDINE TRUSTEE
9 CANTER BROOK LANE
S. HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-010-0008
Property Address: 10 CANTER BROOK LN

Mailing Address: PAPPAS CHRIS JOHN PAPPAS JANICE
ELIZABETH
10 CANTER BROOK LANE
HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-011-0008
Property Address: 11 CANTER BROOK LN

Mailing Address: CONNELL III FRANCIS J CONNELL
ELLEN H
11 CANTER BROOK LANE
HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-012-0008
Property Address: 12 CANTER BROOK LN

Mailing Address: LEAHY JR JOHN T. LEAHY TRUSTEES
LYN M.
12 CANTER BROOK LANE UNIT 12
S. HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-013-0008
Property Address: 13 CANTER BROOK LN

Mailing Address: SULLIVAN JOHN M SULLIVAN DEBORAH
M
13 CANTER BROOK LANE UNIT 13
HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-014-0008
Property Address: 14 CANTER BROOK LN

Mailing Address: INGEMI STEPHEN INGEMI KATHLEEN M
14 CANTER BROOK LANE
HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-015-0008
Property Address: 15 CANTER BROOK LN

Mailing Address: DESIMONE PAUL A. CLARK AMY
15 CANTER BROOK LANE
HAMILTON, MA 01982



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1/13/2025

Page 2 of 4



300 feet Abutters List Report

Hamilton, MA
January 13, 2025

Parcel Number: 28-0008
CAMA Number: 28-016-0008
Property Address: 16 CANTER BROOK LN

Mailing Address: LALIK FAMILY TRUST WILLIAM &
ROSARY LALIK TRSTES
16 CANTER BROOK LANE
Hamilton, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-017-0008
Property Address: 17 CANTER BROOK LN

Mailing Address: KNOPPING STEVEN R FORMAN
MARJORIE R
17 CANTER BROOK LANE
HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-018-0008
Property Address: 18 CANTER BROOK LN

Mailing Address: RATAY ROBERT & PATRICIA
18 CANTER BROOK LANE
HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-019-0008
Property Address: 19 CANTER BROOK LN

Mailing Address: MCCAFFERTY FRANK DEBORAH
19 CANTER BROOK LN 19
SOUTH HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-020-0008
Property Address: 20 CANTER BROOK LN

Mailing Address: GEBHARD MARGARET E. TRUSTEE OF
THE 2014 MARGAET E.
20 CANTER BROOK LN 20
SOUTH HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-021-0008
Property Address: 21 CANTER BROOK LN

Mailing Address: ODOARDI JAMES A. & ANN IRREV
21 CANTER BROOK LN
SOUTH HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-022-0008
Property Address: 22 CANTER BROOK LN

Mailing Address: MCWANE JOHN W JANE K
22 CANTER BROOK LANE
SOUTH HAMILTON, MA 01982

Parcel Number: 28-0008
CAMA Number: 28-023-0008
Property Address: 23 CANTER BROOK LN

Mailing Address: CHAFEY JAMES
23 CANTER BROOK LN
Hamilton, MA 01982

Parcel Number: 37-0016
CAMA Number: 37-000-0016
Property Address: 302 HIGHLAND ST

Mailing Address: VAN FASSEN WILLIAM J
302 HIGHLAND ST
HAMILTON, MA 01982

Parcel Number: 37-0017
CAMA Number: 37-000-0017
Property Address: 41 SHARON RD

Mailing Address: PAZDZIorny KEVIN M & INGA
41 SHARON RD
SOUTH HAMILTON, MA 01982

Parcel Number: 37-0018
CAMA Number: 37-000-0018
Property Address: 33 SHARON RD

Mailing Address: COTTER WILLIAM J MARGARET M
33 SHARON RD
SOUTH HAMILTON, MA 01982

Parcel Number: 37-0026
CAMA Number: 37-000-0026
Property Address: 24 SHARON RD

Mailing Address: STAVROPOULOS SHARON
24 SHARON RD
SOUTH HAMILTON, MA 01982



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1/13/2025

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300 feet Abutters List Report

Hamilton, MA
January 13, 2025

Parcel Number: 37-0027
CAMA Number: 37-000-0027
Property Address: 30 SHARON RD

Mailing Address: WIGGLESWORTH MAXWELL COOK
STACEY MARY
30 SHARON RD
SOUTH HAMILTON, MA 01982

Parcel Number: 37-0028
CAMA Number: 37-000-0028
Property Address: 36 SHARON RD

Mailing Address: SEDLACKO IRENE R.
36 SHARON RD
SOUTH HAMILTON, MA 01982

Parcel Number: 37-0029
CAMA Number: 37-000-0029
Property Address: 40 BRADFORD RD

Mailing Address: BERTONE LINDA M JT GUARINO
SALVATORE & THERESA JT
40 BRADFORD RD
SOUTH HAMILTON, MA 01982

Parcel Number: 37-0030
CAMA Number: 37-000-0030
Property Address: 22 BRADFORD RD

Mailing Address: MYERS ANTHONY C BROWN-MYERS
JULIAN
22 BRADFORD RD
SOUTH HAMILTON, MA 01982

Parcel Number: 37-0031
CAMA Number: 37-000-0031
Property Address: 14 BRADFORD RD

Mailing Address: SEARSON WILLIAM E 3RD SEARSON
NANCY D
14 BRADFORD RD
SOUTH HAMILTON, MA 01982

Parcel Number: 37-0034
CAMA Number: 37-000-0034
Property Address: 13 BRADFORD RD

Mailing Address: CAMPBELL E ELAINE TR CAMPBELL
NOMINEE TRUST
13 BRADFORD RD
SOUTH HAMILTON, MA 01982

Parcel Number: 37-0035
CAMA Number: 37-000-0035
Property Address: 17 BRADFORD RD

Mailing Address: SMITH MICHAEL R JESSICA
17 BRADFORD RD
SOUTH HAMILTON, MA 01982

Parcel Number: 37-0036
CAMA Number: 37-000-0036
Property Address: 21 BRADFORD RD

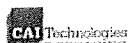
Mailing Address: OBRIEN HARRY E JR OBRIEN PHYLLIS
M
21 BRADFORD RD
SOUTH HAMILTON, MA 01982

Parcel Number: 37-0037
CAMA Number: 37-000-0037
Property Address: 25 BRADFORD RD

Mailing Address: JONES STEPHEN J JANET
25 BRADFORD RD
SOUTH HAMILTON, MA 01982

Parcel Number: 37-0039
CAMA Number: 37-000-0039
Property Address: 405 ASBURY ST

Mailing Address: FERGUSON TIMOTHY FERGUSON
REBECCA
405 ASBURY ST
SOUTH HAMILTON, MA 01982



www.cai-tech.com

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1/13/2025

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Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

South Hamilton

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):

31 Bradford Road

a. Street Address

South Hamilton

b. City/Town

01982

c. Zip Code

Latitude and Longitude:

42.62944

d. Latitude

-70.88679

e. Longitude

37

f. Assessors Map/Plat Number

38

g. Parcel /Lot Number

2. Applicant:

Richard and Karyl

a. First Name

Hayes

b. Last Name

c. Organization

31 Bradford Road

d. Street Address

South Hamilton

e. City/Town

MA

f. State

01982

g. Zip Code

978-468-1028

h. Phone Number

i. Fax Number

rikahayes@comcast.net

j. Email Address

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

SAME

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):

William

a. First Name

Manuell

b. Last Name

Wetlands & Land Management, Inc.

c. Company

100 Conifer Hill Drive #516

d. Street Address

Danvers

e.

MA

f. State

01923

g. Zip Code

978-777-0004

h. Phone Number

i. Fax Number

bill@wetlandslm.com

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 plus 175.00 local fee

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

South Hamilton

City/Town

A. General Information (continued)

6. General Project Description:

Construct a repair septic system

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:

Essex South

a. County

5637

c. Book

b. Certificate # (if registered land)

119

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

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

South Hamilton

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
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

South Hamilton

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 BVW _____	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 _____



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

South Hamilton

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

MassGIS

b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

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

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

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

(b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/ma-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
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WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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South Hamilton

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

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

South Hamilton

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

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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South Hamilton

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.

Subsurface Sewage Disposal System, 31 Bradford Road

a. Plan Title

Domestic Septic Design, Inc.

Daniel Johnson, RS

b. Prepared By

c. Signed and Stamped by

1-6-25

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:

1638

2. Municipal Check Number

2-4-24

3. Check date

1637

4. State Check Number

2-4-24

5. Check date

Richard

6. Payor name on check: First Name

Hayes

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

South Hamilton

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	1-28-25
	2. Date
3. Signature of Property Owner (if different)	4. Date
	1-28-25
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:

31 Bradford Road

a. Street Address

1637

c. Check number

South Hamilton

b. City/Town

\$42.50

d. Fee amount

2. Applicant Mailing Address:

Richard and Karyl

a. First Name

Hayes

b. Last Name

c. Organization

31 Bradford Road

d. Mailing Address

South Hamilton

e. City/Town

MA

f. State

01982

g. Zip Code

978-468-1028

h. Phone Number

i. Fax Number

rikahayes@comcast.net

j. Email Address

3. Property Owner (if different):

SAME

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

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

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

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

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

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

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

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

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



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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Septic system repair in BZ	one	\$110	\$110.00

Step 5/Total Project Fee:

Step 6/Fee Payments:

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

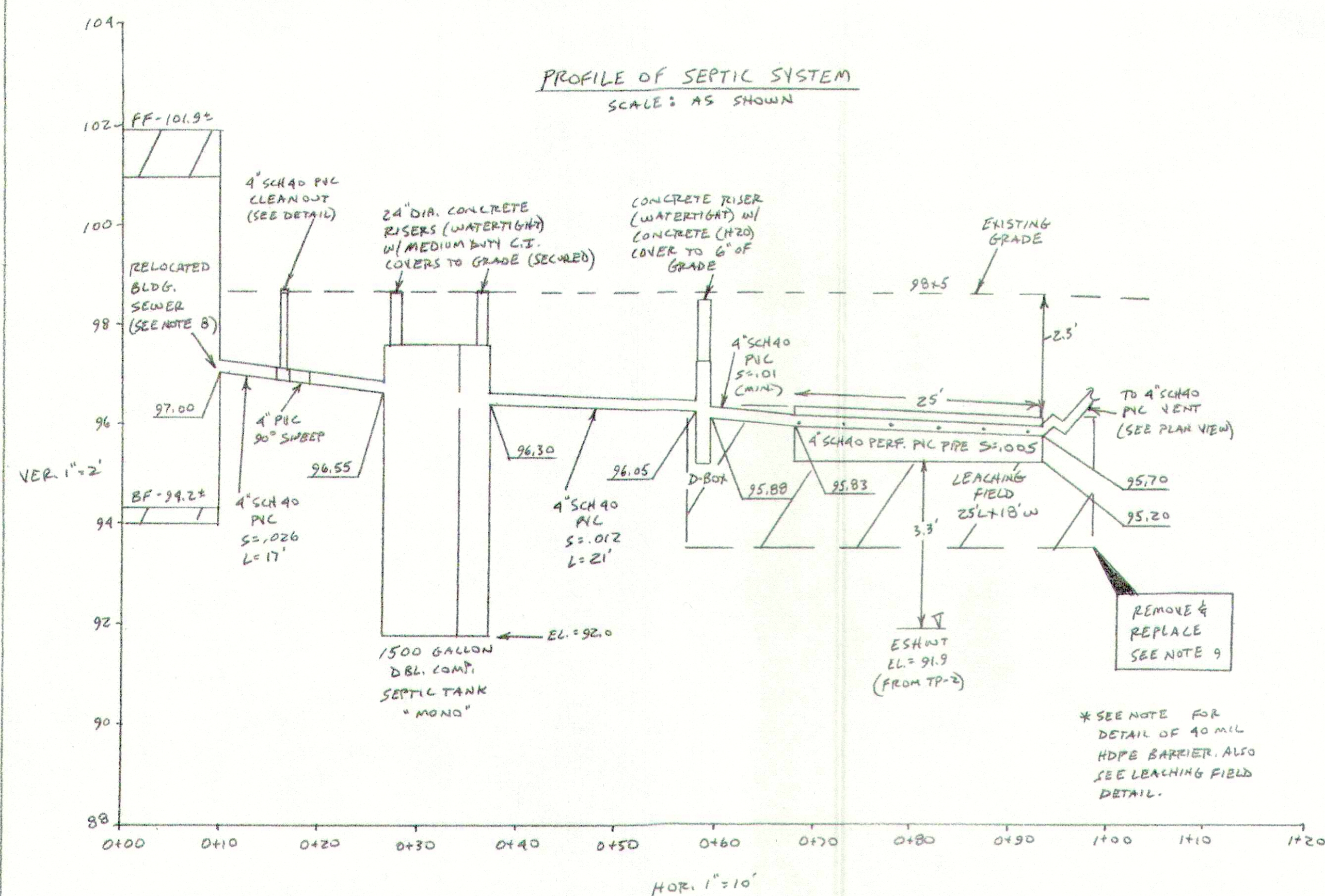
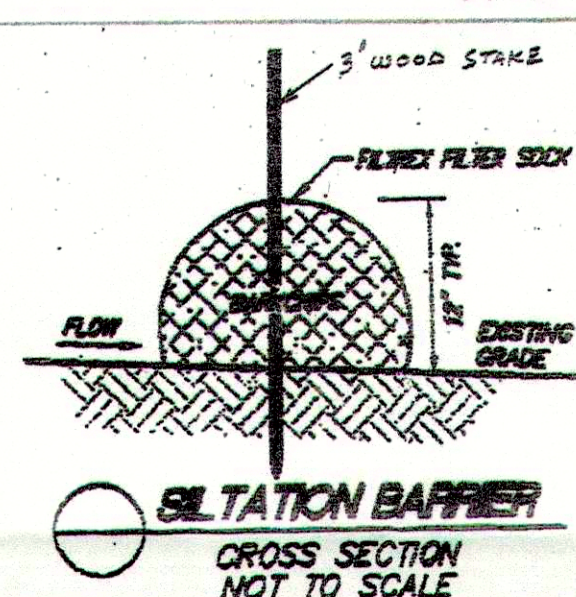
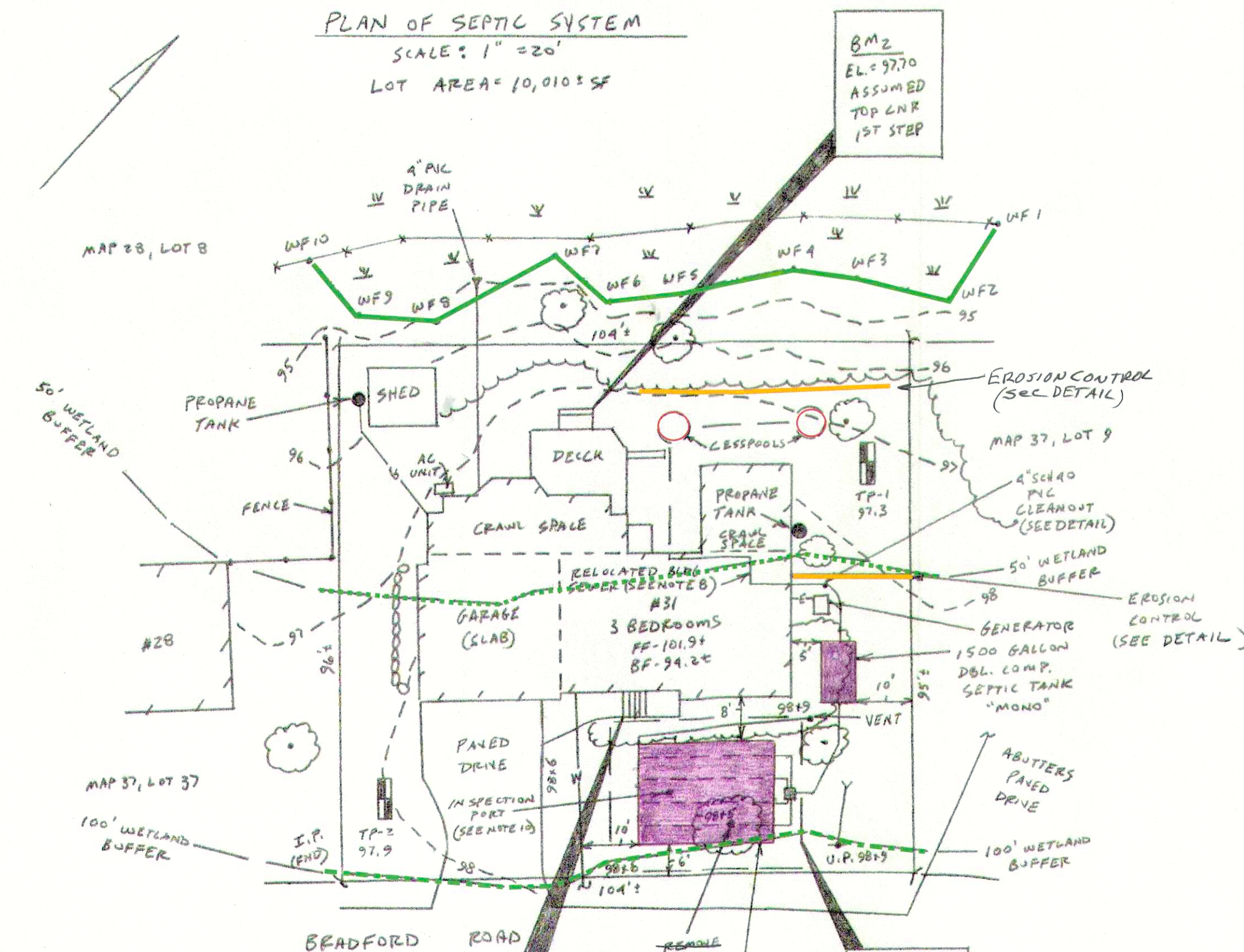
Department of Environmental Protection
Box 4062
Boston, MA 02211

- 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.)

PLAN OF SEPTIC SYSTEM

SCALE: 1" = 20'
LOT AREA = 10,010 SF



TEST PIT DATA

Performed By: Daniel B. Johnson

Witnessed By: Greg Bernard

Date: December 4, 2024

TP-1 (EL. = 97.3)

(92.1) Fill/A 0" - 62" (loamy sand fill)
(87.8) C1, 62" - 114" 2.5Y/3 VF-Fine sand
(91.3) 72" Observed ESHWT (SR5/8)
(89.0) 100" Observed Groundwater (weeping)

TP-2 (EL. = 97.9)

(92.9) Fill/A 0" - 60" (loamy sand fill - roots)
(88.9) C1, 60" - 108" 2.5Y/3 VF-Fine sand
(91.9) 72" Observed ESHWT (SR5/8)
No Observed Groundwater

PERCOLATION TEST DATA

Date: December 4, 2024

Soil Class: Class I (0.74 G/SF)

Perc Rate: 3 MPI (C1 layer of TP-1)

SCHEDULE OF ELEVATIONS

Inv. Out Foundation	97.00
Inv. In Septic Tank	96.55
Inv. Out Septic Tank	96.30
Inv. In Distribution Box	96.05
Inv. Out Distribution Box	95.88
Inv. Begin Leaching Field	95.83
Inv. End Leaching Field	95.70
Bottom of Leaching Field	95.20
ESHWT (TP-2)	91.9
ESHWT (TP-1)	91.3

CALCULATIONS

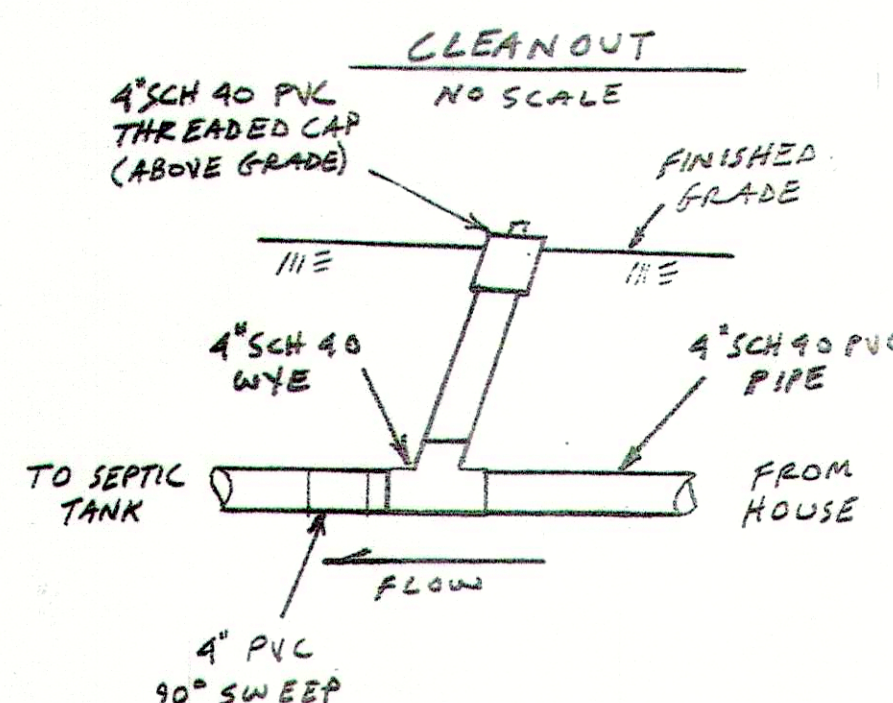
3 Bedrooms (existing)
110 GPD/Bedroom X 3 Bedrooms = 330 GPD
Percolation Rate: 3 MPI (0.74 G/SF)
Required Leaching Area (min.): 446 SF

PROPOSED LEACHING AREA:

Leaching Field: 25' L x 18' W x 0.5' H
Bottom Area: 450 SF x 0.74 G/SF = 333 GPD
Total Leaching Capacity: 333 GPD

LEGEND

Existing Contour	--- 98 ---
Proposed Contour	--- 98 ---
Test Pit	--- 98 ---
Finished Floor Elev.	FFE
Basement Floor Elev.	BFE
Water Line	W
Over Head Wire	OHW



NOTES

- All construction methods shall conform to the Title V (310 CMR 15.000) and the Hamilton Board of Health Regulations.
- There are no known private or public wells within 100 feet/400 feet of the proposed leaching area, nor is there any known surface water supplies within 400 feet of the proposed leaching area. The proposed leaching area is not within 200 feet of a river front or known tributaries to surface water supplies.

The proposed leaching area is 79 feet from the wetland.

The proposed septic tank is 63 feet from the wetland.

- The existing cesspools shall be pumped and backfilled with clean fill after installing the new septic tank.
- No changes are to be made in the field without the approval of the Board of Health and the design engineer.
- The proposed leaching area is not designed for use with a garbage disposal. Remove any existing garbage disposal.
- Contractor to notify Dig Safe 72 hours prior to construction (800) 344-7233.

All system components to be covered by magnetic tape.

- Property line, topography, existing structures, wetland flagging, etc. taken from actual ground survey. Also reference Deed, Book 5637, Page 119. The septic plan is not to be used as a property line survey.

Wetland flags in the field by William Manuell (Wetlands & Land Management, Inc.) on December 13, 2024.

- Prior to construction, the contractor shall verify all plumbing exiting the existing structure, as shown on this plan, can be connected to the new septic system. If any existing and/or proposed plumbing exiting the structure is found to be different than that shown on the approved septic system plan, the contractor shall notify the designer and corrections to the septic design will be made, if applicable, only after approval from the design engineer and the local Board of Health. All internal plumbing shall be connected to the new septic system, unless otherwise specified.

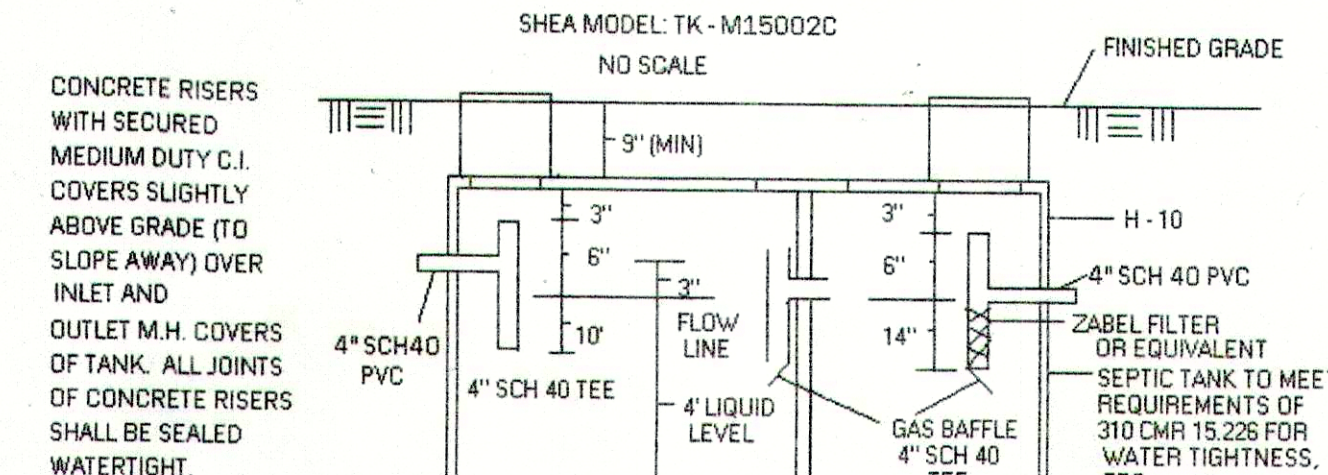
In addition, prior to construction, the contractor confirm with a licensed MA plumber that the proposed building sewer relocation can be performed.

- Remove 5 feet horizontally around the proposed leaching area and to a depth of approximately 5' below grade (fill [loamy sand] and buried topsoil), and replace with C-33 sand. The total amount of C-33 sand is approximately 125 cubic yards. Note that the amount of C-33 sand may vary due to depth of fill and buried topsoil, along with natural, geological changes that can exist throughout the proposed leaching area.
- Contractor to install an inspection port using a 4" SCH 40 PVC pipe (perforation holes within the stone of the leaching area) and removable PVC cover at grade (See Detail).
- The contractor shall be responsible for obtaining a trench permit from the local municipality in which the work is being performed.
- The filter located in the outlet tee of the second compartment of the septic tank shall be inspected and/or cleaned annually.
- I certify that on 11/95 I have passed the soil evaluator examination approved by the Department of Environmental Protection and that the above analysis was performed by me consistent with the required training, expertise and experience described in 310 CMR 15.017.
- A 40 Mil HDPE barrier shall be installed along the exterior wall of the 5' remove and replace excavation, only between the proposed leaching area and the house foundation (L= 35').
The top of the barrier shall be placed at EL. = 97.5
The bottom of the barrier shall be placed at EL. = 93.5
- The proposed vent shall be constructed to prevent entrance of animals (i.e. install the vent opening to be at least 3' above finished grade).

Local Upgrade Approval

- Request reduction for the offset from the bottom of the leaching area to the ESHWT from 4 feet to 3.3 feet, 310 CMR 15.212 and 15.405(1) (h).
- Request reduction from the septic tank to the house foundation from 10 feet to 5 feet, 310 CMR 15.211 and 15.405(1) (b).
- Request reduction from the edge of the leaching field to the house foundation from 20 feet to 8 feet, 310 CMR 15.211 and 15.405(1) (b).
- Request reduction from the edge of the leaching field to the property line (only from the Right of Way of Bradford Road) from 10 feet to 6 feet, 310 CMR 15.211 and 15.405(1) (a).

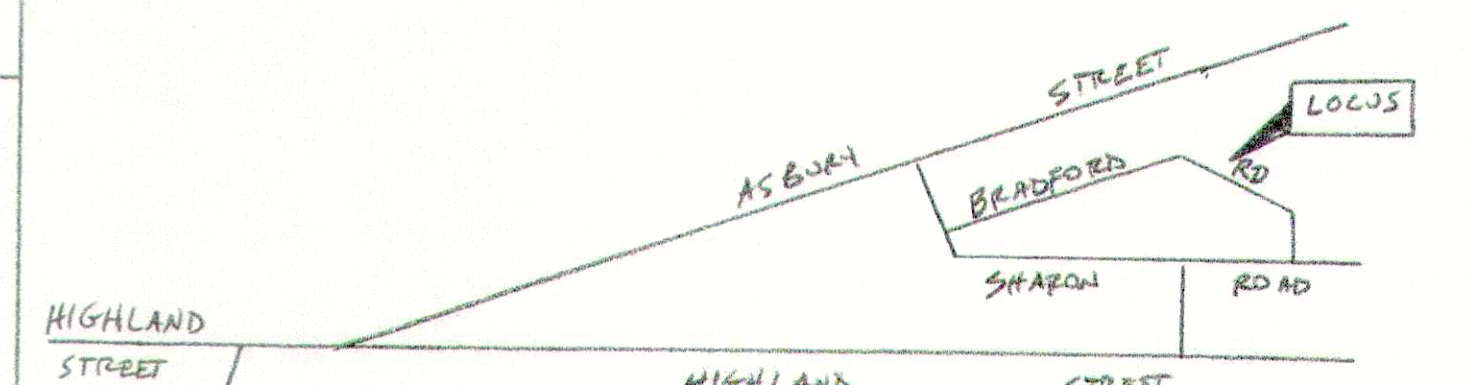
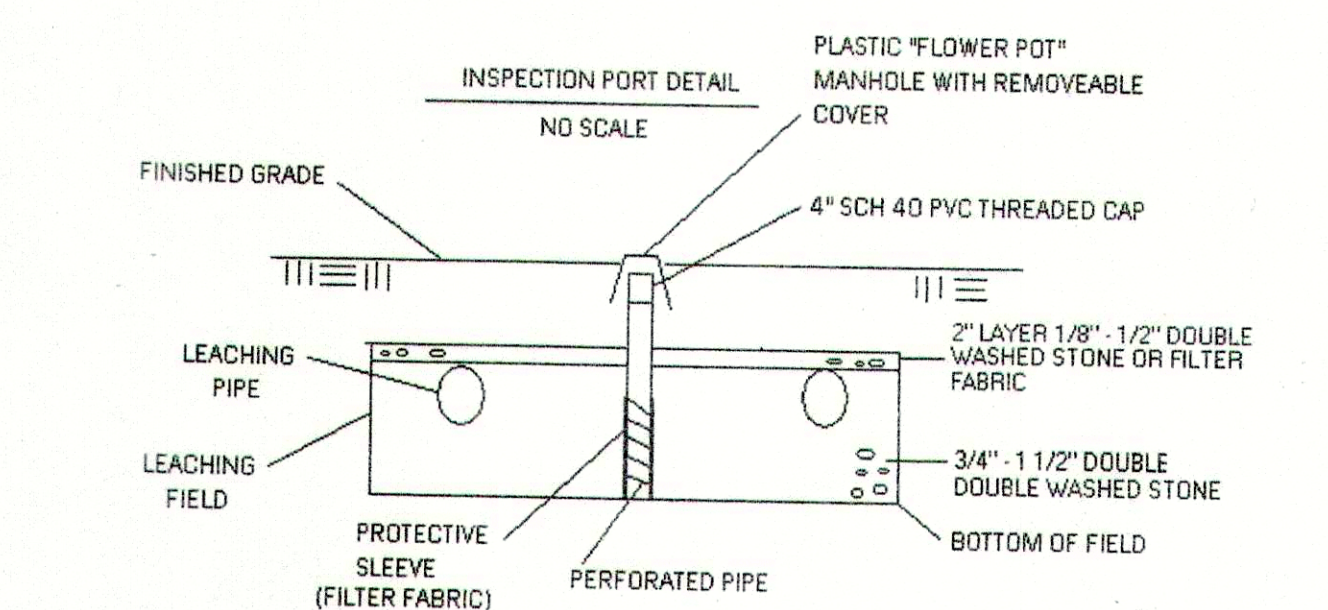
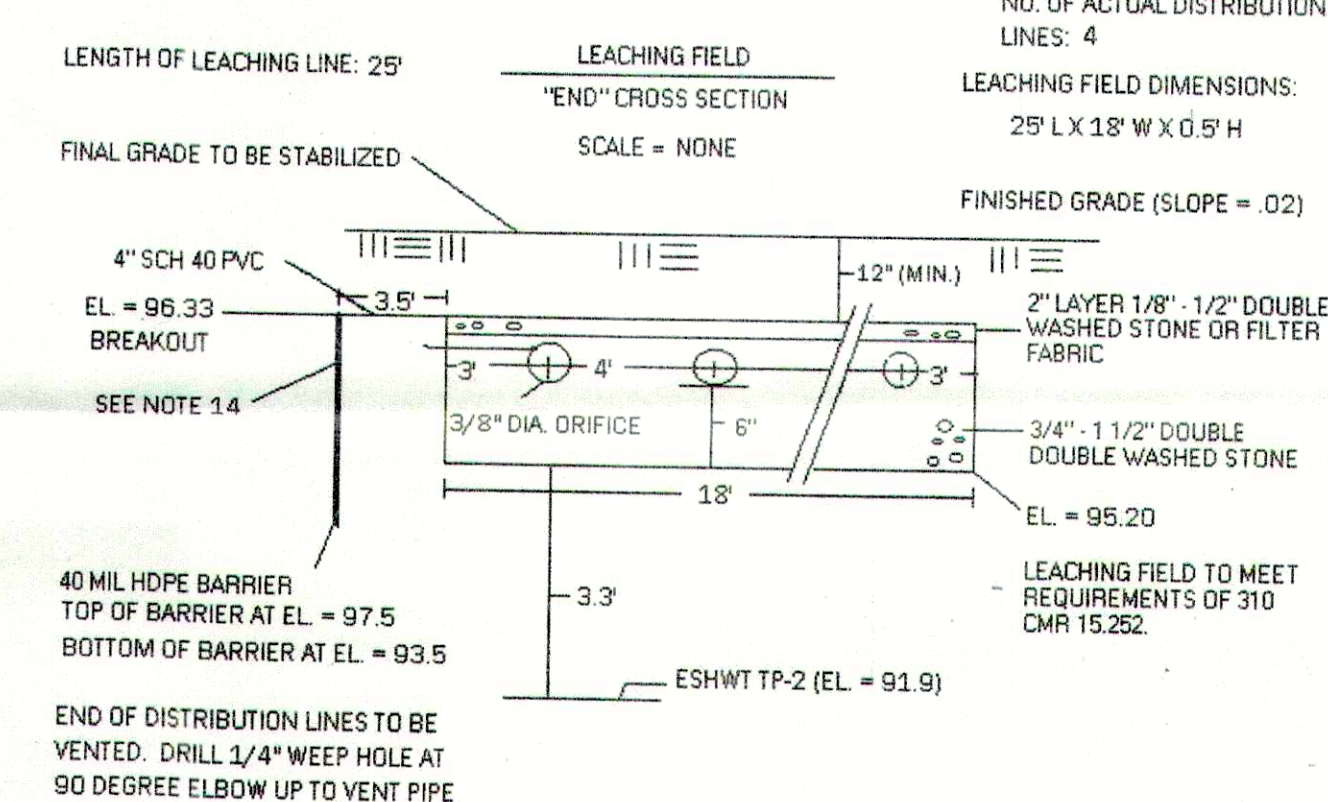
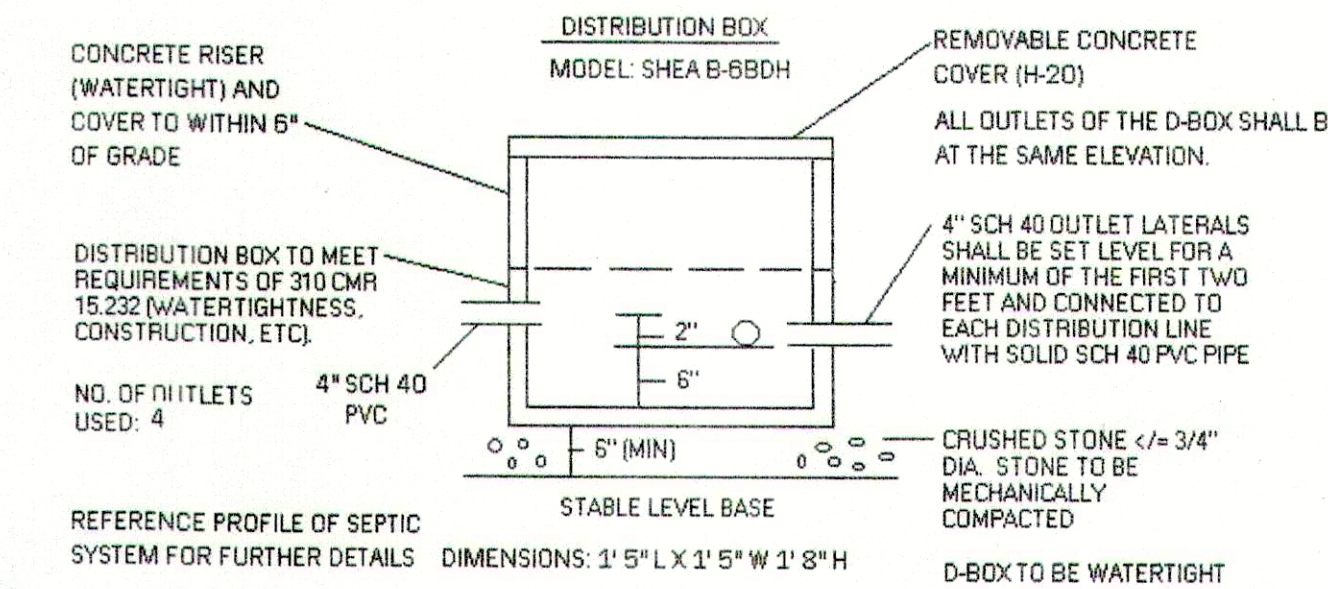
1500 GALLON DOUBLE COMPARTMENT SEPTIC TANK



CAPACITY:
REQUIRED: 650 GALLONS
PROVIDED: 1500 GALLONS

SEPTIC TANK DIMENSIONS: 10' 10" L X 8' 8" W X 8' 8" H

* FILTER TO BE INSPECTED AND CLEANED AT LEAST ON AN ANNUAL BASIS PER 15.22(7)



SUBSURFACE SEWAGE DISPOSAL SYSTEM	
31 Bradford Road, Hamilton (Map 37, Lot 38)	
REV 2/14/25	Drawn By: Daniel B. Johnson
Date: 1/6/25	Prepared: Richard and Karyl Hayes
For: 31 Bradford Road, Hamilton, MA 01982	
Prepared: DOMESTIC SEPTIC DESIGN, INC.	
By: P.O. Box 2406, S. Hamilton MA 01982	Dwg: J-3039



Massachusetts Department of Environmental Protection

eDEP Transaction Copy

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: **SEASIDELEGAL**

Transaction ID: **1858919**

Document: **WPA Form 3 - NOI**

Size of File: **273.40K**

Status of Transaction: **In Process**

Date and Time Created: **2/5/2025:1:39:25 PM**

Note: This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Intent

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

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:1858919
City/Town:HAMILTON

A.General Information

1. Project Location:

a. Street Address	470 ESSEX STREET	c. Zip Code	01982
b. City/Town	HAMILTON	e. Longitude	70.82510W
d. Latitude	42.61485N	g.Parcel/Lot #	70
f. Map/Plat #	59		

2. Applicant:

☒ Individual ☐ Organization

a. First Name	ROGER	b.Last Name	LEBLANC
c. Organization			
d. Mailing Address	C/O SEASIDE LEGAL SOLUTIONS, P.C., PO BOX 1172		
e. City/Town	GLOUCESTER	f. State	MA
g. Zip Code	01931		
h. Phone Number	978-627-4500	i. Fax	
j. Email			

3.Property Owner:

☐ more than one owner

a. First Name	ROGER	b. Last Name	LEBLANC
c. Organization			
d. Mailing Address	C/O SEASIDE LEGAL SOLUTIONS, P.C., PO BOX 1172		
e. City/Town	GLOUCESTER	f.State	MA
g. Zip Code	01931		
h. Phone Number	978-627-4500	i. Fax	
j.Email			

4.Representative:

a. First Name	JOEL	b. Last Name	FAVAZZA
c. Organization	SEASIDE LEGAL SOLUTIONS, P.C.		
d. Mailing Address	PO BOX 1172		
e. City/Town	GLOUCESTER	f. State	MA
g. Zip Code	01931		
h.Phone Number	978-627-4500	i.Fax	
j.Email	contact@seasidelegal.com		

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

a.Total Fee Paid	110.00	b.State Fee Paid	42.50	c.City/Town Fee Paid	67.50
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6.General Project Description:

CONSTRUCTION OF SINGLE-FAMILY HOME AND ASSOCIATED AMENITIES, INCLUDING DRIVEWAY AND SEPTIC SYSTEM

7a.Project Type:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial |
| 5. <input type="checkbox"/> Dock/Pier | 6. <input type="checkbox"/> Utilities |
| 7. <input type="checkbox"/> Coastal Engineering Structure | 8. <input type="checkbox"/> Agriculture (eg., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation | 10. <input type="checkbox"/> Other |

7b.Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 (coastal) or 310



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City/Town:HAMILTON

CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project:
2. Limited Project

8. Property recorded at the Registry of Deeds for:

a. County:	b. Certificate:	c. Book:	d. Page:
SOUTHERN ESSEX		33356	613

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

1. Buffer Zone & Resource Area Impacts (temporary & permanent):

☒ This is a Buffer Zone only project - Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.

2. Inland Resource Areas: (See 310 CMR 10.54 - 10.58, if not applicable, go to Section B.3. Coastal Resource Areas)

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	
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 any)
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.



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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)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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 Beaches	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
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, crea.
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

☐ Restoration/Replacement

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 entered the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5.Projects Involves Stream Crossings

☐ Project Involves Streams Crossings



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If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

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 of Endangered Species program (NHESP)?

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:FROM MAP VIEWER

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

c. Submit Supplemental Information for Endangered Species Review * (Check boxes as they apply)

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

3. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetland 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

c. ☐ MESA filing fee (fee information available at: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>)

Make check payable to "Natural Heritage & Endangered Species Fund" 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

d. OR Check One of the following

1. ☐ Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; 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 Number

b. Date submitted to NHESP



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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

Provided by MassDEP:
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3. ☐ Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review...

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

a. ☒ Not applicable - project is in inland resource area only

b. ☐ Yes ☐ No

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

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 S. Rodney French Blvd
New Bedford, MA 02744

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

If yes, it 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.

3. 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 DEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC Name

4. 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

5. 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

6. 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, Explain why the project is exempt:

1. ☒ Single Family Home

2. ☐ Emergency Road Repair



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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

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 by regular mail delivery.

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.
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.

a. Plan Title: b. Plan Prepared By: c. Plan Signed/Stamped By: c. Revised Final Date: e. Scale:

PROJECT	SEASIDE LEGAL		
NARRATIVE	SOLUTIONS, P.C.		January 28, 2025
SITE DEVELOPMENT	EASTERN LAND		
PERMIT PLAN	SURVEY	CHRISTOPHER R. MELLO	September 19, 2024
	ASSOCIATES, INC.		
ABUTTERS LIST	TOWN OF		
	HAMILTON		January 30, 2025
AERIAL MAP	CAI AXIS		January, 2025
AFFIDAVIT OF	JOEL FAVAZZA		February 5, 2025
SERVICE			

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.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Intent

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

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:1858919
City/Town:HAMILTON

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:

11054, 11053	02/05/2025
2. Municipal Check Number	3. Check date
4. State Check Number	5. Check date
Seaside Legal Solutions, P.C.	
6. Payer name on check: First Name	7. Payer name on check: Last Name

F. Signatures and Submittal Requirements

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

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

Roger Leblanc	2/5/2025
1. Signature of Applicant	2. Date
Roger Leblanc	2/5/2025
3. Signature of Property Owner(if different)	4. Date
Joel Favazza o/b/o SLS	2/5/2025
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 Section C, Items 1-3, 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
WPA Form 3 - Notice of Wetland Fee Transmittal
Form

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

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:1858919
City/Town:HAMILTON

A. Applicant Information

1. Applicant:

a. First Name	ROGER	b. Last Name	LEBLANC
c. Organization			
d. Mailing Address	C/O SEASIDE LEGAL SOLUTIONS, P.C., PO BOX 1172		
e. City/Town	GLOUCESTER	f. State	MA
g. Zip Code	01931		
h. Phone Number	9786274500	i. Fax	
j. Email			

2. Property Owner:(if different)

a. First Name	ROGER	b. Last Name	LEBLANC
c. Organization			
d. Mailing Address	C/O SEASIDE LEGAL SOLUTIONS, P.C., PO BOX 1172		
e. City/Town	GLOUCESTER	f. State	MA
g. Zip Code	01931		
h. Phone Number	9786274500	i. Fax	
j. Email			

3. Project Location:

a. Street Address	470 ESSEX STREET	b. City/Town	HAMILTON
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Are you exempted from Fee? ☐ (YOU HAVE SELECTED 'NO')

Note: Fee will be exempted if you are one of the following:

- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

State agencies are only exempt if the fee is less than \$100

B. Fees

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
A.) WORK ON SINGLE FAMILY LOT; ADDITION, POOL, ETC.;	1	110.00		110.00

City/Town share of filing fee	State share of filing fee	Total Project Fee
\$67.50	\$42.50	\$110.00

PROJECT NARRATIVE

Seaside Legal Solutions, P.C., represents Roger LeBlanc (the “Applicant”), in connection with a Notice of Intent (the “NOI”) filed on his behalf for the construction of a single-family home, driveway, and septic system (the “Project”) at 470 Essex Street, Hamilton (the “Locus”). The Locus consists of approximate 40,012 sf of area; about half of the lot is comprised of inland wetlands resource area, the boundaries of which were flagged and delineated by William Manuell, of Wetlands and Land Management in September of 2024. Portions of the Project are located within the 100’ Buffer Zone to the wetlands resource area, as well as within the Associated Upland Resource Area, thereby requiring an Order of Conditions from the Town of Hamilton Conservation Commission under the Commonwealth’s Wetlands Protection Act (the “WPA”) and the Town’s General Wetlands Protection/Conservation Bylaw (Chapter XVII, the “Bylaw”).

All of the above-described activities and their proximity to the resource area(s) are shown on the “Site Development Permit Plan” prepared by Eastern Land Survey Association, Inc., for Roger LeBlanc, dated September 19, 2024. The following regulatory citations and commentary address jurisdictional thresholds and performance standards.¹

310 CMR 10.53(1) Buffer Zone Work

Under the WPA, all of the proposed work is located in the 100’ Buffer Zone; no work will directly impact or alter any Resource Area(s). The entirety of the proposed dwelling and almost the entirety of the septic system is located within the Buffer Zone. Most of the driveway is outside of the Buffer Zone, with only a portion of the proposed walkway located within it.

310 CMR 10.53(1) outlines the general requirements for work in a Buffer Zone. It provides that the Commission shall impose conditions to protect the interests identified by M.G.L. c. 131 § 40 for the adjacent Resource Areas. The Commission “may require erosion and sedimentation controls during construction, a clear limit of work, and the preservation of natural vegetation adjacent to the Resource Area and/or other measures commensurate with the scope and location of the work within the Buffer Zone to protect the interests of M.G.L. c. 131, § 40.”

The plans submitted herewith outline significant proposed erosion control measures during construction, including erosion control barriers (silt socks, silt fences, straw bales, temporary construction entrance / washout space) around the work area, upland of the resource area itself. The limit of work is clearly defined, and will include post-construction “no

¹ 310 CMR 10.51 through 10.60 pertain to inland wetlands. Bylaw Chapter XVII pertains to wetlands protection and conservation.

cut” marker posts to meet Bylaw requirements. These posts will serve an alternate purpose in permanently delineating any future scope of work.

310 CMR 10.53(1) also provides that this Commission may impose conditions that “include limitations on the scope and location of work in the Buffer Zone as necessary to avoid alteration of Resource Areas.” As stated above, the layout of the Locus was intentionally designed to locate the proposed work as far from the resource area as practical within the confines of the property itself, while still abiding by other controls such as zoning and Title V. In sum, the Project meets the WPA requirements for Buffer Zone work.

Bylaw Requirements

Section 2(2) of the Bylaw defines the Associated Upland Resource Area (“AURA”) as land extending 100’ horizontally outward from the boundary of a freshwater wetland. The AURA is considered a resource area under the Bylaw. *Id.* The burden of proof is on the applicant to prove that work proposed within the AURA will not have an unacceptable significant and/or cumulative effect upon the wetland values protected by the Bylaw. *Id.* at Section 2(3).

In furtherance of the above requirement related to unacceptable significant and/or cumulative effects, the Bylaw outlines certain standards which a particular project must meet:

Under Bylaw Section 7(B), projects are required to minimize alteration to resource area, where feasible, and to provide full mitigation where alteration is unavoidable and has been minimized. Bylaw Section 7(C) authorizes the Commission to establish safeguards for the AURA. These are effectuated in Section 7(D), which creates a 50’ no disturbance zone and a 75’ no build zone, measured from the edge of the resource area.

Importantly, Section 7(C) provides that the AURA may be disturbed notwithstanding the above requirements where the Applicant proves that the work will not harm the values protected under the Bylaw. Additionally Section 7(G) allows the Commission to waive certain performance standards upon a finding that no reasonable conditions or alternatives would allow a project in compliance with the regulations; that avoidance, mitigation, and minimization have been employed to the maximum extent feasible; and that a waiver is necessary to accommodate an overriding public interest or to avoid a decision that so restricts the use of the property as to constitute an unconstitutional taking without compensation.

Here, the Project will not have an unacceptable significant and/or cumulative effect upon the wetlands values protected by the Bylaw. First, the Project is located as far away from the delineated wetlands boundaries as possible while complying with setback requirements under the zoning bylaw and/or Title V. Locating the Project outside of the AURA is not feasible, as only a small sliver of the front of the lot is outside of the AURA. That said, during construction, the Applicant will surround the work area with erosion control to mitigate any adverse impacts to the surrounding wetland resource area itself. While 360 sf of the proposed dwelling and 420 sf of the proposed septic system will be located within the required no build

area, again, the Applicant will effectively mitigate these impacts by (i) installing the aforementioned erosion control during construction; (ii) respecting the 50' no disturb zone in perpetuity; and (iii) dedicating an additional 850 sf within the no build zone as area of no cut, which will be adequately marked by posts to inform present and future owners of the Locus (see Site Plan for additional detail). As such, while the Project cannot meet the strict requirements of the Bylaw, the Applicant proposes to minimize and avoid AURA alteration to the extent feasible, and mitigate alteration where not feasible. There are no reasonable alternatives to develop the Locus for residential use, and strict enforcement of the Bylaw as relates to the AURA requirements would so restrict the use of the Locus as to constitute a taking.

Conclusion

The proposed construction of a single-family home, a septic system, and a driveway and walkway located within the Buffer Zone can be sufficiently conditioned to protect the interests of the WPA. The Applicant proposes significant erosion control and the site plan shows a clear delineation of work. The Project may also be approved under the Bylaw, despite proposing alteration to the AURA and within the no build zone because there is no reasonable alternative to develop the Locus for residential use, and the Applicant has proposed sufficient mitigation to meet the Bylaw requirements.



Town of Hamilton, MA

470 ESSEX ST



Layers

79

0004 SF

80

40000 SF

81

40007 SF

70

40012 SF

74

40006 SF

73

40019 SF

71

40003 SF

72



22

x:-70.827770, y:42.615696



AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act and the City of Gloucester Wetlands Ordinance

I, Joel Favazza, hereby certify under the pains and penalties of perjury that on February 5, 2025, I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Town of Hamilton Wetlands Bylaw, in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by Roger LeBlanc, with the Hamilton Conservation Commission on February 5, 2025, for property located at 470 Essex Street, Hamilton, MA 01982.

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

/s/ Joel Favazza
Signature & Title

February 5, 2025
Date

Notification to Abutters

By Hand Delivery, Certified Mail (return receipt requested), or Certificates of Mailing

This is a notification required by law. You are receiving this notification because you have been identified as the owner of land abutting another parcel of land for which certain activities are proposed. Those activities require a permit under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40).

In accordance with the second paragraph of the Massachusetts Wetlands Protection Act, and 310 CMR 10.05(4)(a) of the Wetlands Regulations, you are hereby notified that:

- A. A Notice of Intent was filed with the Hamilton Conservation Commission on February 5, 2025, seeking permission to remove, fill, dredge, or alter an area subject to protection under M.G.L. c. 131 §40. The following is a description of the proposed activity/activities:
 - Construction of a single-family home and associated amenities, including driveway and septic system.
- B. The name of the applicant is: Roger LeBlanc
- C. The address of the land where the activity is proposed is: 470 Essex Street, Hamilton, Massachusetts, 01982.
- D. Copies of the Notice of Intent may be examined or obtained at the office of the Hamilton Conservation Commission, located at 650 Asbury Street, Hamilton, MA 01982. The regular business hours of the Commission are Monday to Thursday from 8:30 am to 12:30 pm, and the Commission may be reached at 978-626-5251.
- E. Copies of the Notice of Intent may be obtained from the applicant or their representative by calling Seaside Legal Solutions, P.C. at 978-627-4500. An administrative fee may be applied for providing copies of the Notice of Intent and plans.
- F. Information regarding the date, time, and location of the public hearing regarding the Notice of Intent may be obtained from the Hamilton Conservation Commission. Notice of the public hearing will be published at least five business days in advance, in the Salem News.

Notification provided pursuant to the above requirement does not automatically confer standing to the recipient to request Departmental Action for the underlying matter. See 310 CMR 10.05(7)(a)4.



300 feet Abutters List Report

Hamilton, MA
January 30, 2025

Subject Property:

Parcel Number: 59-0070
CAMA Number: 59-000-0070
Property Address: 470 ESSEX ST

Mailing Address: LEBLANC ROGER
14 MILL RD
IPSWICH, MA 01938

Abutters:

Parcel Number: 59-0039
CAMA Number: 59-000-0039
Property Address: 494 ESSEX ST

Mailing Address: MARMION JAMES POPE COURTNEY
494 ESSEX ST
SOUTH HAMILTON, MA 01982

Parcel Number: 59-0040
CAMA Number: 59-000-0040
Property Address: 453 ESSEX ST

Mailing Address: JOHNSON PAUL B PATRICIA A
453 ESSEX ST
SOUTH HAMILTON, MA 01982

Parcel Number: 59-0071
CAMA Number: 59-000-0071
Property Address: 1 WHIPPLE RD

Mailing Address: DENTON JAMES W JR CELINE
1 WHIPPLE RD
SOUTH HAMILTON, MA 01982

Parcel Number: 59-0072
CAMA Number: 59-000-0072
Property Address: 2 WHIPPLE RD

Mailing Address: LAFOUNTAIN PHILIP N JENNIFER L
2 WHIPPLE RD
SOUTH HAMILTON, MA 01982

Parcel Number: 59-0073
CAMA Number: 59-000-0073
Property Address: 4 WHIPPLE RD

Mailing Address: ERIC R EATON LIVING TRUST BRITT
M.C. EATON LIVING TRUST
4 WHIPPLE RD
SOUTH HAMILTON, MA 01982

Parcel Number: 59-0080
CAMA Number: 59-000-0080
Property Address: 5 WHIPPLE RD

Mailing Address: GRIMSHAW ANTHONY GRACE M
BELFIORE
5 WHIPPLE RD
SOUTH HAMILTON, MA 01982

Parcel Number: 59-0081
CAMA Number: 59-000-0081
Property Address: 3 WHIPPLE RD

Mailing Address: MEIBAUM WALTER C III REVOC TRU
MEIBAUM WALTER C III TRUSTEE
3 WHIPPLE RD
S HAMILTON, MA 01982

Parcel Number: 59-0098
CAMA Number: 59-000-0098
Property Address: 3 SPINGLER DR

Mailing Address: CULLEN ERIN
2 SPINGLER DRIVE
SOUTH HAMILTON, MA 01982

Parcel Number: 60-0103
CAMA Number: 60-000-0103
Property Address: 1 APPALOOSA LN

Mailing Address: CROWLEY ADAM C ERIN M
1 APPALOOSA LN
SOUTH HAMILTON, MA 01982



www.cai-tech.com

1/30/2025

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Page 1 of 1



AECOM
250 Apollo Drive
Chelmsford, MA 01824

978.905.2100 tel
978.905.2101 fax

February 28, 2025

Hamilton Conservation Commission
Town Offices at Patton Homestead
650 Asbury Street
P.O. Box 429
Hamilton, MA 01936

**Subject: Notice of Intent
Roadway Resurfacing at Bradley Palmer State Park
Massachusetts Department of Conservation & Recreation**

Dear Commission Members,

On behalf of the Massachusetts Department of Conservation & Recreation (Applicant), AECOM respectfully submits this Notice of Intent (NOI) for work within Bradley Palmer State Park in Hamilton, Massachusetts (Site). DCR is proposing to resurface approximately 4,300 feet (0.81 miles) of Bradley Palmer State Park Road between the Topsfield Town Line and Highland Street (Project). The Project also includes the replacement of a collapsed culvert.

As a result of the Project, there will be temporary and permanent impacts to resources regulated under the Wetlands Protection Act (WPA). However, impacts to the Project have been minimized to the extent practicable, and the Project will result in an improvement over existing conditions, as described in the accompanying narrative.

If you have any questions regarding the submitted application, please do not hesitate to contact me at (203) 536-1833 or jessica.marino@aecom.com.

Sincerely,

Jessica Marino, PWS
Senior Wetland Scientist
jessica.marino@aecom.com

Copies to:

- Tom Valton, DCR
- MassDEP – Northeast Regional Office

Notice of Intent

Pavement Improvements and Roadway Resurfacing at
Bradley Palmer State Park

Hamilton, Massachusetts

Massachusetts Department of Conservation & Recreation

Quality information

Prepared by	Checked by	Verified by	Approved by
			
Jessica Marino Senior Wetland Scientist	Thomas J. Keough Project Manager		

Revision History

Revision	Revision date	Details	Authorized	Name	Position
1.0	2/4/2025	First draft		Jessica Marino	Senior Scientist

Distribution List

# Hard Copies	PDF Required	Association / Company Name
1	✓	Town of Hamilton Conservation Commission
1	✓	MassDEP – Northeast Regional Office
1	✓	Natural Heritage and Endangered Species Program (NHESP)

Prepared for:

Massachusetts Department of Conservation & Recreation
6 Edwin H. Land Boulevard
Cambridge, MA 02141

Prepared by:

Jessica Marino
Senior Wetland Scientist
T: 203-536-1833
E: jessica.marino@aecom.com

AECOM
250 Apollo Drive
Chelmsford, MA 01824
aecom.com

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WPA Form 3 & Wetland Fee Transmittal Forms



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Hamilton

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):

540 Highland Street

a. Street Address

Hamilton

b. City/Town

01982

c. Zip Code

Latitude and Longitude:

42.64359

d. Latitude

-70.8909

e. Longitude

Map 12

f. Assessors Map/Plat Number

Parcel 20-1

g. Parcel /Lot Number

2. Applicant:

Thomas

a. First Name

Valton

b. Last Name

Massachusetts Department of Conservation and Recreation

c. Organization

6 Edwin H. Land Boulevard

d. Street Address

Cambridge

e. City/Town

MA

f. State

02141

g. Zip Code

339-368-2930

h. Phone Number

i. Fax Number

thomas.valton@state.ma.us

j. Email Address

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

Priscilla

a. First Name

Geigis

b. Last Name

Massachusetts Department of Conservation and Recreation

c. Organization

10 Park Plaza, Suite 6620

d. Street Address

Boston

e. City/Town

MA

f. State

02116

g. Zip Code

617-626-4986

h. Phone Number

i. Fax Number

priscilla.geigis@mass.gov

j. Email address

4. Representative (if any):

Jessica

a. First Name

Marino

b. Last Name

AECOM

c. Company

250 Apollo Drive

d. Street Address

Chelmsford

e. City/Town

MA

f. State

01824

g. Zip Code

203-536-1833

h. Phone Number

i. Fax Number

jessica.marino@aecom.com

j. Email address

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

\$750.00

a. Total Fee Paid

\$362.50

b. State Fee Paid

\$387.50

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

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MassDEP File Number

Document Transaction Number

Hamilton

City/Town

A. General Information (continued)

6. General Project Description:

DCR is proposing to mill and overlay Bradley Palmer State Park Road from the Topsfield Town Line to Highland Street.

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

- | | |
|---|---|
| 1. <input 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 checked="" 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)
- 10.53(3)(f): maintenance and improvement of existing public roadways.

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:

Southern Essex

a. County

3389

c. Book

b. Certificate # (if registered land)

25

d. Page Number

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

1. ☐ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
2. ☒ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

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Hamilton

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 checked="" type="checkbox"/> Bordering Vegetated Wetland	8 SF 1. square feet	0 SF 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	3,209 SF (temporary) 1. square feet 0 SF 3. cubic feet of flood storage lost	0 SF 2. square feet 0 SF 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 checked="" type="checkbox"/> Riverfront Area	Unnamed tributary to Ipswich River (inland) 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: 50,258 SF
square feet

4. Proposed alteration of the Riverfront Area:

<u>5,375 SF (temporary)</u>	<u>2,163 SF (temporary)</u>	<u>3,212 SF (temporary)</u>
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

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

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Hamilton

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 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
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

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Hamilton

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**

August 2021

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/mas-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

WPA Form 3 – Notice of Intent

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

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Hamilton

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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
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Hamilton

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

WPA Form 3 – Notice of Intent

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

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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.

Bradley Palmer Pavement Resurfacing, Maintenance, and Repair

a. Plan Title

AECOM

b. Prepared By

10/29/2024

d. Final Revision Date

Randy Twiss

c. Signed and Stamped by

Various

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:

231

2. Municipal Check Number

Paid online via eDEP

4. State Check Number

Jessica

6. Payor name on check: First Name

2/28/25

3. Check date

5. Check date

Rebholz

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

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Document Transaction Number


Hamilton

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 <i>2/26/2025</i>
3. Signature of Property Owner (if different) Jessica Marino	4. Date 2/27/25
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.



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

A. Applicant Information

1. Location of Project:

Bradley Palmer State Park Road

a. Street Address

Hamilton

b. City/Town

Paid online via eDEP

\$362.50

c. Check number

d. Fee amount

2. Applicant Mailing Address:

Thomas

a. First Name

Valton

b. Last Name

Massachusetts Department of Conservation and Recreation

c. Organization

6 Edwin H. Land Boulevard

d. Mailing Address

Cambridge

e. City/Town

MA

f. State

02141

g. Zip Code

339-368-2930

h. Phone Number

i. Fax Number

thomas.valton@state.ma.us

j. Email Address

3. Property Owner (if different):

Priscilla

a. First Name

Geigis

b. Last Name

Massachusetts Department of Conservation and Recreation

c. Organization

10 Park Plaza, Suite 6620

d. Mailing Address

Boston

e. City/Town

MA

f. State

02116

g. Zip Code

617-626-4986

h. Phone Number

i. Fax Number

priscilla.geigis@mass.gov

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.



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
2e.) inland limited project	1	\$500	\$500.00 x 1.5
Step 5/Total Project Fee:			\$750.00

Step 6/Fee Payments:

Total Project Fee:	<u>\$750.00</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$362.50</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee:	<u>\$387.50</u>
	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.)

Project Narrative

1. Introduction

On behalf of the Massachusetts Department of Conservation and Recreation (DCR), AECOM is submitting this Notice of Intent (NOI) for the resurfacing of Bradley Palmer State Park Road between the Topsfield Town Line and Highland Street (Project) in Hamilton, Massachusetts (Site), and the repair of a culvert within the roadway. This NOI is being submitted pursuant to the Massachusetts Wetlands Protection Act (WPA) (MGL C. 131, s. 40) and its Regulations (310 CMR 10.00) as well as the Town of Hamilton Conservation Bylaw.

Under 310 CMR 10.02(2)(b)2.p, the proposed pavement repair, resurfacing, and reclamation of existing roadways within the right-of-way configuration is considered a "minor activity" that is temporary and has negligible impacts. Per 310 CMR 10.02(2)(a) and (b), the proposed activity is not subject to regulation when it falls within the Riverfront Area and/or 100-foot Buffer Zone. However, portions of the Project are also located within Bordering Land Subject to Flooding (BLSF), and the resurfacing of these segments of the roadway is not automatically exempt from regulation.

The repair of the existing culvert qualifies as a "Limited Project" under the WPA regulations for inland resource areas per 310 CMR 10.53(3)(k) for the *"routine maintenance and repair of road drainage structures including culverts and catch basins, drainage easements, ditches, watercourses and artificial water conveyances to ensure flow capacities which existed on the effective date of 310 CMR 10.51 through 10.60 (April 1, 1983)."*

1.1 Project Overview

DCR is proposing to resurface approximately 4,300 feet (0.81 miles) of Bradley Palmer State Park Road between the Topsfield Town Line and Highland Street in Hamilton, Massachusetts, as shown on the United States Geological Survey (USGS) Topographic Map (**Figure 1**) in **Appendix A**. The Project is located within the 100-foot Buffer Zone to Bank, the 100-foot Buffer Zone to BVW, BVWs, the 200-foot Riverfront Area, and Bordering Land Subject to Flooding. The Project is discussed further in Section 4.0.

1.2 Site Description

Bradley Palmer State Park is a public recreation area covering 736 acres on the Ipswich River in the towns of Hamilton and Topsfield. The park contains numerous trails for walking, hiking, mountain biking, horseback riding, and cross-country skiing, and offers picnicking, canoeing, and fishing. The park is operated and maintained by DCR. The Site consists entirely of Bradley Palmer State Road. The Site includes an estimated area of 2.12 acres, in which the existing land use is degraded asphalt/concrete patching.

1.3 Project Purpose

The purpose of the Project is to improve roadway conditions within Bradley Palmer State Park. The current condition of the roadway is poor, with numerous asphalt cracks throughout and uneven surfaces which make driving or biking on the roadway difficult. The Project will improve the condition of the roadway throughout by creating a smooth, uneven surface for motorists, walkers, and cyclists. The Project is discussed in greater detail in Section 4.0.

1.4 Abutter Notification

Per the Town of Hamilton Conservation Bylaw Regulations Section V, Subsection B, "the Applicant shall notify all abutters within 300 feet of the subject parcel of the filing of the NOI, the availability of the NOI for public inspection at the Commission office, and the public hearing date." Proof of abutter notification under the bylaw is included in **Appendix E**.

2. Existing Conditions

2.1 Desktop Review of Project Limits

According to the USGS topographic map, the approximate range of elevation for the Site is from 42 to 58 feet above mean sea level (**Figure 1**). Based on reviews of the Massachusetts Department of Environmental Protection (MassDEP) Wetland Area Maps for Essex County¹, the Site is mapped as having the following inland resources: Wooded Swamp Deciduous, Shrub Swamp, and Shallow Marsh Meadow or Fen (**Figure 3**).

Based on review of the National Wetland Inventory (NWI) Map provided by the U.S. Fish and Wildlife Service (USFWS), inland wetlands are mapped within and surrounding the Site and have similar boundaries as the inland resources mapped by MassDEP (**Figure 3**). The wetlands mapped within the Site are classified as palustrine forested, broad-leaved deciduous, seasonally flooded/saturated (PFO1E), palustrine forested, broad-leaved deciduous, seasonally flooded (PFO1C), palustrine scrub shrub, broad-leaved deciduous, semipermanently flooded (PSS1F), palustrine forested, broad-leaved deciduous, seasonally flooded/saturated, partially drained/ditched (PFO1Ed), riverine intermittent streambed, seasonally flooded (R4SBC), and palustrine unconsolidated bottom, permanently flooded, diked/impounded (PUBHh).

The most recently issued Flood Insurance Rate Map (FIRM)² produced by the Federal Emergency Management Agency (FEMA), indicates that a portion of the Site is located within Zone A, which is characterized as an area with a 1% or greater chance of flooding (**Figure 4**). There is no Base Flood Elevation (BFE) identified for the Project.

According to the most recently available data provided by the Massachusetts Natural Heritage and Endangered Species Program³, the entire Site is located within a Priority Habitat of Rare Species area (PH #1915) and Estimated Habitat of Rare Wildlife area (EH #1237). There are no Certified or Potential Vernal Pools within or adjacent to the Site. The Site is not located within an Area of Critical Environmental Concern⁴ or Outstanding Resource Water⁵. The Site is located within a Zone II Wellhead Protection Area⁶ associated with the Ipswich Department of Public Utilities Water Department (**Figure 5**).

2.2 Resource Areas and Buffer Zones

A field delineation was conducted between June and November of 2023 and was performed in accordance with methods developed by MassDEP⁷ and the U.S. Army Corps of Engineers (USACE)⁸. Wetland resources areas identified within or near the Site included Bank, Land Under Water Bodies and Waterways, BVWs, and Bordering Land Subject to Flooding. These resources are defined under the WPA as:

- **Bank:** As defined in 310 CMR 10.54(2)(a), is “the portion of the land surface which normally abuts and confines a waterbody.”
- **Land Under Water Bodies and Waterways (LUWW):** As defined in 310 CMR 10.56(2)(a), is “the land beneath any creek, river, stream, pond or lake.”
- **Bordering Vegetated Wetlands (BVW):** As defined in 310 CMR 10.55(2)(a), are “freshwater wetlands which border on creeks, rivers, streams, ponds and lakes.”
- **Riverfront Area:** As defined in 310 CMR 10.58(2)(a), is “the area of land between a river's mean annual high-water line measured horizontally outward from the river and a parallel line located 200 feet away.”
- **Bordering Land Subject to Flooding (BLSF):** As defined in 310 CMR 10.57(2)(a), is “an area with low, flat topography adjacent to and inundated by flood waters rising from creeks, rivers, streams, ponds or lakes.”

Wetland resource areas within the Site are depicted on the Site Plans in **Appendix B**. The WPA establishes

¹MassDEP. 2020. Mass DEP Online Map Viewer Wetland and Wetland Change Areas Map. Available at: <http://maps.massgis.state.ma.us/images/dep/omv/wetviewer.htm>. Accessed January 2025.

²Federal Emergency Management Agency, October 2017, National Hazard Flood Layer, Digital Flood Insurance Rate Map. Map 25009C0269F. Effective 7/3/2012. Accessed January 2025.

³Massachusetts Natural Heritage and Endangered Species Program, August 2021. Massachusetts Natural Heritage Atlas. 15th Edition.

⁴MassGIS (collaboration with DCR and CZM), Sept. 2017. Massachusetts ACECs.

⁵MassGIS, Dec. 2017. Designated Outstanding Resource Waters of Massachusetts.

⁶MassGIS, Oct. 2017. Approved Wellhead Protection Areas (Zone I and IWPA).

⁷MassDEP, 1995. Delineating BVWs Under the Massachusetts Wetlands Protection Act.

⁸USACE, 2012. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, Version 2.0.

100-foot Buffer Zones extending from inland resources including Bank and BVW. The WPA states that any activities that are undertaken within 100 feet of an area specified in 310 CMR 10.02(1)(a) will be conducted per 310 CMR 10.02(2)(b), “in a manner so as to reduce the potential for any adverse impacts to the resource area during construction, and with post-construction measures implemented to stabilize any disturbed areas.” The WPA also establishes a 200-foot Riverfront Area for the unnamed tributary to Ipswich River. Work within the Riverfront Area must meet the performance standards pursuant to 310 CMR 10.58(4).

2.2.1 Hamilton Conservation Bylaw Resource Areas

Wetland resources subject to jurisdiction under the Hamilton Conservation Bylaw (“bylaw”) differ from those protected under the WPA in that additional areas are protected by the bylaw. In addition to the resource areas outlined above in Section 2.2, areas subject to protection under the bylaw include smaller ponds, vernal pools, certain freshwater wetlands that may not meet the definition of BVW under the WPA and Associated Upland Resource Areas (AURAs). AURAs are defined under the bylaw as “areas of land extending 100 feet horizontally outward from the boundary of any freshwater wetlands, marshes, wet meadows, bogs, swamps, vernal pools, springs, banks, reservoirs, lakes, ponds of any size, and lands under water bodies.”

3. Alternatives Analysis

Three alternatives were considered as part of the Project, as described below. Each alternative that met the overall project purpose was evaluated based on practicability and environmental impacts to determine the Least Environmentally Damaging Practicable Alternative (LEDPA). Almost the entire Site is located within the Town of Hamilton’s 100-foot AURA and a portion of the roadway entirely overlaps the Riverfront Area; therefore, no feasible alternatives exist for the Project that would not impact the AURA/Riverfront Area. Impacts to the AURA and Riverfront Area are unavoidable but have been minimized to the extent practicable.

Alternative 1 – No Build: Alternative 1, the No-Build Alternative, assumes that no changes would be made to the Site. Bradley Palmer State Park Road would not be repaved, and the collapsed culvert would not be replaced. Under Alternative 1, the roadway would continue to crack and deteriorate, and the culvert would likely cause a partial washout of the roadway, resulting in lengthy road closures to the park. The No-Build Alternative does not achieve the purpose of the Project, which is to improve the condition of the roadway. Therefore, the No-Build Alternative was dismissed.

Alternative 2 – Partial Site Improvements: Alternative 2, Partial Site Improvements, would include resurfacing of the roadway, but would not include replacement of the culvert. Under this alternative, impacts to the Riverfront Area and AURA would be reduced, but the culvert underneath the roadway would continue to deteriorate. Although Alternative 2 would reduce all impacts to regulated resources, it does not fully achieve the purpose of the Project. Therefore, Alternative 2 was dismissed.

Alternative 3 – Site Improvements (Preferred Alternative): Alternative 3, Site Improvements, assumes the resurfacing of the roadway and replacement of the deteriorating culvert. Alternative 3 was selected as the preferred alternative because it fully achieves the purpose of the Project, which is to improve the condition of the roadway for motorists, cyclists, and walkers.

4. Project Description

The Project involves approximately 4,300 feet (0.81 miles) of roadway resurfacing along Bradley Palmer State Park Road between the Topsfield Town Line and Highland Street. The Project includes mill and overlay for all but 60 linear feet, where full depth reconstruction of the roadway is proposed. No trees will be removed as part of the Project. Also included in the scope of the Project is the replacement of a collapsed 24” culvert with a 24” high-density polyethylene (HDPE) pipe. Details regarding the limits of the proposed activities are provided in **Appendix B**.

4.1 Minor Activities within the Buffer Zone

Pursuant to 310 CMR 10.02(b)(2)(p), “pavement repair, resurfacing, and reclamation of existing roadways within the right-of-way configuration provided that the roadway and shoulders are not widened” within the Buffer Zone is considered a minor activity and is not subject to regulation under the WPA. Therefore, impact areas due to resurfacing within the 100-foot Buffer Zones to Bank and BVW are not included in Table 1 below.

4.2 Erosion and Sedimentation Control

During construction, erosion and sedimentation controls such as silt fencing and compost filter tubes (or similar) will be utilized. All erosion and sedimentation controls will be removed following completion of the work, and all disturbed areas will be permanently stabilized. Erosion controls will be inspected on a regular basis and maintained in working condition until all disturbed areas are stable. Locations and details of erosion and sediment controls are shown in **Appendix B**.

The Contractor will also inspect the Site and remove any demolition debris or other construction related materials upon completion. To minimize runoff and washout, no work shall be performed adjacent to resource areas during significant rain events.

4.3 Restoration

Following construction, gravel and paved surfaces will be restored to pre-construction conditions in accordance with the DCR Parkway Standards. Disturbed upland areas will be loamed and seeded with an upland grass seed mix to match the existing park environment. All restoration areas are shown in **Appendix B** and on Sheet D-02 in the Construction Details.

4.4 Project Impacts

The Project is anticipated to result in impacts to WPA and Town of Hamilton jurisdictional resource areas, as shown in the table below.

Table 1. Summary of Impacts

Activity	Resource Area(s)	Temporary Impacts (ft ²)	Permanent Impacts (ft ²)	Total Impacts (ft ²)
Roadway Resurfacing/Repaving	BLSF	3,209 ft ²	0 ft ²	3,209 ft ²
	AURA	65,372 ft ²	0 ft ²	65,372 ft ²
	Riverfront Area	5,375 ft ²	0 ft ²	5,375 ft ²
Culvert Replacement	BVW	0 ft ²	8 ft ²	8 ft ²

4.4.1 Floodplain/BLSF

Portions of the Site are located within the 100-year floodplain associated with Ipswich River. The limits of the floodplain are concurrent with the limits of BLSF. Per the Site's FEMA FIRM (Map #25009C0269F), no base flood elevation (BFE) on the Site is available. Therefore, the limit of BLSF was conservatively estimated to be 51.0' based on the highest contour that intersected FEMA Flood Zone A. No flood storage loss will occur at any elevation because there is no change in the grade of the road, and work within the floodplain is limited to mill and overlay; therefore, floodplain compensation is not provided as part of the Project. Additionally, the Project will not impact or impair BLSF's capacity to provide important wildlife habitat functions as the impact areas associated with BLSF are comprised entirely of the existing roadway and do not currently provide any important wildlife habitat functions.

4.4.2 AURA

A majority of the Site is located within AURAs. All AURAs on the Site are associated with BVWs. Temporary impacts to AURAs are due to the installation of erosion and sedimentation controls and resurfacing of the

roadway. There will be no increase in impervious surface due to the Project and the condition of the Site will return to pre-construction conditions upon completion of the Project.

4.4.3 Riverfront Area

Portions of the Site are located within the Riverfront Area associated with an unnamed tributary to Ipswich River, a mapped perennial stream. The Riverfront Area is concurrent with the outer riparian zone and consists entirely of the existing roadway and maintained right-of-way. For areas temporarily impacted by the Project, they will be restored to pre-construction condition, including loaming and seeding with an appropriate upland seed mix⁹. Impacts to the Riverfront Area quantified in Table 1.

4.4.4 BVW

A small portion of existing BVWs on both sides of the roadway will be permanently impacted by the Project due to the culvert replacement. Two (2) flared-end sections (FES) at either end of the new HDPE pipe will be installed within BVW. The FES will result in approximately 4 ft² of impact on both sides of the roadway, for a total permanent impact to BVW of 8 ft². No grading for installation of the FES is required as part of the Project. Details regarding the FES are shown on Sheet D-02 of the Construction Details in **Appendix B**.

5. Regulatory Compliance

The following section details the Project's regulatory compliance with the WPA and the bylaw, including all applicable resource area performance standards. As afforded at 310 CMR 10.53(3), it is within the issuing authority's discretion to consider the magnitude of the alteration and the significance of the Project to the interests identified in the WPA, the availability of reasonable alternatives to the proposed activities, the extent to which disturbances are minimized, and the extent to which mitigation measures, including restoration, are provided to contribute to the protection of the interests identified in the WPA.

5.1 Massachusetts Wetlands Protection Act

The Project meets performance standards associated with WPA resources as described below.

- **100-foot Buffer Zone to Bank/BVW ("Buffer Zone")**

The Buffer Zone is not a resource area pursuant to the Wetlands Protection Act, and as such, there are no performance standards associated with the 100-foot Buffer Zone to Bank/BVW.

- **BLSF (310 CMR 10.57(4)):**

310 CMR 10.57(4)(a)(1): Compensatory storage shall be provided for all flood storage volume that will be lost as the result of a proposed project within Bordering Land Subject to Flooding, when in the judgment of the issuing authority said loss will cause an increase or will contribute incrementally to an increase in the horizontal extent and level of flood waters during peak flows. Compensatory storage shall mean a volume not previously used for flood storage and shall be incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body. Further, with respect to waterways, such compensatory volume shall be provided within the same reach of the river, stream or creek.

There will be no flood storage lost because of the Project. The Project does not propose any changes to grade, and there will be no increase in impervious area as part of the Project. Therefore, floodplain compensation is not required as part of the Project.

310 CMR 10.57(4)(a)(2): Work within Bordering Land Subject to Flooding, including that work required to provide the above-specified compensatory storage, shall not restrict flows so as to cause an increase in flood stage or velocity.

⁹New England Roadside Matrix Upland Seed Mix (<https://newp.com/product/new-england-roadside-matrix-upland-seed-mix/>) or equivalent.

The Project will not restrict the flows of any body of water, and the Project will not cause an increase in flood stage or velocity.

310 CMR 10.57(4)(a)(3): Work in those portions of bordering land subject to flooding found to be significant to the protection of wildlife habitat shall not impair its capacity to provide important wildlife habitat functions. Except for work which would adversely affect vernal pool habitat, a project or projects on a single lot, for which Notice(s) of Intent is filed on or after November 1, 1987, that (cumulatively) alter(s) up to 10% or 5,000 ft² (whichever is less) of land in this resource area found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important wildlife habitat functions. Additional alterations beyond the above threshold, or altering vernal pool habitat, may be permitted if they will have no adverse effects on wildlife habitat, as determined by procedures contained in 310 CMR 10.60.

All work within BLSF is occurring within previously degraded and/or disturbed right-of-way per 310 CMR 10.57(1)(a)(3), and thus will not impair the projection of wildlife habitat.

- **Riverfront Area (310 CMR 10.58(4))**

As previously stated, no permanent impacts are proposed to the Riverfront Area and roadway resurfacing projects are exempt from the performance standards of the Riverfront Area. The General Performance Standards for Riverfront Area are outlined at 310 CMR 10.58(4) and include the following:

310 CMR 10.58(4)(a): The work shall meet the performance standards for all other resource areas within the Riverfront Area, as identified in 310 CMR 10.30 (Coastal Bank), 10.32 (Salt Marsh), 10.55 (BVW), and 10.57 (Land Subject to Flooding). When work in the Riverfront Area is also within the buffer zone to another resource area, the performance standards for the Riverfront Area shall contribute to the protection of the interests of M.G.L. c. 131, § 40 in lieu of any additional requirements that might otherwise be imposed on work in the buffer zone within the Riverfront Area.

The Project is a Limited Project per 310 CMR 10.53(3)(f) and impacts to other resources have been avoided and minimized to the greatest extent practicable.

310 CMR 10.58(4)(b): No project may be permitted within the Riverfront Area which will have any adverse effect on specified habitat sites of rare wetland or upland, vertebrate or invertebrate species, as identified by the procedures established under 310 CMR 10.59 or 10.37, or which will have any adverse effect on vernal pool habitat certified prior to the filing of the Notice of Intent.

A portion of the Project falls within the NHESP Estimated Habitat of Rare Wildlife area and Priority Habitat of Rare Species area and is co-located within the Riverfront Area. A Streamlined MESA filing is being submitted concurrently with this NOI.

310 CMR 10.58(4)(c): There must be no practicable and substantially equivalent economic alternative to the proposed project with less adverse effects on the interests identified in M.G.L. c. 131 § 40.

As described in Section 3.0, there are no practicable or substantially equivalent alternatives for the Project and the proposed activities improve existing conditions pedestrians, cyclists, and vehicles that traverse Bradley State Park Road.

310 CMR 10.58(4)(d): The work, including proposed mitigation measures, must have no significant adverse impact on the Riverfront Area to protect the interests identified in M.G.L. c. 131, § 40.

The proposed project will not have an adverse impact on RFA, as the resurfacing of the existing roadway will not result in new impervious surfaces.

- **BVW (310 CMR 10.55(4))**

310 CMR 10.55(4)(a): Where the presumption set forth in 310 CMR 10.55(3) is not overcome, any proposed work in a BVW shall not destroy or otherwise impair any portion of said area.

The Project will permanently impact approximately 8 ft² of BVW due to installation of 2 FES as part of the culvert replacement. However, the Project meets the definition of a Limited Project under 310 CMR 10.53(3)(k) and impacts to other resources have been avoided and minimized to the greatest extent practicable. Additionally, there are no feasible alternatives exist for the Project that would not impact the BVW. The current culvert is collapsing underneath the roadway and requires replacement.

310 CMR 10.55(4)(b): Notwithstanding the provisions of 310 CMR 10.55(4)(a), the issuing authority may issue an Order of Conditions permitting work which results in the loss of up to 5,000 ft² of BVW when said area is replaced in accordance with the following general conditions and any additional, specific conditions the issuing authority deems necessary to ensure that the replacement area will function in a manner similar to the area that will be lost:

- 1. the surface of the replacement area to be created ("the replacement area") shall be equal to that of the area that will be lost ("the lost area");*
- 2. the ground water and surface elevation of the replacement area shall be approximately equal to that of the lost area;*
- 3. The overall horizontal configuration and location of the replacement area with respect to the bank shall be similar to that of the lost area;*
- 4. the replacement area shall have an unrestricted hydraulic connection to the same water body or waterway associated with the lost area;*
- 5. the replacement area shall be located within the same general area of the water body or reach of the waterway as the lost area;*
- 6. at least 75% of the surface of the replacement area shall be reestablished with indigenous wetland plant species within two growing seasons, and prior to said vegetative reestablishment any exposed soil in the replacement area shall be temporarily stabilized to prevent erosion in accordance with standard U.S. Soil Conservation Service methods; and*
- 7. the replacement area shall be provided in a manner which is consistent with all other General Performance Standards for each resource area in Part III of 310 CMR 10.00. In the exercise of this discretion, the issuing authority shall consider the magnitude of the alteration and the significance of the project site to the interests identified in M.G.L. c. 131, § 40, the extent to which adverse impacts can be avoided, the extent to which adverse impacts are minimized, and the extent to which mitigation measures, including replication or restoration, are provided to contribute to the protection of the interests identified in M.G.L. c. 131, § 40.*

The Project will permanently impact approximately 8 ft² of the open water portion of a BVW due to installation of 2 FES as part of the culvert replacement. No wetland mitigation is proposed because creation of an 8 ft² mitigation area would result in a significantly larger footprint of disturbance than what is currently proposed. Grading and excavating to create the mitigation area would be required and could result in tree clearing and unnecessary disturbance to the existing BVWs. Additionally, the Project meets the definition of a Limited Project under 310 CMR 10.53(3)(f) and impacts to other resources have been avoided and minimized to the greatest extent practicable.

310 CMR 10.55(4)(c): Notwithstanding the provisions of 310 CMR 10.55(4)(a), the issuing authority may issue an Order of Conditions permitting work which results in the loss of a portion of BVW when;

- 1. said portion has a surface area less than 500 ft²;*
- 2. said portion extends in a distinct linear configuration ("finger-like") into adjacent uplands; and*
- 3. in the judgment of the issuing authority it is not reasonable to scale down, redesign or otherwise change the proposed work so that it could be completed without loss of said wetland.*

Not applicable. Although the loss of a portion of BVW is less than 500 ft², said portion does not extend in a distinct linear configuration ("finger-like") into adjacent uplands.

310 CMR 10.55(4)(d): Notwithstanding the provisions of 310 CMR 10.55(4)(a), (b) and (c), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.59.

The Project will permanently impact approximately 8 ft² of BVW within NHESP-designated Estimated Habitats of Rare Wildlife area and Priority Habitats of Rare Species. A streamlined MESA filing is being submitted concurrently with this NOI.

310 CMR 10.55(4)(e): Any proposed work shall not destroy or otherwise impair any portion of a BVW that is within an ACEC designated by the Secretary of Energy and Environmental Affairs under M.G.L. c. 21A, § 2(7) and 301 CMR 12.00: ACECs. 310 CMR 10.55(4)(e):

1. supersedes the provisions of 310 CMR 10.55(4)(b) and (c);
2. shall not apply if the presumption set forth at 310 CMR 10.55(3) is overcome;
3. shall not apply to work proposed under 310 CMR 10.53(3)(l); and
4. shall not apply to maintenance of stormwater detention, retention, or sedimentation ponds, or to maintenance of stormwater energy dissipating structures, that have been constructed in accordance with a valid order of conditions.

Not applicable. The Project is not located within an ACEC.

5.2 Hamilton Conservation Bylaw

- **BVW (Chapter 17, Section 7, Subsection B)**

The bylaw does not outline performance standards associated with BVWs. However, the bylaw stipulates that:

“To prevent resource area loss, the Commission shall require applicants to avoid alteration wherever feasible; to minimize alteration; and, where alteration is unavoidable and has been minimized, to provide full mitigation.”

As discussed above, no wetland mitigation is proposed because creation of an 8 ft² mitigation area would result in a significantly larger footprint of disturbance than what is currently proposed. Grading and excavating to create the mitigation area would be required and could result in tree clearing and unnecessary disturbance to the existing BVWs. Additionally, the Project meets the definition of a Limited Project under 310 CMR 10.53(3)(f) and impacts to other resources have been avoided and minimized to the greatest extent practicable.

- **Associated Upland Resource Area (“AURA”) (Chapter 17, Section 7, Subsection C)**

The bylaw does not outline performance standards associated with AURAs. However, the bylaw stipulates that:

“In reviewing activities within the AURA, the Commission shall presume the AURA is important in its own right and is important to the protection of other resource areas because activities undertaken in close proximity have a high likelihood of adverse impact, either immediately, as a consequence of construction, or over time, as a consequence of daily operation or existence of the activities. These adverse impacts from construction and use can include, without limitation, erosion, siltation, loss of groundwater recharge, poor water quality, and loss of wildlife habitat. Beyond those provided by this bylaw, the Commission may establish, in its regulations, design specifications, performance standards, and other measures and safeguards, including setbacks, no-disturb areas, no-build areas, and other work limits for protection of such lands, including without limitation strips of continuous, undisturbed vegetative cover, unless the applicant convinces the Commission that the area or part of it may be disturbed without harm to the values protected by this bylaw.”

The Project will not have an adverse impact on the AURA. Erosion and sedimentation controls will be installed between the limit of work (LOW) and all resource areas, significantly reducing the risk of any siltation, erosion, or degradation of water quality. Additionally, the Project is occurring entirely within previously degraded and/or disturbed right-of-way, so no loss of wildlife habitat will occur as part of the Project.

- **Riverfront Area (Chapter 17, Section 7, Subsection E)**

The bylaw does not outline performance standards associated with the Riverfront Area. However, the bylaw stipulates that:

"In reviewing activities within the Riverfront Area, the Commission shall presume the Riverfront Area is important to all the resource area values unless demonstrated otherwise, and no permit issued hereunder shall permit any activities unless the applicant, in addition to meeting the otherwise applicable requirements of this bylaw, has proved by a preponderance of the evidence that (1) there is no practicable alternative to the proposed project with less adverse effects, and that (2) such activities, including proposed mitigation measures, will have no significant adverse impact on the areas or values protected by this bylaw. The Commission shall regard as practicable an alternative which is reasonably available and capable of being done after taking into consideration the proposed property use, overall project purpose (e.g., residential, institutional, commercial, or industrial), logistics, existing technology, costs of the alternatives, and overall project costs."

The Project will not have an adverse impact on the Riverfront Area. The Project is occurring entirely within previously degraded and/or disturbed right-of-way, and erosion and sedimentation controls will be installed between the limit of work (LOW) and all resource areas.

6. Compliance with Massachusetts Stormwater Policy

In 1996, the Massachusetts Department of Environmental Protection (MassDEP) issued the Stormwater Policy that established Stormwater Management Standards aimed at encouraging recharge and preventing stormwater discharges from causing or contributing to the pollution of the surface waters and groundwaters of the Commonwealth. In 1997, MassDEP published the Massachusetts Stormwater Handbook as guidance on the Stormwater Policy. MassDEP has revised the Stormwater Management Standards and Massachusetts Stormwater Handbook to promote increased stormwater recharge, the treatment of more runoff from polluting land uses, low impact development (LID) techniques, pollution prevention, the removal of illicit discharges to stormwater management systems, and improved operation and maintenance of stormwater best management practices (BMPs). MassDEP applies the Stormwater Management Standards pursuant to its authority under the WPA and the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26-53. The revised Stormwater Management Standards have been incorporated in the WPA Regulations, 310 CMR 10.05(6)(k) and the Water Quality Certification Regulations, 314 CMR 9.06(6)(a). As the Project is designed to improve the existing drainage systems and stormwater management, the Project qualifies as a "Redevelopment Project" under Volume 1, Chapter 1 of the Massachusetts Stormwater Handbook. As such, the Project is only subject to Standards 2, 3, 4, 5, and 6 to the maximum extent practicable.

Standard 1: No New Untreated Discharges or Erosion to Wetlands (Not Applicable)

The Project does not include the construction of any new stormwater conveyances.

Standard 2: Peak Rate Attenuation (Not Applicable)

The Project does not include the construction of a new stormwater management system, and there will be no increase in post-development peak discharge rates.

Standard 3: Stormwater Recharge (Fully Met)

The Project will not result in an increase in impervious cover.

Standard 4: Water Quality (Not Applicable)

No changes to TSS removal are proposed.

Standard 5: Land Uses with Higher Potential Pollutant Loads (Not Applicable)

Not applicable. None of the land uses within the Site have higher potential pollutant loads.

Standard 6: Critical Areas (Not Applicable)

A portion of the Project is located within a Zone II Wellhead Protection Area associated with the Ipswich Department of Public Utilities Water Department. However, the Project does not include any stormwater discharges.

Standard 7: Redevelopment Projects (Fully Met)

This project qualifies as a Redevelopment Project under Volume 1, Chapter 1 of the Massachusetts Stormwater Handbook and as described above.

Standard 8: Construction Period Pollution Prevention, Erosion/Sedimentation Controls (Fully Met)

The Project fully complies with Standard 8. Erosion control measures will be used as part of the Project and are shown in **Appendix B**.

Standard 9: Operation and Maintenance Plan (Fully Met)

Erosion control measures will be used as part of the Project and are shown in **Appendix B**.

Standard 10: Prohibition of Illicit Discharges (Fully Met)

The Applicant is not aware of any illicit discharges and will identify any suspect connections observed during construction. No proposed work or subsequent maintenance will include illicit connections to the existing stormwater system.

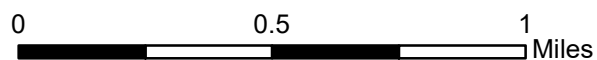
7. Summary

The Project will result in temporary and permanent impacts to jurisdictional wetland resource areas. However, all areas within BLSF, Riverfront Area, and the AURA will be restored to pre-construction conditions following conclusion of the Project, and appropriate erosion and sediment controls will be implemented during construction. Permanent impacts to BVW are marginal, and creation of a mitigation area would result in a significantly larger footprint of disturbance than what is currently proposed. Therefore, DCR respectfully requests that the Hamilton Conservation Commission find that these measures are adequately protective of the interests identified in the WPA and the bylaw and issue an Order of Conditions approving the work shown on the accompanying Site Plans.

Appendix A – Figures



Figure 1 - USGS Topographic Map
Pavement Resurfacing at Bradley Palmer State Park
 Hamilton, MA



Notes: Projection is in Massachusetts State Plane (ft) NAD 1983.

Prepared for:



Prepared by:

AECOM

January 2025



Legend

- Site
- - Town Boundaries

Locus Map
1 in = 100 miles

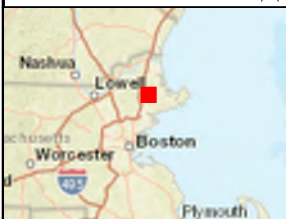


Figure 2 - Aerial Map
Pavement Resurfacing at Bradley Palmer State Park
Hamilton, MA

0 1,500 3,000 Feet

Notes: Projection is in Massachusetts State Plane (ft) NAD 1983.

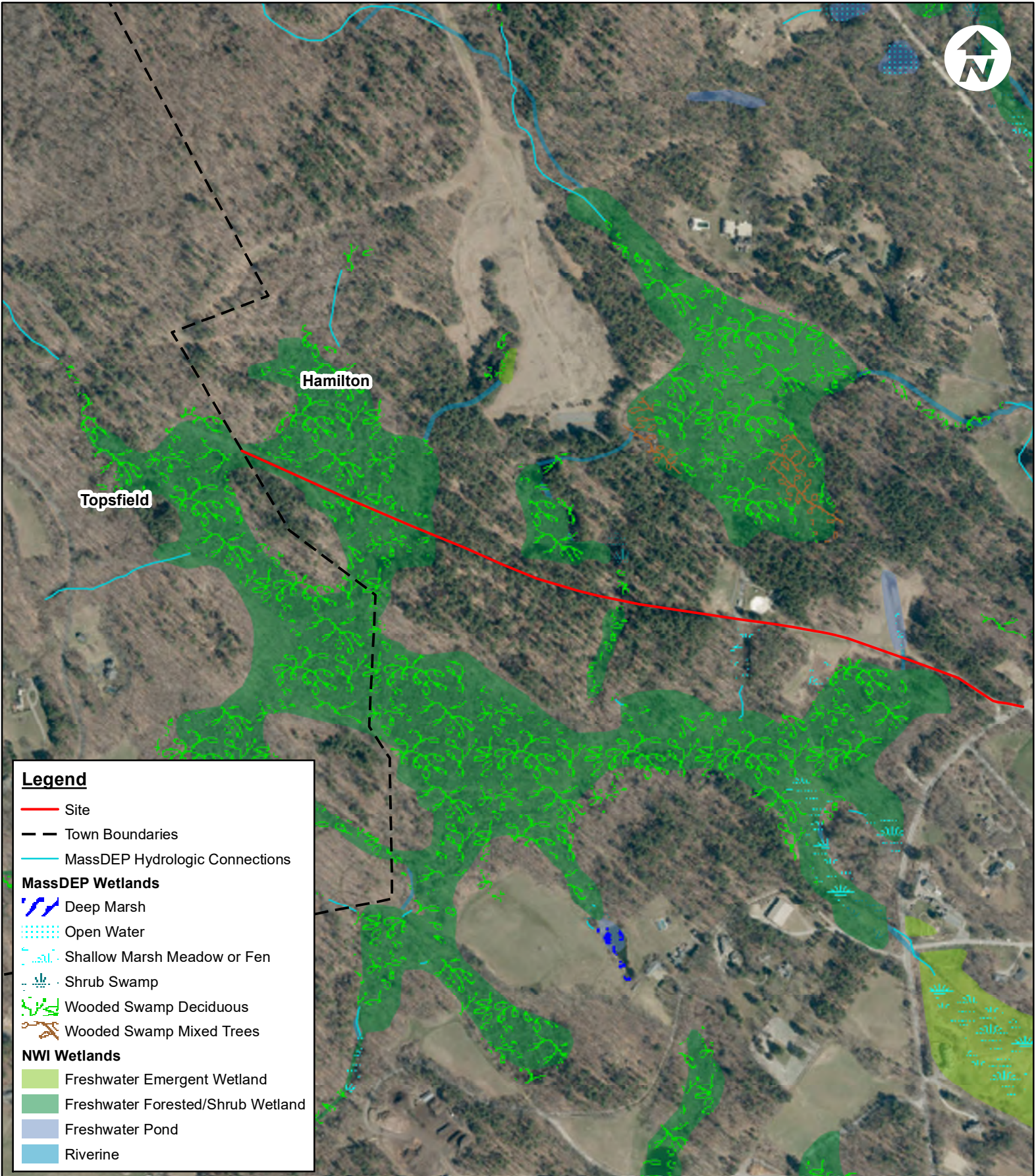
Prepared for:



Prepared by:

AECOM

January 2025



Legend

- Site
- - Town Boundaries
- MassDEP Hydrologic Connections

MassDEP Wetlands

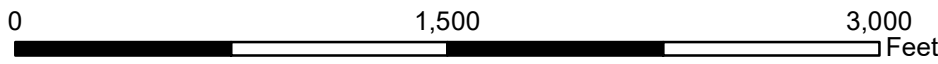
- Deep Marsh
- Open Water
- Shallow Marsh Meadow or Fen
- Shrub Swamp
- Wooded Swamp Deciduous
- Wooded Swamp Mixed Trees

NWI Wetlands

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Riverine



Figure 3 - Wetlands Map
Pavement Resurfacing at Bradley Palmer State Park
Hamilton, MA



Notes: Projection is in Massachusetts State Plane (ft) NAD 1983.

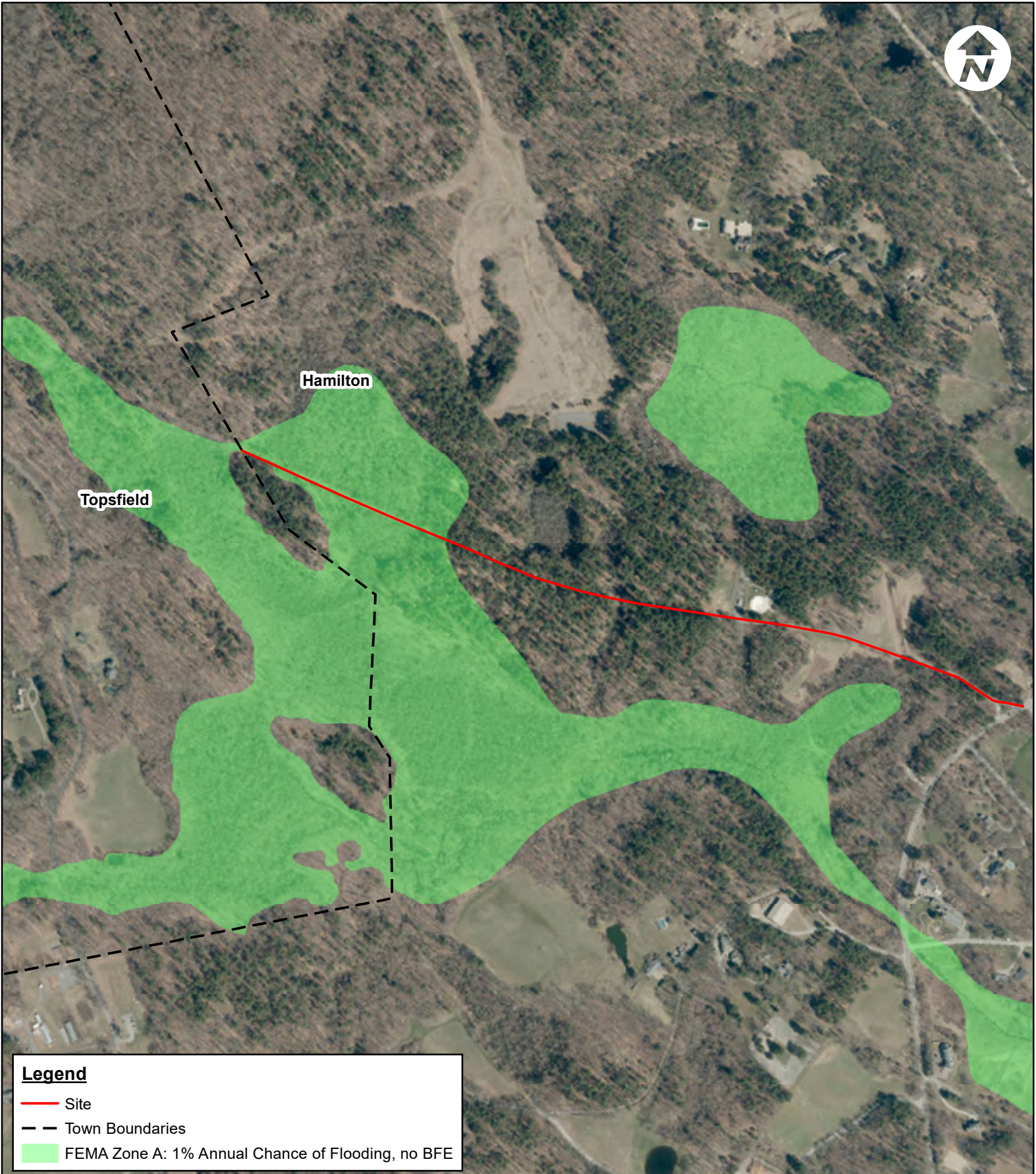
Prepared for:



Prepared by:



January 2025



Legend

- Site
- - Town Boundaries
- FEMA Zone A: 1% Annual Chance of Flooding, no BFE

Locus Map
1 in = 100 miles

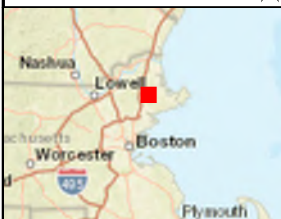


Figure 4 - FEMA Map
Pavement Resurfacing at Bradley Palmer State Park
Hamilton, MA

0 1,500 3,000 Feet

Notes: Projection is in Massachusetts State Plane (ft) NAD 1983.

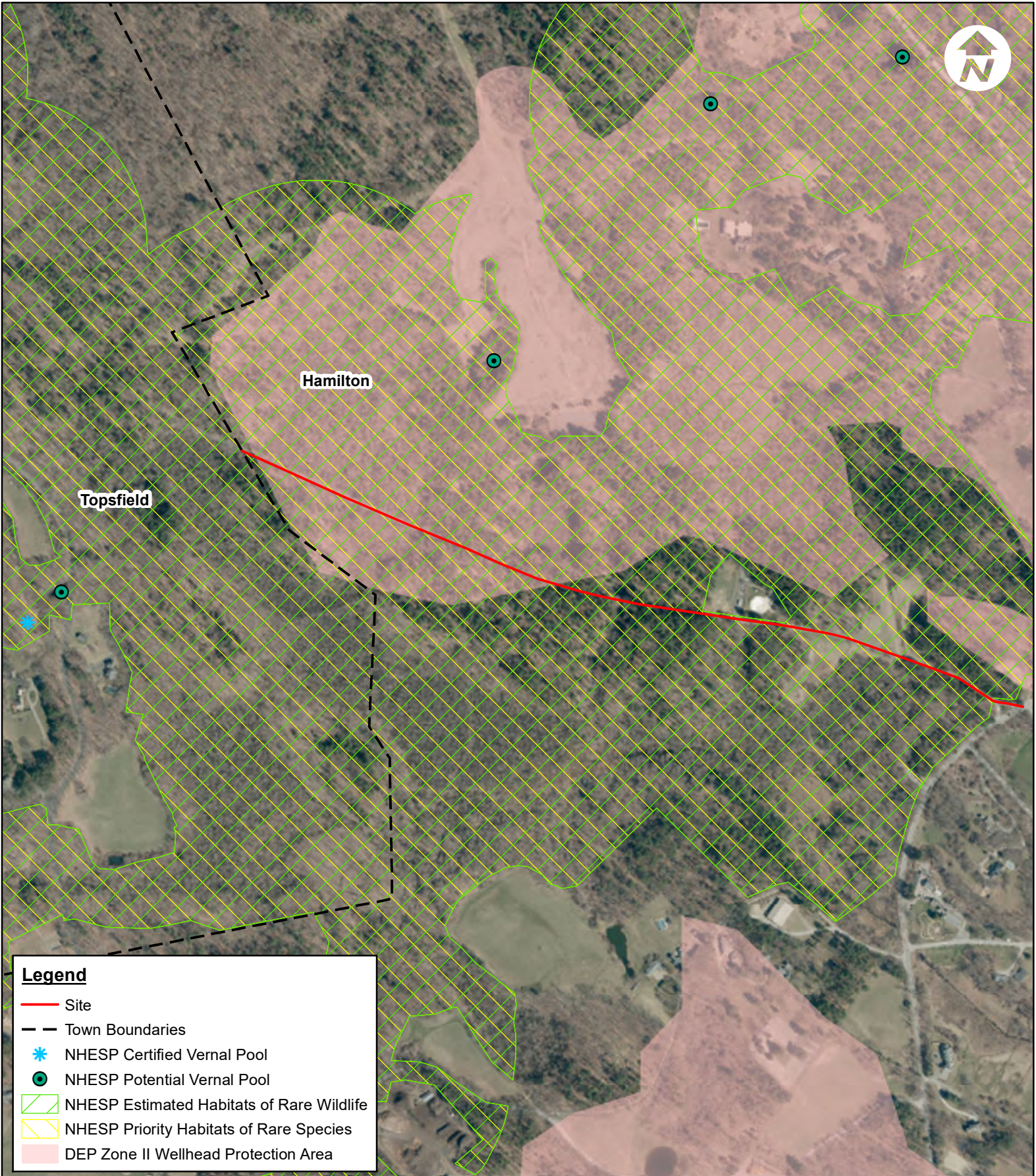
Prepared for:



Prepared by:

AECOM

January 2025

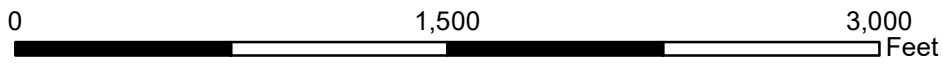


Legend

- Site
- - Town Boundaries
- * NHESP Certified Vernal Pool
- NHESP Potential Vernal Pool
- ▨ NHESP Estimated Habitats of Rare Wildlife
- ▨ NHESP Priority Habitats of Rare Species
- DEP Zone II Wellhead Protection Area



Figure 5 - NHESP & Others Map
Pavement Resurfacing at Bradley Palmer State Park
 Hamilton, MA



Notes: Projection is in Massachusetts State Plane (ft) NAD 1983.

Prepared for:



Prepared by:

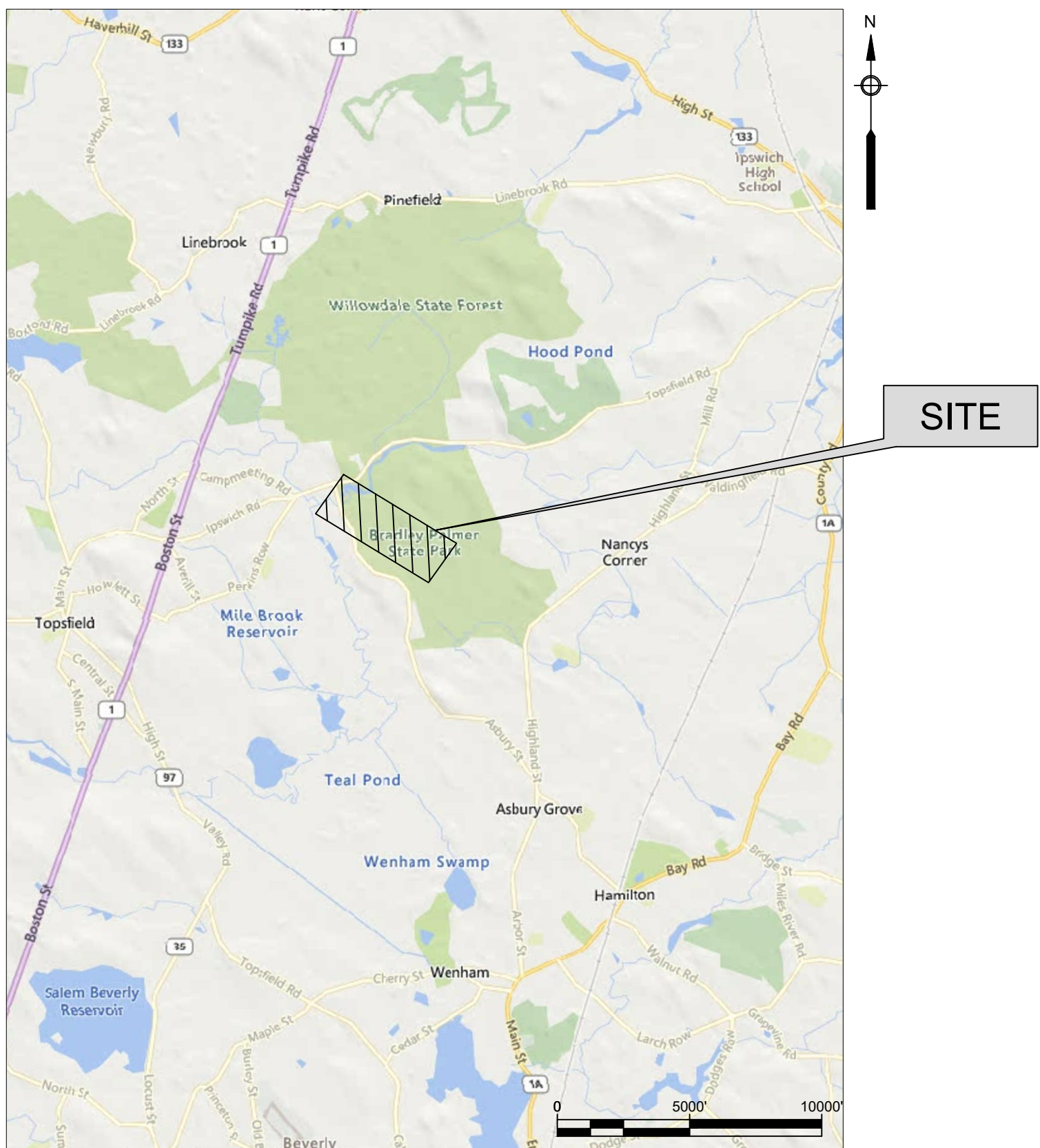


January 2025

Appendix B – Site Plans

BRADLEY PALMER PAVEMENT RESURFACING MAINTENANCE AND REPAIR HAMILTON, MASSACHUSETTS

ISSUED FOR PERMIT



SITE LOCATION

AECOM

250 APOLLO DRIVE
CHELMSFORD, MA 01824



Date: 10-29-2024

RANDALL TWISS, P.E.
MAPE Lic. No. 50236

ENGINEER'S CERTIFICATION:

THE UNDERSIGNED HEREBY CERTIFIES THIS PLAN TO BE AN
APPROPRIATE REPRESENTATION OF THE PROPOSED
SITE FEATURES. THE COMPLIANCE OF THE IMPLEMENTATION OF
CONTRACT WORK IS THE CONTRACTOR'S SOLE RESPONSIBILITY.

NOTE:
THIS SET OF DRAWINGS DEPICTS INFORMATION USING DIFFERENT COLORS IN
ADDITION TO VARIOUS LINES, SYMBOLS AND TEXT. USER IS CAUTIONED THAT
ONLY COLOR DRAWINGS WILL CONVEY THE COMPLETE PROJECT
INFORMATION. IMPORTANT INFORMATION WILL NOT BE EVIDENT ON BLACK
AND WHITE/GRAYSCALE DRAWINGS DUE TO LACK OF COLOR.

<u>SHEET NO.</u>	<u>TITLE</u>
T-01	COVER SHEET
GN-01	GENERAL NOTES
V-01	KEY PLAN SHEETS
SP-01 - SP-07	EXISTING CONDITIONS & SITE PREPARATION PLAN SHEETS
R-01 - R-07	RESTORATION PLAN SHEETS
D-01 - D-02	DETAIL PLAN SHEETS

OWNER

MASSACHUSETTS DEPARTMENT
OF CONSERVATION AND RECREATION
251 CASUEWAY STREET, 9TH FLOOR
BOSTON, MA 02114
www.mass.parks@mass.gov

ENGINEER

AECOM
250 APOLLO DRIVE
CHELMSFORD, MA 01824
978-905-2100

SURVEY NOTES:

1. TOPOGRAPHIC AND BASEMAP SURVEY WAS CONDUCTED BY HANCOCK ASSOCIATES, ON AUGUST 6TH INCLUDING ADDITIONAL SITE BASEMAP FEATURES ARE FROM A PLAN ENTITLED "EXISTING CONDITIONS PLAN OF LAND IN TOPSFIELD AND HAMILTON, MA".
2. LIMITS OF BORDERING VEGETATED WETLANDS AND INTERMITTENT STREAMS WERE FIELD DELINEATED BY AECOM IN SEPTEMBER 2023
3. HORIZONTAL DATUM: MASSACHUSETTS STATE PLANE, MAINLAND ZONE, NAD 83, U.S. FEET (MA83F)
4. VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM (NAVD 88)

UTILITY NOTES:

2. UTILITY LOCATIONS SHOWN HEREIN FROM FIELD LOCATIONS OF SURFACE STRUCTURES. NO UNDERGROUND UTILITIES WERE INCLUDED AS PART OF THE SURVEY.
3. THE LOCATION OF THE EXISTING UTILITIES SHOWN ON THESE DRAWINGS ARE APPROXIMATE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD LOCATING ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL CALL MASSACHUSETTS DIG SAFE AT 1-888-344-7233 (OR 811) FOR UTILITY LOCATIONS AND ALLOW THE REQUIRED TIME FOR MARKING BEFORE THE SCHEDULED DATE FOR EXCAVATION OR EARTHWORK THAT MAY IMPACT EXISTING UTILITIES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE CONDITION OF ALL ABANDONED UTILITIES THAT INTERFERE WITH THE WORK PRIOR TO DISTURBANCE OR MODIFICATION. THE CONTRACTOR SHALL WORK WITH THE UTILITY OWNER TO CONFIRM THAT UTILITIES HAVE BEEN ABANDONED AND TO DETERMINE WHAT ACTION SHOULD BE TAKEN.
5. THE SIZE AND TYPE OF BURIED UTILITIES EXPOSED OR MODIFIED BY THE CONTRACTOR SHALL BE ACCURATELY NOTED AND LOCATED VIA GLOBAL POSITIONING SYSTEM SURVEY OR SWING TIES FROM KNOWN OBJECT IN DRAWINGS TO ALLOW FOR ACCURATE AS-BUILT DRAWINGS.
6. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROMPTLY NOTIFY THE ENGINEER OF ANY CONFLICT WITH EXISTING UTILITIES.
7. ALL EXISTING FACILITIES AND UTILITIES NOT SPECIFICALLY IDENTIFIED FOR REMOVAL SHALL BE PROTECTED THROUGHOUT CONSTRUCTION OR RESTORED AT COMPLETION OF THE WORK.

CONSTRUCTION ACCESS/ TRAFFIC CONTROL NOTES:

1. THE CONTRACTOR SHALL PROVIDE A TRAFFIC PLAN. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR IMPLEMENTING REQUIRED TRAFFIC CONTROLS.
2. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR PROVIDING ANY REQUIRED TRAFFIC CONTROL INCLUDING, BUT NOT LIMITED TO, SIGNAGE AND FLAGGERS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEARING PUBLIC RIGHT-OF-WAYS OF ALL MUD AND DEBRIS TRACKED FROM THE SITE, INCLUDING POLICE DETAIL IF REQUIRED.
4. ALL EQUIPMENT, MATERIALS, AND PERSONNEL SHALL REMAIN WITHIN THE CONSTRUCTION LIMITS OF WORK.
5. ALL DISTURBED AREAS INCLUDING ROADS AND ACCESS ROUTES SHALL BE RESTORED TO ORIGINAL CONDITION. ALL DISTURBED AREAS OUTSIDE THE LIMITS OF WORK SHALL BE RESTORED TO ORIGINAL CONDITION.

CONSTRUCTION NOTES:

1. THE CONTRACTOR SHALL CONFINE CONSTRUCTION ACTIVITIES TO AREAS DEFINED BY THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL PRESERVE LAND RESOURCES WITHIN THE PROJECT SITE BOUNDARIES AND OUTSIDE LIMITS OF THE WORK AS MAY BE AFFECTED BY THE WORK OF THIS CONTRACT IN THEIR PRESENT CONDITION, OR RESTORE THOSE AFFECTED TO A CONDITION AFTER COMPLETION OF CONSTRUCTION THAT WILL APPEAR TO BE NATURAL.
2. THE CONTRACTOR SHALL RESTORE TREES OR LANDSCAPE FEATURES SCARRED OR DAMAGED BY EQUIPMENT OR OPERATIONS AS NEARLY AS POSSIBLE TO ORIGINAL CONDITION. THE CONTRACTOR SHALL NOT DEFACE, INJURE OR DESTROY TREES OR SHRUBS, NOR REMOVE OR CUT THEM WITHOUT WRITTEN PERMISSION FROM DCR. THE CONTRACTOR SHALL PROTECT MONUMENTS AND MARKERS AT ALL TIMES.
3. THE CONTRACTOR SHALL NOT POLLUTE WATERWAYS. THE CONTRACTOR SHALL COMPLY WITH APPLICABLE FEDERAL, STATE, AND LOCAL LAWS CONCERNING POLLUTION OF RIVERS AND STREAMS. THE CONTRACTOR SHALL PERFORM WORK UNDER THIS CONTRACT IN SUCH A MANNER THAT OBJECTIONABLE CONDITIONS WILL NOT BE CREATED ON OR ADJACENT TO PROJECT SITE AREAS.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS AREAS AND OTHER WORK AREAS WITHIN OR BEYOND THE PROJECT SITE BOUNDARIES FREE FROM DUST WHICH WOULD CAUSE A HAZARD OR NUISANCE TO OTHERS. THE CONTRACTOR SHALL PERFORM DUST CONTROL AS THE WORK PROCEEDS AND WHENEVER A NUISANCE OR HAZARD OCCURS.
5. THE CONTRACTOR SHALL PROVIDE METHODS DURING DEWATERING OPERATIONS TO CONTROL STORMWATER RUNOFF SO THAT SILT OR DEBRIS IS NOT ALLOW TO ENTER EXISTING DRAINAGE FACILITIES OR CREATE NUISANCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING EXISTING OR NEW FACILITIES IF SILTATION OCCURS DUE TO THE CONTRACTOR'S OPERATIONS.
6. THE CONTRACTOR SHALL REMOVE ALL CONSTRUCTION SIGNS UPON PROJECT COMPLETION.
7. THE CONTRACTOR SHALL MAINTAIN FACILITIES CONSTRUCTED, AS APPLICABLE, FOR POLLUTION CONTROL AS LONG AS THE OPERATIONS CREATING THE PARTICULAR POLLUTANT ARE BEING CARRIED OUT, OR UNTIL THE MATERIAL CONCERNED HAS BECOME STABILIZED TO THE EXTENT THAT POLLUTION IS NO LONGER CREATED.
8. THE CONTRACTOR SHALL SCHEDULE AND EXECUTE WORK SO AS TO MINIMIZE DISTURBANCE OF PUBLIC ROADWAY TRAFFIC.
9. THE CONTRACTOR SHALL OBTAIN ANY CONSTRUCTION-SPECIFIC PERMITS AND AUTHORIZATIONS REQUIRED FOR THE WORK, PRIOR TO INITIATING CONSTRUCTION ACTIVITIES.

EROSION CONTROL NOTES:

1. THE CONTRACTOR SHALL INSTALL TEMPORARY EROSION CONTROL MEASURES, AS SHOWN ON DRAWINGS, PRIOR TO START OF CONSTRUCTION OR AS DIRECTED BY ENGINEER. THE CONTRACTOR SHALL INSPECT AND MAINTAIN THESE MEASURES ON A CONTINUAL BASIS THROUGHOUT CONSTRUCTION AND UNTIL THE PROJECT SITE IS RESTORED AND BECOMES STABILIZED.
2. CONTRACTOR SHALL INSTALL AND MAINTAIN EROSION AND SEDIMENTATION CONTROL MEASURES IN ACCORDANCE WITH THE STANDARDS FOR SOIL EROSION AND SEDIMENT CONTROL IN MASSACHUSETTS.
3. THE CONTRACTOR SHALL PROTECT ALL AREAS DISTURBED BY CONSTRUCTION THAT ARE SUBJECT TO EROSION (EITHER NEWLY FILLED OR EXCAVATED), ALL AREAS USED FOR CONTRACTOR STAGING AND ALL TEMPORARY SOIL STOCKPILE AREAS WITH APPROPRIATE EROSION CONTROL MEASURES.
4. EROSION AND SEDIMENT CONTROLS WILL BE REVIEWED BY A QUALIFIED PERSON EMPLOYED BY DCR ONCE EVERY 7 DAYS AND AFTER STORM EVENTS LARGER THAN 0.5 INCHES OF RAIN IN 24-HOURS. THE CONTRACTOR WILL BE RESPONSIBLE FOR REPAIRING OR ADDING EROSION AND SEDIMENT CONTROL MEASURES AS DIRECTED BY THE DCR'S REPRESENTATIVE.
5. THE CONTRACTOR SHALL EXCAVATE SEDIMENT TRAPPED BEHIND THE BARRIERS IN ACCORDANCE WITH THE DRAWINGS. REMOVED SEDIMENT SHALL BE REUSED ON SITE OUTSIDE OF THE FLOOD HAZARD AREA AND AS DIRECTED BY ENGINEER.
6. EROSION CONTROLS SHALL REMAIN IN PLACE UNTIL THE SEEDED AREA BECOMES AT LEAST 75% ESTABLISHED. THE CONTRACTOR SHALL REMOVE THESE CONTROLS AS DESCRIBED IN THE DRAWINGS.
7. THE CONTRACTOR SHALL APPLY MAINTENANCE MEASURES AS NEEDED DURING THE ENTIRE CONSTRUCTION CYCLE. AFTER EACH RAINFALL, THE CONTRACTOR SHALL VISUALLY INSPECT ALL INSTALLED EROSION CONTROL MEASURES AND REPAIR THOSE NECESSARY TO ENSURE THEIR CONTINUING FUNCTION AS DESIGNED. FOLLOWING THE FINAL PLANTING (IF PLANTINGS ARE REQUIRED IN DRAWINGS), THE CONTRACTOR SHALL INSPECT THE SITE EVERY THIRTY DAYS UNTIL THE PLANTS HAVE BEEN 95% ESTABLISHED. IF EROSION OCCURS BEFORE THE PLANTING HAS BECOME ESTABLISHED OR IF THERE ARE AREAS WHERE GROWTH IS INSUFFICIENT, THE CONTRACTOR SHALL REPLANT THESE AREAS AS REQUIRED, AND MAKE FOLLOW-UP INSPECTIONS.
8. FINAL PLANTING/SEEDING OF THE DISTURBED AREAS SHALL OCCUR FROM APRIL 15 AND JUNE 1 AND SEPTEMBER 15 AND OCTOBER 15. IF FINAL PLANTING OF THE DISTURBED AREAS IS NOT COMPLETED DURING THIS PERIOD, THE CONTRACTOR SHALL GRADE AND SMOOTH THESE AREAS AND PLANT THEM WITH TEMPORARY SEEDING IN ACCORDANCE WITH MASSACHUSETTS GUIDELINES OR AS DIRECTED BY DCR. FINAL PLANTING SHALL BE COMPLETED IN THE FOLLOWING PLANTING SEASON.
9. THE CONTRACTOR SHALL PERFORM STREET SWEEPING ON PUBLIC ROADWAYS AND PARKING AREAS AS DIRECTED BY DCR.

INVASIVE SPECIES CONTROL:

1. FOR A LIST OF INVASIVE AND OTHER UNACCEPTABLE PLANT SPECIES REFER TO THE MASSACHUSETTS INVASIVE PLANT ADVISORY GROUP (MPAG) EVALUATION OF NON-NATIVE PLANT SPECIES FOR INVASIVENESS IN MASSACHUSETTS (APRIL 1, 2005). PLANT MATERIALS LISTED AS AN INVASIVE SPECIES OR UNACCEPTABLE PLANT SPECIES SHALL NOT BE USED ON THE PROJECT.
2. SOIL MATERIAL BROUGHT TO THE SITE SHALL NOT BE FROM SOURCES KNOWN TO CONTAIN INVASIVE SPECIES.
3. SOIL EXCAVATED AND REMOVED THAT CONTAINS INVASIVE PLANT SEEDS OR FRAGMENTS SHOULD BE TREATED AS CONTAMINATED. THE CONTRACTOR IS RESPONSIBLE FOR THE PROPER DISPOSAL OF THIS MATERIAL.

GENERAL NOTES:

1. CONSTRUCTION DRAWINGS (DRAWINGS) ARE ONLY A COMPONENT OF THE CONTRACT DOCUMENTS FOR THE PROJECT. THE CONTRACTOR IS RESPONSIBLE FOR ALL FEDERAL, STATE, LOCAL AND OSHA REQUIREMENTS.

2. DRAWINGS, AS PRESENTED, REPRESENT BOTH CURRENT AND PROPOSED CONDITIONS. THE ENGINEER HAS NOT PHYSICALLY LOCATED THE SITE FEATURES AS SHOWN. THE CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF SITE CONDITIONS PRIOR TO THE START OF WORK.
3. CONTRACTOR SHALL VISIT THE SITE TO FAMILIARIZE THEMSELVES WITH FIELD CONDITIONS, ASCERTAIN THAT ALL DETAILS RELATIVE TO THE LOCATION AND INSTALLATIONS OF THE WORK ARE AS FEASIBLE, ANY ERRORS, OMISSIONS OR DISCREPANCIES IN THE CONTRACT DOCUMENTS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO WORK FOR RESOLUTION.
4. THE ENGINEER MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES DO NOT EXIST WITHIN AND AROUND THE WORK AREA. THE ENGINEER HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR START PRIOR TO VERIFYING UNDERGROUND UTILITIES LOCATIONS AT THE SITE.
5. THE WORK SHALL BE PERFORMED IN SUCH A MANNER THAT UNDERGROUND/OVERHEAD UTILITIES OR STRUCTURES ARE NOT DAMAGED BY THE CONTRACTOR'S ACTIVITIES. THE CONTRACTOR SHALL IMMEDIATELY REPAIR EXISTING UTILITIES OR STRUCTURES DAMAGED BY CONTRACTOR DURING WORK AT NO COST TO THE OWNER OR ENGINEER.
6. THE CONTRACTOR SHALL COMPLY WITH THE CONDITIONS OF ALL ENVIRONMENTAL PERMITS ISSUED FOR THIS PROJECT.
7. THE CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION RELATED ACTIVITIES WITH THE DCR.
8. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL BENCHMARKS, HORIZONTAL AND VERTICAL DATUM, AND LOCATIONS OF UTILITIES, AND OTHER EXISTING CONDITIONS IN THE FIELD BEFORE BEGINNING CONSTRUCTION ACTIVITIES.
9. LOCATION OF ALL EXISTING UTILITIES AND SUBSURFACE STRUCTURES ARE CONSIDERED APPROXIMATE AS TO BOTH SIZE AND LOCATION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO EXAMINE VARIOUS AVAILABLE RECORDS AND UTILITY COMPANIES AS TO THE LOCATION OF ALL SUBSURFACE STRUCTURES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION, SIZE & ELEVATION OF ALL UTILITIES WITHIN THE AREA OF PROPOSED WORK AND TO CONTACT "DIG-SAFE" AT 1-888-344-7233 AT LEAST 3 DAYS IN ADVANCE BUT NOT MORE THAN 10 DAYS PRIOR TO INITIATING CONSTRUCTION.
10. THE CONTRACTOR SHALL NOTIFY THE TOWN OF HAMILTON TO MARK ALL CITY/TOWN-OWNED WATER, SEWER, AND DRAINAGE UTILITIES PRIOR TO PERFORMING ANY INTRUSIVE ACTIVITIES.
11. DRAINAGE ELEVATIONS ARE PROVIDED FOR DESIGN PURPOSES ONLY. THE CONTRACTOR SHALL VERIFY, BY TEST PIT/POST HOLING, THE LOCATIONS OF EXISTING UTILITIES WHICH MAY CONFLICT WITH THE PROPOSED DRAINAGE DESIGN. ANY FIELD ADJUSTMENTS REQUIRED WILL BE MADE AS APPROVED OR DIRECTED BY THE ENGINEER. ONLY AFTER THE CONTRACTOR VERIFIES ELEVATIONS FOR THE CONSTRUCTABILITY OF THE DRAINAGE SYSTEM SHALL ANY STRUCTURES, PIPING, AND APPURTENANCES BE ORDERED.
12. IF THE CONTRACTOR DAMAGES UTILITY SERVICES, HE SHALL IMMEDIATELY NOTIFY THE RESPECTIVE UTILITY COMPANY AND SHALL IMMEDIATELY REPLACE OR REPAIR, UNLESS INDICATED OTHERWISE BY THE RESPECTIVE UTILITY OWNER.
13. THE CONTRACTOR IS RESPONSIBLE FOR THE COST OF ANY TEMPORARY UTILITIES REQUIRED TO FACILITATE CONSTRUCTION, INCLUDING, BUT NOT LIMITED TO: ELECTRICITY, SANITARY FACILITIES, WATER, COMMUNICATIONS, INTERNET, ETC.
14. THE CONTRACTOR SHALL PROVIDE ROADSIDE TREE PROTECTION OR INDIVIDUAL TREE PROTECTION ALONG THE LIMITS OF WORK TO PROTECT EXISTING STANDS OF QUALITY VEGETATION FROM CONSTRUCTION ACTIVITIES AND FROM EQUIPMENT AND MATERIALS BEING STORED ADJACENT TO TREE TRUNKS. DCR SHALL REVIEW TREE PROTECTION AND FENCING PRIOR TO START OF ANY MOBILIZATION OR CONSTRUCTION ACTIVITIES.
15. THERE SHALL BE NO TAKING OF TREE OR SHRUBBERY UNLESS EXPRESSLY WRITTEN APPROVAL BY DCR. IT IS DCR'S INTENT TO PRESERVE VEGETATION AND TREES TO THE MAXIMUM EXTENT POSSIBLE.
16. WORK ACTIVITIES SHALL BE CONDUCTED BETWEEN 7:00 AM AND 5:00 PM MONDAY THROUGH FRIDAY UNLESS OTHERWISE AUTHORIZED BY DCR.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SECURING THE WORK AREA BOTH DURING AND AFTER THE HOURS OF CONSTRUCTION AND UNTIL THE SITE IS RESTORED. SECURITY MEASURES MAY INCLUDE TEMPORARY CONSTRUCTION FENCING, SIGNS AND, IF NECESSARY, BARRICADES TO LIMIT SITE ACCESS. ADDITIONAL MEASURES MAY BE INSTALLED AT THE DIRECTION OF DCR AND/OR ENGINEER IN ORDER TO ENSURE A SAFE WORKING ENVIRONMENT.
18. ALL EXISTING TOPOGRAPHY WITHIN THE CONSTRUCTION LIMITS SHALL BE RETAINED UNLESS OTHERWISE INDICATED OR DIRECTED BY THE ENGINEER.
19. AREAS OUTSIDE THE LIMIT OF WORK DISTURBED BY THE CONTRACTOR DURING CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AT THE EXPENSE OF THE CONTRACTOR.
20. NO EXISTING PUBLIC UTILITY STRUCTURES SHALL BE ABANDONED AND/OR DISMANTLED WITHOUT AUTHORIZATION FROM THE UTILITY OWNER AND THE ENGINEER.
21. DAMAGE OF PROPERTY BEYOND THE LIMITS OF WORK CAUSED BY THE CONTRACTOR'S OPERATIONS SHALL BE REPAIRED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE, SUBJECT TO THE APPROVAL OF THE ENGINEER AND ACCEPTANCE OF THE PROPERTY OWNER.
22. THE LOCATIONS OF PROPOSED PIPELINES, STRUCTURES AND UTILITY RELOCATIONS MAY BE MODIFIED TO SUIT FIELD CONDITIONS AT THE DISCRETION OF THE ENGINEER. OFFSETS TO DRAINAGE STRUCTURES ARE TO THE CENTER OF THE FRAME OR GRATE. INVERT ELEVATIONS MAY BE SUBJECT TO FIELD ADJUSTMENTS AS DIRECTED BY THE ENGINEER.
23. SAFETY CONTROLS FOR CONSTRUCTION OPERATIONS SHALL BE IN ACCORDANCE WITH MASSDOT REQUIREMENTS, THE 2009 MUTCD AS AMENDED.
24. ALL EXISTING DRAINAGE STRUCTURES AND PIPE TO REMAIN IN PLACE SHALL BE CLEANED AND SEDIMENTS DISPOSED OF.
25. ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES SHALL BE RESEEDD PRIOR TO THE END OF THE PROJECT.
26. IF DURING THE WORK, THE PRESENCE OF POTENTIALLY HAZARDOUS MATERIALS OR CONDITIONS IS EVIDENT, WORK IN THE AREA SHALL BE SUSPENDED, WITH IMMEDIATE NOTIFICATION TO DCR. THESE CONDITIONS INCLUDE, BUT ARE NOT LIMITED TO, ENCOUNTERING BURIED CONTAINERS, DRUMS, OR TANKS. THE AREA WILL BE SECURED TO PREVENT THE EXISTENCE OF A HEALTH RISK OR RELEASE INTO THE ENVIRONMENT. THE SOURCES OF THE EVENT CAUSING THE MATERIAL TO BE CONSIDERED SUSPECT WILL BE EVALUATED BY DCR. IN THE EVENT THAT BURIED CONTAINERS, DRUMS, OR TANKS ARE ENCOUNTERED OR IF A RELEASE OF OIL OR POTENTIALLY HAZARDOUS MATERIALS HAS OCCURRED, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER, DCR, AND MASSDEP INCIDENT RESPONSE WITHIN THE REQUIRED REPORTING TIME PERIOD. THE REMOVAL OF BURIED TANKS, CONTAINERS, OR DRUMS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF 520 CMR 9.00 TANKS AND CONTAINERS.
27. FUEL, OIL, PAINT OR ANY OTHER HAZARDOUS MATERIALS SHALL BE STORED IN A SECONDARY CONTAINMENT AREA. CONTRACTOR SHALL SECURE, IN A LOCKED AREA, SAID MATERIALS DURING NON-WORK HOURS. CONTRACTOR SHALL PROVIDE MATERIAL SDS TO ENGINEER PRIOR TO MOBILIZING. CONTRACTOR SHALL ABIDE BY LOCAL, STATE, AND FEDERAL REGULATIONS FOR STORAGE OF MATERIALS AND ACQUIRE PERMITS AND APPROVALS FOR STORAGE OF MATERIALS.
28. A SUPPLY OF ABSORBENT SPILL RESPONSE MATERIAL SUCH AS BOOMS OR BLANKETS SHALL BE MADE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES TO CLEAN UP POTENTIAL SPILLS OF HAZARDOUS MATERIALS SUCH AS GASOLINE AND OIL.
29. SPILLS OF HAZARDOUS MATERIALS SHALL BE REPORTED IMMEDIATELY TO THE ENGINEER, OWNER AND MA DEP:

MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION (MA DEP)
OIL AND CHEMICAL SPILLS UNIT
1-978-887-5148 (LOCAL FIRE DEPARTMENT)
THEN
1-888-304-1133 (MA DEP)

DIG SAFE
1-888-468-5560 OR 811

31. THE CONTRACTOR IS RESPONSIBLE FOR SECURING SITE AT THE END OF EACH CONSTRUCTION DAY.
32. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ON-SITE MANAGEMENT AND THE OFF-SITE TRANSPORT AND DISPOSAL OF ALL WASTES GENERATED DURING THE PROJECT IN ACCORDANCE WITH APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.
33. THE CONTRACTOR SHALL COORDINATE ANY REQUIRED UTILITY WORK WITH THE RESPECTIVE UTILITY OWNER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COORDINATION AND COSTS ASSOCIATED WITH THE CUSTOMER OWNED SERVICES AND FOR ALL UTILITY WORK MADE FOR THE CONTRACTOR'S CONVENIENCE, INCLUDING TEMPORARY UTILITY RELOCATION(S) AND/OR RECONNECTION(S).
34. REMOVAL AND REPLACEMENT OF GUARDRAIL SECTIONS AND POSTS AND BOULDERS SHALL BE CONSIDERED INCIDENTAL TO WORK AND NO ADDITIONAL FUNDING WILL BE AWARDED FOR SUCH WORK.

35. ALL WORK SHALL BE IN ACCORDANCE WITH MOST CURRENT VERSION OF MASSDOT STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES.
36. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK INCLUDED IN THE CONTRACT DOCUMENTS.
37. THE CONTRACTOR IS RESPONSIBLE FOR SECURING EXCAVATION, EXCAVATION SLOPE STABILITY AND FALL HAZARDS ASSOCIATED WITH WORK.
38. THE CONTRACTOR SHALL RECEIVE, IN WRITING FROM DCR, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
39. DIMENSION CALL-OUTS SHALL TAKE PRECEDENCE OVER SCALES SHOWN ON THE DRAWINGS.
40. THE CONTRACTOR SHALL MAINTAIN HAND DRAWN RED LINES, FIELD NOTES, AND PHOTOGRAPHS ("FIELD DOCUMENTATION") OF ALL IMPROVEMENTS OR VARIATIONS AS THE WORK PROGRESSES. THE CONTRACTOR'S FIELD DOCUMENTATION SHALL BE MAINTAINED ON-SITE AND SHALL BE AVAILABLE FOR REVIEW BY THE ENGINEER AT ALL TIMES.
41. THE PROJECT WORK SHALL BE CONSTRUCTED TO MEET ALL PROVISIONS OF APPLICABLE PERMITS
42. THE CONTRACTOR SHALL KEEP THE WORK AREAS IN A CLEAN AND NEAT CONDITION AND FREE OF DEBRIS AND CLUTTER FOR THE DURATION OF THE PROJECT.

PERMITS/APPROVALS

1. ALL FEES ASSOCIATED WITH APPLYING FOR AND OBTAINING PERMITS, NOT OBTAINED BY OTHERS, TO COMPLETE REMEDIATION WORK WILL BE MADE AT THE EXPENSE OF THE CONTRACTOR. COMPLIANCE WITH ALL PROJECT PERMIT CONDITIONS IS THE RESPONSIBILITY OF THE CONTRACTOR.
2. THE CONTRACTOR SHALL OBTAIN ADDITIONAL LOCAL WORK PERMITS AND APPROVALS AS REQUIRED.

TRAFFIC ROUTING

1. THE CONTRACTOR SHALL DEVELOP A TRAFFIC CONTROL PLAN FOR APPROVAL BY DCR. THE PLAN SHALL INCLUDE BUT NOT LIMITED TO TRAFFIC FLOW PATTERNS, SIGNAGE, LOCATION OF FLAGGERS/POLICE DETAIL, ESTIMATED DURATION OF ALTERED TRAFFIC PATTERN, ETC.
2. THE CONTRACTOR SHALL COORDINATE TRAFFIC FLOW FOR TRUCKING/EQUIPMENT IN SUCH A MANNER TO NOT CAUSE DAMAGE TO PAVEMENT AND AREAS ADJACENT TO PAVEMENT. ALTERNATE PEDESTRIAN TRAFFIC FLOW SHALL POSTED DURING WORK OR FLAGMAN SHALL BE PROVIDED TO DIRECT PEDESTRIAN TRAFFIC.
















SOIL/MILLING MANAGEMENT

1. THE CONTRACTOR SHALL DISPOSE OF ALL WASTE MATERIAL IN ACCORDANCE WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS AT HIS OWN EXPENSE IF NOT OTHERWISE SPECIFIED
2. BACKFILL SHALL NOT BE PLACED OUTSIDE THE LIMITS OF WORK. STOCKPILED TOPSOIL SHALL BE COVERED BY PLASTIC SHEETING AND PROPERLY BALLASTED. PLASTIC SHALL BE PLACED IN SUCH A MANNER THAT RAIN WATER DOES NOT COLLECT OR FILTER THROUGH MATERIAL

ACRONYMS:

CMP	CORRUGATED METAL PIPE
CPP	CORRUGATED PLASTIC PIPE
CSP	CORRUGATED STEEL PIPE
CONC	CONCRETE
DI	DROP INLET
DIA	DIAMETER
ELEV (or EL.)	ELEVATION
EOP	DGE OF PAVEMENT
EXIST (or EX)	EXISTING
FES	FLARED END SECTION
GRAV	GRAVEL
GRD	GUARD
HDW	HEADWALL
INV	INVERT
MAX	MAXIMUM
MIN	MINIMUM
PROP	PROPOSED
PWW	PAVED WATER WAY
R&D	REMOVE AND DISPOSE
RCF	REINFORCED CONCRETE PIPE
REM	REMOVE
RET	RETAIN
R&R	REMOVE AND RESET
R&S	REMOVE AND STACK
SMH	SEWER MANHOLE
TEMP	TEMPORARY
TYP	TYPICAL

LEGEND:

	EDGE OF PAVEMENT
	100-YEAR FLOOD ZONE/LAND SUBJECT TO COASTAL FLOWAGE
	WETLAND
	WOODEN FENCE/GUARDRAIL
	100-FT WETLAND/STREAM BUFFER ZONE
	200-FT RIVERFRONT AREA
	PROPERTY LINE
	EXISTING MAJOR ELEVATION CONTOUR (NAVD88-FT)
	EXISTING MINOR ELEVATION CONTOUR (NAVD88-FT)
	LIMIT OF WORK
	STORMSEWER PIPE
	CATCH BASIN
	DRAIN MANHOLE
	UTILITY POLE
	LIGHT POLE



PROJECT

BRADLEY PALMER
DRAINAGE INFRASTRUCTURE
MAINTENANCE & REPAIRS
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REGISTRATION



Date: 10-29-2024

ENGINEER'S CERTIFICATION:

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REFERENCE

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PROJECT NUMBER

60687346

SHEET TITLE

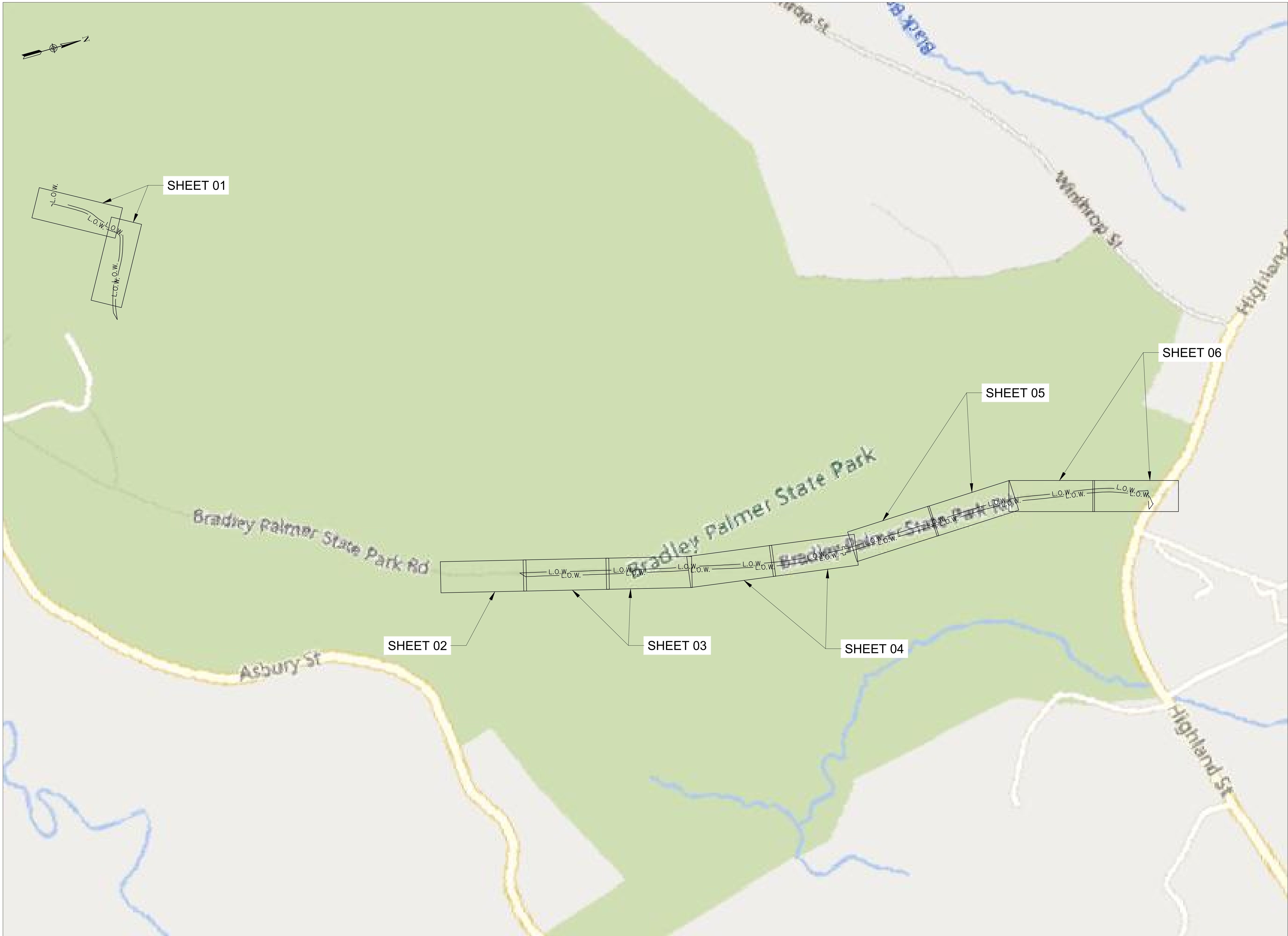
GENERAL NOTES

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PAGE 02 OF 19

SHEET NUMBER

GN-01



PROJECT

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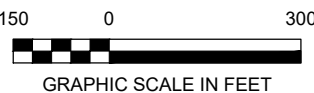


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KEY PLAN

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PROJECT

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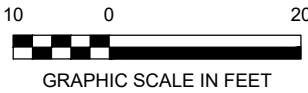


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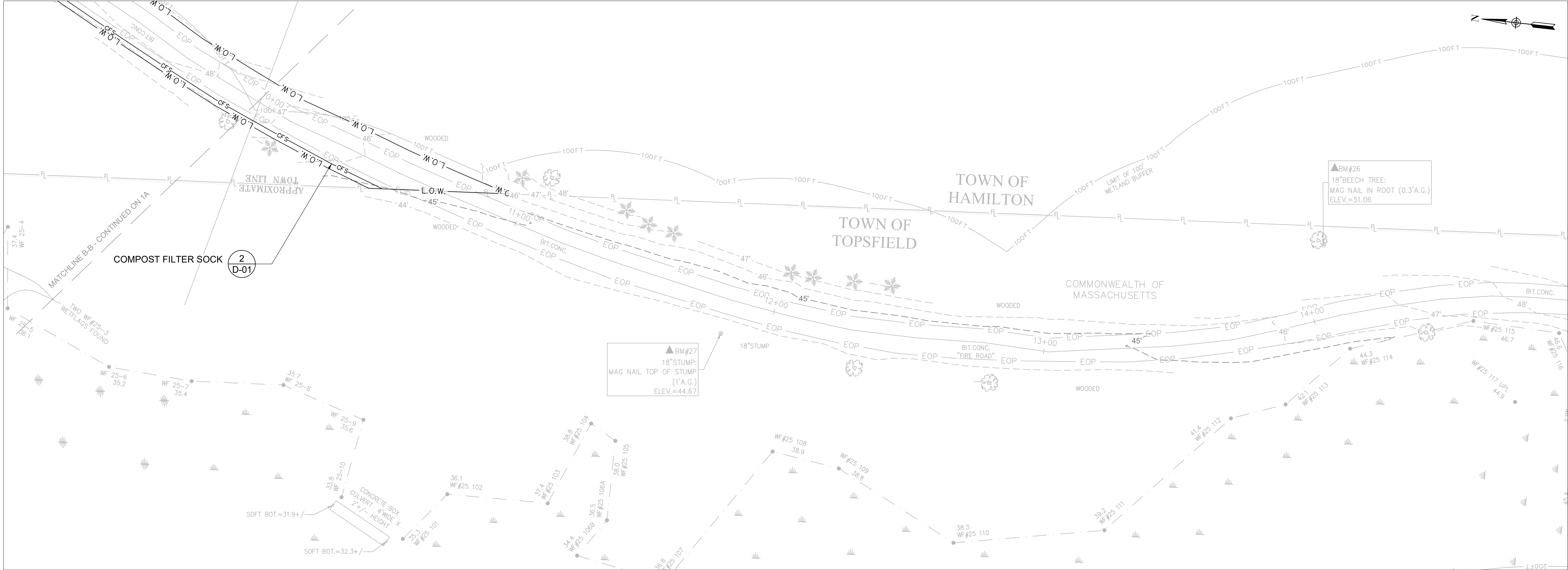
EXISTING CONDITIONS AND SITE
PREPARATION PLAN
SHEET 02 OF 07
PAGE 05 OF 19

SHEET NUMBER

SP-02

NOTES:

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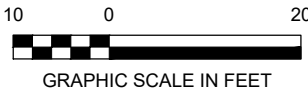


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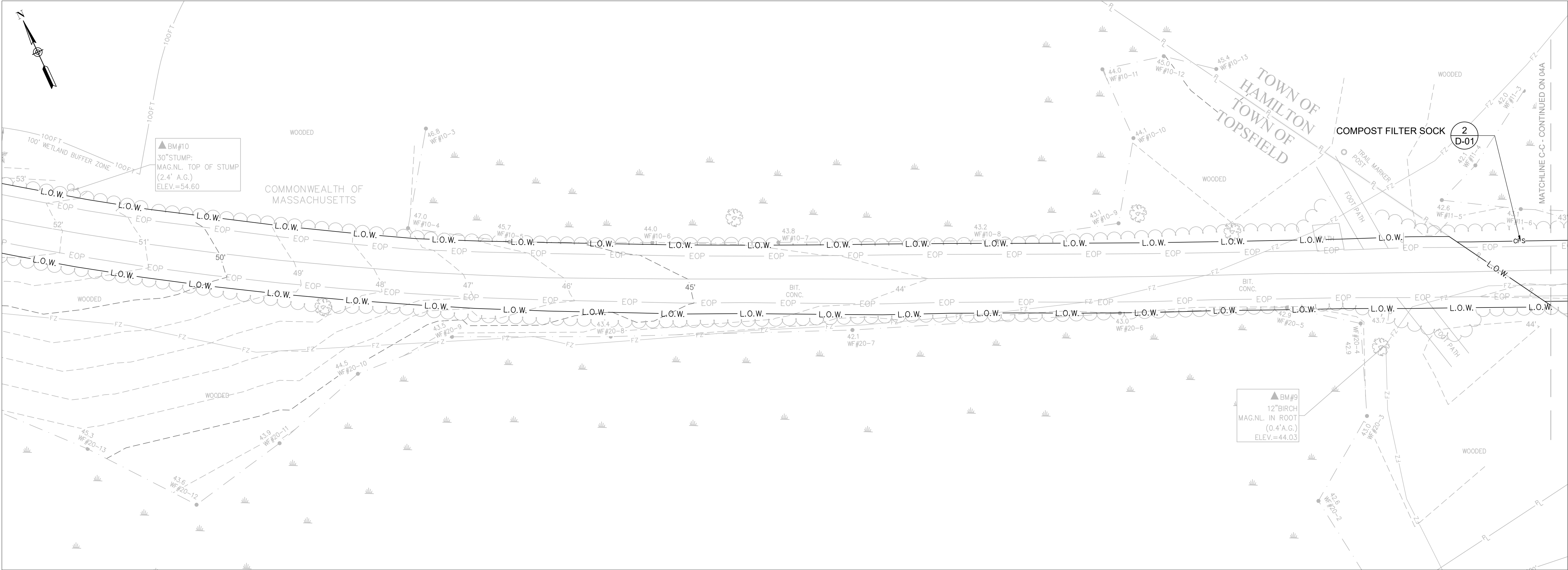
EXISTING CONDITIONS AND SITE
PREPARATION PLAN
SHEET 03 OF 07
PAGE 06 OF 19

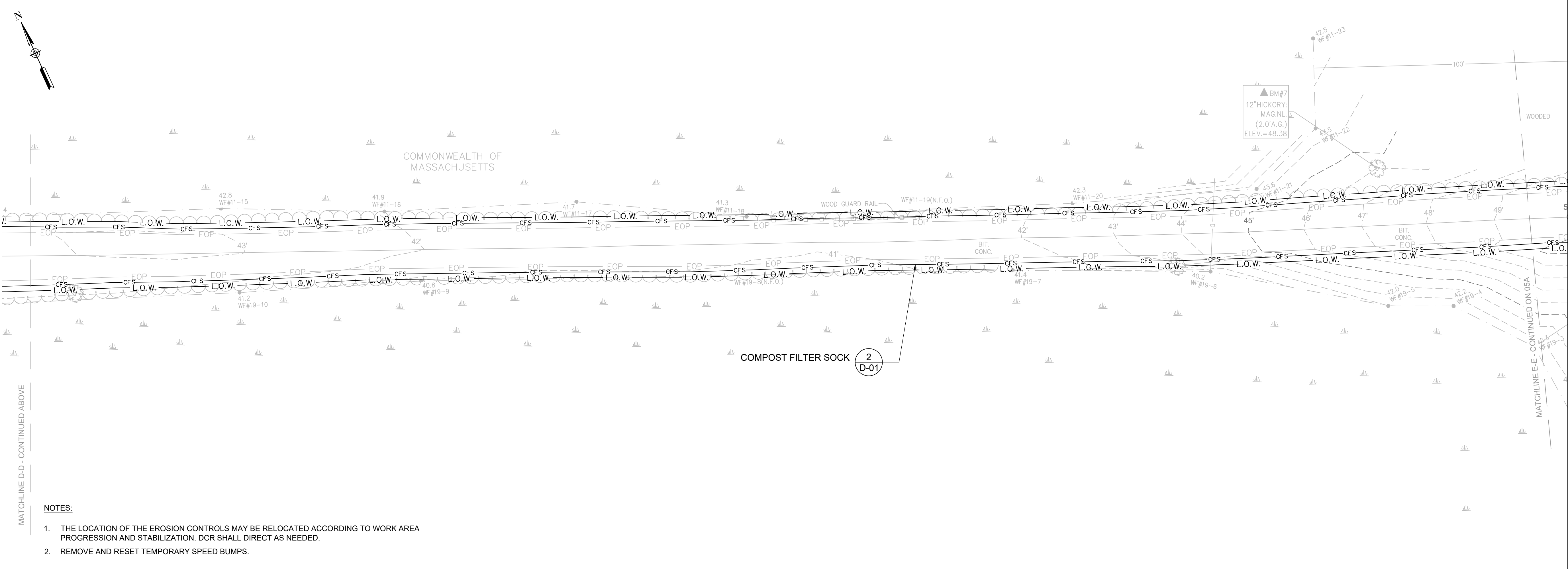
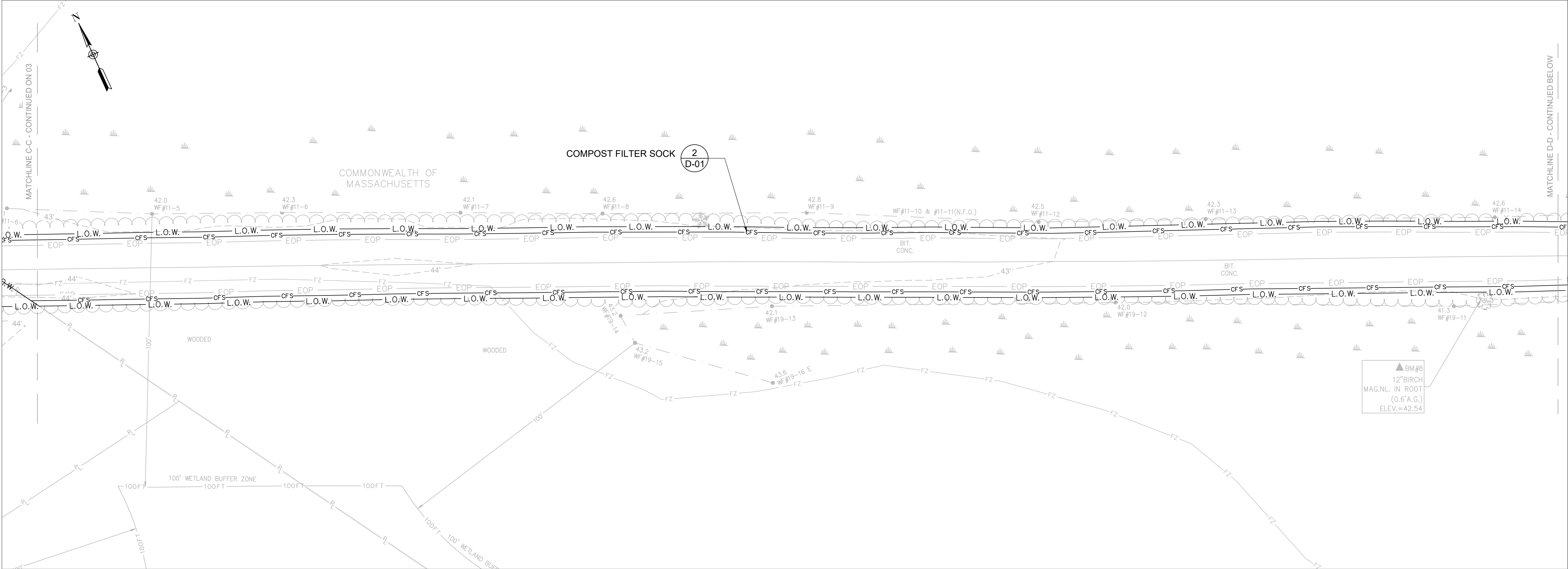
SHEET NUMBER

SP-03

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RANDALL M.
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REGISTERED
PROFESSIONAL ENGINEER
Date: 10-29-2024

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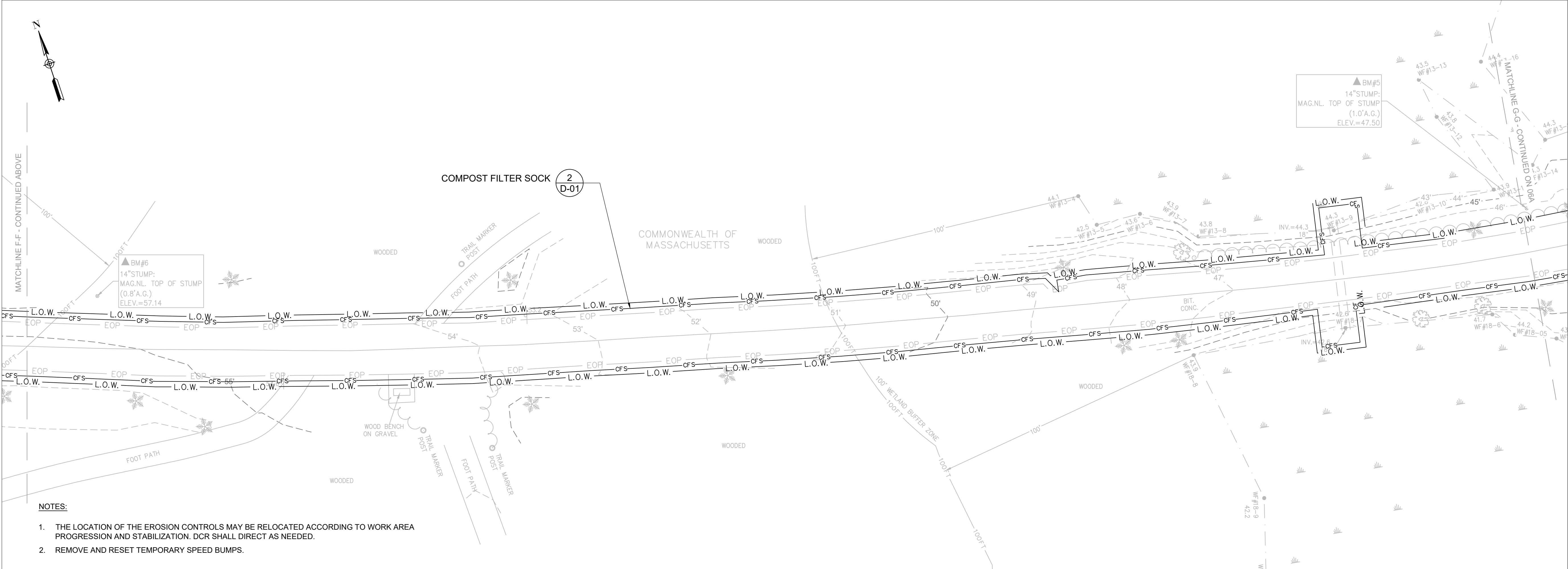
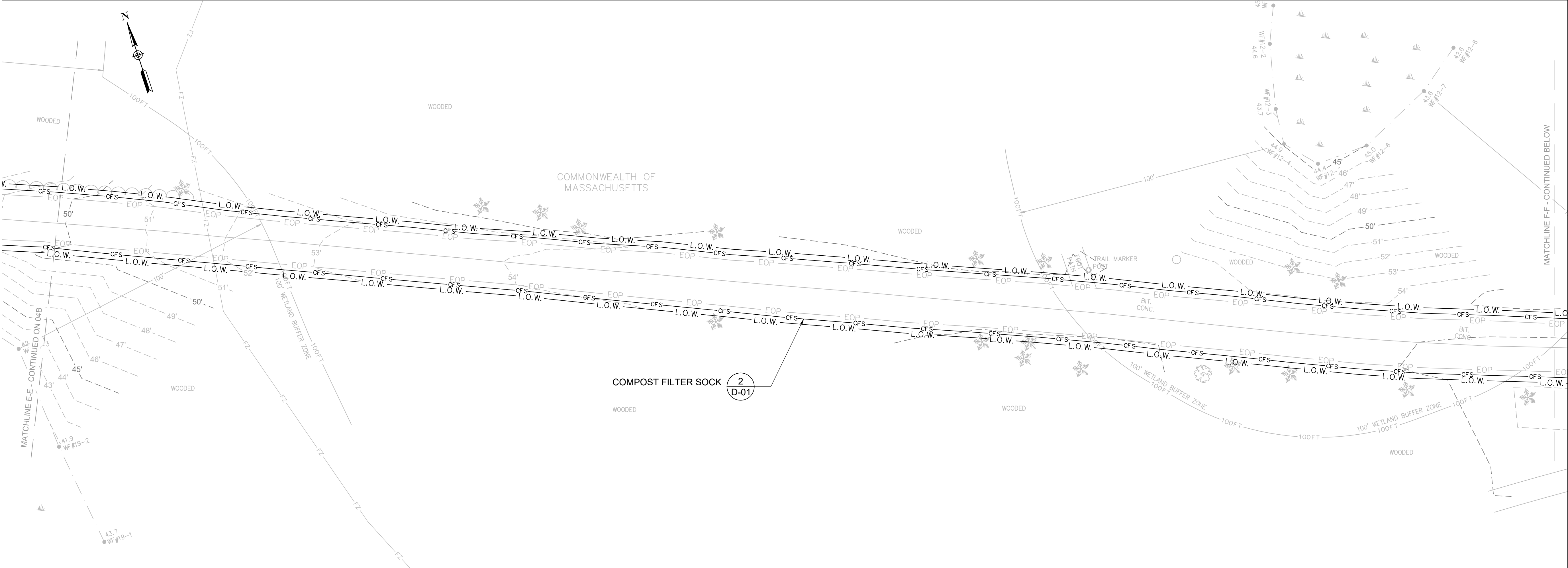
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SHEET TITLE

EXISTING CONDITIONS AND SITE
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SP-04



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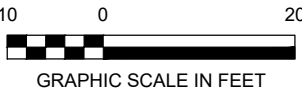


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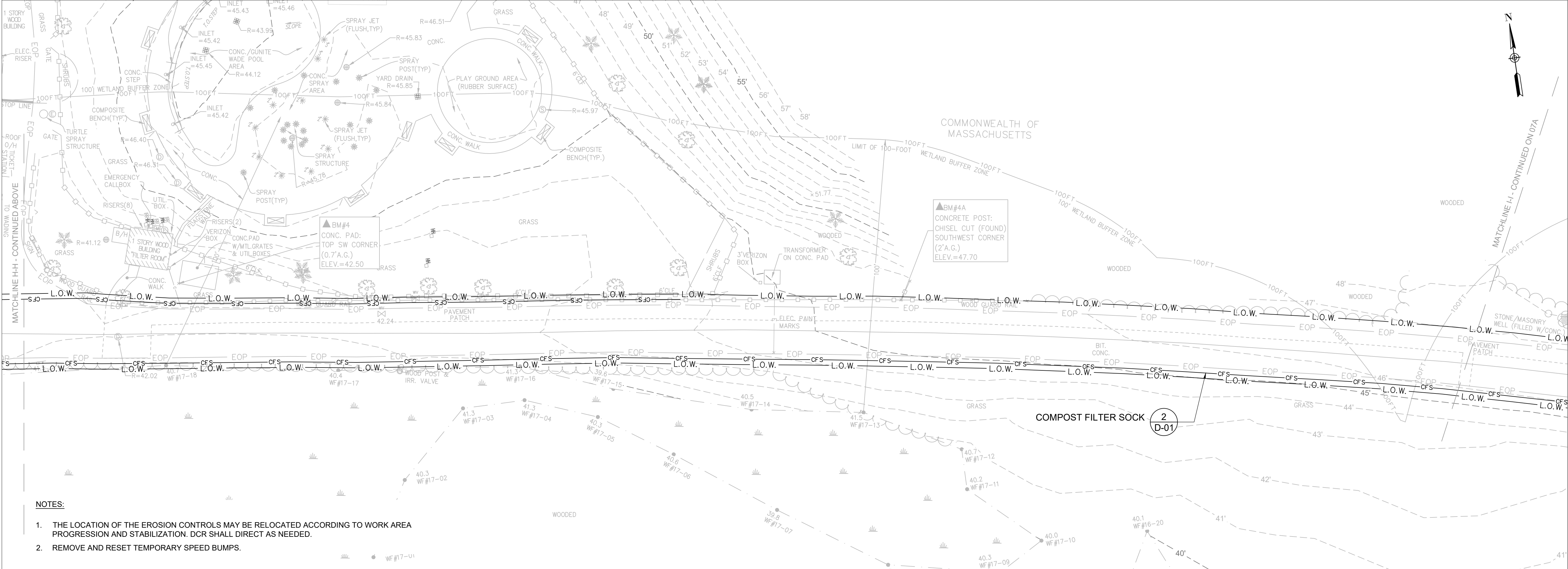
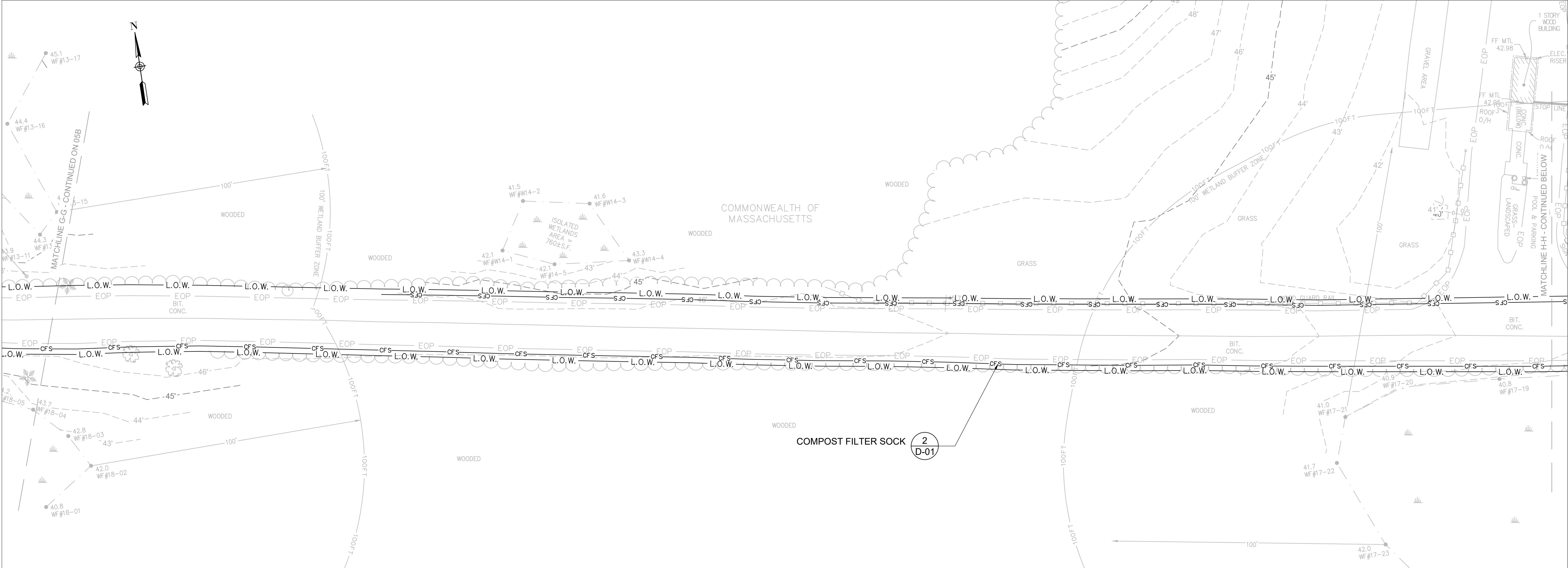
SHEET TITLE

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SP-05

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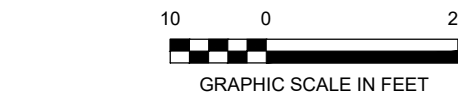


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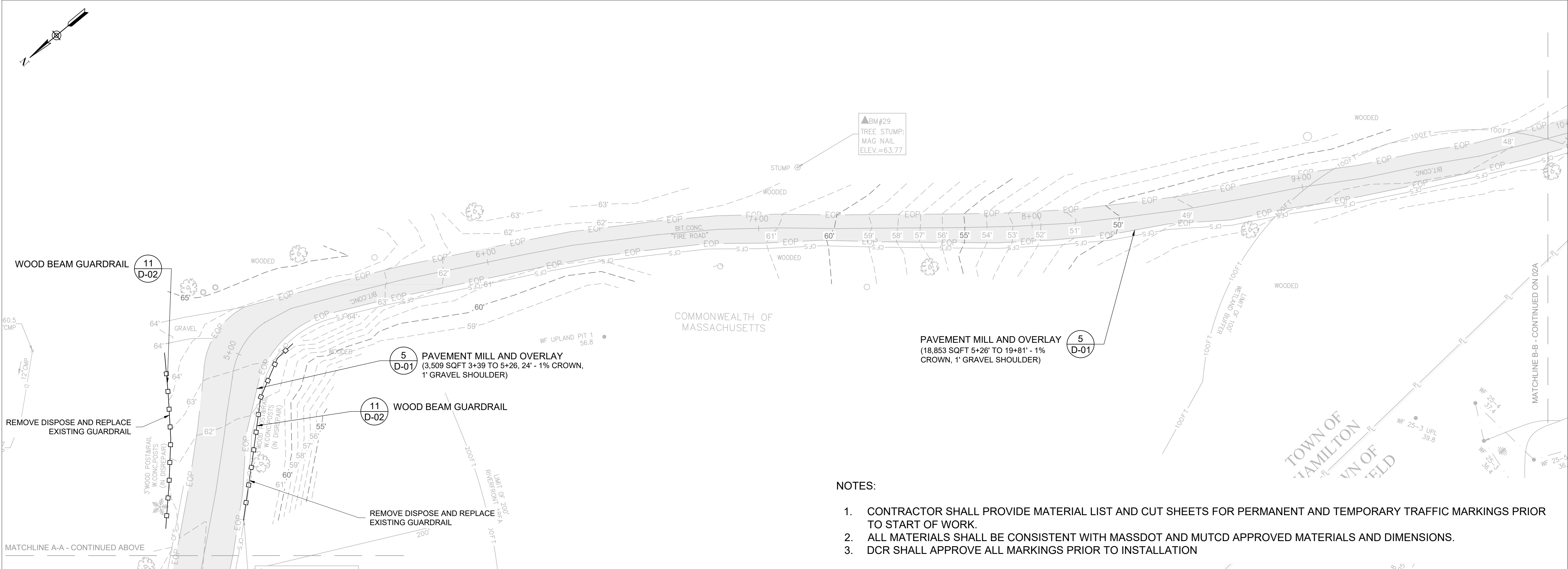
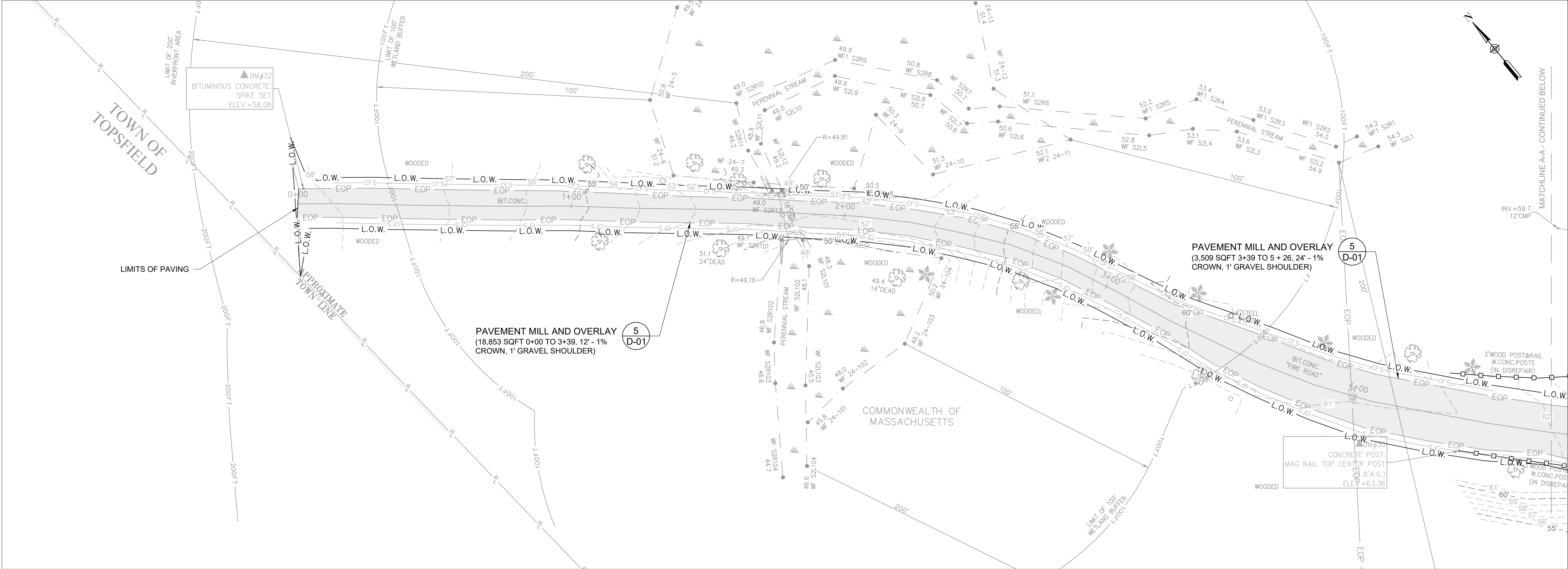
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SHEET TITLE

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SHEET NUMBER

SP-06



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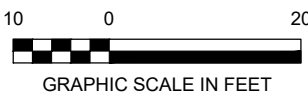


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SHEET TITLE

FINAL GRADE AND
RESTORATION PLAN
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SHEET NUMBER

R-01

NOTES:

- CONTRACTOR SHALL PROVIDE MATERIAL LIST AND CUT SHEETS FOR PERMANENT AND TEMPORARY TRAFFIC MARKINGS PRIOR TO START OF WORK.
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PROJECT

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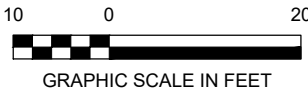


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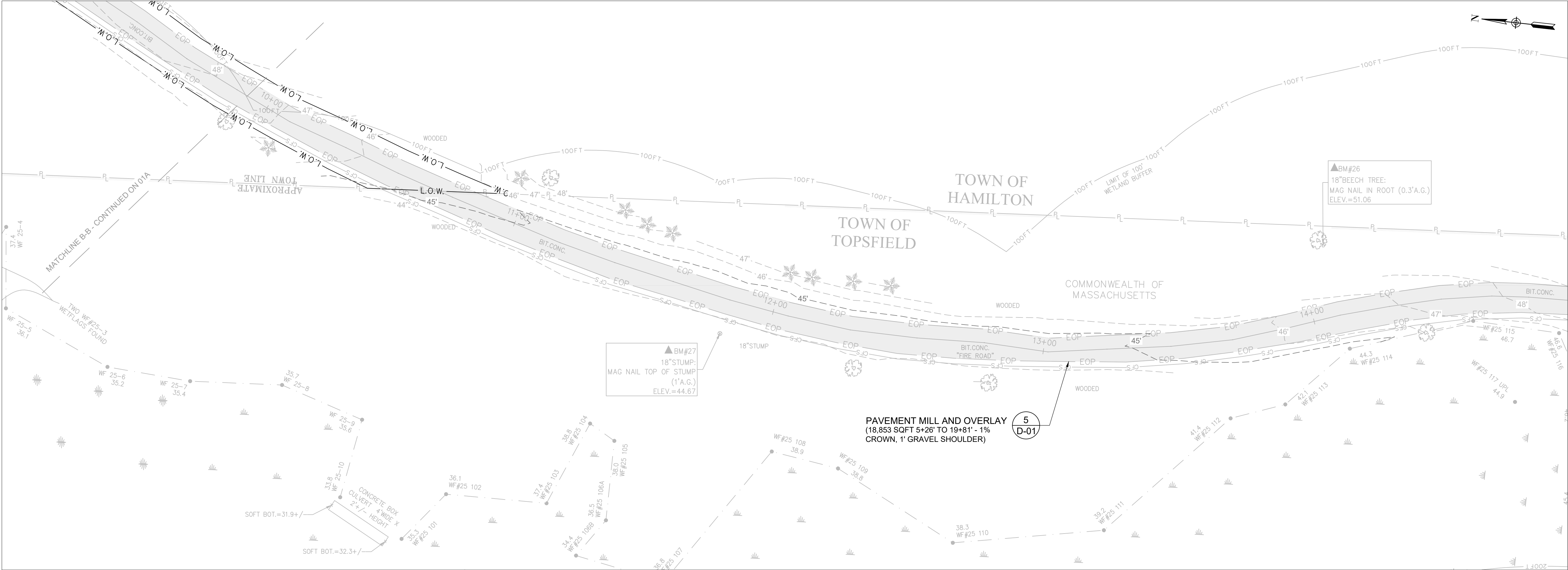
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SHEET TITLE

FINAL GRADE AND
RESTORATION PLAN
SHEET 02 OF 07
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SHEET NUMBER

R-02



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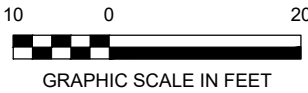


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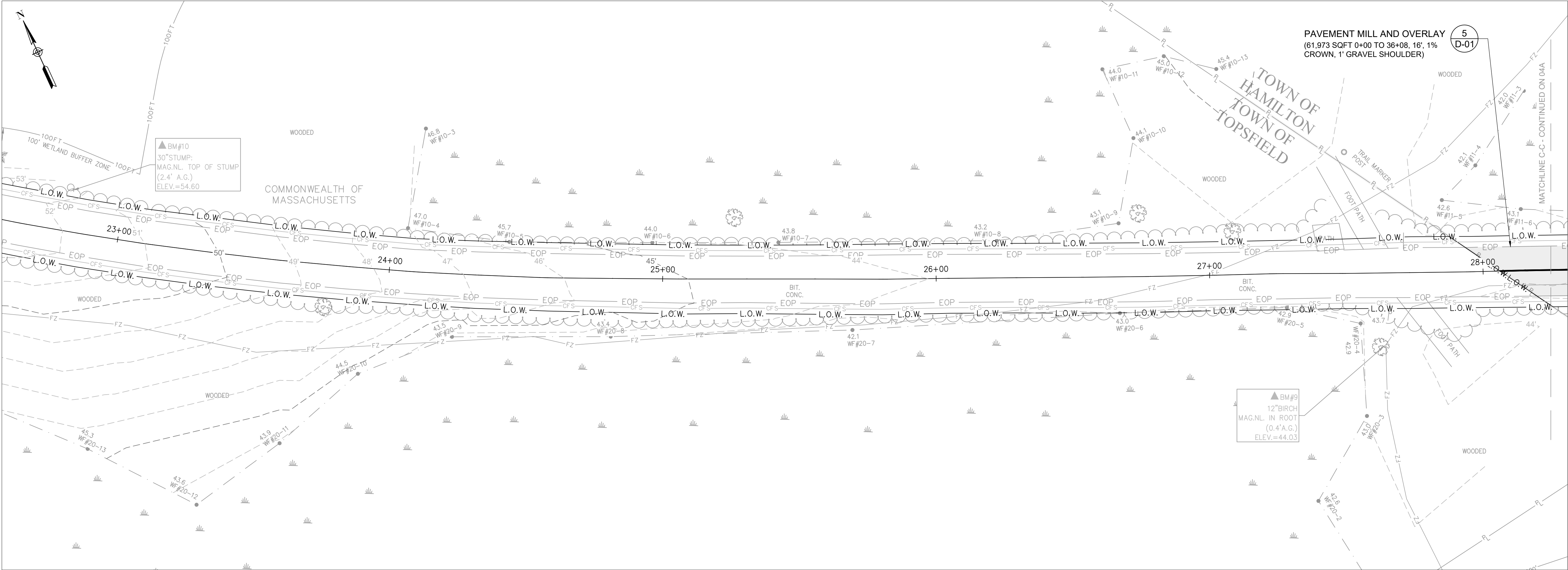
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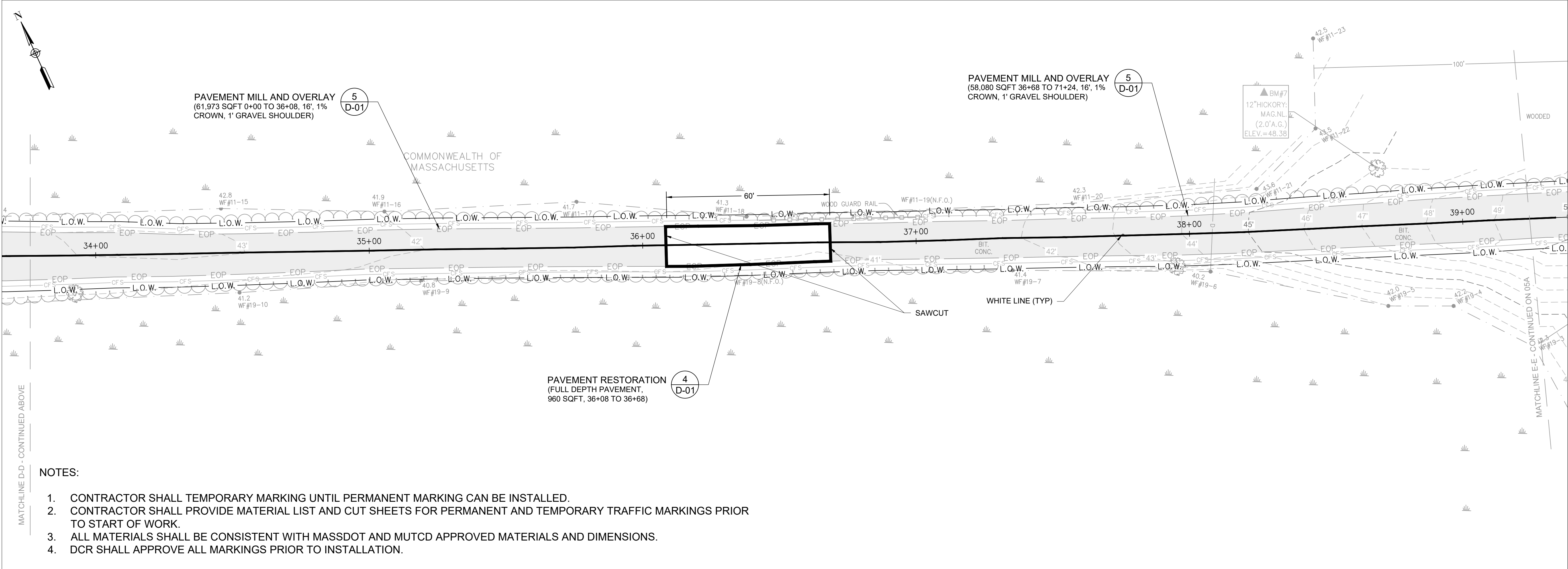
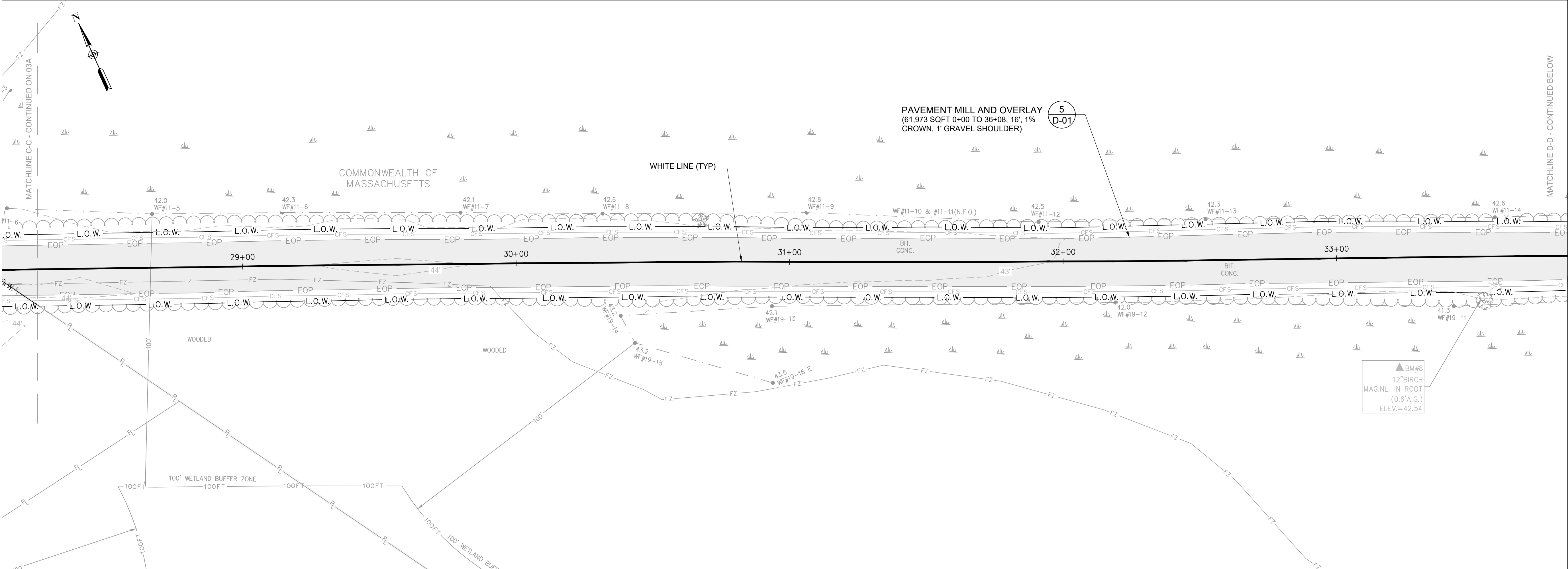
SHEET TITLE

FINAL GRADE AND
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R-03



- NOTES:
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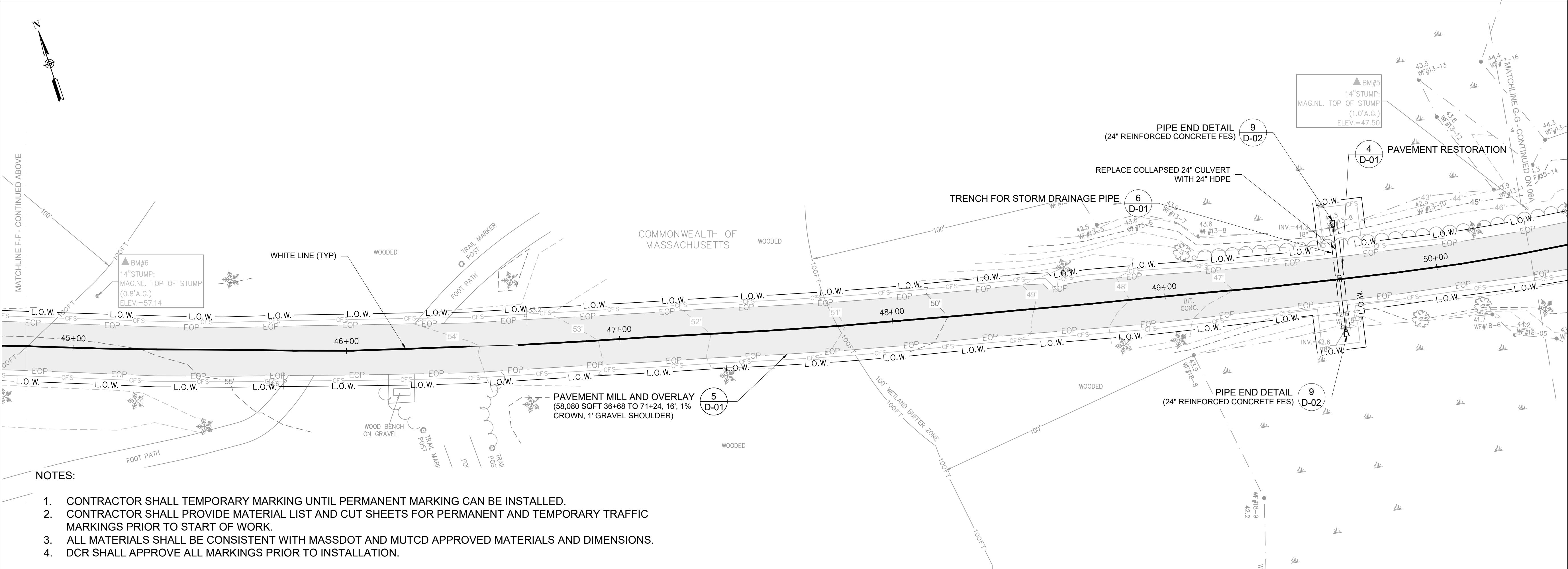
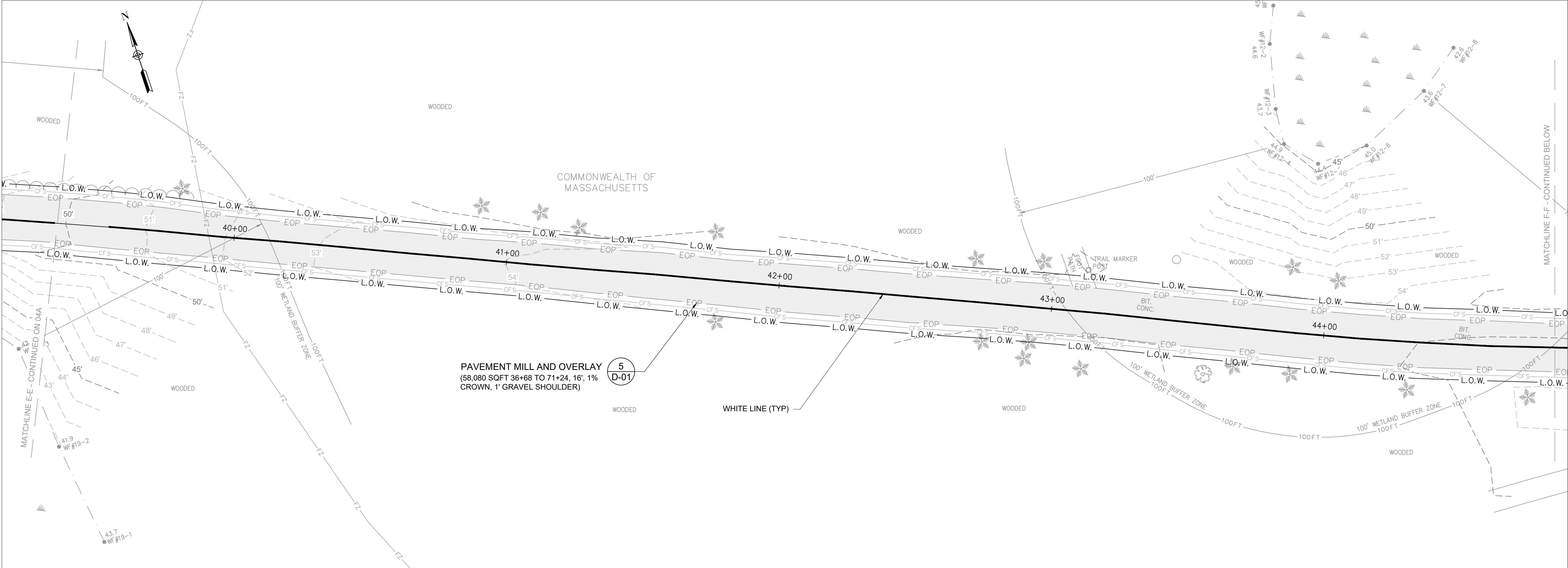
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SHEET TITLE

FINAL GRADE AND
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SHEET NUMBER

R-04



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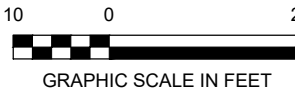


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SITE FEATURES. THE COMPLIANCE OF THE
IMPLEMENTATION OF CONTRACT WORK IS
THE CONTRACTOR'S SOLE RESPONSIBILITY.

REFERENCE



ISSUE/REVISION

NO.	DATE	DESCRIPTION
0	10/29/2024	ISSUED FOR PERMIT
I/R	DATE	DESCRIPTION

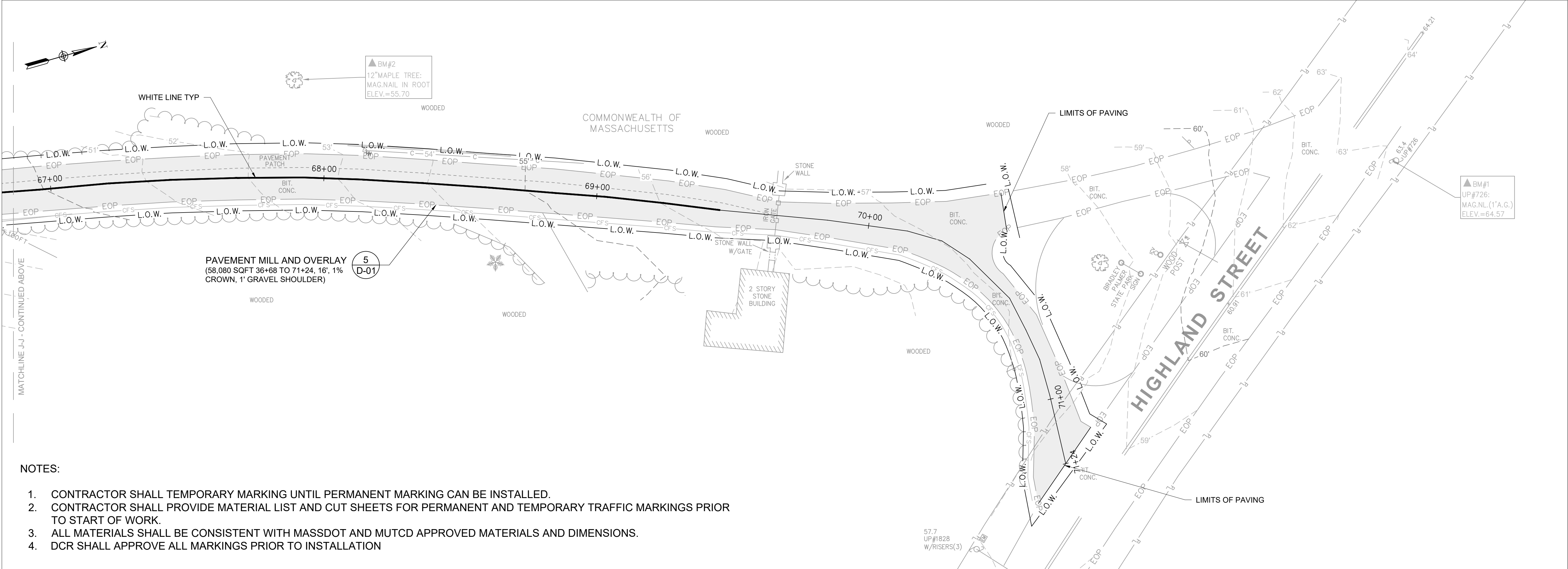
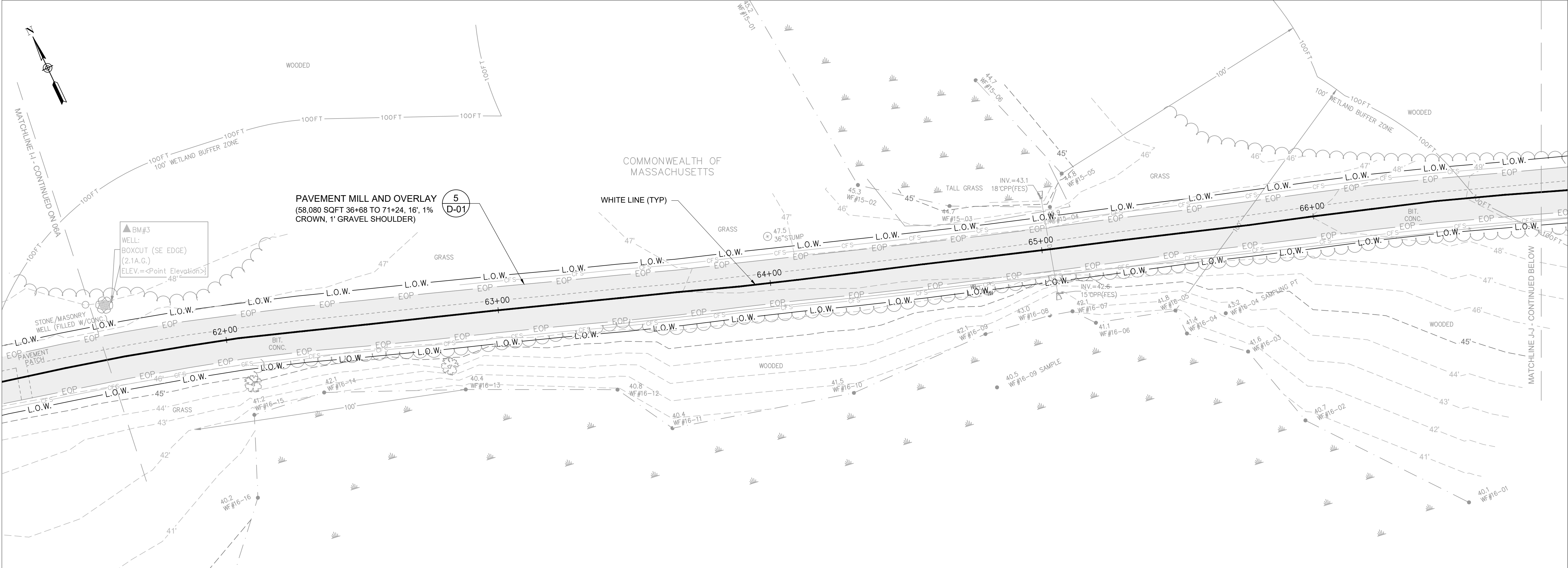
PROJECT NUMBER

60687346

SHEET TITLE

FINAL GRADE AND
RESTORATION PLAN
SHEET 05 OF 07
PAGE 15 OF 19
SHEET NUMBER

R-05



NOTES:

1. CONTRACTOR SHALL TEMPORARY MARKING UNTIL PERMANENT MARKING CAN BE INSTALLED.
2. CONTRACTOR SHALL PROVIDE MATERIAL LIST AND CUT SHEETS FOR PERMANENT AND TEMPORARY TRAFFIC MARKINGS PRIOR TO START OF WORK.
3. ALL MATERIALS SHALL BE CONSISTENT WITH MASSDOT AND MUTCD APPROVED MATERIALS AND DIMENSIONS.
4. DCR SHALL APPROVE ALL MARKINGS PRIOR TO INSTALLATION

AECOM

PROJECT

BRADLEY PALMER
DRAINAGE INFRASTRUCTURE
MAINTENANCE & REPAIRS
MASSACHUSETTS DEPARTMENT OF
CONSERVATION AND RECREATION
HAMILTON, MA

CLIENT

MASSACHUSETTS DEPARTMENT
OF CONSERVATION AND RECREATION
10 PARK PLAZA, SUITE 6620
BOSTON, MA 02116

CONSULTANT

AECOM
250 Apollo Drive
Chelmsford, MA 01824
978.905.2100 tel 978.905.2101 fax
www.aecom.com

REGISTRATION

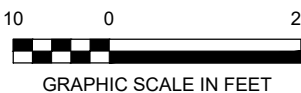


Date: 10-29-2024

ENGINEER'S CERTIFICATION:

THE UNDERSIGNED HEREBY CERTIFIES
THIS PLAN TO BE AN APPROPRIATE
REPRESENTATION OF THE PROPOSED
SITE FEATURES. THE COMPLIANCE OF THE
IMPLEMENTATION OF CONTRACT WORK IS
THE CONTRACTOR'S SOLE RESPONSIBILITY.

REFERENCE



ISSUE/REVISION

0	10/29/2024	ISSUED FOR PERMIT
I/R	DATE	DESCRIPTION

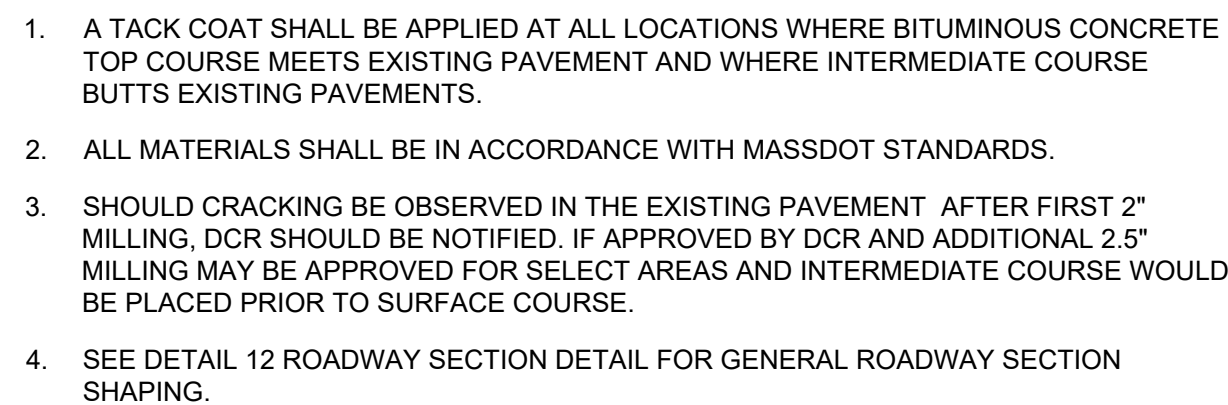
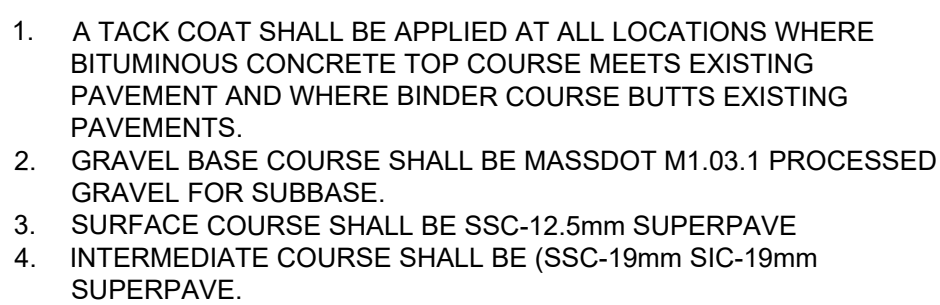
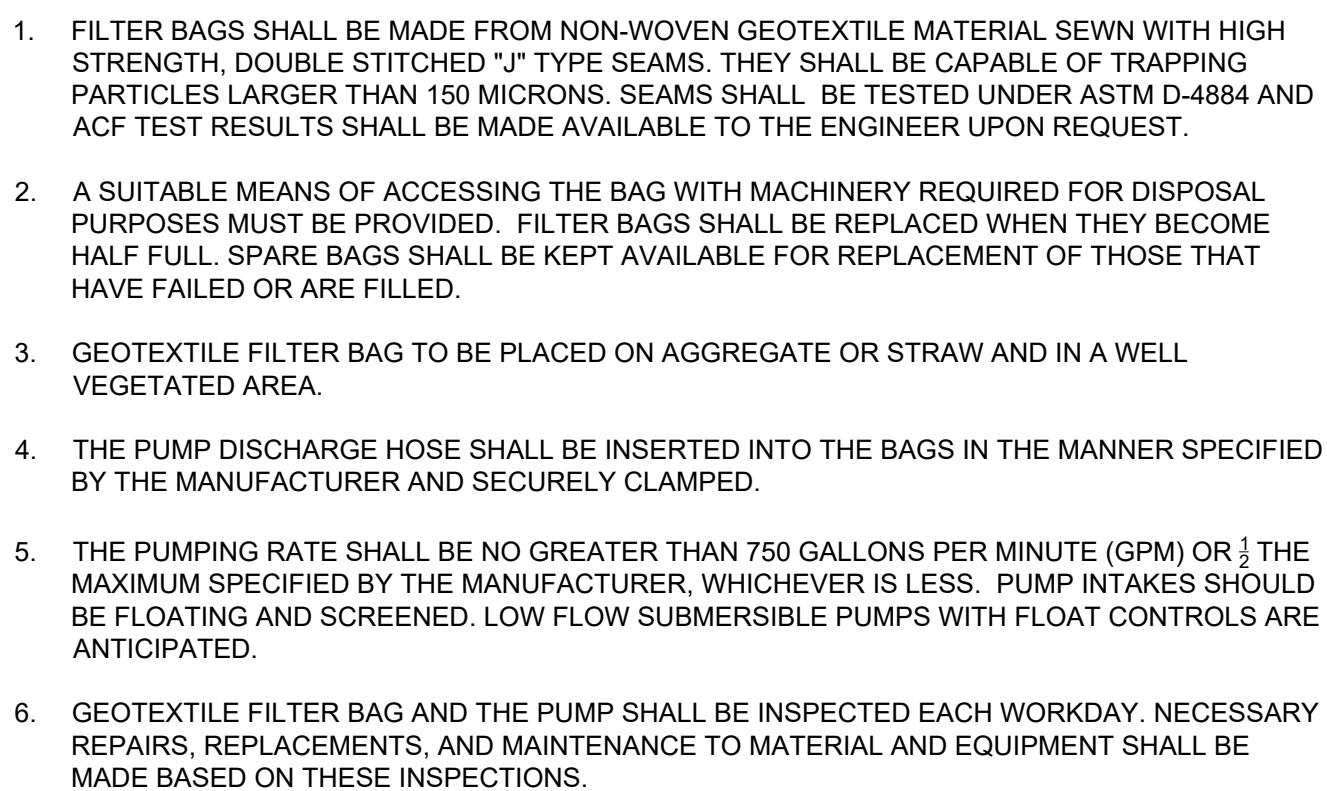
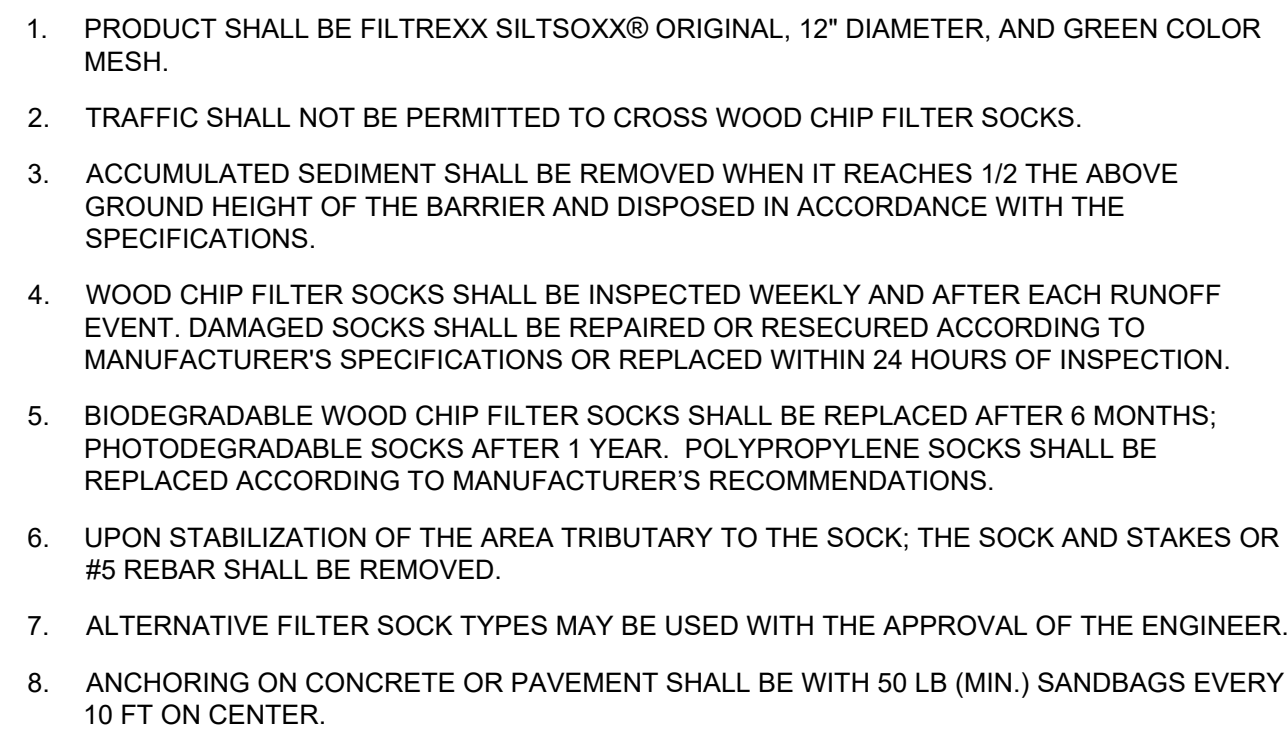
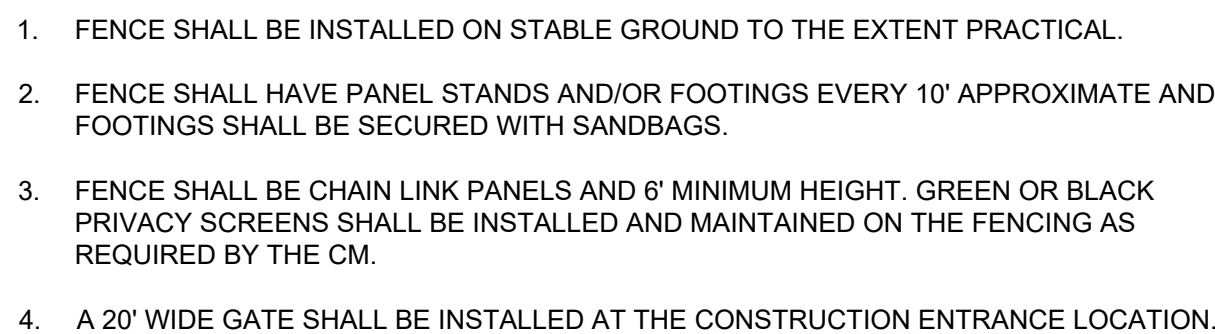
PROJECT NUMBER

60687346

SHEET TITLE

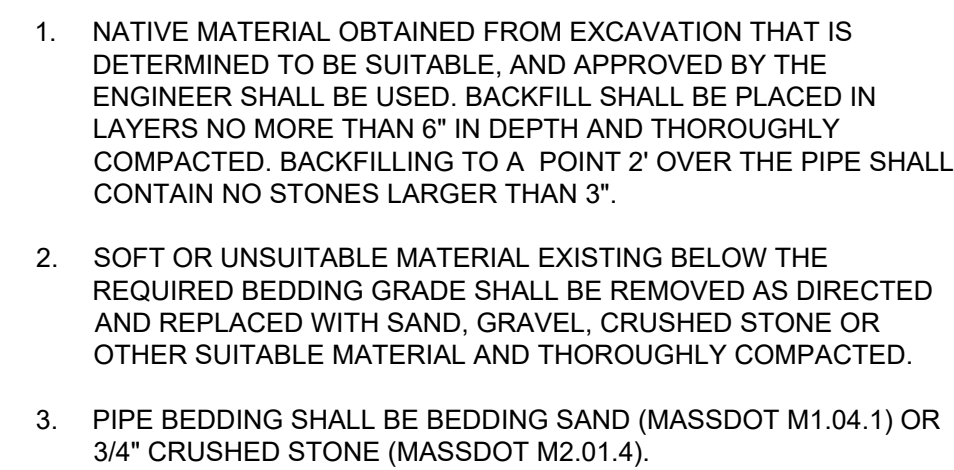
FINAL GRADE AND
RESTORATION PLAN
SHEET 07 OF 07
PAGE 17 OF 19
SHEET NUMBER

R-07



* = R-01, I

* = R-01, R-02, R-03, R-04, R-05, R-06, R-07



* = R-0

* = R-05



* =D-0

* =D-01



* = D-0

* = D-01

Appendix C – Stormwater Checklist



Checklist for Stormwater Report

A. Introduction

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



A Stormwater Report must be submitted with the Notice of Intent permit application to document compliance with the Stormwater Management Standards. The following checklist is NOT a substitute for the Stormwater Report (which should provide more substantive and detailed information) but is offered here as a tool to help the applicant organize their Stormwater Management documentation for their Report and for the reviewer to assess this information in a consistent format. As noted in the Checklist, the Stormwater Report must contain the engineering computations and supporting information set forth in Volume 3 of the [Massachusetts Stormwater Handbook](#). The Stormwater Report must be prepared and certified by a Registered Professional Engineer (RPE) licensed in the Commonwealth.

The Stormwater Report must include:

- The Stormwater Checklist completed and stamped by a Registered Professional Engineer (see page 2) that certifies that the Stormwater Report contains all required submittals.¹ This Checklist is to be used as the cover for the completed Stormwater Report.
- Applicant/Project Name
- Project Address
- Name of Firm and Registered Professional Engineer that prepared the Report
- Long-Term Pollution Prevention Plan required by Standards 4-6
- Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan required by Standard 8²
- Operation and Maintenance Plan required by Standard 9

In addition to all plans and supporting information, the Stormwater Report must include a brief narrative describing stormwater management practices, including environmentally sensitive site design and LID techniques, along with a diagram depicting runoff through the proposed BMP treatment train. Plans are required to show existing and proposed conditions, identify all wetland resource areas, NRCS soil types, critical areas, Land Uses with Higher Potential Pollutant Loads (LUHPPL), and any areas on the site where infiltration rate is greater than 2.4 inches per hour. The Plans shall identify the drainage areas for both existing and proposed conditions at a scale that enables verification of supporting calculations.

As noted in the Checklist, the Stormwater Management Report shall document compliance with each of the Stormwater Management Standards as provided in the Massachusetts Stormwater Handbook. The soils evaluation and calculations shall be done using the methodologies set forth in Volume 3 of the Massachusetts Stormwater Handbook.

To ensure that the Stormwater Report is complete, applicants are required to fill in the Stormwater Report Checklist by checking the box to indicate that the specified information has been included in the Stormwater Report. If any of the information specified in the checklist has not been submitted, the applicant must provide an explanation. The completed Stormwater Report Checklist and Certification must be submitted with the Stormwater Report.

¹ The Stormwater Report may also include the Illicit Discharge Compliance Statement required by Standard 10. If not included in the Stormwater Report, the Illicit Discharge Compliance Statement must be submitted prior to the discharge of stormwater runoff to the post-construction best management practices.

² For some complex projects, it may not be possible to include the Construction Period Erosion and Sedimentation Control Plan in the Stormwater Report. In that event, the issuing authority has the discretion to issue an Order of Conditions that approves the project and includes a condition requiring the proponent to submit the Construction Period Erosion and Sedimentation Control Plan before commencing any land disturbance activity on the site.



Checklist for Stormwater Report

B. Stormwater Checklist and Certification

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

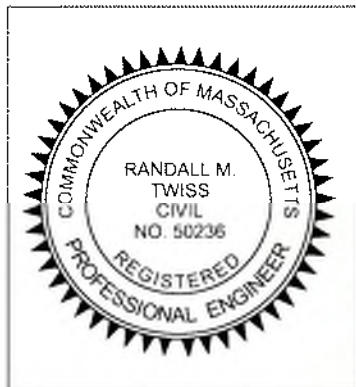
Note: Because stormwater requirements vary from project to project, it is possible that a complete Stormwater Report may not include information on some of the subjects specified in the Checklist. If it is determined that a specific item does not apply to the project under review, please note that the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

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

Registered Professional Engineer's Certification

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

Registered Professional Engineer Block and Signature



Randall Twiss 2/4/2025

Signature and Date

Checklist

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

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



Checklist for Stormwater Report

Checklist (continued)

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

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

Standard 1: No New Untreated Discharges

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



Checklist for Stormwater Report

Checklist (continued)

N/A - The Project does not include an increase in impervious cover and there will be no increase in post-development peak discharge rates.

Standard 2: Peak Rate Attenuation

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

Standard 3: Recharge

N/A - The Project will not result in an increase in impervious cover

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

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



Checklist for Stormwater Report

Checklist (continued)

Standard 3: Recharge (continued)

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

Standard 4: Water Quality N/A - The Project will not result in an increase in impervious cover. No additional treatment is proposed.

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

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



Checklist for Stormwater Report

Checklist (continued)

Standard 4: Water Quality (continued)

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

N/A - Not applicable. None of the land uses within the Site have higher potential pollutant loads.

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

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

N/A - A portion of the Project is located within a Zone II Wellhead Protection Area associated with the Ipswich Department of Public Utilities Water Department. However, the Project does not include any stormwater discharges.

Standard 6: Critical Areas

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



Checklist for Stormwater Report

Checklist (continued)

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

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

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

Attached and illustrated on drawings

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

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



Checklist for Stormwater Report

Checklist (continued)

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

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

Standard 9: Operation and Maintenance Plan DCR has a general O&M plan this type of work and can be submitted upon request

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

Standard 10: Prohibition of Illicit Discharges N/A - No proposed work or subsequent maintenance will include illicit connections to the existing stormwater system.

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

Appendix D – Photographic Log

Client Name:

Massachusetts Department of
Conservation and Recreation

Site Location: Bradley Palmer State Park,
Topsfield/Hamilton, Massachusetts

Project No. 60724762

Photo No.

1

Date:

5/23/23

View looking west of
typical condition of
pavement along Bradley
Palmer State Park Road.
Existing wading pool is
visible on the right.

**Photo No.**

2

Date:

5/22/23

View looking west from
entrance to Bradley
Palmer State Park.




Client Name: Massachusetts Department of Conservation and Recreation		Site Location: Bradley Palmer State Park, Topsfield/Hamilton, Massachusetts	Project No. 60724762
Photo No. 3	Date: 5/22/23		
View looking west of Bradley Palmer State Park Road with approximate location of collapsed culvert shown in red.			

Photo No. 4	Date: 5/22/23		
Area of Bradley Palmer State Park Road to be resurfaced with adjacent uplands on either side of the roadway.			

Appendix E – Abutter Information

**TOWN OF HAMILTON
Conservation Commission
CERTIFICATE OF PARTIES IN INTEREST**

Pursuant to Massachusetts General Laws, Chapter 40A, Section 11, the undersigned Assessor of the Town of Hamilton, hereby certifies that the names and addresses appearing on the list appended hereto are those of the:

- (a) abutters 100'
- (b) owners of land directly opposite on any public or private street or way
- X (c) owners of land within 300' of the property line of the property at:

Bradley Palmer State Park - Hamilton

So. Hamilton

Dated **February 19, 2025**

Prepared by Assessor's Office of the Town of Hamilton.

Jane Dooley
Assistant Assessor



300 feet Abutters List Report

Hamilton, MA
February 19, 2025

Subject Property:

Parcel Number: 20-0001
CAMA Number: 20-000-0001
Property Address: 550 HIGHLAND ST

Mailing Address: MASS COMMONWEALTH OF BRADLEY
PALMER STATE PARK
24 ASBURY ST
TOPSFIELD, MA 01983

Abutters:

Parcel Number: 02-0001
CAMA Number: 02-000-0001
Property Address: 0 WINTHROP ST

Mailing Address: ESSEX COUNTY GREENBELT ASSOC
C/O BECKER EDWARD
82 EASTERN AV
ESSEX, MA 01929

Parcel Number: 02-0004
CAMA Number: 02-000-0004
Property Address: 0 WINTHROP ST

Mailing Address: COLLOREDO-MANSFELD FRANZ F.
47 WINTHROP ST
HAMILTON, MA 01982

Parcel Number: 06-0001
CAMA Number: 06-000-0001
Property Address: 46 WINTHROP ST

Mailing Address: COLLOREDO-MANSFELD ANNE D & RU
46 WINTHROP ST
SOUTH HAMILTON, MA 01982

Parcel Number: 06-0002
CAMA Number: 06-000-0002
Property Address: 45 WINTHROP ST

Mailing Address: COLLOREDO-MANSFELD RUDOLPH JOS
COLLOREDO-MANSFELD FRANCESCA
122 PORTER PLACE
CHAPEL HILL, NC 27514

Parcel Number: 06-0003
CAMA Number: 06-000-0003
Property Address: 47 WINTHROP ST

Mailing Address: COLLOREDO-MANSFELD FRANZ-ANNE
47 WINTHROP ST
SOUTH HAMILTON, MA 01982

Parcel Number: 06-0005
CAMA Number: 06-000-0005
Property Address: 0 WINTHROP ST

Mailing Address: COLLOREDO-MANSFELD FRANZ F & A
47 WINTHROP ST
SOUTH HAMILTON, MA 01982

Parcel Number: 06-0006
CAMA Number: 06-000-0006
Property Address: 0 WINTHROP ST

Mailing Address: COLLOREDO-MANSFELD FRANZ FERD
47 WINTHROP ST
SOUTH HAMILTON, MA 01982

Parcel Number: 12-0001
CAMA Number: 12-000-0001
Property Address: 0 WINTHROP ST

Mailing Address: COLLOREDO-MANSFELD ANNE D & RU
46 WINTHROP ST
SOUTH HAMILTON, MA 01982

Parcel Number: 13-0001
CAMA Number: 13-000-0001
Property Address: 572 HIGHLAND ST

Mailing Address: LAMENDOLA JOEL GRIESHABER
KIRSTEN
572 HIGHLAND ST
SOUTH HAMILTON, MA 01982

Parcel Number: 13-0004
CAMA Number: 13-000-0004
Property Address: 0 HIGHLAND ST

Mailing Address: PINGREE SCHOOL
537 HIGHLAND ST
SOUTH HAMILTON, MA 01982



www.cai-tech.com

2/19/2025

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Page 1 of 3



300 feet Abutters List Report

Hamilton, MA
February 19, 2025

Parcel Number: 13-0005
CAMA Number: 13-000-0005
Property Address: 537 HIGHLAND ST

Mailing Address: PINGREE SCHOOL
537 HIGHLAND ST
SOUTH HAMILTON, MA 01982

Parcel Number: 13-0006
CAMA Number: 13-000-0006
Property Address: 571 HIGHLAND ST

Mailing Address: PINGREE SCHOOL INC
571 HIGHLAND ST
SOUTH HAMILTON, MA 01982

Parcel Number: 13-0007
CAMA Number: 13-000-0007
Property Address: 551 HIGHLAND ST

Mailing Address: PINGREE SCHOOL INC
537 HIGHLAND ST
SOUTH HAMILTON, MA 01982

Parcel Number: 13-0011
CAMA Number: 13-000-0011
Property Address: 0 HIGHLAND ST

Mailing Address: COLLOREDO-MANSFELD FRANZ F TR
WINTHROP ST TRUST
45 WINTHROP ST
SOUTH HAMILTON, MA 01982

Parcel Number: 13-0012
CAMA Number: 13-000-0012
Property Address: 0 WINTHROP ST

Mailing Address: COLLOREDO-MANSFELD S L ETAL TRS
S LAWRENCE NOMINEE TR
45 WINTHROP ST
SOUTH HAMILTON, MA 01982

Parcel Number: 13-0013
CAMA Number: 13-000-0013
Property Address: 0 WINTHROP ST

Mailing Address: COLLOREDO-MANSFELD ANNE D
RUDOLF J
WINTHROP ST
SOUTH HAMILTON, MA 01982

Parcel Number: 13-0016
CAMA Number: 13-000-0016
Property Address: 595 HIGHLAND ST

Mailing Address: GARZOLI JEREMY CAITLIN C
595 HIGHLAND ST
SOUTH HAMILTON, MA 01982

Parcel Number: 19-0002
CAMA Number: 19-000-0002
Property Address: 649 ASBURY ST

Mailing Address: ESSEX COUNTY GREENBELT ASSOC
82 EASTERN AVE
ESSEX, MA 01929

Parcel Number: 20-0002
CAMA Number: 20-000-0002
Property Address: 477 HIGHLAND ST

Mailing Address: PINGREE SCHOOL INC
477 HIGHLAND ST
SOUTH HAMILTON, MA 01982

Parcel Number: 20-0004
CAMA Number: 20-000-0004
Property Address: 468 HIGHLAND ST

Mailing Address: STEGGALL JAMES H MARY B
468 HIGHLAND ST
SOUTH HAMILTON, MA 01982

Parcel Number: 20-0005
CAMA Number: 20-000-0005
Property Address: 466 HIGHLAND ST

Mailing Address: BRITTON PETER P BEATRICE T
PO BOX 2327
S HAMILTON, MA 01982

Parcel Number: 20-0006
CAMA Number: 20-000-0006
Property Address: 497 HIGHLAND ST

Mailing Address: KHRISTITCH ERIN K MCCOLLOM
MATTHEW M
497 HIGHLAND ST
SOUTH HAMILTON, MA 01982



www.cai-tech.com

2/19/2025

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Page 2 of 3

Abutters List Report - Hamilton, MA



300 feet Abutters List Report

Hamilton, MA
February 19, 2025

Parcel Number: 20-0007
CAMA Number: 20-000-0007
Property Address: 517 HIGHLAND ST

Mailing Address: SWEENEY EDWARD J SWEENEY
HADLEY L
517 HIGHLAND ST
SOUTH HAMILTON, MA 01982

Parcel Number: 20-0008
CAMA Number: 20-000-0008
Property Address: 441 HIGHLAND ST

Mailing Address: ODDO STEPHEN CAREY ALECIA
441 HIGHLAND ST
SOUTH HAMILTON, MA 01982

Parcel Number: 20-011B
CAMA Number: 20-000-0011
Property Address: 466 HIGHLAND ST

Mailing Address: BRITTON FAMILY LLC BRITTON PETER
& BEATRICE
PO BOX 2327
S HAMILTON, MA 01982

Parcel Number: 20-0012
CAMA Number: 20-000-0012
Property Address: 466 HIGHLAND ST

Mailing Address: BRITTON FAMILY LLC BRITTON PETER
& BEATRICE
PO BOX 2327
S HAMILTON, MA 01982

Parcel Number: 21-0001
CAMA Number: 21-000-0001
Property Address: 537 HIGHLAND ST

Mailing Address: PINGREE SCHOOL
HIGHLAND ST
SOUTH HAMILTON, MA 01982



www.cai-tech.com

2/19/2025

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Page 3 of 3

Notification to Abutters

By Hand Delivery, Certified Mail (return receipt requested), or Certificates of Mailing

This is a notification required by law. You are receiving this notification because you have been identified as the owner of land abutting another parcel of land for which certain activities are proposed. Those activities require a permit under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40).

In accordance with the second paragraph of the Massachusetts Wetlands Protection Act, and 310 CMR 10.05(4)(a) of the Wetlands Regulations, you are hereby notified that:

- A. A Notice of Intent was filed with the Hamilton Conservation Commission on February 28, 2025 seeking permission to remove, fill, dredge, or alter an area subject to protection under M.G.L. c. 131 §40. The following is a description of the proposed activity/activities:

DCR is proposing to resurface Bradley Palmer State Park Road between the Topsfield Town Line and Highland Street. Also included in the scope of the Project is the replacement of a collapsed 24" culvert with a 24" high-density polyethylene (HDPE) pipe.

- B. The name of the applicant is: Massachusetts Department of Conservation & Recreation.
- C. The address of the land where the activity is proposed is: 540 Highland Street, Hamilton, MA, Map 12, Parcel 20-1.
- D. Copies of the Notice of Intent may be examined or obtained at the office of the Hamilton Conservation Commission, located at 650 Asbury Street, Hamilton, MA. The regular business hours of the Commission are Monday through Thursday, 8am to 12:30pm, and the Commission may be reached at 978-626-5251.
- E. Copies of the Notice of Intent may be obtained from the applicant or their representative by calling Jessica Marino from AECOM at 203-536-1833. An administrative fee may be applied for providing copies of the NOI and plans.
- F. Information regarding the date, time, and location of the public hearing regarding the Notice of Intent may be obtained from the Topsfield Conservation Commission. Notice of the public hearing will be published at least five business days in advance, in the Hamilton-Wenham Chronicle.

Notification provided pursuant to the above requirement does not automatically confer standing to the recipient to request Departmental Action for the underlying matter. See 310 CMR 10.05(7)(a)4.



24 February 2025

Hamilton Conservation Commission
650 Asbury Street
P.O. Box 429
Hamilton, MA 01936

Re: Request for Determination of Applicability (RDA) along MBTA Right-of-Way Operated by Keolis
Commuter Services (Purple Lines)

Dear Commission Members:

On behalf of the Massachusetts Bay Transportation Authority (MBTA) and Keolis Commuter Services, LLC (Keolis) owner and operator of the Commuter Rail passenger service in Massachusetts, Benesch is submitting the enclosed RDA for the review of the wetland map(s) along the railroad right-of-way (ROW) within your community as part of the renewal of the five-year Vegetation Management Plan (VMP).

Keolis is obligated under Federal regulation to implement controls for vegetation along the railroad Right-of-Way (ROW). Under the jurisdiction of the Rights of Way Management Program [333 CMR 11.00], Keolis implements a Vegetation Management Plan (VMP) approved every five years by the Massachusetts Department of Agricultural Resources (MDAR) in consultation with a multi-agency Advisory Council including the Massachusetts Department of Environmental Protection (MassDEP). The objective of the VMP is to eliminate, control and manage vegetation along the ROW that represents “*any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment*” as required by the Federal Transit Administration (FTA) and Federal Railroad Administration (FRA) to ensure safe operations and in doing so, ensure the protection of the general interests of the Commonwealth of Massachusetts. [49 CFR 673.5; 49 CFR 237].

By way of background information, the final Rights of Way Management regulation effective since 1987 [333 CMR 11.00] was the result of an extensive review initiated by the Department of Food and Agriculture (DFA) in consultation with a technical advisory task force of environmentalists, state agencies and rights of way managers who assisted in the General Environmental Impact Report (GEIR) preparation. Based on results of the study, they recommended to the Secretary of Environmental Affairs a framework for a *coherent state-wide rights of way regulatory program*. During the GEIR process, MassDEP and DFA (now MDAR) worked closely to include provisions which give maximum protection for water supplies and provide protection for wetlands as prescribed within M.G.L. c. 131, § 40 and 310 CMR 10.00. Specifically, the Rights of Way Management regulations presume that work performed in accordance with a VMP and Yearly Operational Plan (YOP), as required under the 333 CMR 11.00 regulations, **will not alter an area subject to protection under M.G.L. c. 131, § 40.**

In 2020, your commissions determination has allowed Keolis to conduct vegetation management activities over the last five years in accordance with the 333 CMR 11.00 and Keolis’ VMP. Each year since the determination was issued, you have been supplied with Keolis’ YOP and ROW map(s) including the wetlands locations and sensitive receptors.

Keolis is currently in the process of renewing the five-year VMP that will expire on December 31, 2025. In accordance with the Wetlands Protection Act, RDA’s issued for work conforming to 333 CMR 11.00 are in effect for the five-year life of the VMP and must be renewed with the VMP. Accordingly, enclosed please find the RDA to renew the wetland map(s) along the ROW in your municipality. The enclosed map(s) represent the location of the permanent marking setbacks prescribed by 333 CMR 11.00 to protect the resources in your community. There are no proposed changes to the existing maps and permanent markings in the field from the previous filing. The maps included in the filing are provided in

19 OCEAN AVENUE, STE 5 PORTLAND, MAINE 04103

USGS 1:5,000, as required by the regulations. The maps have been revised to reflect the latest revisions to all surface/drinking water supply zones as identified on maps supplied by MassGIS.

The safety of employees, passengers and neighboring communities is of high priority. Nonetheless, while the VMP railroad maintenance activities objective is to eliminate, control and manage vegetation along the rail ROW, these maintenance activities are executed with consideration of neighboring communities and the environment. To review the proposed VMP, please visit www.fdcerrailroadvegetation.com.

In the interests of the Commonwealth of Massachusetts and in accordance with M.G.L. c. 131, § 40, upon review of the enclosed RDA, please consider a positive 2a and negative number 5 determination citing exemptions 310 CMR 10.03(6)(b) and 310 CMR 10.58(6)(a).

If you have any questions, please do not hesitate to call Ana Rita Pascoal at (617)222-8094 (ana.pascoal@Keolis.com) and or you may reach me at (207)741-1905 (mdonovan@benesch.com).

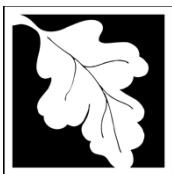
Very truly yours,
Benesch

A handwritten signature in cursive script that reads "Matt Donovan".

Matt Donovan, EI
Senior Designer

Enclosure

cc: Ana Rita Pascoal, Keolis
Janis O. Kearney, MBTA
Alicia Thoms, MBTA
Regional Office, DEP



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality _____

A. General 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. Applicant:

First Name _____

Last Name _____

Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Email Address _____

2. Property Owner (if different from Applicant):

First Name _____

Last Name _____

Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Email Address (if known) _____

3. Representative (if any)

First Name _____

Last Name _____

Company Name _____

Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Email Address (if known) _____

B. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

Street Address _____

City/Town _____

Latitude (Decimal Degrees Format with 5 digits after decimal
e.g. XX.XXXXX)

Longitude (Decimal Degrees Format with 5 digits after
decimal e.g. -XX.XXXXX)

Assessors' Map Number _____

Assessors' Lot/Parcel Number _____

b. Area Description (use additional paper, if necessary):

c. Plan and/or Map Reference(s): (use additional paper if necessary)

Title _____

Date _____

Title _____

Date _____

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality

B. Project Description (cont.)

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary).



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality _____

C. Determinations

1. I request the _____ make the following determination(s). Check any that apply:
Conservation Commission

- ☐ a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.
- ☐ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.
- ☐ c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- ☐ d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance** or **bylaw** of:

Name of Municipality

- ☐ e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).
- _____

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

Date

Math Donovan

Signature of Representative (if any)

Date

WPA Form 1 - Request for Determination of Applicability – Project Description – Activity/Work Description

The “work” is related to vegetation management, control, and maintenance activities for the years 2026-2030 taking place within the railroad right-of-way (ROW) for compliance with FRA, 49 CFR § 213. The Vegetation Management Plan (VMP) is necessary for creating a safer railroad for employees, passengers, and neighboring communities. It implements various approaches towards management of nuisance vegetation along the ROW including chemical and mechanical methods as represented within the VMP available for viewing at fdcerailroadvegetation.com. The attached, previously approved, wetland maps are provided for your review, and final maps will be incorporated into the VMP as part of the Rights of Way Management Program 333 CMR 11.00 which incorporates 310 CMR 10.03 (6) to ensure protection of resource areas within your community.

Each year, Keolis’ Yearly Operational Plan includes chemical applications to manage vegetation. The chemical applications typically include a roadbed program conducted in the fall and a brush program in the late summer months. The roadbed program is designed to keep the ballast section and shoulder, yards, switches, signals, and grade crossings weed free. The brush program is designed to prevent the re-growth of trees and other woody vegetation in areas adjacent to the roadbed.

The colors of the tracks on the maps depict the chemical application restrictions as described below. Sensitive Areas have been defined in the Commonwealth of Massachusetts Regulation 333 CMR 11.04. The vegetation in areas where chemical application is restricted is typically managed with mechanical controls as needed.

White zones have no chemical restrictions. These areas typically receive the roadbed and brush program.

Blue zones represent sensitive areas that receive the roadbed application once every year. Blue zones never receive the brush program.

Dark blue zones represent sensitive areas that receive the roadbed application once every two years. Dark blue zones never receive the brush program.

Yellow zones represent sensitive areas that don’t receive the roadbed or brush programs. In these areas, at the environmental monitors discretion and in conformance with the CMR 11 regulations, the applicator may apply the roadbed program directly down on the track with the booms for the shoulders turned off.

EASTERN ROUTE MAIN LINE



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TOWN:	HAMILTON	1-YEAR SPRAY INTERVAL	DEP Zone I	ZONE A	Certified Vernal Pool	Mean Low Water Line
DATE:	1/1/2025	2-YEAR SPRAY INTERVAL	DEP Zone II	ZONE B	Shoreline	Apparent Wetland Limit
SCALE:	1:5,000	NO SPRAY	IWPA	NHESP Priority Habitats	Hydrologic Connection	Closure Line
SHEET:	1 OF 3					

EASTERN ROUTE MAIN LINE



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TOWN:	HAMILTON	1-YEAR SPRAY INTERVAL	DEP Zone I	ZONE A	Certified Vernal Pool	Mean Low Water Line
DATE:	1/1/2025	2-YEAR SPRAY INTERVAL	DEP Zone II	ZONE B	Shoreline	Apparent Wetland Limit
SCALE:	1:5,000	NO SPRAY	IWPA	NHESP Priority Habitats	Hydrologic Connection	Closure Line
SHEET:	2 OF 3					

IPSWICH

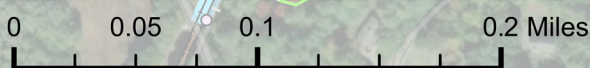














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EASTERN ROUTE MAIN LINE

PAGE 2

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TOWN:	HAMILTON		 1-YEAR SPRAY INTERVAL	 DEP Zone I	 ZONE A	 Certified Vernal Pool	 Mean Low Water Line
DATE:	1/1/2025		 2-YEAR SPRAY INTERVAL	 DEP Zone II	 ZONE B	 Shoreline	 Apparent Wetland Limit
SCALE:	1:5,000		 NO SPRAY	 IWPA	 NHESP Priority Habitats	 Hydrologic Connection	 Closure Line
SHEET:	3 OF 3						



TOWN OF HAMILTON

Conservation Commission

Town Offices at Patton Homestead
650 Asbury Street, Hamilton, MA 01982
P. O. Box 429
(978) 656-5247 <https://www.hamiltonma.gov>

Conservation Commission
Town of Hamilton
P.O Box 429
Hamilton MA, 01926

Tree Removal Application

Landowners must obtain prior permission from the Conservation Commission before work of any kind (e.g., tree or brush removal or trimming, vegetation removal or cutting, lawn expansion, soil grading and construction) is conducted in a Wetland Resource Area, 100-foot Buffer Zone, Riverfront Area, pond, stream, bank, or Conservation Restriction. (If more space is required to describe your request, please provide the information on a separate page.) * *Tree Removal Application valid for one year from issuance**

Property Information

Property Owner: _____

Phone: _____

Email: _____

Address: _____

Tax Map/Parcel# _____

Date of application: _____

Description of Proposed Tree Removal

Reason for removal request/project description (attach site map including trees proposed for removal, existing Wetland Resource Areas (including Riverfront Area, where applicable, and the 100-foot Buffer Zone, structures, trees, and other relevant features):

Tree #	Size (sm/med/lg)	Tree Condition	Tree Diameter (measured DBH)	Tree Species	Tree Height	Location (natural, landscaped or lawn area)

Scope of Work and Equipment to be used (if removal based on professional recommendation, attach dated report including provider's name, address and contact information):

Mitigation/Replanting (attach proposed planting plan)

<u>TREES</u>		<u>SHRUBS</u>	
# of Trees to be planted:		# of Shrubs to be planted:	
Total inches DBH/caliper:		Height/Width:	
Native Species:		Species:	
Totems if any:		Totem location(s):	

Owner Signature: _____

Date_____

Review Completion Date: _____

Filing Required: RDA: _____ NOI: _____

Commission Approval Date*: _____

Conservation Agent: _____

***Conditions of Approval:**

- ☐ Contact the Conservation Commission office prior to and immediately following removal of the tree(s).
- ☐ Tree(s) must be felled directed away from the Bordering Vegetated Wetland or removed by crane and no debris shall be placed within the protected wetland resource area. Stump(s) shall remain (or ground, if so approved) but not pulled.
- ☐ Additional Conditions:

Please contact the Conservation Agent Bethany Barstow, email :bbarstow@hamiltonma.gov to submit this application and for any questions.