

Anthony A. Esposito
55-7 South Meadow Village
Carver, MA 02330

Tel # 508-369-4783 **email; ltespo12@yahoo.com**
Civil Engineering + Soil Evaluating + Septic Inspection
Registered in Massachusetts, Rhode Island and Florida.

July 8, 2020

Weymouth Conservation Commission
Town of Weymouth
75 Middle St.
Weymouth, MA 02189

Gentlemen:

On behalf of the applicant, The Cavallo Corporation, we hereby request a public hearing before the Weymouth Conservation Commission for review and approval for an Order of Conditions under Massachusetts General Laws Chapter 131 Section 40, The Wetland Protection Act and the local Town of Weymouth Wetlands Protection Ordinance, Chapter 7, Section 301.

The approval of the Conditions is required to apply for a Building Permit for a new single family dwelling to be located on 137 Wessagusett Rd. Weymouth, MA.

The parcels proposed for the construction are shown in the local Assessors Maps as Assessors Map 4 Parcel 36-3. This parcel contains 3,939 sf of land area. The parcels provide 40 lf of frontage on Wessagusett Rd. Currently the parcel is vacant. Previously, there was a vacant dwelling and shed on the site. The applicant was required to demolish both dwelling and shed by state agencies. The Conservation Department approved of the demolition under an emergency certification in accordance with the Act. , (documentation on file with Conservation Department). There are no trees on the site. Utilities will be required to be extended from Wessagusett Road to service the new dwelling.

We have attached of the following documents to accompany our Application for Order of Conditions...

- 6 copies of the Application for a Notice of Intent, WPA Form 3.
- 6 copies of the Application for a NOI Wetland Fee Transmittal Form.
- 6 copies of the local Application for a Notice of Intent under the Town of Weymouth Wetlands Protection Ordinance, Chapter 7, Section 301.
- 6 copies of the project narrative.
- 6 copies of USGS Topographical map showing the location of the site
- 6 copies of the Flood Insurance Rate Map, (i.e. FIRM) for Suffolk County Massachusetts, #25021C0089F dated June 9, 2014.
- 6 copies of the Certified Abutters List certified on June 3, 2020.
- 6 copies of the Notification to Abutters under the Massachusetts Wetlands Protection Act and the Town of Weymouth Wetlands Protection Ordinance, Chapter 7, Section 301, (non Covid 19 version).

- 6 copies of the Notification to Abutters under the Massachusetts Wetlands Protection Act and the Town of Weymouth Wetlands Protection Ordinance, Chapter 7, Section 301, (Covid 19 version).
- 6 copies of a signed Affidavit of Service signed by Anthony A. Esposito
- 3 checks and 6 copies of each check addressed to the Town of Weymouth in the amount of \$262.50, the Commonwealth of Massachusetts in the amount of \$237.50 in accordance with the NOI Wetland Fee Transmittal Form and the local fee of \$300 issued to the Town of Weymouth under the local Ordinance.
- 6 copies of the Approval letter from the Board of Appeals addressing the required variances required to construct the dwelling shown on the attached Site Plan.
- 6 copies of the Purchase and Sale Agreement between the owner and the applicant allowing the applicant to act at the behest of the owner to apply for the Order of Conditions.
- 6 copies of the Wetlands Delineation Report, from Botanist Kenneth Thomson dated July 8, 2020
- 6 copies of the Soil Evaluation Report, from Anthony A. Esposito dated July 6, 2020
- 6 copies of Site Access Authorization Form signed by Ronald Cavallo
- 6 copies of the site plan dated July 7, 2020
- 6 copies of the site details dated July 7, 2020

Additional information is provided in the project narrative attached herein.

The applicant is requesting approval for an Order of Conditions to proceed to construction permits.

If you have any questions, please contact me at 508-369-4783

Sincerely Yours,

Anthony Esposito
Tony Esposito, P.E.

Cc: The Cavallo Corporation
Mass DEP



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

WEYMOUTH MA

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):

137 WESSAGUSSETT RD.

a. Street Address

WEYMOUTH MA

b. City/Town

02189

c. Zip Code

Latitude and Longitude:

4

f. Assessors Map/Plat Number

N 42d14'55"

d. Latitude

W 70d57'00"

e. Longitude

36-3

g. Parcel /Lot Number

2. Applicant:

RONALD

a. First Name

CAVALLO

b. Last Name

THE CAVALLO CORPORATION

c. Organization

70 VICTORIA ST.

d. Street Address

SOMERVILLE

e. City/Town

MA

f. State

02144

g. Zip Code

617-797-7567

h. Phone Number

N/A

i. Fax Number

ronycav@gmail.com

j. Email Address

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

JOHN J.

a. First Name

ALFANO

b. Last Name

N/A

c. Organization

1810 SW 22ND TERRACE

d. Street Address

CAPE CORAL

e. City/Town

FL

f. State

33991

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

ANTHONY A.

a. First Name

ESPOSITO

b. Last Name

ANTHONY A. ESPOSITO

c. Company

55-7 SOUTH MEADOW VILLAGE

d. Street Address

CARVER

e. City/Town

MA

f. State

02330

g. Zip Code

508-369-4783

h. Phone Number

i. Fax Number

ltespo12@yahoo.com

j. Email address

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

\$500

a. Total Fee Paid

\$237.50

b. State Fee Paid

\$262.50

c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

single family dwelling construction

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

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

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

NORFOLK

a. County

6587

c. Book

b. Certificate # (if registered land)

143

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
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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 checked="" type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input checked="" type="checkbox"/> Coastal Beaches	3,939 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	3,939 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.

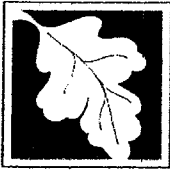
a. square feet of BVW

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

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 <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

- (c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_fee_schedule.htm).
 Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

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

- (d) ☐ Vegetation cover type map of site
 (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
 (f) OR Check One of the Following

1. ☐ Project is exempt from MESA review.
 Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
2. ☐ Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____
3. ☐ Separate MESA review completed.
 Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
 a. ☐ Not applicable – project is in inland resource area only b. ☐ Yes ☒ No

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

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

Division of Marine Fisheries -
 Southeast Marine Fisheries Station
 Attn: Environmental Reviewer
 836 South Rodney French Blvd.
 New Bedford, MA 02744
 Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

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City/Town

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

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

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

D. Additional Information

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

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

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

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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.

Site Plan for 137 Wessagusett Rd. Weymouth, MA

a. Plan Title

Anthony A. Esposito

Anthony A. Esposito

b. Prepared By

c. Signed and Stamped by

July 7, 2020

1"=20'

d. Final Revision Date

e. Scale

Site Details for 137 Wessagusett Rd. Weymouth, MA

July 7, 2020

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:

0204

June 30, 2020

2. Municipal Check Number

3. Check date

0203

June 30, 2020

4. State Check Number

5. Check date

Ronald

Cavallo

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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WPA Form 3 – Notice of Intent

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

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F. Signatures and Submittal Requirements

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

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

1. Signature of Applicant

3. Signature of Property Owner (if different)

5. Signature of Representative (if any)

2. Date

4. Date

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:

137 WESSAGUSETT AVE.

a. Street Address

WEYMOUTH MA

b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

RONALD

a. First Name

CAVALLO

b. Last Name

THE CAVALLO CORPORATION

c. Organization

70 VICTORIA ST.

d. Mailing Address

SOMERVILLE

e. City/Town

MA

f. State

02144

g. Zip Code

617-797-7567

h. Phone Number

i. Fax Number

ronycav@gmail.com

j. Email Address

3. Property Owner (if different):

JOHN J.

a. First Name

ALFANO

b. Last Name

N/A

c. Organization

1810 SW 22ND TERRACE

d. Mailing Address

CAPE CORAL

e. City/Town

FL

f. State

33991

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

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

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
CAT. 2 SINGLE FAMILY DWELLING	1	\$500	\$500

Step 5/Total Project Fee: \$500

Step 6/Fee Payments:

Total Project Fee:	\$500
State share of filing Fee:	a. Total Fee from Step 5 \$237.50
City/Town share of filling Fee:	b. 1/2 Total Fee less \$12.50 \$262.50
	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

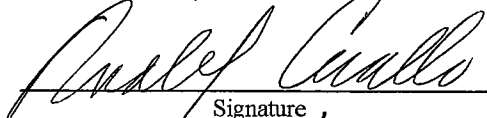
- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

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.)

**NOTICE OF INTENT
UNDER THE TOWN OF WEYMOUTH
WETLANDS PROTECTION ORDINANCE, CHAPTER 7, SECTION 301**

1. Project Location 137 WESSAGUSETT RD.
2. Town of Weymouth Atlas Reference (Parcel #) MAP 4 PARCEL 36-3
3. Project Description SINGLE FAMILY HOME ON A BARRIER BEACH
4. County, Norfolk: Book 6587 Page 143
5. *Applicant CAVALLO CORPORATION *Telephone# 617-797-7567
6. *Applicant Address 70 VICTORIA STREET, SOMERVILLE MA, 02144
7. Property Owner JOHN ALFANO
8. Representative ANTHONY A. ESPOSITO Telephone# 508-369-4783
9. Representative's Address 55-7 SOUTH MEADOW VILLAGE, CARVER MA, 02330
10. Billing Party for Legal Notice (All info is required):
Name: CAVALLO CORPORATION
Address: 70 VICTORIA ST. SOMERVILLE, MA 02144
Home Phone: 617-797-7567 Cell: 617-797-7567
Email address ronycav@gmail.com
11. Has the Conservation Commission received the **original material plus six (6) copies** of the Notice of Intent form, 8.5"x11", U.S.G.S. locus and 8.5"x11" sheet clearly showing the proposed site and work in addition to labeled resource areas? YES ☒ NO ☐
12. Are the following additional interests relevant to the proposed project? If so, Notice of Intent must include a discussion of these interests. Aesthetics ☐ Wildlife ☐ Recreation ☐ Erosion Control ☐
13. Have you filed your Local Wetland Fees? State Fees? YES ☒ NO ☐
14. Have you filed the Abutters' Notification and Affidavit of Service? YES ☒ NO ☐

I, THE UNDERSIGNED, HEREBY APPLY FOR A PERMIT PURSUANT TO THE CODE OF ORDINANCES, TOWN OF WEYMOUTH, CHAPTER 7, SECTION 301



Signature
Ronald Cavallo

7/6/2020

Date

*THE WEYMOUTH CONSERVATION OFFICE WILL SUBMIT THE NECESSARY LEGAL AD, AND THE APPLICANT WILL BE BILLED DIRECTLY BY THE PATRIOT LEDGER. FOR BILLING PURPOSES, THE PATRIOT LEDGER REQUIRES THAT THE TELEPHONE NUMBER SUBMITTED MUST BE THE DIRECT CONTACT NUMBER THAT MATCHES THE NAME AND ADDRESS OF THE APPLICANT, OTHERWISE THE LEGAL AD WILL NOT BE PUBLISHED AND THE HEARING WILL BE DELAYED.

NARRATIVE FOR 137 WESSAGUSETT RD., WEYMOUTH, MA

This narrative was prepared for the Notice of Intent, (i.e. NOI), filing for a new single family dwelling at 137 Wessagusett Rd. Weymouth, MA.

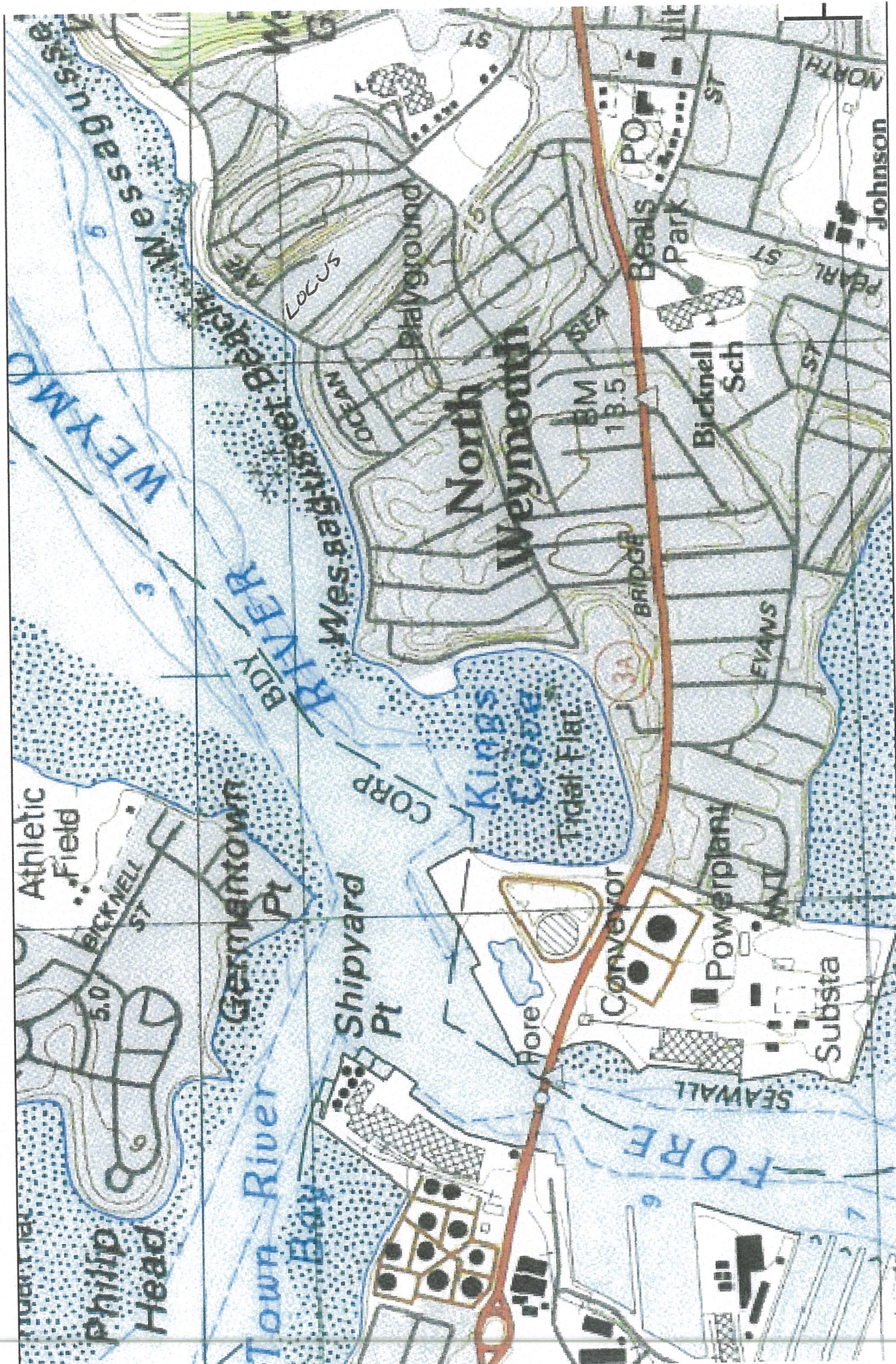
The site is located in a barrier beach wetland resource area. It is also located within the Zone AE Special Flood Hazard Area. To the south, a vegetative wetland exists that was recently mowed for mosquito control and is already germinated. Prior to the NOI filing, the existing vacant dwelling and shed on-site were demolished per order of the state under an emergency certification in accordance with the wetlands act.

The proposed dwelling will be constructed with 1,248 sf of roof area on columns 8 ft. above the flood elevation of 12.00. The previous structures provided 707 sf of roof area. The new dwelling will be 2 stories with garage under at grade. The garage floor will consist of crushed stone floor as recommended by the Conservation agent. There is no new shed proposed. The structure will be supported by piles and no grade beams.

The dwelling will be serviced by Town sewer and water, natural gas and overhead wires for telephone, cable and internet. A privacy fence and lantern lighting will also be provided at the front of the site. A proposed easement for vehicular access to allow the resident exit forward safely onto Wessagusett Road is proposed on the site plan.

A rain garden will be provided in the rear yard to mitigate the increase in roof area. The volume of water that it can hold is equal to almost a half an inch of water over the entire site. We are proposing switch grass as a planting for the garden. It can withstand standing water and it tolerates high salt content likely apparent in this area. The Town maintains a drainage easement at the rear of the property. The rain garden will be placed just outside of the drain easement.

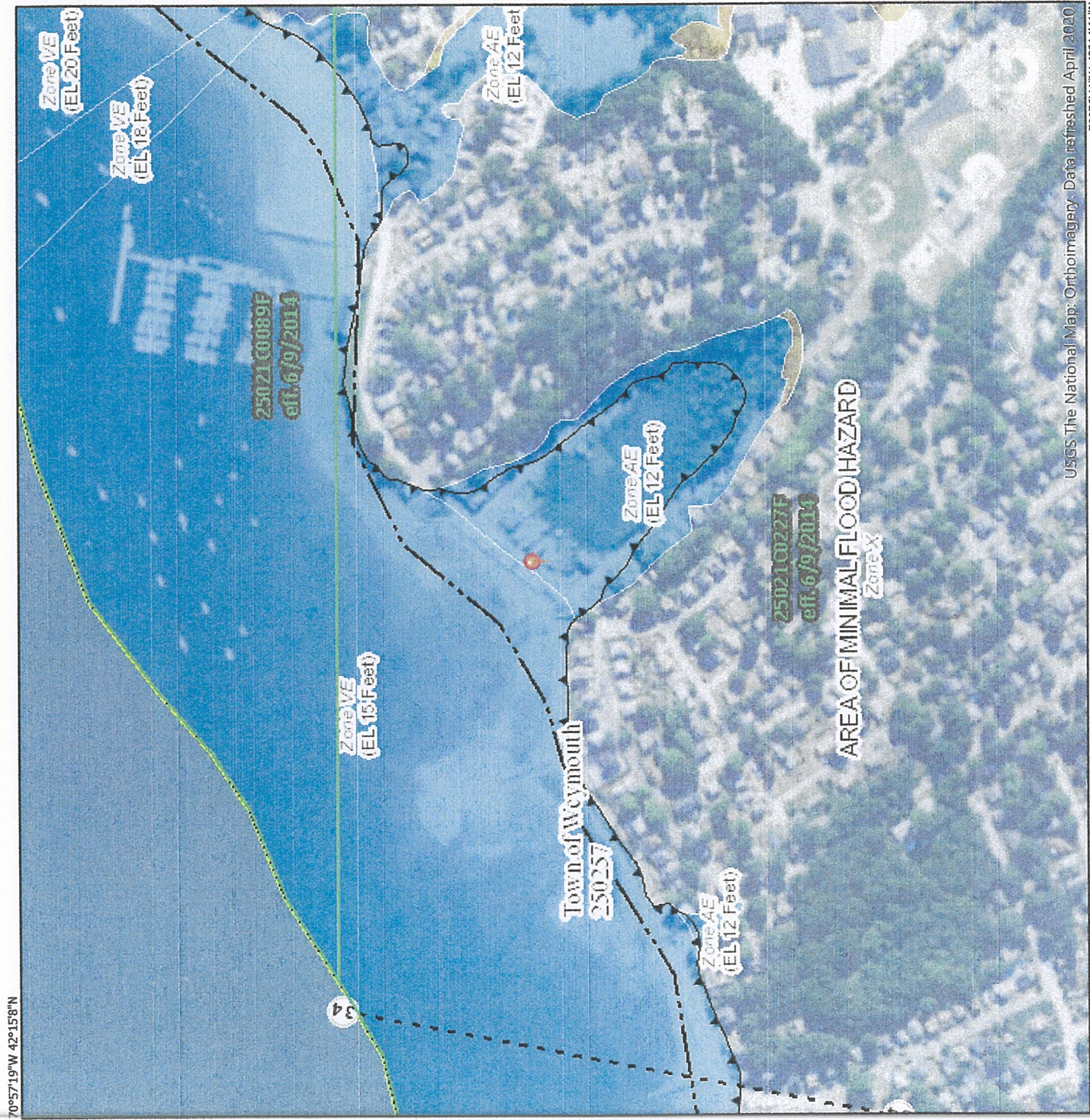
Additional mitigation to be provided with an erosion control plan, a siltation barrier and a silt sack at the nearest downstream catch basin to protect the resource areas.



National Flood Hazard Layer FIRMette



70°57'19"W 42°15'8"N



USGS The National Map: Orthoimagery. Data refreshed April 2020
 70°56'41"W 42°14'41"N
 Feet 0 500 1,000 1,500 2,000
 1:6,000

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

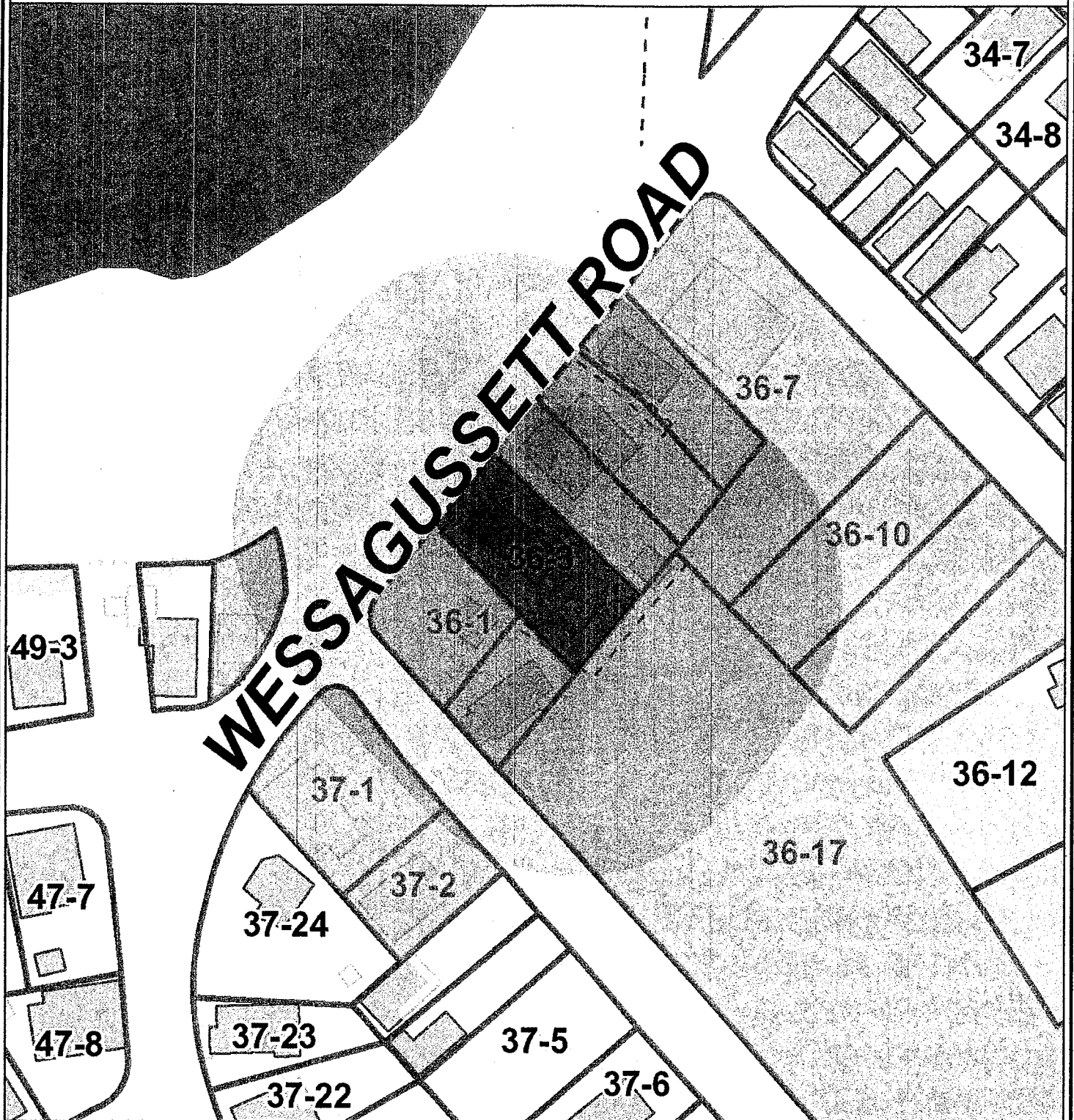
- | | | | | | |
|---|---|---|--|---|--|
| <p>SPECIAL FLOOD HAZARD AREAS</p> <ul style="list-style-type: none"> Without Base Flood Elevation (BFE)
Zone A, V, AE With BFE or Depth
Zone AE, AO, AH, VE, AR Regulatory Floodway | <p>OTHER AREAS OF FLOOD HAZARD</p> <ul style="list-style-type: none"> 0.2% Annual Chance Flood Hazard, At of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Future Conditions 1% Annual Chance Flood Hazard
Zone X Area with Reduced Flood Risk due to Levee. See Notes. Zone X Area with Flood Risk due to Levee Zone X | <p>OTHER AREAS</p> <ul style="list-style-type: none"> NO SCREEN Area of Minimal Flood Hazard
Zone X Effective LOMRS Area of Undetermined Flood Hazard Zone X | <p>GENERAL STRUCTURES</p> <ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall | <p>Cross Sections with 1% Annual Chance</p> <ul style="list-style-type: none"> Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature | <p>OTHER FEATURES</p> <ul style="list-style-type: none"> Digital Data Available No Digital Data Available Unmapped |
|---|---|---|--|---|--|

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/7/2020 at 8:24 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



- Easement
- ☐ Assessors Parcels
- Buildings
 - ☒ BUILDING
 - ☐ DECK
 - ☐ OTHER
 - ☐ SHED
- Base Map
 - Roads - Layout
 - PUB/PRIV TRAVELWAYS
 - PAPER
 - Hydrography
 - Streams
 - ☒ Ponds / Major Streams
 - ☐ Towns
 - Built-Up Areas

1" = 70 ft



DISCLAIMER: ALL DATA IS PROVIDED "AS IS" WITH ALL FEATURES, IF ANY. THE TOWN OF WEYMOUTH EXPRESSLY DISCLAIMS ALL WARRANTIES OF ANY TYPE, EXPRESSED OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY WARRANTY AS TO THE ACCURACY OF THE DATA, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

ALFANO JOHN J
17524 TIMBERLINE PKWY
PUNTA GORDA, FL 33982

ALFANO JOHN J
17524 TIMBERLINE PKWY
PUNTA GORDA, FL 33982

BOUDREAULT GERARD & GREEN
CAROLYN E TBE
127 WESSAGUSSET ROAD
WEYMOUTH, MA 02191

CARLSON RICHMOND P
1245 SUMMER ST
BRIDGEWATER, MA 02324

GIDDA PARDEEP & KAUR JASPREET
TBE
143 WESSAGUSSETT RD
WEYMOUTH, MA 02191

GREEN CAROLYN E
127 WESSAGUSSETT RD
WEYMOUTH, MA 02191

POMPEO PAUL H &
POMPEO-MALTBY DIANE M JT
24 OCEANSIDE DR
UNIT 24
HULL, MA 02045

ROBASH RICHARD L & JACQUELINE
9 WITAWAUMET RD
N WEYMOUTH, MA 02191

ROBERTS ELLEN M
145 WESSAGUSSETT RD
N WEYMOUTH, MA 02191

SKAFIDAS ELIZABETH B TR
WESSAGUSSETT RD RLTY TRUST
151 WESSAGUSSETT RD
WEYMOUTH, MA 02191-1630

TOWN OF WEYMOUTH
75 MIDDLE ST
E WEYMOUTH, MA 02189

TOWN OF WEYMOUTH
CONSERVATION
75 MIDDLE ST
WEYMOUTH, MA 02189

TOWN OF WEYMOUTH
75 MIDDLE ST
E WEYMOUTH, MA 02189

6/3/2020

PARCEL #	LOCATION	OWNER NAME/ADDRESS	CERTIFIED	
			YES	NO
MAP: 4 BLOCK: 36 LOT: 11 EXT: 0	0 PAOMET RD	CARLSON RICHMOND P 1245 SUMMER ST BRIDGEWATER, MA, 02324	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 4 BLOCK: 36 LOT: 17 EXT: 0	0 PAOMET RD	TOWN OF WEYMOUTH CONSERVATION 75 MIDDLE ST WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 4 BLOCK: 36 LOT: 10 EXT: 0	15 PAOMET RD	TOWN OF WEYMOUTH 75 MIDDLE ST E WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 4 BLOCK: 49 LOT: 1 EXT: 0	126 WESSAGUSSETT RD	POMPEO PAUL H & POMPEO-MALTBY DIANE M JT 24 OCEANSIDE DR UNIT 24 HULL, MA, 02045	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 4 BLOCK: 37 LOT: 1 EXT: 0	127 WESSAGUSSETT RD	GREEN CAROLYN E 127 WESSAGUSSETT RD WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 4 BLOCK: 36 LOT: 1 EXT: 0	133 WESSAGUSSETT RD	TOWN OF WEYMOUTH 75 MIDDLE ST E WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 4 BLOCK: 36 LOT: 3 EXT: 0	137 WESSAGUSSETT RD	ALFANO JOHN J 17524 TIMBERLINE PKWY PUNTA GORDA, FL, 33982	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 4 BLOCK: 36 LOT: 4 EXT: 0	141 WESSAGUSSETT RD	ALFANO JOHN J 17524 TIMBERLINE PKWY PUNTA GORDA, FL, 33982	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 4 BLOCK: 36 LOT: 5 EXT: 0	143 WESSAGUSSETT RD	GIDDA PARDEEP & KAUR JASPREET TBE 143 WESSAGUSSETT RD WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 4 BLOCK: 36 LOT: 6 EXT: 0	145 WESSAGUSSETT RD	ROBERTS ELLEN M 145 WESSAGUSSETT RD N WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6/3/2020

PARCEL #	LOCATION	OWNER NAME/ADDRESS	CERTIFIED	
			YES	NO
MAP: 4 BLOCK: 36 LOT: 7 EXT: 0	151 WESSAGUSSETT RD	SKAFIDAS ELIZABETH B TR WESSAGUSSETT RD RLTY TRUST 151 WESSAGUSSETT RD WEYMOUTH, MA, 02191-1630	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 4 BLOCK: 36 LOT: 18 EXT: 0	8 WITUWAMAT RD	BOUDREAULT GERARD & GREEN CAROLYN E TBE 127 WESSAGUSSET ROAD WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 4 BLOCK: 37 LOT: 2 EXT: 0	9 WITUWAMAT RD	ROBASH RICHARD L & JACQUELINE 9 WITAWAUMET RD N WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>

This list of abutters is a certified copy of the Town of Weymouth's tax records for fiscal year 2019.
The record of ownership is accurate through November 2019.

Prepared by:

Reviewed by:

TOWN OF WEYMOUTH

NOTIFICATION TO ABUTTERS UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT AND
LOCAL WETLANDS PROTECTION ORDINANCE, CHAPTER 7, SECTION 301

Revision for Remote Meetings during COVID-19 State of Emergency

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

- A. The name of the applicant is THE CAVALLO CORPORATION
- B. The applicant has filed: ☒ Notice of Intent, or ☐ OOC Amendment Request, or ☐ Request for Determination with the Conservation Commission for the municipality of Weymouth seeking permission to remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
- C. The address of the lot where the activity is proposed and a brief description including square footage and/or dimensions of proposed project:
NEW SINGLE FAMILY DWELLING AT 137 WESSAGUSETT RD ON MAP 4 PARCEL
36-3 WITH 3,939 SF OF LOT AREA.
- D. During the office closure for COVID-19, copies of the Notice of Intent or OOC Amendment Request or Request for Determination may be examined on the Town of Weymouth website, on the Conservation Commission webpage, in the Current and Past Cases tab at:
<https://www.weymouth.ma.us/conservation-commission/pages/project-documents>
- E. Copies of the Notice of Intent or OOC Amendment Request or Request for Determination may be obtained from (check one):
☐ the Applicant or ☒ the Applicant's Representative
by calling this telephone number 508-369-4783 contact person ANTHONY A. ESPOSITO
between the hours of: 8 AM - 5 PM on the following days of the week: MON-FRI
- F. Information regarding the date, time, and instructions for joining the REMOTE public hearing, to be held via the WebEx platform, may be obtained from:
Weymouth Conservation Commission
By calling this telephone number: 781-340-5007
Between the hours of: 8:30 - 4:30 Mon. through Friday
Instructions for joining the remote public hearing, via the WebEx website or via telephone, will be included on the meeting agenda, which will be posted on the Conservation Commission webpage at least 48 hours prior to the meeting, at:
<https://www.weymouth.ma.us/conservation-commission>

NOTE: Notice of the public hearing/meeting, including its date, time and remote venue, will be published at least five days in advance in the Patriot Ledger, and will also be posted on the Town website at www.weymouth.ma.us not less than forty-eight hours in advance. You may also contact the Weymouth Conservation Commission or the Department of Environment Protection Regional office for more information about this application or the Wetland Protection Act. To contact DEP, call 508-946-2700.

TOWN OF WEYMOUTH

NOTIFICATION TO ABUTTERS UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT AND
LOCAL WETLANDS PROTECTION ORDINANCE, CHAPTER 7, SECTION 301

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

- A. The name of the applicant is THE CAVALLO CORPORATION
- B. The applicant has filed: ☒ Notice of Intent, or ☐ OOC Amendment Request, or ☐ Request for Determination with the Conservation Commission for the municipality of Weymouth seeking permission to remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
- C. The address of the lot where the activity is proposed and a brief description including square footage and/or dimensions of proposed project:
NEW SINGLE FAMILY DWELLING AT 137 WESSAGUSSETT RD. MAP 4 PARCEL
36-3 WITH 3,939 SF OF LOT AREA
- D. Copies of the Notice of Intent or OOC Amendment Request or Request for Determination may be examined at The Weymouth Conservation Commission Office, Weymouth Town Hall, between the hours of 8:30 and 4:30, Monday through Friday.
- E. Copies of the Notice of Intent or OOC Amendment Request or Request for Determination may be obtained from (check one):

☐ the Applicant or ☒ the Applicant's Representative

by calling this telephone number 508-369-4783 contact person ANTHONY A. ESPOSITO

between the hours of: 8 AM-5 PM on the following days of the week: MON-FRI

- F. Information regarding the date, time, and place of the public hearing may be obtained from:

Weymouth Conservation Commission

By calling this telephone number: 781-340-5007

Between the hours of: 8:30 - 4:30 Mon. though Friday

- G. Check One: This is the Applicant
This is the Applicant's Representative
Other (specify) Town of Weymouth Conservation Commission

NOTE: Notice of the public hearing/meeting, including its date, time and place will be published at least five days in advance in the Patriot Ledger, and will also be posted on the Town website at www.weymouth.ma.us not less than forty-eight hours in advance. You may also contact the Weymouth Conservation Commission or the Department of Environment Protection Regional office for more information about this application or the Wetland Protection Act. To contact DEP, call 508-946-2700.

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act and
Code of Ordinances, Town of Weymouth, Chapter 7, Section 301

(To be submitted to the Massachusetts Department of Environmental Protection and the **Weymouth Conservation Commission** when filing a Notice of Intent or Request for Determination)

I ANTHONY A. ESPOSITO hereby certify under the
pains and penalties of perjury that on _____ (date)
I gave notification to abutters in compliance with the second paragraph of
Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to
Abutter Notification dated April 8, 1994, and **Town of Weymouth**, in connection
with the following matter:

A Notice of Intent or Request for Determination filed under the Massachusetts
Wetlands Protection Act by

THE CAVALLO CORPORATION

With the **Town of Weymouth Conservation Commission** on _____
(Date)

For property located at 137 WESSAGUSETT RD.

Shown on Assessors Map# 4 Block # 36 Lot# 3

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


Name

7/8/2020
Date

The Cavallo Corporation
Development
70 Victoria Street
Somerville, MA 02144

0204

53-274/113

DATE 6/30/2020

PAY TO THE ORDER OF Town of Weymouth

\$ 262.50

Two hundred sixty two
Enterprise Bank

50/100 DOLLARS

FOR 137 Wessagusset Road



[Signature]

⑈000204⑈ ⑆011302742⑆

4062293⑈



SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM

The Cavallo Corporation
Development
70 Victoria Street
Somerville, MA 02144

0203

53-274/113

DATE 6/30/2020

PAY TO THE ORDER OF Commonwealth of Massachusetts

\$ 237.50

Two hundred thirty seven
Enterprise Bank

50/100 DOLLARS

FOR 137 Wessagusset Rd



[Signature]

⑈000203⑈ ⑆011302742⑆

4062293⑈



SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM

The Cavallo Corporation
Development
70 Victoria Street
Somerville, MA 02144

0205

53-274/113

DATE 6/30/2020

PAY TO THE ORDER OF Town of Weymouth

\$ 300.00

Three hundred
Enterprise Bank

00/100 DOLLARS

FOR 137 Wessagusset Rd



[Signature]

⑈000205⑈ ⑆011302742⑆

4062293⑈



Details on Back
Security Features Included
Details on Back
Security Features Included
Details on Back
Security Features Included

**TOWN OF WEYMOUTH, MASSACHUSETTS
BOARD OF ZONING APPEALS
NOTICE OF DECISION
141 WESSAGUSSETT ROAD**

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE

(To be mailed forthwith to the owner and applicant, if not the owner.) 2019 APR 22 AM 9:40

Owner:	John J Alfano	Date:	April 19, 2019
Address:	141 Wessagussett Rd Weymouth, MA 02191		
Applicant:	Ronald J. Cavallo	Case #:	3380
Address:	70 Victoria St Somerville, MA 02144		
Representative:	N/A	Site Address:	141 Wessagussett Rd
		Sheet:	4
		Block:	36
		Lot:	4
Filing Date:	3/4/2019		
Hearing Date:	4/10/2019		
Advertised:	4/3/2019 & 4/10/2019		

The following decision is based on the Boards review of Architectural Plans prepared by Functional Design Works, dated 03/01/2019 and a Plot Plan prepared and stamped by Anthony A. Esposito, dated 1/29/2019.

**For final 'Building Permit' plans or "As Built" plans please refer to Building Department and Engineering Department files.
Zoning District: R-1**

VOTED TO GRANT THE SPECIAL PERMIT under *Weymouth Zoning Ordinance 120-38.3 (D), Construction in the Flood Plain Overlay District*; to demolish the existing structure damaged by storm surge and to rebuild within the floodplain.

VOTED TO GRANT THE VARIANCE under *Weymouth Zoning Ordinance 120-52*(constructing on a lot of less than 5000 sf) and

VOTED TO GRANT THE VARIANCE under *Weymouth Zoning Ordinance: Dimensional Requirements (side setbacks)* Zoning Ordinance requires 10 foot side yard setback. Applicant requests a reduction to 8 feet.

APPLICANT WITHDREW THE VARIANCE REQUEST under *Weymouth Zoning Ordinance: Dimensional Requirements (height)*. Applicant originally requested a one foot variance to allow a maximum height of 36'. Town of Weymouth Ordinance limits height in the R-1 District to 35 feet.

SPECIAL PERMIT FINDINGS:

BZA Decision – 141 Wessagussett Road
(Case 3380)

1. The specific site is an appropriate location for such a use. *There is no change in the use of the property. It will continue as a single-family home in the R-1 Residential District.*
2. The proposed use of structure will not be detrimental or adversely affect the character or future character of the neighborhood or town. *The new home will be in greater conformity with regard to setbacks than the original home.*
3. There is not a potential for nuisance or serious hazard to vehicles or pedestrians. *Occupancy of building will not change. Parking spaces are not impacted.*
4. There are adequate and appropriate facilities, utilizes and other public services provided for the proper operation of the proposed use. *Proposal will require an Order of Conditions from the Weymouth Conservation Commission and the project was concurrently reviewed by Weymouth DPW.*
5. That the public convenience and welfare will be substantially served with the proposal. *The existing structure on the site has been severely damaged by storm and is uninhabitable. The project will add an additional single family home and increase tax revenue for the Town. This work will also raise the property above the Base Flood Elevation significantly reducing the possibility of future storm damage.*

VARIANCE FINDINGS:

This lot was created at a time that pre-existed modern zoning. The area historically had been developed as a community of beach cottages. The Board recognized that the applicant had taken pre-emptive action to reduce the nonconformity of both this lot and the abutting lot known as 137 Wessagussett Road by first submitting an ANR Plan that increased the size of the smaller lot and provided it with legal frontage. Second, the Board found that, although the 8 foot side yard setback was less than the required 10 feet, it was a substantial improvement from the original home which sat directly on the lot line.

CONDITIONS:

1. Within one year of receiving a Certificate of Occupancy or prior to the home being sold, the applicant agrees to install appropriate screening to bottom portion of structure.
2. The project will undergo review by the Conservation Commission.

THE VOTE OF THE BOARD WAS 4-0.

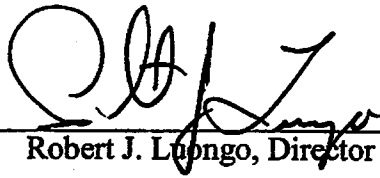
Under MGL Chapter 40A, Section 11, the approval of the Board of Zoning Appeals will NOT take effect until it has been recorded in the Norfolk Registry of Deeds.

After the twenty (20) day appeal period has passed, the Town Clerk will send to the petitioner: (1) the certificate that no appeal was filed, (2) the certificate of granting of variance and/or special permit. The petitioner shall record these documents with the Norfolk Registry of Deeds, Dedham, MA, with the appropriate filing fee.

When a receipt from the Registry of Deeds is presented to the Building Inspector (to show that the decision has been recorded), the proper permit will be issued.

Decision filed with the Town Clerk on April 19, 2019

IMPORTANT: Notice is further given that any person aggrieved by this decision may appeal, according to MGL Chapter 40A, Section 17, and said appeal, if any, must be filed with the Town Clerk within twenty (20) days after the filing of the decision with the Town Clerk.

A handwritten signature in black ink, appearing to read 'R. Luongo', is written over a horizontal line.

Robert J. Luongo, Director of Planning and Community Development

THE COMMONWEALTH OF MASSACHUSETTS

WEYMOUTH

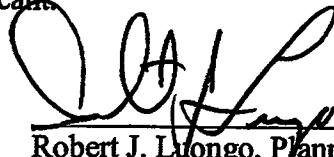
BOARD OF APPEALS

April 19, 2019

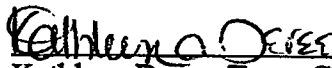
Certificate of Granting of Variance or Special Permit
(General Laws Chapter 40A, Section 11)

The Board of Appeals of the Town of Weymouth hereby certifies that a Variance or Special Permit has been granted to Ronald J. Cavallo, 70 Victoria St, Somerville, MA 02144, affecting the rights of the owner with respect to land or buildings at 141 Wessagussett Road, Weymouth, MA 02191, also shown on the Weymouth Town Atlas Sheet 4, Block 36, Lot 4, and the said Board of Appeals further certifies that the decision attached hereto is a true and correct copy of its decision granting said variance – special permit, and that copies of said decision, have been filed with the Planning Board and the Town Clerk.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the Town Clerk that twenty days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The fee for such recording or registering shall be paid by the owner or applicant.



Robert J. Lyongo, Planning Director



Kathleen Deree, Town Clerk

Case # 3380

Date of Hearing: 4/10/2019

***Town of Weymouth
Massachusetts***

**Kathleen A. Deree
Town Clerk**

**Town Clerk's Department
781-340-5017
781-682-6129 (FAX)**



**Robert L. Hedlund
Mayor**

**75 Middle Street
Weymouth, MA 02189**

May 13, 2019

To Whom It May Concern:

**I, Kathleen A. Deree, Town Clerk of the Town of Weymouth do hereby certify
this to be the action taken by the Board of Zoning Appeals at their meeting held on
April 10, 2019 on APPLICATION OF: Ronald J. Cavallo, Case # 3380.**

No appeal was filed within the twenty (20) day appeal period.

Signed:

Kathleen A. Deree

A True Copy. ATTEST:

Kathleen A. Deree

**Kathleen A. Deree
Town Clerk**

PURCHASE AND SALE AGREEMENT

This 15 day of September 2018

1. PARTIES AND MAILING ADDRESSES

JOHN J. ALFANO, of 1810 SW 22nd Terrace, Cape Coral, FL 33991,
hereafter called the SELLER, agrees to SELL and

THE CAVALLO CORPORATION, of 70 Victoria Street, Somerville, MA 02144, hereafter called the
BUYER or PURCHASER, agrees to BUY, upon the terms set forth herein, the following described
premises:

2. DESCRIPTION

the land with the buildings thereon known as 137 Wessagusset Road, and 141 Wessagusset Road,
Weymouth, Norfolk County, Massachusetts, as more particularly described in Book 6587, Page 143
and Book 5787, Page 727, Norfolk Registry of Deeds.

3. BUILDINGS, STRUCTURES, IMPROVEMENTS, FIXTURES

Included in the sale as a part of said premises are the buildings, structures, and improvements now
thereon, and the fixtures belonging to the SELLER and used in connection therewith including, if
any, all wall-to-wall carpeting, drapery rods, automatic garage door openers, venetian blinds,
window shades, screens, screen doors, storm windows and doors, awnings, shutters, furnaces, heaters,
heating equipment, oil and gas burners and fixtures appurtenant thereto, hot
water heaters, plumbing and bathroom fixtures, garbage disposers, electric and other lighting fixtures,
mantels, outside television antennas, fences, gates, trees, shrubs, plants and
including all appliances.

4. TITLE; DEED

Said premises are to be conveyed by a good and sufficient quitclaim deed running to the BUYER or
to the nominee designated by the BUYER by written notice to the SELLER at least seven days
before the deed is to be delivered as herein provided, and said deed shall convey a good and clear
record and marketable title thereto, free from encumbrances, except:

- (a) Provisions of existing building and zoning laws;
- (b) intentionally deleted;
- (c) Such taxes for the then current year as are not due and payable on the date of the
delivery of such deed;
- (d) Any liens from municipal betterments assessed after the date of the closing; and
- (e) Easements, restrictions and reservations of record, if any, so long as the same do not
prohibit or materially interfere with the current use of said premises as a buildable
lots, suitable for two residential structures with the contingencies as hereafter
described.

5. PLANS

If said deed refers to a plan necessary to be recorded therewith the SELLER shall deliver such
plan with the deed in form adequate for recording or registration.

6. REGISTERED TITLE

In addition to the foregoing, if the title to said premises is registered, said deed shall be in form
sufficient to entitle the BUYER to a Certificate of Title of said premises, and the SELLER shall
deliver with said deed all instruments, if any, necessary to enable the BUYER to obtain such
Certificate of Title.

7. PURCHASE PRICE

Three Hundred Fifty Thousand Dollars (\$350,000.00), of which:

\$ 16,500.00
\$ 1,000.00
\$ 332,500.00

\$ _____

\$ 350,000.00

have been paid as a deposit this day and
was paid as an initial deposit at the signing of the Offer to Purchase;
are to be paid at the time of delivery of the deed in cash, or by certified
cashier's, treasurer's or bank check(s) or check drawn on the IOLTA
real estate account of a local conveyancing attorney or wire transfer at
SELLER's request.

TOTAL



**8. TIME FOR PERFORMANCE;
DELIVERY OF DEED**

A good and sufficient Deed, conveying a good and clear record and marketable and insurable title shall be delivered by the SELLER to BUYER at 2:00 p.m. forty-five (45) days after: (a) BUYER'S receipt of a building permit from the Town of Weymouth (including after the expiration of any appeals period without appeal being taken by any third party or the necessity of BUYER making appeals unless BUYER in its sole discretion waives such provision (or the first business day thereafter if it falls on a weekend or holiday), with the closing at the Norfolk Registry of Deeds unless the parties otherwise mutually agree in writing. It is agreed that time is of the essence of this Agreement.

9. POSSESSION AND CONDITION OF PREMISES

Full possession of said premises, delivered vacant, said premises to be then (a) in the same condition they now are, reasonable use and wear thereof excepted, and (b) (b) in compliance with the provisions of any instrument referred to in clause 4 hereof. The BUYER shall be entitled personally to enter said premises prior to the delivery of the deed in order to determine whether the condition thereof complies with the terms of this clause.

10. EXTENSIONS TO PERFECT TITLE

If the SELLER shall be unable to give title or to make conveyance, or to deliver possession of the premises at the time of the closing, because the premises do not conform with the requirements of this Purchase and Sale Agreement, including because the premises do not conform with paragraph 9, above, then the SELLER shall use reasonable efforts to remove any defects in title, or to deliver possession as provided herein, or to make the said premises conform to the provisions hereof, as the case may be, in which event the SELLER shall give written notice thereof to the BUYER at or before the time for performance hereunder, and thereupon the time for performance hereof shall be extended for the lesser period of (a) thirty days; or (b) the expiration date of any rate lock or the date of change in material terms and conditions of BUYER'S financing due to said extension, although it is understood that financing is not a condition of BUYER'S obligation to purchase the premises. SELLER shall not have to expend more than \$1,500.00 to comply with this paragraph exclusive of discharging mortgages and other liens voluntarily placed by SELLER and municipal tax and water and sewer liens.

11. FAILURE TO PERFECT TITLE OR MAKE PREMISES CONFORM, etc.

If at the expiration of the extended time the SELLER shall have failed so to remove any defects in title, deliver possession, or make the premises conform, as the case may be, all as herein agreed, or if at any time during the period of this agreement or any extension thereof, the holder of a mortgage said premises shall refuse to permit the insurance proceeds, if any, to be used for such purposes, then any payments made under this agreement shall be forthwith refunded and all other obligations of the parties hereto shall cease and this agreement shall be void without recourse to the parties hereto.

12. BUYER'S ELECTION TO ACCEPT TITLE

The BUYER shall have the election, at either the original or any extended time for performance, to accept such title as the SELLER can deliver to the said premises in their then condition and to pay therefore the purchase price without deduction, in which case the SELLER shall convey such title, except that in the event of such conveyance in accord with the provisions of this clause, if the said premises shall have been damaged by fire or casualty insured against, then the SELLER shall, unless the SELLER has previously restored the premises to their former condition, either

- (a) pay over or assign to the BUYER, on delivery of the deed, all amounts recovered or recoverable on account of such insurance, less any amounts reasonably expended by the SELLER for any partial restoration, or
- (b) if a holder of a mortgage on said premises shall not permit the insurance proceeds or a part thereof to be used to restore the said premises to their former condition or to be so paid over or assigned, give to the BUYER a credit against the purchase price, on delivery of the deed, equal to said amounts so recovered or recoverable and retained by



the holder of the said mortgage less any amounts reasonably expended by the SELLER for any partial restoration.

13. ACCEPTANCE OF DEED

The acceptance and recording of a deed by the BUYER or his nominee as the case may be, shall be deemed to be a full performance and discharge of every agreement and obligation herein contained or expressed, except such as are, by the terms hereof, to be performed after the delivery of said deed.

14. USE OF MONEY TO CLEAR TITLE

To enable the SELLER to make conveyance as herein provided, the SELLER may, at the time of delivery of the deed, use the purchase money or any portion thereof to clear the title of any or all encumbrances or interests, provided that all instruments so procured are recorded simultaneously with the delivery of said deed or as soon thereafter as is practical in accordance with local conveying practice except that noninstitutional mortgages and liens shall be discharged simultaneously with the recording of the Deed.

15. INSURANCE

Until the delivery of the deed, the SELLER shall maintain insurance on said premises as follows:

Type of Insurance	Amount of Coverage

AS PRESENTLY INSURED

16. ADJUSTMENTS

Taxes for the then current fiscal year shall be apportioned, as of the day of performance of this agreement and the net amount thereof shall be added to or deducted from, as the case may be, the purchase price payable by the BUYER at the time of delivery of the deed.

17. ADJUSTMENT OF UNASSESSED AND ABATED TAXES

If the amount of said taxes is not known at the time of the delivery of the deed, they shall be apportioned on the basis of the taxes assessed for the preceding fiscal year, with a reapportionment as soon as the new tax rate and valuation can be ascertained; and, if the taxes which are to be apportioned shall thereafter be reduced by abatement, the amount of such abatement, less the reasonable cost of obtaining the same, shall be apportioned between the parties, provided that neither party shall be obligated to institute or prosecute proceedings for an abatement unless herein otherwise agreed.

18. BROKER'S FEE

A Broker's fee for professional services of \$17,500.00 (5.00 %) of the purchase price is due from the SELLER to Keller Williams Signature Properties, the Broker herein, if as and only when the premises are conveyed and the deed is recorded.

**19. BROKER(S)
WARRANTY**

INTENTIONALLY DELETED

20. DEPOSIT

All deposits made hereunder shall be held in escrow by Keller Williams Signature Properties, subject to the terms of this agreement and shall be duly accounted for at the time for performance of this agreement. In the event of any disagreement between the parties, the escrow agent must retain all deposits made under this agreement pending instructions mutually given by the SELLER and BUYER or a final Order of a Court of final competent jurisdiction. If the deposit is held more than ninety (90) days, it shall be held in an interest-bearing account, with interest to follow the deposit.

21. BUYER'S DEFAULT; DAMAGES

If the BUYER shall fail to fulfill the BUYER's agreements herein, all deposits made hereunder by the BUYER shall be retained by the SELLER as liquidated damages. This shall be SELLER'S sole remedy at law and in equity. The parties agree that because actual damages are difficult to ascertain in advance, that it is agreeable to both parties to use the amount of the deposit hereunder as the measure of said damages and such shall be a fair and reasonable measure of damages.



**22. RELEASE BY
SPOUSES**

SELLER agrees to state his marital status in the Deed under the pains and penalties of perjury and, if married, it shall be a condition of closing that SELLER's spouse shall sign the Deed to release and convey all statutory, homestead and all other rights and interests in said premises.

**23. BROKER AS
PARTY**

INTENTIONALLY DELETED

**24. LIABILITY OF
TRUSTEE,
SHAREHOLDER,
BENEFICIARY,
etc.**

If the SELLER or BUYER executes this agreement in a representative or fiduciary capacity, only the principal or the estate represented shall be bound, and neither the SELLER or BUYER so executing, nor any shareholder or beneficiary of any trust, shall be personally liable for any obligation, express or implied, hereunder.

**25. WARRANTIES
AND
REPRESENTATIONS**

The BUYER acknowledges that the BUYER has not been influenced to enter into this transaction nor has it relied upon any warranties or representations not set forth or incorporated in this agreement or previously made in writing.

**26. MORTGAGE
CONTINGENCY**

INTENTIONALLY DELETED

**27. CONSTRUCTION
OF
AGREEMENT**

This instrument, which may be executed in multiple counterparts, is to be construed as a Massachusetts contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and enures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be cancelled, modified or amended only by a written instrument executed by both the SELLER and the BUYER. If two or more persons are named herein as BUYER their obligations hereunder shall be joint and several. The captions and marginal notes are used only as a matter of convenience and are not to be considered a part of this agreement or to be used in determining the intent of the parties to it. This Agreement supersedes all prior and contemporaneous agreements whether oral or written.

**28. LEAD PAINT
LAW**

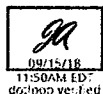
The parties acknowledge that, under Massachusetts law, whenever a child or children under six years of age resides in any residential premises in which any paint, plaster or other accessible material contain dangerous levels of lead, the owner of said premises must remove or cover said paint, plaster or other material so as to make it inaccessible to children under six years of age.

**29. SMOKE/C.M.
DETECTORS/**

BUYER waives the requirement of a smoke/cm certificate from the Town of Weymouth.

**30. ADDITIONAL
PROVISIONS**

- a. Title delivered by SELLER to BUYER shall be insurable and good, clear and marketable. "Insurable title" as used in this Agreement means a title on which a title insurance company qualified to



do business in Massachusetts and reasonably acceptable to BUYER would issue an owner's policy at normal premium rates in the American Land Title Association form currently in use, subject to those printed exceptions to title normally included in the "jacket" to such form or policy and the standard, so-called Schedule B exceptions permitted herein and subject to the matters identified in Paragraph 4 hereof.

In the event of a title matter for which a title insurance company is willing to issue so-called "affirmative coverage" over a known defect or problem, BUYER may elect to accept same but shall not be required to do so and shall have the right, at its or its lender's counsel's option, to deem title to the premises unacceptable or unmarketable and to terminate this Agreement by written notice to SELLER in which case all deposits shall be returned to BUYER and all other obligations of the parties hereto shall cease and this agreement shall be void without recourse to the parties hereto.

- b. Usual documents SELLER hereby agrees that, upon request, SELLER shall execute at closing all usual and customary documents required by BUYERS, lenders and title insurers, including but not limited to, affidavits indemnifying against claims of workmen and materialmen, affidavits as to urea formaldehyde foam insulation, parties in possession, the purchase price and allocation of same and the certificate regarding foreign persons under Section 1445 of the Internal Revenue Code and usual documents required for BUYER to purchase lender and owner's title insurance, it being acknowledged by SELLER that while the Agreement is not contingent on financing, BUYER may obtain same.


09/15/18
11:30AM EDT
dotloop verified


09/17/18
7:17AM EDT
dotloop verified

- c. Other contingencies The conveyance of the premises is contingent upon:
- (i) the premises abutting a public way, which public way is duly laid out or accepted as such by the city or town in which said premises are located and which provides both vehicular and pedestrian access or abutting a private way which abuts such public way, with no restrictions on vehicular and pedestrian access;
 - (ii) No portion of the premises encroaching upon adjacent property, and no encroachment upon the premises except as otherwise permitted in this Agreement;
 - (iii) the premises serviced by municipal water and sewer;
 - (iv) No litigation or threatened litigation involving the premises including but not limited to claims of adverse possession or prescriptive easements or eminent domain proceedings or claims by government agencies that there are outstanding violations of law.
SELLER hereby represents, without obligation for independent inquiry, that there are no such claims or proceedings to the best of SELLER's knowledge with the exception of a mechanic's lien purportedly recorded at the Norfolk Registry of Deeds relative to the premises. Acknowledgment of same does not mean BUYER has waived the requirements of good, clear title or marketable or insurable title and BUYER has made no determination regarding title at the time of the signing of this Agreement. This paragraph shall survive the delivery of the deed.
 - (v) No underground storage tanks or hazardous waste now or formerly present on or hazardous waste emanating from the premises and no currently required monitoring regarding same by any governmental agency.
SELLER hereby represents without obligation for independent inquiry that


09/15/18
11:50AM EDT
dotloop verified


09/17/18
7:17AM EDT
dotloop verified

SELLER is not aware of any hazardous waste as defined by applicable federal and state law, or underground storage tanks now or formerly on or hazardous waste emanating from the premises.

- (vi) BUYER's receipt of final, written, non-appealable permits, licenses, and approvals necessary from all federal, state and local governments to raze the existing structures on the premises and to construct two (2) three-story flat roof single contemporary style, ocean-front-facing houses of at least twenty feet (20') width each on each lot described in the deeds set forth above, each with: not less than 1,850 s.f. with a roof deck, rear deck, parking on-site in rear of each house for two (2) motor vehicles per house or at grade under each structure, three (3) bedrooms and two and a half (2 1/2) baths each, in compliance with the requirements of the Conservation Commission and FEMA regarding flood plain and wetlands, with total heights each of not less than thirty -five (35) feet with a roof top "penthouse" access or equivalent, rear decks of not less than 10' X 14', reverse plans with access at grade with foundation floors open per regulations, floors two to be bedroom level and floors three to be living level, code-approved parapet for code-approved roof deck access, 8 feet floor to ceiling heights at grade, Floors 2 and Floors 3 each ten feet (10') floor to ceiling height. BUYER acknowledges that each house may need to be constructed on piles and that a common driveway by which each house accesses its parking area is acceptable provided the above contingencies are met;
- (vii) The two lots being contiguous (including the shared driveway);
- (viii) Full legal access, licensing, permitting and approvals for all utilities including, but not necessarily limited to, electric, phone, cable, internet, gas, water and sewer, with projected utility costs acceptable to BUYER in BUYER'S sole discretion, from the main street within a typical and reasonable time frame, in BUYER'S sole discretion;
- (ix) sufficient and legal road access for the necessary construction equipment to the premises; and

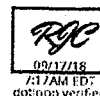
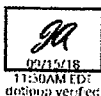
- (x) review of soils by BUYER and BUYER's determination in its sole discretion that same are suitable for construction as aforesaid.
- d. Title Standards Any matter, practice, question or dispute arising under or relating to this Agreement which is the subject of a title standard or practice standard of the Real Estate Bar Association for Massachusetts shall be governed and/or resolved by such standard, to the extent applicable.
- e. Signatures Signatures by the BUYER'S attorney on behalf of BUYER and SELLER's attorney on behalf of SELLER are acceptable to bind each party for the purpose of granting extensions or giving notice hereunder, unless previously disclaimed by either party prior thereto in a writing delivered to the other party and their counsel, if any. Facsimile and electronic signatures are legally binding.
- f. Notices Notices to SELLER and BUYER shall be by certified mail effective when mailed or by commercial overnight delivery service, effective when mailed or by facsimile, provided the receipt confirmation is retained confirming delivery or by Email to:

SELLER:

Mark C Watson, Esq.
Mark Watson & Associates, P.C.
51 North Street
Hingham, MA 02043
Office Telephone: 781.740.1200
Facsimile: 781.740.0201
Email: mwatson@closeontime.com

BUYER:

Nancy Maule-McNally, Esq.
21 Mayor Thomas J. McGrath Highway, Suite 404
Quincy, MA 02169



Office Telephone: 617.774.6464

Cell: 617.429.7646

Facsimile: 617.773.7102

Email: nancy@maulelaw.com

- g. Access During the pendency of this Agreement, SELLER shall allow BUYER and its agents, and contractors/subcontractors, engineers, appraisers and architects access to the Premises with reasonable prior notice of at least twenty-four hours, for testing (including but not limited to soil samples), measurement, appraisal and all other business reasons related to the purchase, permitting/licensing/approvals, demolition, and construction contemplated hereby.
- h. Additional Contingency If, during the pendency of Agreement, BUYER determines that necessary permits, licenses and/or approvals are not likely to be granted, or that the project or project costs are not feasible in BUYER's sole discretion, or upon the non-occurrence of any specified contingency herein within a reasonable time frame as determined by BUYER in its sole discretion, BUYER may terminate this Agreement by written notice to the SELLER, in which case all deposits shall be returned promptly to BUYER.
- i. Cooperation SELLER agrees to cooperate with BUYER provided at no cost to SELLER by completing and signing any necessary documents in connection with BUYER'S application for demolition, building, construction, Conservation Commission/FEMA and utility permits, licenses, permits and approvals. SELLER acknowledges that such applications may be required by law to be in SELLER's name and BUYER acknowledges that SELLER makes no guaranty as to approvals of any such applications.
- j. Statements As to any representations made herein by SELLER, SELLER shall inform BUYER if any facts upon which such statement has been made have changed, to the date of closing. If such change, whether disclosed by SELLER or otherwise learned by BUYER, is material and adverse to BUYER, BUYER may terminate this Agreement and in such event, the deposit shall be returned to BUYER.



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

A. Emergency Information

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



- Issuance From: Weymouth Conservation Commission
Issuing Authority
1. Site Location: 137 & 141 Wessagussett Rd, Weymouth (Assessors Ref S4, BI 36, Lots 3 & 4)
2. Reason for Emergency:
Houses are in danger of falling down and pose a threat to public safety.
3. Applicant to perform work: Ron Cavallo, Cavallo Corporation
4. Public agency to perform work or public agency ordering the work to be performed:
Weymouth Health Department (ordering work to be performed)
5. Date of Site Visit: May 22, 2020 Start Date: June 1, 2020 End Date*: July 1, 2020
* no later than 30 days from start date or 60 days in the case of an Immediate Response Action approved by DEP to address an oil/hazardous material release.
6. Work to be allowed*:
Demolition of two single-family houses, at 137 and 141 Wessagussett Road. Off-site disposal of all material.
- * May not include work beyond that necessary to abate the emergency.



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

B. Signatures

Certified to be an Emergency by this Issuing Authority.

Weymouth Conservation Commission (voted at public meeting of May 27, 2020)

Signatures:

Signature

Mary Ellen Schloss, Conservation
Administrator

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

A copy of this form must be provided to the appropriate DEP Regional Office.

C. General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Emergency Certification or subject to enforcement action.
2. This Emergency Certification does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of property rights.
3. This Emergency Certification does not relieve the applicant or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. Any work conducted beyond that described above, and any work conducted beyond that necessary to abate the emergency, shall require the filing of a Notice of Intent.
5. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Emergency Certification at reasonable hours to evaluate compliance with this Certification, and may require the submittal of any data deemed necessary by the Conservation Commission or the Department for that evaluation.
6. This Emergency Certification shall apply to any contractor or any other person performing work authorized under this Certification.
7. No work may be authorized beyond 30 days from the date of this certification without written approval of the Department.



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

D. Special Conditions

All demolition debris shall be contained and measures shall be taken to prevent any debris from becoming wind-blown and entering the abutting marsh or ocean. Roll-off/storage containers shall be covered when not in active use. All demolition debris shall be taken off-site for disposal at a legal facility. Measures shall be taken to prevent tracking of materials onto the public way. Following demolition, disturbed areas shall be stabilized to prevent erosion or sedimentation into wetlands. The Conservation Administrator shall be contacted (781-340-5007 or mschloss@weymouth.ma.us) for a site visit following completion of the project, to ensure all debris has been removed and the site has been stabilized. This Certification does not authorize any new construction.

E. Appeals

The Department may, on its own motion or at the request of any person, review: an emergency certification issued by a conservation commission and any work permitted thereunder; a denial by a conservation commission of a request for emergency certification; or the failure by a conservation commission to act within 24 hours of a request for emergency certification. Such review shall not operate to stay the work permitted by the emergency certification unless the Department specifically so orders. The Department's review shall be conducted within seven days of: issuance by a conservation commission of the emergency certification; denial by a conservation commission of the emergency certification; or failure by a conservation commission to act within 24 hours of a request for emergency certification. If certification was improperly granted, or the work allowed thereunder is excessive or not required to protect the health and safety of citizens of the Commonwealth, the Department may revoke the emergency certification, condition the work permitted thereunder, or take such other action as it deems appropriate.



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

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Norfolk and Suffolk Counties, Massachusetts

655—Udorthents, wet substratum

Map Unit Setting

National map unit symbol: vkyd

Elevation: -30 to 310 feet

Mean annual precipitation: 45 to 54 inches

Mean annual air temperature: 43 to 54 degrees F

Frost-free period: 145 to 240 days

Farmland classification: Not prime farmland

Map Unit Composition

Udorthents and similar soils: 95 percent

Minor components: 5 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Udorthents

Setting

Landform position (two-dimensional): Footslope, shoulder

Landform position (three-dimensional): Tread, riser

Down-slope shape: Linear, convex

Across-slope shape: Linear, convex

Parent material: Excavated and filled sandy and gravelly human transported material over highly-decomposed herbaceous organic material

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: More than 80 inches

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Minor Components

Urban land

Percent of map unit: 3 percent

Hydric soil rating: Unranked

Ipswich

Percent of map unit: 2 percent

Landform: Marshes

Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Norfolk and Suffolk Counties, Massachusetts

Survey Area Data: Version 16, Jun 11, 2020

SITE ACCESS AUTHORIZATION

DATE: JULY 7, 2020

PROJECT: NEW SINGLE FAMILY HOME

TO: Weymouth Conservation Commission and Conservation Administrator

FROM: THE CAVALLO CORPORATION

70 VICTORIA STREET, SOMERVILLE, MA 02144

LOCATION: 137 WESSAGUSETT RD.

(Hereafter referred to as the property)

I (We) hereby authorize the individual members of the Conservation Commission and its agents to enter upon the property for the purpose of gathering information prior to issuing a Determination of Applicability or an Order of Conditions and for the purpose of enforcing the Order of Conditions prior to the issuance of a Certificate of Compliance.

TIME: FROM THE PRESENT TO DATE OF ISSUANCE OF CERTIFICATE OF COMPLIANCE

PROPERTY OWNER: 

DATE: 7/8/2020

- k. Counsel The parties represent that they have had the opportunity to retain an attorney of their own choosing and that that they have either done so or have freely waived the right to do so.
- l. Maintenance BUYER shall be entitled to maintain the premises for purposes including, but not limited to, mowing, plowing, trimming and shoveling provided that any subcontractors utilized by BUYER for such work are insured and such work is at BUYER's expense.
- k. Termination This Agreement shall terminate automatically fourteen (14) after its execution by both parties, except that BUYER is entitled to up to three (3) extensions, consisting of four (4) months per each extension, provided BUYER notifies SELLER in writing of the exercise of each such extension and thereafter promptly pays SELLER \$500.00 for each month during such extension. If the final extension is less than four months then payment shall be made on a *pro-rata* basis and any excess shall be credited on the CD statement at closing or reimbursed in the event of termination of the P&S Agreement for reasons permitted hereunder.

FOR RESIDENTIAL PROPERTY CONSTRUCTED PRIOR TO 1978, BUYER MUST ALSO HAVE SIGNED A LEAD PAINT "PROPERTY TRANSFER NOTIFICATION CERTIFICATE"

NOTICE: This is a legal document that creates binding obligations. If not understood, consult an attorney.

John Alfano dotloop verified
09/15/18 11:50AM EDT
0BHY-9S3P-SEUA-DYYX

SELLER: JOHN J. ALFANO

Ronald J Cavallo dotloop verified
09/17/18 7:17AM EDT
XXQS-RFLO-QXYX-OLYE

BUYER: THE CAVALLO CORPORATION,
BY Ronald J. Cavallo, its President



INTRODUCTION

Ken Thomson, *Botanist* delineated wetland resources for 137 & 141 Wessagusett Road, Weymouth, MA. Both properties maintain single family homes, driveway, utilities and small sheds. The houses have been removed and the land graded. A Salt marsh dominated by phragmites is located to the south along the rear of the developed portion of the property. The property is located within the FEMA Flood Hazard Zone BFE with elevation 12 feet.

Wetland Delineation

Kenneth Thomson (Botanist) identified and delineated wetlands subject to regulatory jurisdiction under Section 404 of the Clean Water Act (33 U.S.C. 1344) or the Massachusetts Wetlands Protection Act, M.G.L., Chapter 131, Section 40 and field work was conducted on June 12, 2020. The predominance of hydrophytic vegetation, evidence of hydric soils, and wetland hydrology were used to define the boundary of vegetated wetlands following the Interim Regional Supplement to the 1987 Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, January 2012, and the 1995 MA DEP Delineation Manual Guidelines. Pink flags numbered kt-1 to kt-3 were hung on vegetation to delineate the wetlands. MassDEP data sheets were completed at wetland flag #kt-2.

MassGIS OLIVER REVIEW - 6/12/2020

The following data layers are associated with the site under review.

Present	Absent	Natural Heritage (Within 500 Feet, ACOE)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Certified Vernal Pools
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Potential Vernal Pools
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Estimated Habitat
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Priority Habitat
Ground Water Protection		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Interim Well Head Protection
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Zone 2
Surface Water Protection		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Zone A
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Zone B
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Zone C
Wetlands		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	DEP Wetland Layer/Wetland Change Layer
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Perennial Stream
Floodplain		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	FEMA Flood Hazard Data

Present	Absent	Out Standing Resource Waters (ORW)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ORW
		Area of Environmental Concern (ACEC)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ACEC

A review of MassGIS data layers revealed that the project is not located within outstanding resource water (ORW), surface water protection zones (Zones A, B, C), groundwater protection areas (IWPA or Zone II). The site is not located within Natural Heritage estimated and priority habitat for rare and endangered species and not within 500 feet of a certified vernal pools or potential vernal pool.

Existing Conditions

The properties are located on a barrier beach between a concrete sea wall, parking area and Wessagussett Road located to the north and a salt marsh to the south. The salt marsh receives salt-water input by way of storm drains. A catch basin is located near the southwest corner of 137 Wessagussett Street property and connects with a storm drain under Wituwamt Road which in turns connects to the sea wall. The beehive catch basin located behind 137 Wessagussett has a rim elevation of 11.64 feet.

The wetland resource associated with these properties includes Land Subject to Coastal Storm Flowage, Barrier Beach, and Salt Marsh. Performance standards for these resources are:

	Storm Damage Prevention	Flood Control	Protection of Marine Fisheries	Wildlife Habitat	Land Containing Shellfish	Groundwater Supply
Coastal Storm Flowage						
Salt Marsh	X	X		X		X
Barrier Beach	X	X				

Land Subject to Coastal storm Flowage have no performance standards. The lots are located on a barrier beach and protected by the seawall. The entire section of barrier beach is developed with single family homes. No coastal dunes are located within this section of barrier beach. Coastal Beach resources are located to the seaward side of the sea wall.

The land that surrounds the barrier beach forms a horseshoe shape of elevated lands. The sea wall protects the homes from storm damage but probably acts a dam to hold back retreating storm water flows. The lots and salt marsh located to the south of the proposed construction are important for the surrounding area to provide flood control. As floodwater from the larger storms will be held landward by the sea wall which in turn will discharge slowly via the storm drains. This discharge provides minimal exported of detritus and dissolved organics to coastal waters, where it provides food that supports many marine organisms, including finfish and shellfish.

The salt marsh provides the important functions of storm damage protection, flood control and groundwater protection. During normal storm events, the area receives run-off from the surrounding landscape and provides an area for flood control. As the stormwater percolates into the groundwater, the peat removes pollutants from surrounding waters. The network of salt marsh vegetation roots and rhizomes binds sediments together. The sediments absorb chlorinated hydrocarbons and heavy metals such as lead, copper, and iron. The marsh also retains nitrogen and phosphorous compounds, which in large amounts can lead to algal blooms in coastal waters.

Massachusetts Wetland Resource Areas Identified

Wetland resource areas on the site regulated under the Massachusetts Wetlands Protection Act (MGL Chapter 131, Section 40) and its Regulations (310 CMR 10.00), and the West Bridgewater By-Laws and Policies include:

- *Salt Marsh*
- *Barrier Beach*
- *Land Subject to Coastal Storm Flowage*

If you have any question please feel free to contact me.

Sincerely,

5 Wetlands



Kenneth Thomson
Botanist

Digitally signed by Ken Thomson
DN: cn=Ken Thomson, o=5
Wetlands, ou,
email=5wetlands@gmail.com, c=US
Date: 2020.07.08 08:02:18 -04'00'

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: _____ Prepared by: **Ken Thomson / Botanist** Project location: **Wessagussett Road West Weymouth, MA** DEP File #: _____
Check all that apply:
☒ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
☐ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
☐ Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number:	Wetland	Transect Number:	Date of Delineation:
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*

TREE TOTAL = N/A

SAPLING TOTAL = N/A

SHRUB TOTAL = N/A

GROUND COVER TOTAL = 100 %

Common Reed, *Phragmites australis*

Touch-Me-Not, *Impatiens capensis*

98

2

(98/100) * 100 = 98%

(2/100) * 100 = 2%

Yes

No

FACW*

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: **1**

Number of dominant non-wetland indicator plants: **0**

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants?

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

YES

NO

MassDEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant:

Prepared by: Ken Thomson / Botanist Project location: Wessagussett Road West Weymouth, MA DEP File #:

Check all that apply:

- ☒ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
☐ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
☐ Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number:	Upland	Transect Number:	Date of Delineation:
A. Sample Layer & Plant Species (by common/scientific name)	B. Percent Cover (or basal Area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*

TREE TOTAL = N/A

SAPLING TOTAL = N/A

SHRUB TOTAL = N/A

GROUND COVER TOTAL = 0 %

VACANT LAND

* Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus Sphagnum; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 0

Number of dominant non-wetland indicator plants: 0

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants?

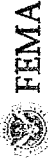
YES

NO

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

National Flood Hazard Layer FIRMette

70°57'18"W 42°15'8"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, AEg
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levee. See Notes, Zone X

Area with Flood Risk due to Levee Zone D

NO SCREEN Area of Minimal Flood Hazard Zone X

Effective LOMRS

Area of Undetermined Flood Hazard Zone

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance

- Water Surface Elevation
- Coastal Transect

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transect Baseline

Profile Baseline

Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

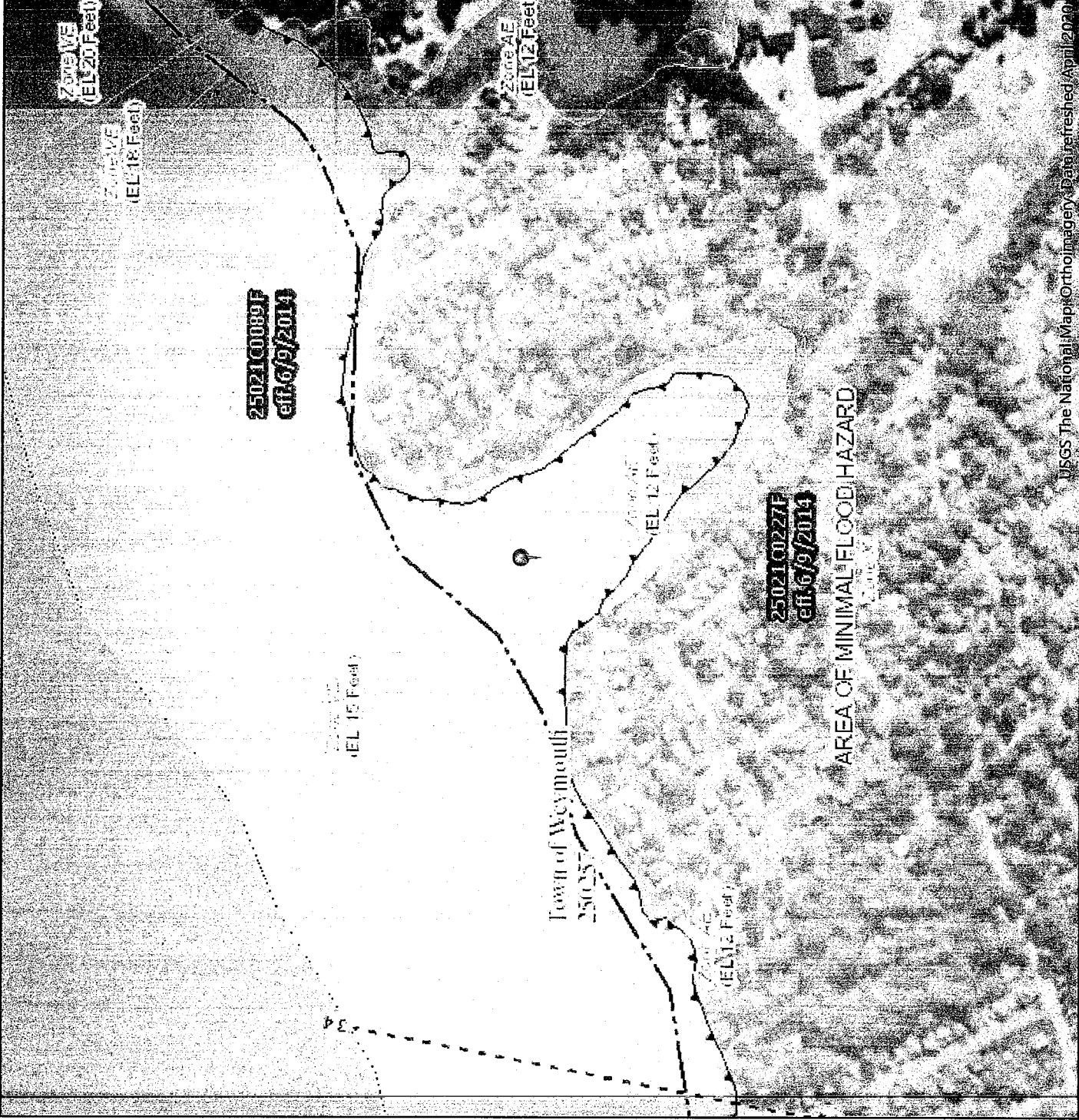


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/8/2020 at 6:31 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is valid if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



USGS The National Map Orthoimagery Data refreshed April 12, 2020



1:6,000

70°56'41"W 42°14'42"N

Commonwealth of Massachusetts
Weymouth, Massachusetts
Soil Suitability Assessment for On-Site Septic System

Performed By: Anthony Esposito, SE 688

Witnessed By: n/a

Location, Address, or Lot # 137-141 Wessagusett Rd. Weymouth, MA Assessors Map #4 Lot 36-3,4	Owner's Name, Address, and Telephone # John J. Alfano 1810 SW 22ND TERRACE CAPE CORAL, FL 33991
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New Construction ☒ Repair

Office Review

Published Soil Survey Available: No ☐ Yes ☒

Year Published 2014 Publication Scale 1:25,000 Soil Map Unit 655

Drainage Class D Soil Limitations not prime farmland

Surficial Geologic Report Available: No ☐ Yes ☒

Year Published 2014 Publication Scale 1:25,000

Geologic Material (Map Unit) human transported

Landform outwash plain

Flood Insurance Rate Map:

Above 500 year flood boundary No ☒ Yes ☐

Within 500 year flood boundary No ☐ Yes ☒

Within 100 year flood boundary No ☐ Yes ☒

Wetland Area:

National Wetland Inventory Map (map unit) N/A

Wetlands Conservancy Program Map (map unit) N/A

Current Water Resource Conditions (USGS): Month July 2020

Range: Above Normal ☐ Normal ☒ Below Normal ☐

Other References Reviewed: None

On-Site ReviewDeep Hole Number TP-137 Date 07-06--2020 Time: 10 AM Weather: cloudy 70sLocation (identify on site plan) rear of siteLand Use residential Slope (%) 1% Surface Stones noneVegetation noneLandform outwash plain

Position on Landscape (see site plan) _____

Distances from:

Open Water Body 100+ feetDrainage way >25 feetPossible Wet Area 30 feetProperty Line >10 feetDrinking Water Well 100+ feetOther N/A feet**DEEP OBSERVATION HOLE LOG**

Depth from Surface (Inches)	Soil Horizon	Soil Texture (U.S.D.A.)	Soil Color (Munsell)	Soil Mottling	Other (Structure, Stones, Boulders, Consistency, % Gravel)
0-44"		fill			Human transported
44"-56"		gravel		Mottles @ 38" 7.5y5/8	loose 50% stones, 50% gravel

Parent Material (geologic) Coarse till Depth to Bedrock >56"Depth to Groundwater: Standing Water in the Hole: 38" Weeping from Pit Face: 38"Estimated Seasonal High Ground Water? 38"

Other _____ N/A _____ feet

Estimated Seasonal High Ground Water? 39"

Location, Address, or Lot # 137-141 Wessagusett Rd. Weymouth., MA**Determination for Seasonal High Water Table**Method Used:

- ☐ Depth to bottom of deep hole (assumed seasonal high groundwater) _____ inches
- ☐ Depth observed standing in observation hole _____ inches
- ☐ Depth weeping from side of observation hole _____ inches
- X** Depth to soil mottles 38" inches

Index Well Number Reading Date Index Well Level

Adjustment Factor ? _____ Adjusted Groundwater Level _____

Depth of Naturally Occurring Pervious MaterialDoes at least four feet of naturally occurring pervious material exist in all areas observed throughout the area proposed for the soil absorption system? n/a

If not, what is the depth of naturally occurring pervious material? _____

Certification











































I certify that on June 1999 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.

Signature Anthony Esposito Date 7/7/2020

Soil Map—Norfolk and Suffolk Counties, Massachusetts (137-141 wessagusett)



MAP LEGEND

	Area of Interest (AOI)		Spoil Area
	Area of Interest (AOI)		Stony Spot
	Soils		Very Stony Spot
	Soil Map Unit Polygons		Wet Spot
	Soil Map Unit Lines		Other
	Soil Map Unit Points		Special Line Features
	Special Point Features		
	Blowout		Water Features
	Borrow Pit		Streams and Canals
	Clay Spot		Transportation
	Closed Depression		Rails
	Gravel Pit		Interstate Highways
	Gravelly Spot		US Routes
	Landfill		Major Roads
	Lava Flow		Local Roads
	Marsh or swamp		Background
	Mine or Quarry		Aerial Photography
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:25,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Norfolk and Suffolk Counties, Massachusetts
Survey Area Data: Version 15, Sep 12, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 10, 2014—Aug 25, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
65	Ipswich mucky peat, 0 to 2 percent slopes, very frequently flooded	0.1	9.3%
626B	Merrimac-Urban land complex, 0 to 8 percent slopes	0.0	3.1%
655	Udorthents, wet substratum	0.5	87.6%
Totals for Area of Interest		0.6	100.0%