

NOTICE OF INTENT

The Overlook Multi-Family Redevelopment 44 Wharf Street Weymouth, Massachusetts

**SUBMITTED TO:**

Weymouth Conservation Commission
75 Middle Street
Weymouth, MA 02189

PREPARED FOR:

Wharf Associates, LLC c/o
The Heritage Companies
70 Quincy Avenue
Quincy, MA 02169

PREPARED BY:

Lucas Environmental, LLC
500A Washington Street
Quincy, Massachusetts 02169

IN ASSOCIATION WITH:

Civil & Environmental Consultants, Inc.
31 Bellows Road
Raynham, MA 02767

REPORT DATE: August 7, 2020





500A Washington Street, Quincy, MA 02169

August 7, 2020

Weymouth Conservation Commission
75 Middle Street
Weymouth, MA 02189

Re: Notice of Intent
The Overlook Multi-Family Redevelopment
44 Wharf Street
Weymouth, Massachusetts

Members of the Weymouth Conservation Commission:

On behalf of Wharf Associates, LLC c/o The Heritage Companies, and in association with Civil & Environmental Consultants, Inc. (CEC), Lucas Environmental, LLC (LE) is pleased to submit this Notice of Intent (NOI) to the Weymouth Conservation Commission for the proposed Overlook Multi-Family Redevelopment Project located at 44 Wharf Street in Weymouth, Massachusetts. The Applicant is proposing to redevelop the existing mill building and construct one new building to create 84 residential apartment units along with parking, landscaping, stormwater management, and utility improvements. Portions of proposed work are located within the 100-Foot Buffer Zone to Inland Bank and Salt Marsh, Land Subject to Coastal Storm Flowage, and the 200-Foot Riverfront Area of the Weymouth Back River.

This NOI is submitted in accordance with the Massachusetts Wetlands Protection Act (WPA; M.G.L. Ch. 131, Section 40) and implementing regulations (310 CMR 10.00 et seq.) and the Town of Weymouth Wetlands Protection Ordinance (Chapter 7, Section 301).

Enclosed please find one (1) original and six (6) copies of the NOI, Stormwater Report, and Site Plans. The NOI application package includes the WPA Form 3, project narrative, figures, photographic documentation, abutter notification, and filing fees. The Site Plans and Stormwater Report are provided separately. A link to an electronic copy of the pdf file of the NOI application and supporting documentation will be provided concurrently with this submittal. We respectfully request that you place this matter on your agenda for the August 25, 2020 Public Hearing.

If you have any questions, please do not hesitate to contact me at 617.405.4053 or tel@lucasenvironmental.net. Thank you for your consideration in this matter.

Sincerely,
LUCAS ENVIRONMENTAL, LLC

Thomas E. Liddy, PWS, CWS
Environmental Consultant/Soil Scientist

cc: Wharf Associates, LLC c/o The Heritage Companies
CEC, Inc.
MassDEP – SERO

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SECTION I – FORMS



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Weymouth

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):

44 Wharf Street

a. Street Address

Weymouth

b. City/Town

02189

c. Zip Code

Latitude and Longitude:

42° 13' 16.608"

d. Latitude

70° 55' 31.116"

e. Longitude

19-172-25

f. Assessors Map/Plat Number

g. Parcel /Lot Number

2. Applicant:

Michael

a. First Name

Kiley

b. Last Name

Wharf Associates, LLC c/o The Heritage Companies

c. Organization

70 Quincy Avenue

d. Street Address

Quincy

e. City/Town

MA

f. State

02169

g. Zip Code

617.221.1033

h. Phone Number

617.221.1049

i. Fax Number

mkiley@heritagecos.com

j. Email Address

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

a. First Name

b. Last Name

Francer Manufacturing and Supply Company

c. Organization

44 Wharf Street

d. Street Address

Weymouth

e. City/Town

MA

f. State

02189

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Thomas

a. First Name

Liddy

b. Last Name

Lucas Environmental, LLC

c. Company

500A Washington Street

d. Street Address

Quincy

e. City/Town

MA

f. State

02169

g. Zip Code

617.405.4053

h. Phone Number

i. Fax Number

tel@lucasenvironmental.net

j. Email address

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

\$1,575.00

a. Total Fee Paid

\$775.00

b. State Fee Paid

\$800.00

c. City/Town Fee Paid



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Bureau of Resource Protection - Wetlands

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A. General Information (continued)

6. General Project Description:

The proposed project involves the redevelopment of an existing mill building to construct one new building with 84 residential apartment units with parking, landscaping, and drainage improvements within the 100-Foot Buffer Zone and 200-Foot Riverfront Area of the Back River.

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

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

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

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

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Norfolk

a. County

3764

c. Book

b. Certificate # (if registered land)

477

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.



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Bureau of Resource Protection - Wetlands

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input checked="" type="checkbox"/> Riverfront Area	<u>Weymouth Back River</u> 1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- ☐ 25 ft. - Designated Densely Developed Areas only
- ☐ 100 ft. - New agricultural projects only
- ☒ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 16,795
square feet

4. Proposed alteration of the Riverfront Area:

8,968 8,968
a. total square feet b. square feet within 100 ft. c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? ☒ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☒ Yes ☐ No

3. ☒ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	7,141 _____	
	1. square feet _____	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	a. square feet of BVW _____	b. square feet of Salt Marsh _____
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings _____	b. number of replacement stream crossings _____



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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

August 1, 2017

b. Date of map

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

- c. Submit Supplemental Information for Endangered Species Review*

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

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

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

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

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

(b) ☐ Photographs representative of the site

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



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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

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

Online Users:

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

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

D. Additional Information

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

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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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.

The Overlook Multi-Family Redevelopment

a. Plan Title

Civil & Environmental Consulting, Inc.

Karlis Skulte, P.E.

b. Prepared By

c. Signed and Stamped by

July 2020

1" = 30'

d. Final Revision Date

e. Scale

Stormwater Report

July 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:

10081

7/27/2020

2. Municipal Check Number

3. Check date

10080

7/27/2020

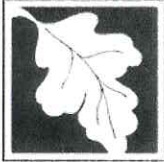
4. State Check Number

5. Check date

MK Developments, Inc.

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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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.

SITE ACCESS AUTHORIZATION

DATE: July 24, 2020

PROJECT: The Overlook Apartments

TO: Weymouth Conservation Commission and Conservation Administrator

FROM: Wharf Associates, LLC c/o Heritage Companies

LOCATION: 44 Wharf Street
(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: *Steph F...* **DATE:** 7/24/2020

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

1. Project Location 44 Wharf Street
2. Town of Weymouth Atlas Reference (Parcel #) 19-172-25
3. Project Description Multi-dwelling Residential Building
4. County, Norfolk: Book 3764 Page 477
Wharf Associates, LLC c/ o Heritage Companies
5. *Applicant _____ *Telephone# 617.221.1033
6. *Applicant Address 70 Quincy Avenue, Quincy, MA 02169
7. Property Owner Francer Manufacturing and Supply Company
8. Representative Lucas Environmental, LLC Telephone# _____
9. Representative's Address 500A Washington Street, Quincy, MA 02169
10. Billing Party for Legal Notice (All info is required):
Name: Lucas Environmental, LLC
Address: 500A Washington Street
Home Phone: 617.405.4053 Cell: _____
Email address tel@lucasenvironmental.net
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 X 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 X
13. Have you filed your Local Wetland Fees? State Fees? YES X NO _____
14. Have you filed the Abutters' Notification and Affidavit of Service? YES X NO _____

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

 MANAGER
Signature WHARF ASSOCIATES, LLC.

7/24/2020
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.



SECTION II – PROJECT NARRATIVE

1.0 INTRODUCTION

On behalf of Wharf Associates, LLC c/o The Heritage Companies, and in association with Civil & Environmental Consultants, Inc. (CEC), Lucas Environmental, LLC (LE) is pleased to submit this Notice of Intent (NOI) to the Weymouth Conservation Commission for the proposed Wharf Street Redevelopment Project, located at 44 Wharf Street in Weymouth, Massachusetts.

The Applicant is proposing to redevelop the existing mill building and construct one new building to create 84 residential apartment units along with parking, landscaping, stormwater management, and utility improvements. Portions of proposed work are located within the 100-Foot Buffer Zone to Inland Bank and Salt Marsh, Land Subject to Coastal Storm Flowage (LSCSF), and the 200-Foot Riverfront Area of the Weymouth Back River.

This NOI is submitted in accordance with the Massachusetts Wetlands Protection Act (WPA; M.G.L. Ch. 131, Section 40) and implementing regulations (310 CMR 10.00 et seq.) and the Weymouth Wetlands Protection Ordinance (Chapter 7, Section 301). This project narrative describes the existing conditions, wetland resource areas, proposed design, project impacts, and regulatory compliance for work within jurisdictional areas on the site. CEC has prepared the attached project Site Plans and Stormwater Report.

2.0 EXISTING CONDITIONS

The 3.5-acre parcel of land includes one (1) existing historic mill building with an attached metal frame building, along with paved parking areas and a vegetated area in the rear of the site (See Figure 1 – USGS Map and Figure 2 – Aerial Map). The site is bound to the northwest by residential properties, to the west by an industrial property, to the southwest by an MBTA Commuter Rail Tracks, to the southeast by Wharf Street, and to the northeast by Osprey Overlook Park.

A review of the current MassGIS data layer for the Massachusetts Natural Heritage Atlas (effective August 1, 2017) under the Natural Heritage and Endangered Species Program (NHESP) indicates that the Study Area is not located within Estimated Habitat of Rare Wildlife or within Priority Habitat of Rare Species (See Figure 3 – NHESP Map). No Certified Vernal Pools under the jurisdiction of the Wetlands Protection Act Regulations (310 CMR 10.00 et seq.) or the Massachusetts Endangered Species Act (321 CMR 10.00 et seq.) occur within the Study Area, nor are there any NHESP mapped Potential Vernal Pools present within the Study Area.

The Back River is designated as an Outstanding Resource Water (ORW). The Back River is part of the Back River Area of Critical Environmental Concern (ACEC). According to the ACEC Designation Document, the boundary of the ACEC follows the boundary of the marsh to the 10.0 contour (NAVD88). Therefore the project site is not located within the ACEC. The ACEC boundary is located east of Wharf Street. The property is not located within a Surface Water Protection Zone or Wellhead Protection Zone.

The Back River (Segment ID MA74-13) is identified as a Category 5 water requiring a Total Maximum Daily Load (TMDL) per the Final MassDEP 2014 Integrated List of Waters (305(b)/303(d)). Waters are listed in Category 5 if they were identified as impaired (i.e., not supporting one or more intended uses), the impairment was related to the presence of one or more “pollutants”, and the source of those pollutants was not considered to be natural. The causes of impairment in the Weymouth Back River have been identified as fecal coliform and PCB in fish tissue. The Proposed MassDEP 2016 Integrated List of Waters (305(b)/303(d)) lists the same causes of impairment as the Final 2014 List, with the addition of contaminants in fish and shellfish.

3.0 WETLAND RESOURCE AREAS

Professional Wetland Scientists (PWS) from Lucas Environmental, LLC (LE) conducted a site investigation at 44 Wharf Street in Weymouth, Massachusetts on April 15, 2020 to determine if wetland resources were present within the Study Area. The investigation was performed in accordance with the Massachusetts Wetlands Protection Act (M.G.L. Ch. 131, § 40) and regulations (310 CMR 10.00 *et seq.*); Section 404 of the Clean Water Act (33 U.S.C. 1344); Massachusetts Department of Environmental Protection (MassDEP) publication “Delineating Bordering Vegetated Wetlands” under the Massachusetts Wetlands Protection Act (1995); the U.S. Army Corp of Engineers (USACE) Wetland Delineation Manual (1987); and the Northcentral and Northeast Regional Supplement (2012). The site investigation was limited to wetland areas within 100 feet and perennial streams within 200 feet of the Study Area.

The following data sources were examined prior to direct observations at the Study Area:

- Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps
- United States Geological Survey Topographic Quadrangle;
- MassGIS MassDEP Wetland and Hydrography Datalayers;
- MassGIS Natural Heritage Atlas Datalayers; and
- United States Department of Agriculture, Natural Resources Conservation Service (USDA-NRCS) Soil Survey.

There are no on-property vegetated wetland resource areas; however, the buffer zones of wetland resource areas, LSCSF, and the 200-Foot Riverfront Area of the Back River extend onto the property. Under the WPA and Ordinance, the wetlands on or near the site are regulated as follows.

3.2 Land Subject to Coastal Storm Flowage – 310 CMR 10.04 WPA

Section 310 CMR 10.04 of the WPA defines LSCSF as *land subject to any inundation caused by coastal storms up to and including that caused by the 100-year storm, surge of record or storm of record, whichever is greater*. According to the July 17, 2012 FEMA Flood Insurance Rate Map (FIRM) for Norfolk County, Massachusetts, Map Number 25021C0231E (See Figure 4 – FEMA Map), the property is located primarily in a Zone X Area of Minimal Flood Hazard, which is classified as areas outside the 0.2% Annual Chance Flood Hazard (500-year floodplain).

A small portion of the site along Wharf Street is within the mapped Zone AE, which is classified as an area subject to the 1% annual chance flood (100-year flood), where base flood elevations have been determined – Elevation 11.2 NAVD88 (17.63 Town of Weymouth Datum). Therefore Land Subject to Coastal Storm Flowage is present on the property.

3.2 Salt Marsh – 310 CMR 10.32 WPA

Section 310 CMR 10.32 of the WPA defines Salt Marsh as *a coastal wetland that extends landward up to the highest high tide line, that is, the highest spring tide of the year, and is characterized by plants that are well adapted to or prefer living in, saline soils. Dominant plants within salt marshes typically include salt meadow cord grass (Spartina patens) and/or salt marsh cord grass (Spartina alterniflora), but may also include, without limitation, spike grass (Distichlis spicata), high-tide bush (Iva frutescens), black grass (Juncus gerardii), and common reedgrass (Phragmites). A salt marsh may contain tidal creeks, ditches and pools. Spring Tide means the tide of the greatest amplitude during the approximately 14-day tidal cycle. It occurs at or near the time when the gravitational forces of the sun and the moon are in phase (new and full moons).*

3.3 Inland Bank – 310 CMR 10.54

Section 310 CMR 10.54 of the WPA defines a Bank as *the portion of the land surface which normally abuts and confines a water body. It occurs between a water body and a vegetated bordering wetland and adjacent flood plain, or, in the absence of these, it occurs between a water body and an upland. The upper boundary of a Bank is the first observable break in the slope or the mean annual flood level, whichever is lower. The lower boundary of a Bank is the mean annual low flow level.*

3.4 Riverfront Area – 310 CMR 10.58 WPA

Section 310 CMR 10.58 of the WPA defines Riverfront Area as *the area of land between a river's mean annual high-water line measured horizontally outward from the river and a parallel line located 200 feet away. The mean annual high water line of a river is the line that is apparent from visible markings or changes in the character of soils or vegetation due to the prolonged presence of water and that distinguishes between predominantly aquatic and predominantly terrestrial land. Field indicators of bankfull conditions shall be used to determine the mean annual high-water line...In tidal rivers, the mean annual high-water line is coincident with the mean high water line determined under 310 CMR 10.23....[defined as] the line where the arithmetic mean of the high water heights observed over a specific 19-year metonic cycle (the National Tidal Datum Epoch) meets the shore and shall be determined using hydrographic survey data of the National Ocean Survey of the U.S. Department of Commerce.*

The 200-Foot Riverfront Area associated with the Back River extends from the Mean High Water (MHW) line, landward 200 feet and encompasses a portion of the site. MHW is at elevation 4.3 (NAVD88) throughout the Study Area. The existing Riverfront Area on the site consists of a portion of the existing mill building, gravel access driveway, loading dock, a fenced off area between the mill building and Wharf Street, and a small wooded area.

3.5 Wetland & Watercourse Description

Wetland A – Salt Marsh

Salt Marsh flanks the Back River east of Wharf Street. The landward limit was delineated with pink survey tape numbered sequentially from WFA-1 to WFA-62. The interior portions of the salt marsh are vegetated primarily with saltmarsh cordgrass (*Spartina alterniflora*). The upper marsh is vegetated with saltmeadow cordgrass (*Spartina patens*), seaside golden-rod (*Solidago sempervirens*), red cedar (*Juniperus virginiana*), common reed (*Phragmites australis*), and hightide bush (*Iva frutescens*).

Bank 1 – Intermittent Stream

A large municipal stormwater outlet pipe is located east of Wharf Street. The pipe discharges stormwater to a large channel which then conveys flow into the Back River and was assess as an inland resource area due to the nature of the stormflows and discharge. The Bank of this stream channel was delineated with blue nylon survey tape and numbered sequentially BF1-100 to BF1-109 and BF1-200 to BF1-210. The Banks are steep, well defined, and reinforced with rip-rap and or stacked granite blocks. The channel is vegetated with a mix of multiflora rose (*Rosa multiflora*), Japanese knotweed (*Fallopia japonica*), black locust (*Robinia pseudoacacia*), Japanese honeysuckle (*Lonicera japonica*), Norway maple (*Acer platanoides*), and crab apple (*Malus* sp.).

Non-Jurisdictional Drainage Ditch

A small diameter drain is located along the southerly edge of the property that appears to convey flows from beneath the MBTA tracks into an existing drainage swale and stone culvert behind the existing mill building. The catch basin and stone culvert are presumed to convey flows toward the existing municipal system in Wharf Street. LE inspected the drainage ditch and did not encounter any upgradient wetland areas. The ditch was vegetated with primarily upland species indicating the ditch flows primarily in response to storm events, as opposed to being groundwater fed. Therefore, it is LE's opinion that the ditch is not a jurisdictional wetland resource area.

4.0 PROPOSED WORK

The Applicant is proposing to redevelop the site by performing a historic mill rehabilitation and converting the existing underutilized and degraded mill building into residential apartment units. An existing metal frame building that was constructed after the original mill building will be razed and a new building with a similar footprint will be constructed in the northerly portion of the site. Overall, the project includes the construction of 84 residential apartment units along with 146 associated parking spaces and drive aisles, landscape, stormwater management, and utility improvements.

A stormwater management system has been designed in compliance with the *Massachusetts Stormwater Management Policy* and Town of Weymouth Stormwater Regulations. The stormwater runoff from paved areas within the central portions of the site will be conveyed into a proprietary water quality units (Stormceptor® STC 450i) prior to being directed to infiltration chambers (StormTech® MC-3500 and StormTech® SC-740) that will provide stormwater recharge.

PROJECT NARRATIVE

The runoff from the proposed buildings will be captured by roof drains and conveyed through roof drain systems as clean runoff to infiltration chambers. Stormwater flows in excess of infiltration capacity will overflow into the existing municipal system in Wharf Street after providing detention of the stormwater flows. Stormwater runoff collected in a depressed courtyard along Wharf Street will be collected and routed through a water quality unit prior to discharging to the existing municipal system in Wharf Street. Additionally, the project has been designed to grade the entrance and surrounding area to provide additional protection from flooding. The site has been graded such that a minimum of 12-inches of freeboard is provided above the 100-year Based Flood Elevation along the site frontage and proposed driveway preventing coastal flood waters from encroaching significantly onto the site.

Stormwater runoff from the paved driveways and sidewalk areas will be directed to water quality units with inlets providing sediment removal as well as oil and gas protection. The stormwater will be conveyed to additional water quality best management practices providing additional water quality treatment prior to infiltration. The proposed design will reduce the peak rate of runoff from the site, increase the quality of water leaving the site, and provide additional recharge. Furthermore, the water quality units within the site have been designed to provide the required 80% TSS removal for the stormwater runoff from the impervious pavement areas from the adjacent property that are draining into the site.

The proposed stormwater management system will reduce stormwater runoff, peak flow rates, and improve runoff water quality. Runoff control, water quality improvement, and groundwater recharge will be accomplished by implementing the following drainage improvements:

- Implement a treatment train including infiltration basins with sediment forebays to remove at least 80% TSS prior to discharging to an infiltration device;
- Installation of deep sump catch basins to remove free oils, debris, and total suspended solids (TSS).
- Installation of Stormwater Infiltration Chambers (StormTech MC-3500 Chambers & StormTech SC-740) Isolator Row to infiltrate runoff from roof areas. A total of 44% pre-treatment is provided prior to infiltration.
- An Operation and Maintenance (O&M) Plan that describes the various components of the stormwater management system and identifies the inspection/maintenance tasks and schedules to follow which will ensure the proper, long-term performance of the system; and
- Implementation of a Long Term Pollution Prevention Plan (LTPPP) to prevent illicit discharges to the stormwater management system.

The proposed Stormwater O&M Plan included in the Stormwater Report outlines procedures and time tables for the long-term operation and maintenance of the proposed site stormwater management system, including initial inspections upon completion of construction, and periodic monitoring of the system components in accordance with established practices and manufacturer's recommendations. The O&M Plan includes a list of responsible parties associated with inspections and maintenance.

PROJECT NARRATIVE

The proposed stormwater management measures described above will have no adverse impacts to resource areas or adjacent properties. Runoff peak flows will be reduced, water quality will be enhanced, and groundwater recharge will be increased over existing conditions resulting in a substantial improvement of existing utilities. See the Stormwater Report for additional details on the stormwater management system (provided under separate cover).

Erosion and sedimentation control Best Management Practices (BMPs) have been incorporated into the project design in order to control runoff and prevent siltation to the wetland resource area during construction (See Site Plans). At the outset of the construction, the site limit of work will be staked and erosion controls will be installed.

5.0 REGULATORY COMPLIANCE

The following section details the project's compliance with the performance standards for each resource area including the requirements for Riverfront Area (310 CMR 10.58). There are no direct impacts proposed to Inland Bank and BVW, therefore no further discussion is warranted for these resource areas. There is proposed work within Land Subject to Coastal Storm Flowage; however, there are no performance standards associated with this resource area. The following sections describe the projects compliance with the Riverfront Area performance standards under Section 310 CMR 10.58 of the Wetlands Protection Act. The project includes components of both New Development (310 CMR 10.58(4)) in portions of the site that are previously undeveloped or developed but not degraded, and Redevelopment (310 CMR 10.58(5)) within areas that are degraded.

The Riverfront Area consists primarily of previously disturbed areas and currently provides little capacity to protect the interests of the WPA due to the current use of the site and existing stormwater controls (or lack thereof). The exception is the wooded area north of the existing driveway with mature trees. The proposed project occurs almost entirely within the previously developed portions of the site. Table 1, shown below, summarizes the nature of the existing Riverfront Area on the property.

TABLE 1 SUMMARY OF EXISTING RIVERFRONT AREA		
Redevelopment Standard – 310 CMR 10.58(5)		
Degraded Areas		Total (sf)
4,728		4,728
New Development Standard – 310 CMR 10.58(4)		
Naturalized/Wooded Areas	Previously Developed But Not Degraded	Total
8,278	3,789	12,067
Total Riverfront Area		16,795

PROJECT NARRATIVE

The proposed project consists of a redevelopment portion which is discussed in further detail below and areas of new development. Quantification of impacts to Riverfront Area for New Development (310 CMR 10.58(4)) occurs within previously developed but not degraded areas and previously undeveloped areas. The Redevelopment Standards (310 CMR 10.58(5)) are applied to work strictly occurring within existing degraded areas. Temporary Impacts are considered activities within previously developed areas, but not degraded by impervious surfaces which will revert to landscaped areas. Permanent impacts are considered new degraded areas within previously developed or undeveloped areas. These impact areas are shown on the attached figures titled RIV-EX and RIV-PR.

The following table summarizes the project components with respect development within the Riverfront Area.

TABLE 2 SUMMARY OF PROPOSED IMPACTS WITHIN THE RIVERFRONT AREA			
Project Component	Temporary (sf)	Permanent (sf)	Total (sf)
New Development Standard – 310 CMR 10.58(4)			
Sidewalks, Loading Bay, Access Driveway & Transformer	2,216	3,980	3,980
Total New Development			3,980
Redevelopment Standard – 310 CMR 10.58(5)			
Existing Degraded Area			4,728
Existing Degraded Area to be Revegetated			-1,359
Existing Degraded Area to Remain			3,363
Proposed Conditions Degraded Area			7,293
Net Increase in Degraded Area			+2,565
Proposed Mitigation Area 310 CMR 10.58(5)(g)			2,700
Net Mitigation to Offset Increase in Degraded Area			+135

5.1 Riverfront Area New Development – 310 CMR 10.58(4)

The proposed new development consists of work occurring in previously developed but not degraded portions of the property. These activities include reconfiguration of the access driveway and installation of on-site sidewalks and sidewalk along Wharf Street, and a transformer. Development within the Riverfront Area complies with the requirements and standards set forth under Section 310 CMR 10.58(4) for new development.

310 CMR 10.58(4) General Performance Standard. Where the presumption set forth in 310 CMR 10.58(3) is not overcome, the applicant shall prove by a preponderance of the evidence that there are no practicable and substantially equivalent economic alternatives to the proposed project with less adverse effects on the interests identified in M.G.L. c.131 § 40 and that the work, including proposed mitigation, will have no significant adverse impact on the riverfront area to protect the interests identified in M.G.L. c. 131 § 40. In the event that the presumption is partially overcome, the issuing authority shall make a written determination setting forth its grounds in the Order of Conditions and the partial rebuttal shall be taken into account in the application of 310 CMR 10.58 (4)(d)1.a. and c.; the issuing authority shall impose conditions in the Order that contribute to the protection of interests for which the riverfront area is significant.

The project as currently proposed will not have an adverse or significant effect on the ability of the Riverfront Area to protect the interests identified above. The proposed impacts areas are primarily previously developed contributing little to the interests of the Riverfront. Furthermore Wharf Street bisects the on-site Riverfront Area from the Back River.

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

This standard has been met. There are proposed activities within LSCSF; however, there are no performance standards established for this resource area.

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

This standard has been met. No Estimated Habitat of Rare Wildlife, Priority Habitat of Rare Species, or Certified Vernal Pools are present within the site.

- (c) Practicable and Substantially Equivalent Economic Alternatives. *There must be no practicable and substantially equivalent economic alternative to the proposed project with less adverse effects on the interests identified in M.G.L. c. 131 § 40.*

This standard has been met. An Alternatives Analysis has been prepared to demonstrate that the proposed work is the best economically viable and practicable environmental alternative feasible for this site. See Section 5.3.

- (d) No Significant Adverse Impact. *The work, including proposed mitigation measures, must have no significant adverse impact on the riverfront area to protect the interests identified in M.G.L. c. 131, § 40.*

1. *Within 200 foot riverfront areas, the issuing authority may allow the alteration of up to 5000 square feet or 10% of the riverfront area within the lot, whichever is greater, on a lot recorded on or before October 6, 1997 or lots recorded after October 6, 1997 subject to the restrictions of 310 CMR 10.58(4)(c)2.b.vi., or up to 10% of the riverfront area within a lot recorded after October 6, 1997, provided that:*

The lot was recorded prior to October 6, 1997. The total Riverfront Area present on the lot is 16,794 square feet. The project's permanent impact will total approximately 3,980 square feet of new development. Therefore the proposed work falls below the required 5,000 square foot threshold.

- a. *At a minimum, a 100 foot wide area of undisturbed vegetation is provided. This area shall extend from mean annual high-water along the river unless another location would better protect the interests identified in M.G.L. c. 131 § 40. If there is not a 100 foot wide area of undisturbed vegetation within the riverfront area, existing vegetative cover shall be preserved or extended to the maximum extent feasible to approximate a 100 foot wide corridor of natural vegetation. Replication and compensatory storage required to meet other resource area performance standards are allowed within this area; structural stormwater management measures may be allowed only when there is no practicable alternative. Temporary impacts where necessary for installation of linear site-related utilities are allowed, provided the area is restored to its natural conditions. Proposed work which does not meet the requirement of 310 CMR 10.58(4)(d)1.a. may be allowed only if an applicant demonstrates by a preponderance of evidence from a competent source that an area of undisturbed vegetation with an overall average width of 100 feet will provide equivalent protection of the riverfront area, or that a partial rebuttal of the presumptions of significance is sufficient to justify a lesser area of undisturbed vegetation;*

This standard has been met. The existing Inner Riparian Zone of is located off-site, east of Wharf Street. The inner riparian zone consists of salt marsh and vegetated areas. There is no proposed alteration to the inner riparian zone.

- b. *Stormwater is managed according to standards established by the Department in its Stormwater Policy.*

The project includes an on-site stormwater management system which consists of various BMPs that will capture and treat all stormwater runoff from impervious surfaces in accordance with the MassDEP Stormwater Management Policy and local regulations prior to discharge. These BMPs include deep sump catch basins with hooded outlets, sub-surface infiltration basins, and hydrodynamic particle separators. The project is designed in compliance with the redevelopment requirements of the MassDEP Stormwater Management Policy Handbook. Detailed analysis of the stormwater calculations can be found in the attached Stormwater Report.

- c. *Proposed work does not impair the capacity of the riverfront area to provide important wildlife habitat functions. Work shall not result in an impairment of the capacity to provide vernal pool habitat identified by evidence from a competent source, but not yet certified. For work within an undeveloped riverfront area which exceeds 5,000 square feet, the issuing authority may require a wildlife habitat evaluation study under 310 CMR 10.60.*

This standard has been met. The work will not impair the capacity of the Riverfront Area on this site to provide wildlife habitat. Much of the proposed work area consists of paved surfaces or previously developed areas. The higher value wildlife habitat areas associated with the Back River are located east of Wharf Street and will not be altered as part of this project. The project also avoids altering the existing wooded area north of the access driveway. No vernal pools are mapped or have been identified at the property.

- d. *Proposed work shall not impair groundwater or surface water quality by incorporating erosion and sedimentation controls and other measures to attenuate nonpoint source pollution. The calculation of square footage of alteration shall exclude areas of replication or compensatory flood storage required to meet performance standards for other resource areas, or any area of restoration within the riverfront area. The calculation also shall exclude areas used for structural stormwater management measures, provided there is no practicable alternative to siting these structures within the riverfront area and provided a wildlife corridor is maintained (e.g. detention basins shall not be fenced).*

This standard has been met. Erosion and sediment controls are proposed and are identified on the project Site Plans.

5.2 Riverfront Area – 310 CMR 10.58(5)

Proposed work within the previously developed and degraded Riverfront Area includes the realignment of the access driveway and the proposed loading bay. The existing Riverfront Area on the site consists of 4,728 square feet of gravel driveway and the existing mill building, which qualifies under the redevelopment regulations per 301 CMR 10.58(5). The proposed project includes 5,393 square feet of impervious structures within the outer riparian zone, which represents an increase in degraded area. This section documents the projects compliance for work within the 200-Foot Riverfront Area under 310 CMR 10.58(5) with the performance standards identified in *italics* and a response below in standard format.

310 CMR 10.58(5) Notwithstanding the provisions of 310 CMR 10.58(4)(c) and (d), the issuing authority may allow work to redevelop a previously developed riverfront area, provided the proposed work improves existing conditions. Redevelopment means replacement, rehabilitation or expansion of existing structures, improvement of existing roads, or reuse of degraded or previously developed areas. A previously developed riverfront area contains areas degraded prior to August 7, 1996 by impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds. Work to redevelop previously developed riverfront areas shall conform to the following criteria:

- (a) *At a minimum, proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in M.G.L. c. 131 § 40. When a lot is previously developed but no portion of the riverfront area is degraded, the requirements of 310 CMR 10.58(4) shall be met.*

This standard has been met. The site currently has little to no stormwater management BMPs on the property. The proposed stormwater management system will fully meet the standards for new development. There will be a significant improvement in stormwater quality, runoff, and recharge.

- (b) *Stormwater management is provided according to standards established by the Department.*

This standard has been met. The project has been designed in accordance with the Massachusetts Stormwater Management Standards for redevelopment projects. A Stormwater Report has been provided under separate cover.

- (c) *Within 200 foot riverfront areas, proposed work shall not be located closer to the river than existing conditions or 100 feet, whichever is less, or not closer than existing conditions within 25 foot riverfront areas, except in accordance with 310 CMR 10.58(5)(f) or (g).*

This standard has been met. All proposed work will be located landward of Wharf Street. There will be no further encroachment into the Riverfront than what occurs under existing conditions.

- (d) *Proposed work, including expansion of existing structures, shall be located outside the riverfront area or toward the riverfront area boundary and away from the river, except in accordance with 310 CMR 10.58(5)(f) or (g).*

PROJECT NARRATIVE

This standard has been met. The proposed parking areas and additional housing building are located outside of the Riverfront Area. The work proposed within the Riverfront Area is necessary to accommodate the existing building.

- (e) *The area of proposed work shall not exceed the amount of degraded area, provided that the proposed work may alter up to 10% if the degraded area is less than 10% of the riverfront area, except in accordance with 310 CMR 10.58(5)(f) or (g).*

This standard has been met. The existing site includes 4,728 square feet of existing degraded area. The project is proposing a total 5,393 square feet of new degraded area primarily resulting from the additional sidewalks along Wharf Street to achieve ADA compliance.

An additional 665 square feet ($7,293 - 4,728 = 2,565$) is allowed under the redevelopment provisions in accordance with 310 CMR 10.58(5)(g). The Applicant has identified an approximate 2,700 square foot restoration area on the east side of Wharf Street to mitigate for the increase of degraded area. Therefore the total allowable shall be ($4,728 + 2,700$ riverfront restoration mitigation (g) = 7,428 square feet). The exact components of the restoration plan have not been finalized. The Applicant prefers to get input from the Conservation Commission regarding the exact size, location, and nature of the preferred mitigation plan given the sensitivity of the Back River wetland system.

- (f) *When the applicant proposes restoration on-site of degraded riverfront area, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), and (e) at a ratio in square feet of at least 1:1 restored area to area of alteration not conforming to the criteria. Areas immediately along the river shall be selected for restoration.*

Not applicable – restoration of on-site degraded area is not proposed.

- (g) *When an applicant proposes mitigation either on-site or in the riverfront area within the same general area of the river basin, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), or (e), at a ratio in square feet of at least 2:1 of mitigation area to area of alteration not conforming to the criteria or an equivalent level of environmental protection where square footage is not a relevant measure...*

The Applicant is developing a mitigation plan to improve and restore the Riverfront and Buffer Zone east of Wharf Street. The Applicant has identified an approximate 2,000 square foot restoration area on the east side of Wharf Street to mitigate for the increase of degraded area.

5.3 Alternatives Analysis

An Alternatives Analysis is required for any project proposing new development within the Riverfront Area under the Wetlands Protection Act Regulations. Section 310 CMR 10.58(4)(c) of the WPA states that *there must be no practicable and substantially equivalent economic alternative to the proposed project with less adverse effects on the interests identified in M.G.L. c. 131 § 40*. The following section describes the alternatives for proposed work within the Riverfront Area. The Applicant has taken careful consideration of the Riverfront Area and proximity to Back River into the redevelopment of this site and has located the new building completely outside the Riverfront Area. The existing mill building is located partially within the Riverfront Area, therefore locating the accessory features i.e.) sidewalks, utilities, and access driveway outside the Riverfront Area was not feasible.

The activities subject to the Alternatives Analysis are limited to the “new development” components of the project within the Riverfront Area, which include the construction of additional sidewalks, loading bay, access driveway re-alignment, and associated grading.

With regard to the scope of alternatives to be considered, the Regulations at 310 CMR 10.58(4)(c)2.c.i require that for residential subdivision or housing complexes, the alternatives under consideration include the subject parcel, and any adjacent parcels and other land that can be reasonably obtained within the municipality to reduce Riverfront Area impacts.

In February 2020, the Town of Weymouth approved new zoning that changed the zoning for the property to a “Historic Mill Overlay District” or HMOD. The HMOD’s intent is to promote preservation of a historic resource – the George E. Keith Company Shoe Mill, through adaptive re-use and to encourage the transformation of industrial/commercial uses to residential use. The Applicant has provided a design that meets the intent of the HMOD by proposing to re-use the existing building. Therefore off-site alternatives are not viable because they would not meet the intent of redeveloping the existing mill building to a residential use.

5.3.1 No Build Alternative

Under this alternative, no new work would be proposed, and the existing conditions would remain. The subject property would remain an underutilized and degraded commercial/industrial property and the benefit of additional housing would not be realized. The on-site stormwater management system does not provide any retention, detention, or infiltration prior to discharging to the Back River. Although keeping the subject property in its existing state is possible, it is not the most appropriate or best use of the site. The No Build alternative also does not address the intent of the HMOD overlay district.

The “No Build” alternative is not a viable option as it will not meet the needs or goals for redevelopment of this site or provide significant stormwater enhancements over the existing conditions or provide improved connectivity with the adjacent Osprey Overlook Park.

5.3.2 Preferred Design

The preferred alternative consists of redevelopment of the site with residential elements that are best suited to match existing area development. This alternative represents the project as currently proposed.

This layout was designed to minimize impacts within the Riverfront Area and 100-Foot Buffer Zone and to keep the proposed development primarily within previously disturbed areas. The layout meets the economic needs of the proposed project as well as the performance standards for Riverfront Area. As compared to the No-Build Alternative, this design provides several stormwater improvements as well as improved connectivity to the adjacent Osprey Overlook Park for the public.

5.3.3 Alternate Access Driveway Location

The proposed primary access driveway is located along the existing access driveway, which is within the Riverfront Area. However, the driveway will need to be expanded and realigned to meet current design standards. The Applicant evaluated alternate locations to construct the access driveway; however, those are limited since the existing mill building is situated along the roadway. An alternate access driveway location exists at the west side of the building, which is located outside the Riverfront Area. However this location was determined to not be viable due to steep grades and is not wide enough to be used as the primary access. As proposed, this alternate driveway is to be used solely for emergency vehicles.

6.0 CONCLUSION

The proposed project consists of the redevelopment of 44 Wharf Street in Weymouth, Massachusetts. As currently designed, work will occur within the 100-Foot Buffer Zone of Inland Bank and Salt Marsh, Land Subject to Coastal Storm Flowage, and the 200-Foot Riverfront Area of the Back River. The Project will include new water quality and quantity controls designed to protect surface and groundwater resources and adjacent properties from potential impacts resulting from the proposed project.

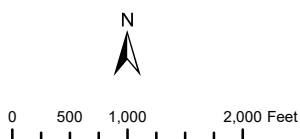
The proposed work will not have any adverse effect on any interests identified in the Wetlands Protection Act or Ordinance and the project is designed to minimize adverse effects on the resource areas as follows:

- The proposed work area is previously altered and degraded, providing little value to existing resource areas;
- The project meets applicable performance standards for work within the regulated areas;
- Existing wooded and undisturbed areas within the 100-Foot Inner Riparian Zone have been preserved;
- Off-site restoration is proposed within the Riverfront Area along Back River;
- Stormwater management will be provided in compliance with the MassDEP Stormwater Management Regulations; and
- Erosion controls will be installed prior to the start of construction and be maintained throughout construction until the site is stabilized.

The proposed design achieves the goals of the Applicant, while being sensitive to adjacent regulated resource areas. Accordingly, the Applicant respectfully requests that the Conservation Commission consider a finding that the proposed design is adequately protective of the interests identified in the Wetlands Protection Act and Town of Weymouth Wetlands Protection Ordinance, and issue an Order of Conditions approving the project as described in this NOI application and as shown on the attached Site Plans.



SECTION III – FIGURES

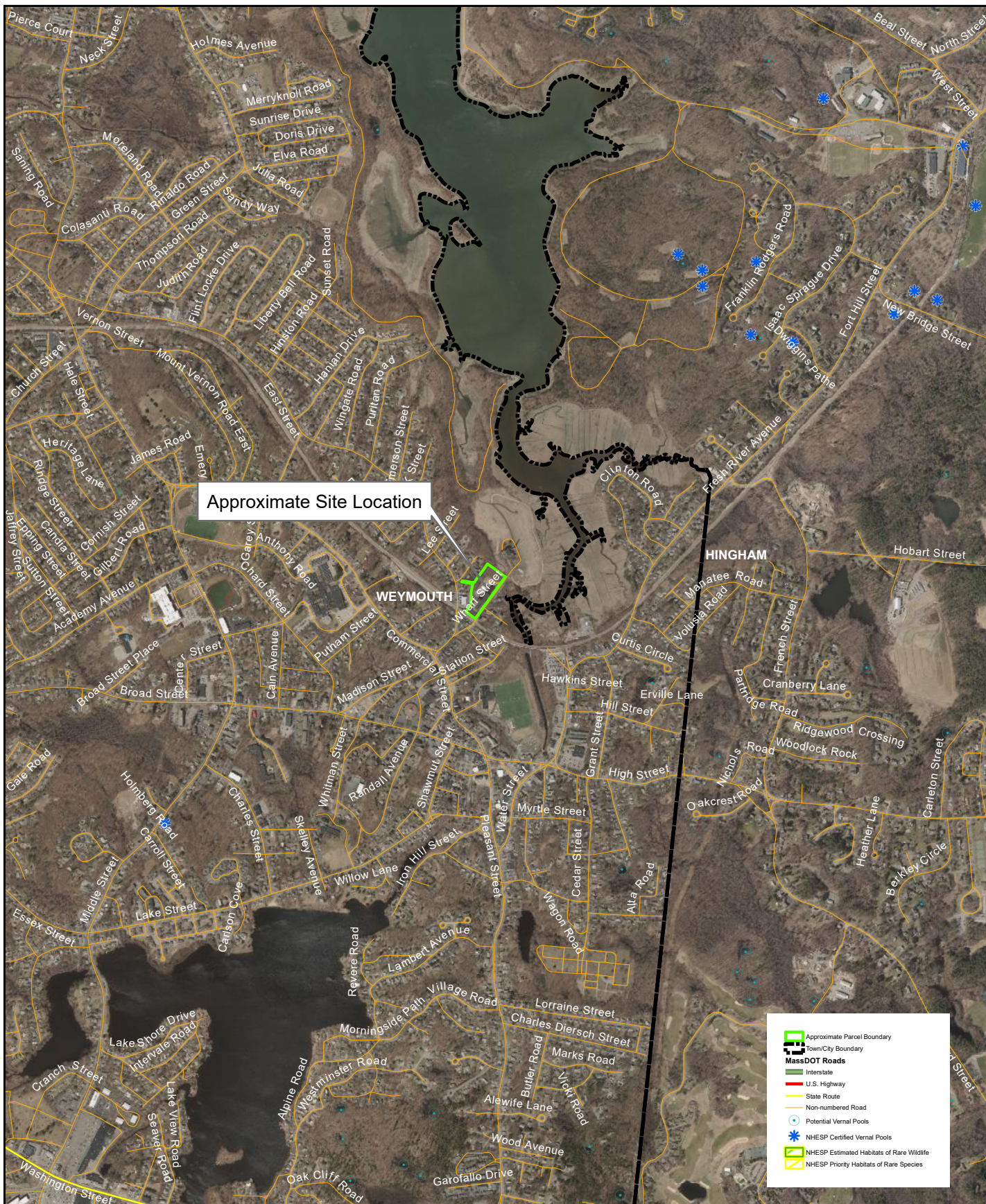


USGS Map
The Overlook Apartments
44 Wharf Street
Weymouth, MA

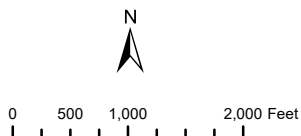
FIGURE 1







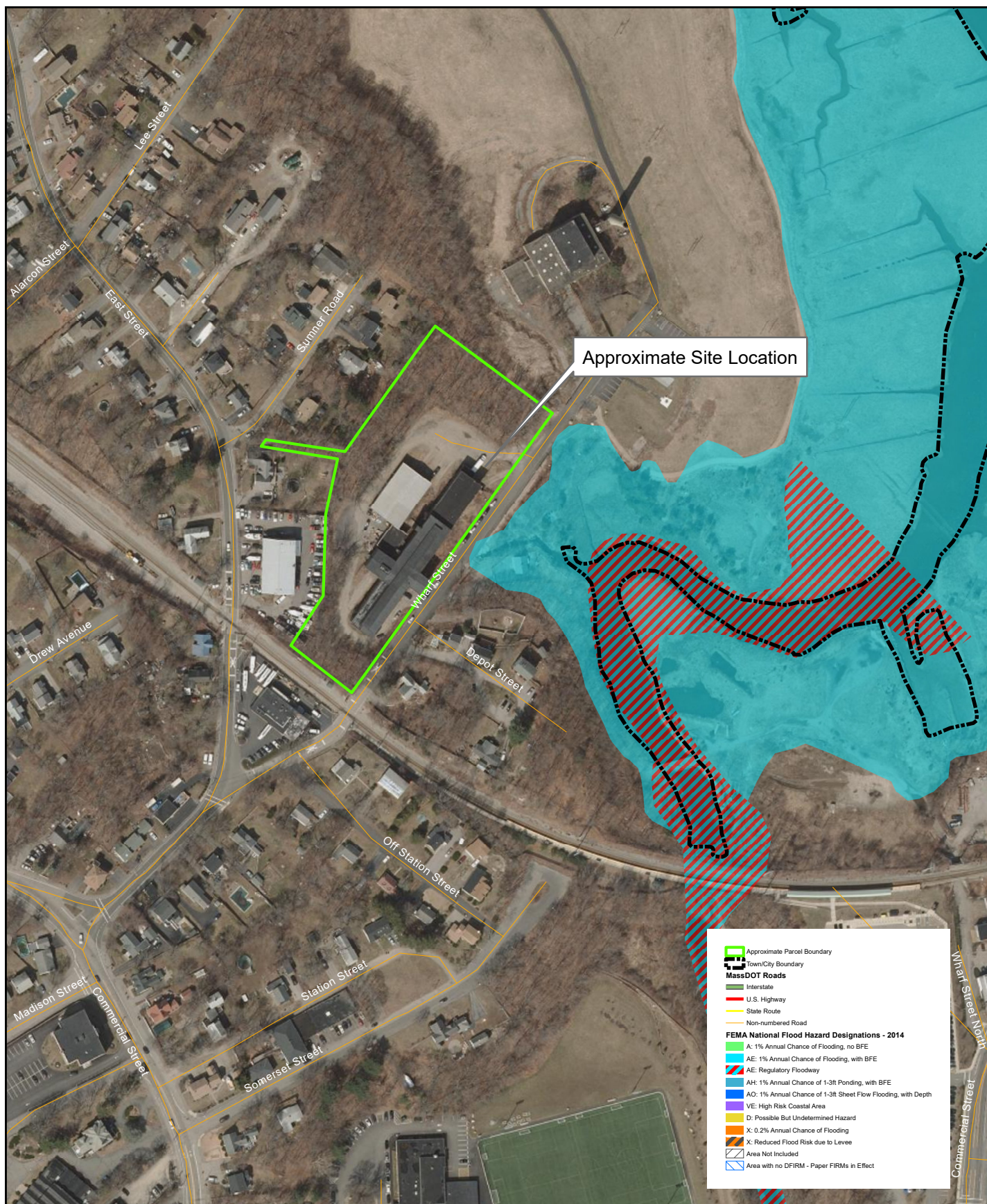
Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs; USGS Color Ortho Imagery - 15cm (2019)



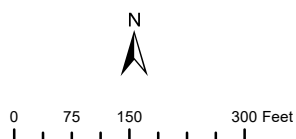
NHESP Map **The Overlook Apartments** **44 Wharf Street** **Weymouth, MA**

FIGURE 3





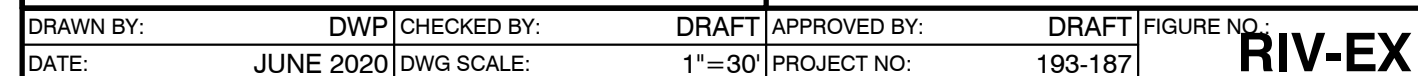
Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs; USGS Color Ortho Imagery - 15cm (2019)



FEMA Map **The Overlook Apartments** **44 Wharf Street** **Weymouth, MA**

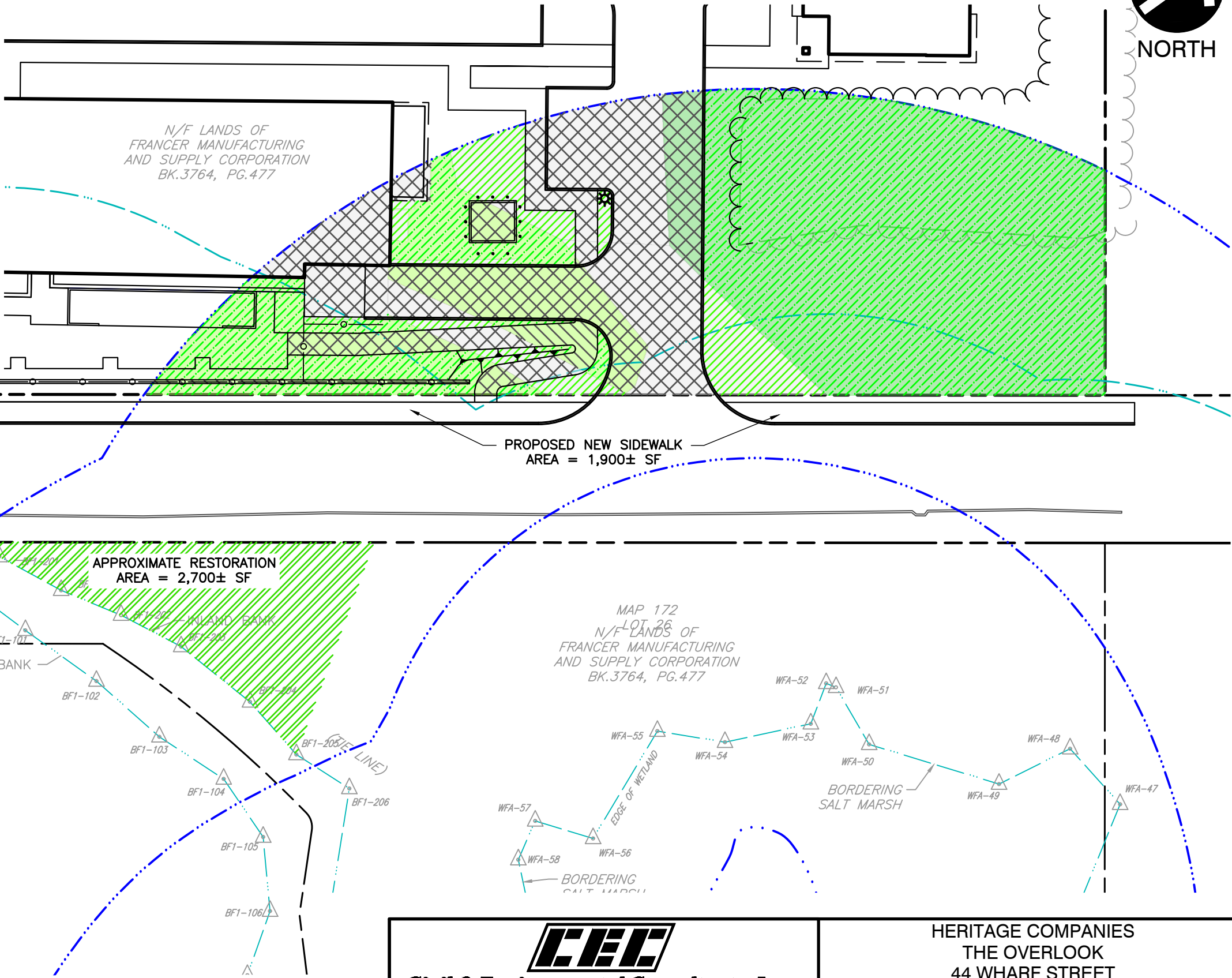
FIGURE 4





POST-DEVELOPMENT RIVERFRONT AREAS ON SUBJECT PARCEL

AREA BY SURFACE		
EXISTING DEGRADED AREA		
TO REMAIN	3,363± SF	
TO BE REVEGETATED	1,359± SF	
EXISTING UNDEGRADED		
PERMANENT IMPACT (NEW DEGRADED AREA)	1,579± SF	
TEMPORARY IMPACT	2,216± SF	
UNDEVELOPED AREA		
PERMANENT IMPACT (NEW DEGRADED AREA)	451± SF	
TO REMAIN	7,827± SF	
TOTAL		
		16,795± SF
NET INCREASE IN DEGRADED AREA		665± SF



C&E
Civil & Environmental Consultants, Inc.
31 Bellows Road · Raynham, MA 02767
Ph: 774.501.2176 · 866.312.2024 · Fax: 774.501.2669
www.cecinc.com

HERITAGE COMPANIES
THE OVERLOOK
44 WHARF STREET
WEYMOUTH, MASSACHUSETTS

RIVERFRONT AREA ANALYSIS

DRAWN BY:	DWP	CHECKED BY:	DRAFT	APPROVED BY:	DRAFT	FIGURE NO.:	RIV-PR
DATE:	JUNE 2020	DWG SCALE:	1"=30'	PROJECT NO.:	193-187		

P:\2019\193-187\193-187-PR-Riverfront.dwg[SP01-HYD-PR-Riverfront.dwg] LS:(8/5/2020 12:38 PM) - LP: 8/5/2020 12:38 PM



SECTION IV – APPENDICES

PHOTOGRAPHIC DOCUMENTATION

PHOTOGRAPHIC DOCUMENTATION

DATE: April 15, 2020



Photograph 1: Existing building on the site, taken along Wharf Street.



Photograph 2: View of rear building.

PHOTOGRAPHIC DOCUMENTATION

DATE: April 15, 2020



Photograph 3: View of parking lot and building facing Wharf Street.



Photograph 4: View of rear of property.

PHOTOGRAPHIC DOCUMENTATION

DATE: April 15, 2020



Photograph 5: View of interior portion of salt marsh.



Photograph 6: View of landward limit of salt marsh.

PHOTOGRAPHIC DOCUMENTATION

DATE: April 15, 2020



Photograph 7: View of Back River east of Wharf Street.



Photograph 8: View of Stream 1 near confluence with the Back River.

ABUTTER INFORMATION

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 Wharf Associates, LLC c/o The Heritage Companies

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:

The proposed project involves the redevelopment of the existing mill building
and construction of a new residential building to create 84 residential units at
44 Wharf Street, Weymouth, MA.

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 617.405.4053 contact person Tom Liddy, tel@lucasenvironmental.net

between the hours of: 9:00 to 5:00 on the following days of the week: Monday - Friday

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. though 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.

NOTE: To preserve your appeal rights you must submit comments/concerns in writing.

7/8/2020

PARCEL #	LOCATION	OWNER NAME/ADDRESS	CERTIFIED	
			YES	NO
MAP: 16 BLOCK: 158 LOT: 1 EXT: 0	0 COMMERCIAL ST	MBTA - MASSACHUSETTS BAY TRANSORTATION AUTHORITY 10 PARK PLAZA RM 5750 BOSTON, MA, 02116	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 173 LOT: 1 EXT: 0	0-REAR COMMERCIAL ST	TOWN OF WEYMOUTH CONSERVATION 75 MIDDLE ST E WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 29 EXT: 0	6 DEPOT ST	MCWALTER WINIFRED J & WILLIAM J TBE 19 DEPOT ST E WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 14 EXT: 0	10 DEPOT ST	MCWALTER KEITH A & RENE M TBE 10 DEPOT ST WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 20 EXT: 0	524 EAST ST	BROWNING VERONICA & MICHAEL TBE 524 EAST ST WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 192 LOT: 17 EXT: 0	527 EAST ST	SPRING GAIL R 69 SHELLTON RD QUINCY, MA, 02169	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 11 EXT: 0	532 EAST ST	MARTINI AKIL & FJORELA TBE 532 EAST ST WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 192 LOT: 18 EXT: 0	541 EAST ST	JUDITH ANN DICKIE LIVING TRUST DICKIE JUDITH ANN TRUSTEE 1607 SO ARLINGTON RIDGE RD ARLINGTON, VA, 22202	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 31 EXT: 0	548 EAST ST	DANUBIO DEVELOPMENT LLC 114 HIGH STREET WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 251 LOT: 8 EXT: 0	572 EAST ST	LAMPARELLI JOSEPH N & JAMES V 572 EAST ST WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7/8/2020

PARCEL #	LOCATION	OWNER NAME/ADDRESS	CERTIFIED	
			YES	NO
MAP: 19 BLOCK: 158 LOT: 10 EXT: 0	0 STATION ST	MBTA - MASSACHUSETTS BAY TRANSPORTATION AUTHORITY 10 PARK PLAZA RM 5750 BOSTON, MA, 02116	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 23 EXT: 0	0 SUMNER RD	ROCHE MARGARET M TRUSTEE THE SUMNER ROAD TRUST 17 SUMNER RD WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 10 EXT: 0	7 SUMNER RD	BEAN ALISON M TRUSTEE THE DAWES IRREVOCABLE TRUST 7 SUMNER RD WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 9 EXT: 0	17 SUMNER RD	ROCHE MARGARET M TRUSTEE THE 17 SUMNER ROAD TRUST 17 SUMNER RD WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 8 EXT: 0	21 SUMNER RD	REILLY DANNY J & KERRY TBE 21 SUMNER RD WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 21 EXT: 0	27 SUMNER RD	BARBIERE JOSEPH & MARY LFE EST NORIAN D & DETOMMASO D 27 SUMNER RD E WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 26 EXT: 0	0 WHARF ST	FRANCER MFG & SUPPLY CO 44 WHARF STREET E WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 13 EXT: 0	0-REAR WHARF ST	TOWN OF WEYMOUTH SEWER DEPT 75 MIDDLE ST E WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 34 EXT: 0	0 WHARF ST	TOWN OF WEYMOUTH PARK DEPT 75 MIDDLE ST E WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 252 LOT: 15 EXT: 0	19 WHARF ST	SENGOKU MAYUMI 19 WHARF ST WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7/8/2020

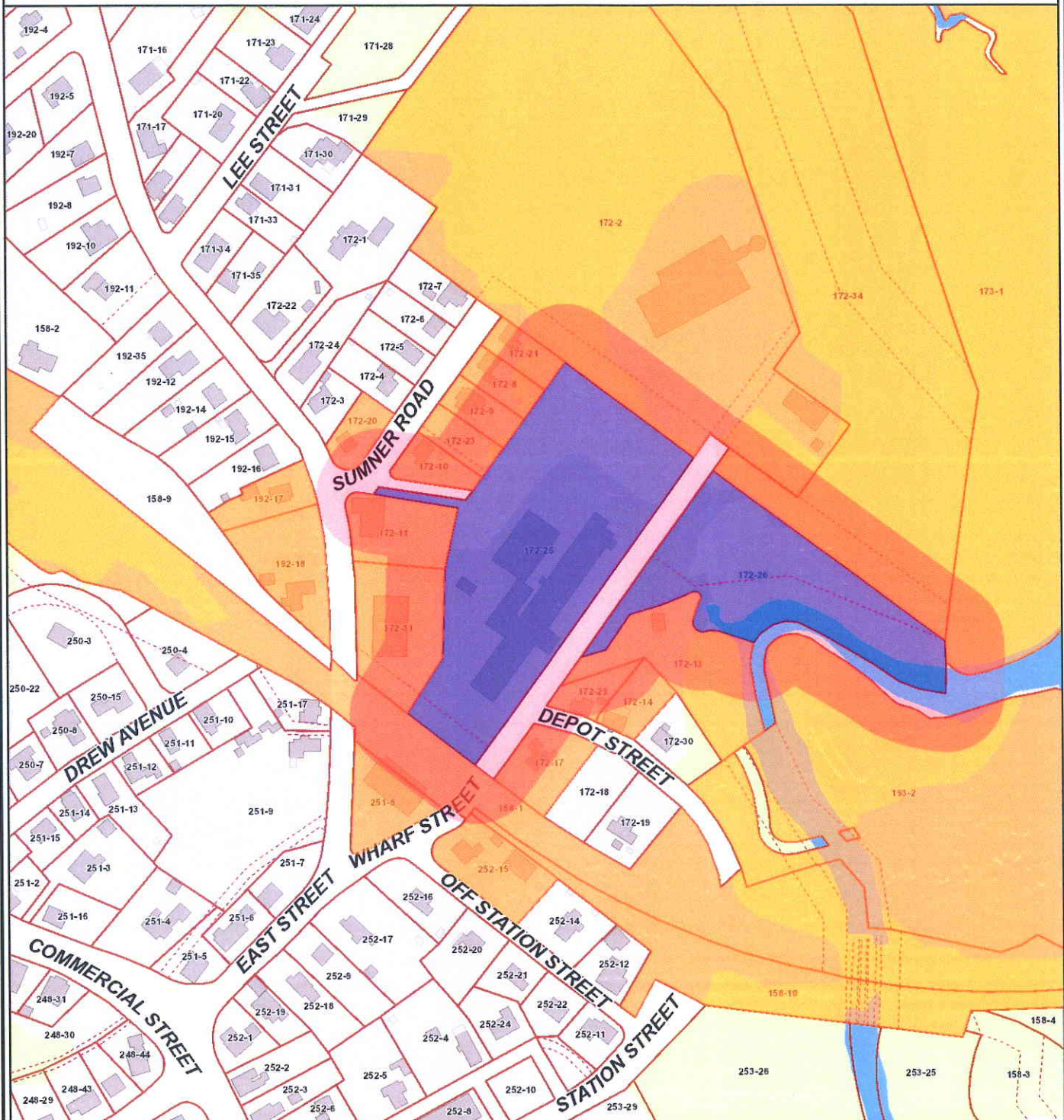
PARCEL #	LOCATION	OWNER NAME/ADDRESS	CERTIFIED	
			YES	NO
MAP: 19 BLOCK: 172 LOT: 17 EXT: 0	29 WHARF ST	RICKER GEORGE G & LOUISE H TANQUAY TBE 29 WHARF ST WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 25 EXT: 0	44 WHARF ST	FRANCER MFG & SUPPLY CO 44 WHARF ST WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 172 LOT: 2 EXT: 0	87-88 WHARF ST	TOWN OF WEYMOUTH 75 MIDDLE ST E WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 19 BLOCK: 193 LOT: 2 EXT: 0	0 WHARF ST NORTH	MBTA C/O SLEEPER PETER P O BOX 455 ARLINGTON, MA, 02474	<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 April 2020.

Prepared by:

Reviewed by:

|



- 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" = 240 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.

FILING FEE INFORMATION



CALCULATED FILING FEE STATEMENT

The proposed project is located at 44 Wharf Street in Weymouth, Massachusetts. Proposed activities are included under Category 3(b) under the Wetlands Filing Fee Calculation Worksheet.

Category 3(b): *Construction of each building for any commercial, industrial, institutional, or apartment/condominium/townhouse-type development, any part of which is in a buffer zone or resource area. Any activities associated with the construction of said building, including associated site preparation, and construction of retention/detention basins, septic systems, parking lots, utilities, point source discharges, package sewage treatment plants, and roadways and driveways other than those roadways and driveways reviewable under 310 CMR 10.53(3)(e), shall not be subject to additional fees if all said activities are reviewed under a single Notice of Intent.* The fee is \$1,050.00 per activity under the WPA. Activities within Riverfront Area in addition to another Resource Area or buffer zone, the fee per activity should be multiplied by 1.5.

Wetlands Protection Act Fees:

Category 3(b) = $1.5 \times \$1,050.00 = \$1,575.00$

State Share of WPA Filing Fee: $(\$1,575.00/2) - \$12.50 = \$775.00$

Town Share of WPA Filing Fee: \$800.00

Local Fees:

7.04 Filing Fees (2)

(d) Notice of Intent for Multiple Dwellings

i) Dwelling structures: \$750.00 + \$100.00 per unit all or part of which lies within 200 feet of a resource area.

Fee = $750.00 + (3 \times \$100.00) = \$1,050.00$

Check Payable to: Town of Weymouth for \$1,050.00

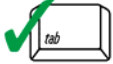
Check Payable to: Town of Weymouth for \$800.00

Check Payable to: Commonwealth of Massachusetts for \$775.00



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:

44 Wharf Street

a. Street Address

10080

c. Check number

Weymouth

b. City/Town

\$775.00

d. Fee amount

2. Applicant Mailing Address:

Michael

a. First Name

Kiley

b. Last Name

Wharf Associates, LLC c/o The Heritage Companies

c. Organization

70 Quincy Avenue

d. Mailing Address

Quincy

e. City/Town

MA

f. State

02169

g. Zip Code

617.221.1033

h. Phone Number

617.221.1049

i. Fax Number

mkiley@heritagecos.com

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

Francer Manufacturing and Supply Company

c. Organization

44 Wharf Street

d. Mailing Address

Weymouth

e. City/Town

MA

f. State

02189

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

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

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

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

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

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

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

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

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



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 3(b) Each building for development	1.5	\$1,050.00	\$1,575.00
Step 5/Total Project Fee:			\$1,575.00

Step 6/Fee Payments:

Total Project Fee:	<u>\$1,575.00</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$775.00</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee:	<u>\$800.00</u>
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

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

Department of Environmental Protection
Box 4062
Boston, MA 02211

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

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

COMM0006

COMMONWEALTH OF MASSACHUSETTS

MK DEVELOPMENTS, INC.

DATE	INVOICE NO	DESCRIPTION	BALANCE
7-27-20	44W-072720	44 Wharf Street	775.00
CHECK DATE	7-27-20	CHECK NUMBER	10080
TOTAL >			775.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

MK DEVELOPMENTS, INC.
c/o Heritage Companies
70 Quincy Avenue
Quincy MA 02169

Eastern Bank
Lynn, MA 01901

53-179/113

10080

DATE 07/27/2020

Pay: *****Seven hundred seventy-five dollars and no cents

\$ ****775.00

TO
THE
ORDER
OF

COMMONWEALTH OF MASSACHUSETTS



THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈000010080⑈ ⑆011301798⑆ ⑆60 1637156⑈

MK DEVELOPMENTS, INC.

DATE	INVOICE NO	DESCRIPTION	BALANCE
7-27-20	44W-072720B	44 Wharf Street	800.00
CHECK DATE	7-27-20	CHECK NUMBER	10082
TOTAL >			800.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

MK DEVELOPMENTS, INC.
 c/o Heritage Companies
 70 Quincy Avenue
 Quincy MA 02169

Eastern Bank
 Lynn, MA 01901

53-179/113

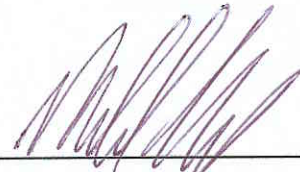
10082

DATE 07/27/2020

Pay: *****Eight hundred dollars and no cents

\$ ****800.00

TO
 THE
 ORDER
 OF

TOWN OF WEYMOUTH


THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈000010082⑈ ⑆011301798⑆⑈60 1637156⑈

MK DEVELOPMENTS, INC.

DATE	INVOICE NO	DESCRIPTION	BALANCE
7-27-20	44W-072720A	44 Wharf Street	1050.00
CHECK DATE	7-27-20	CHECK NUMBER	10081
TOTAL >			1050.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

MK DEVELOPMENTS, INC.
 c/o Heritage Companies
 70 Quincy Avenue
 Quincy MA 02169

Eastern Bank
 Lynn, MA 01901

53-179/113

10081

DATE 07/27/2020

Pay: *****One thousand fifty dollars and no cents

\$ ****1,050.00

TO
 THE
 ORDER
 OF

TOWN OF WEYMOUTH


THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈0000 1008 1⑈ ⑆0 1 130 1798⑆⑈60 1637 156⑈