

July 22, 2022

Conservation Commission  
Town Hall  
75 Middle Street  
Weymouth, MA 02189

RE: Request for Determination of Applicability – 94 Prospect Hill Drive  
Applicant – Martin E. Barnes – Assessor’s Lot 3-4-30

Dear Commission Members:

On behalf of the applicant, we hereby submit this Request for Determination of Applicability for the raze and rebuild of a single family dwelling at the above referenced property. Enclosed please find the following:

1. 4 copies of the WPA Form 1 – RDA
2. 4 copies of the Site Plan dated July 20, 2022
3. 4 copies of the Site Access Form
4. Check for \$75.00 (Town By-Law Fee) payable to the Town of Weymouth
5. Copy of Certified Abutters List

Please notify us of the meeting date and time at your earliest convenience so we can notify abutters.

If you have any questions please do not hesitate to call.

GRADY CONSULTING, L.L.C.



Paul Seaberg  
Project Manager

Cc: Martin E. Barnes III  
96 Prospect Hill Drive  
Weymouth, MA 02191

Department of Environmental Protection  
Southeast Regional Office  
20 Riverside Drive  
Lakeville, MA 02347



# WPA Form 1- Request for Determination of Applicability

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

## A. General Information

**Important:**

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



1. Applicant:

Martin E \_\_\_\_\_ mbarnes@barnesbuildings.com \_\_\_\_\_  
 Name E-Mail Address  
 94 Prospect Hill Drive \_\_\_\_\_  
 Mailing Address  
 Weymouth \_\_\_\_\_ MA \_\_\_\_\_ 02191 \_\_\_\_\_  
 City/Town State Zip Code  
 617-908-6173 \_\_\_\_\_  
 Phone Number Fax Number (if applicable)

2. Representative (if any):

Grady Consulting LLC \_\_\_\_\_  
 Firm  
 Paul Seaberg \_\_\_\_\_ paul@gradyconsulting.com \_\_\_\_\_  
 Contact Name E-Mail Address  
 71 Evergreen Street, Suite 1 \_\_\_\_\_  
 Mailing Address  
 Kingston \_\_\_\_\_ MA \_\_\_\_\_ 02364 \_\_\_\_\_  
 City/Town State Zip Code  
 781-585-2300 \_\_\_\_\_  
 Phone Number Fax Number (if applicable)

## B. Determinations

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

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

Weymouth \_\_\_\_\_  
 Name of Municipality

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



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## C. Project Description

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

<u>94 Prospect Hill Drive</u>	<u>Weymouth</u>
Street Address	City/Town
<u>Assessors Parcel 3-4-30</u>	
Assessors Map/Plat Number	Parcel/Lot Number

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

Existing single family dwelling, paved driveway, inground swimming pool, and dock. The majority of the site consists of maintained lawn area.

- c. Plan and/or Map Reference(s):

<u>Site Plan</u>	<u>7/20/22</u>
Title	Date
<u> </u>	<u> </u>
Title	Date
<u> </u>	<u> </u>
Title	Date

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

Raze and rebuild a single family dwelling within 100' of a coastal bank



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

### C. Project Description (cont.)

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

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

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

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

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## D. Signatures and Submittal Requirements

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

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

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

Name and address of the property owner:

Prospect Hill Drive, LLC

Name

96 Prospect Hill Drive

Mailing Address

Weymouth

City/Town

MA

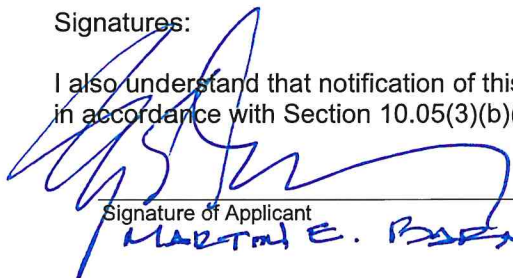
State

02191

Zip Code

Signatures:

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

  
Signature of Applicant  
MARTINE E. BARNES

07/22/2022  
Date

Signature of Representative (if any)

Date

**SITE ACCESS AUTHORIZATION**

DATE: 7/16/22

PROJECT: Raze and rebuild single family dwelling

TO: **Weymouth Conservation Commission and Conservation Administrator**

FROM: Prospect Hill, LLC

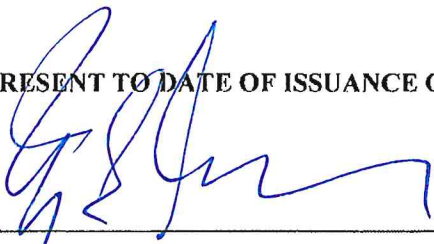
96 Prospect Hill Drive, Weymouth, MA 02191

LOCATION: 94 Prospect Hill Drive

(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

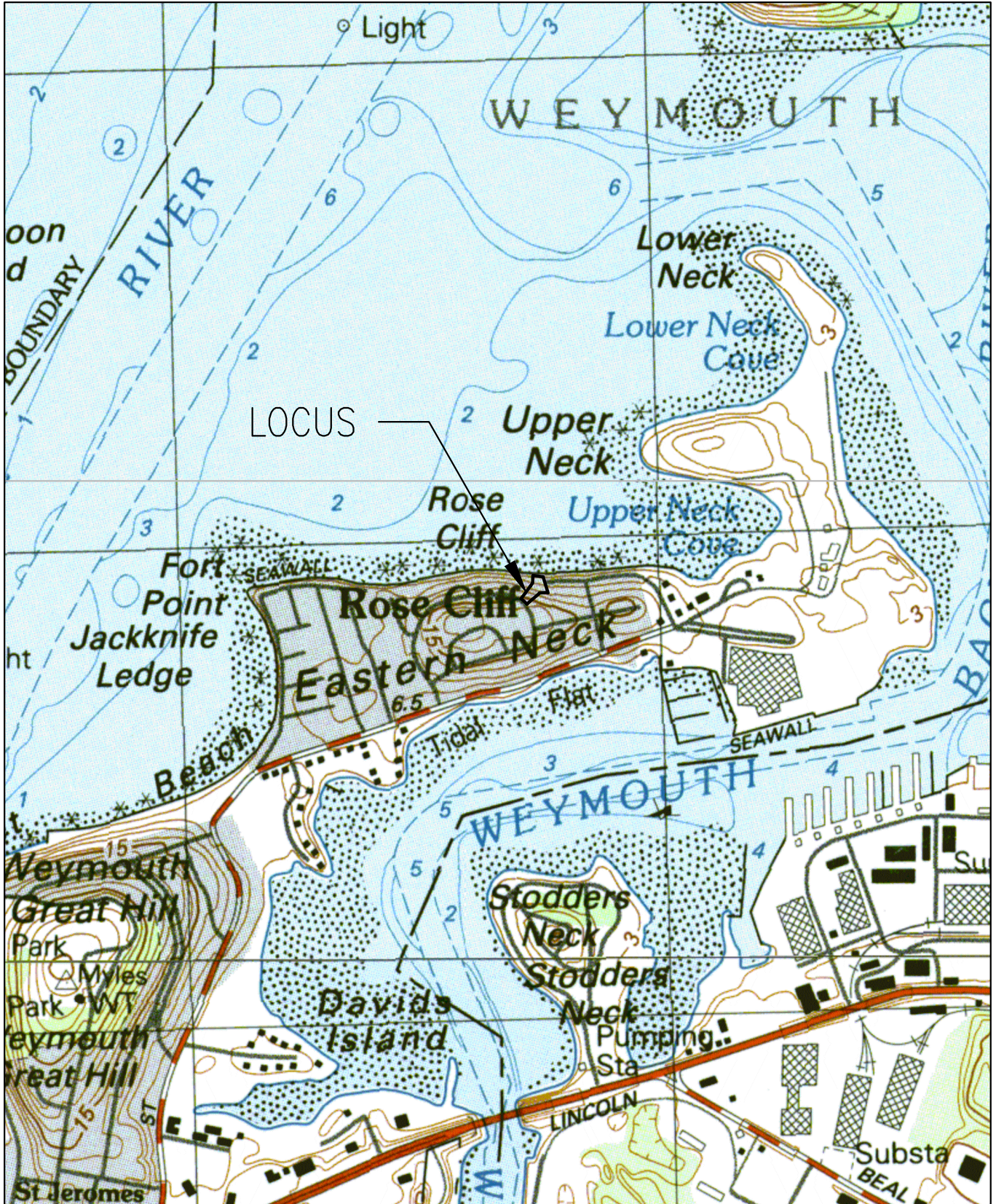
PROPERTY OWNER:  DATE: 7/19/22

MARTIN E. BARBER



# GRADY CONSULTING, L.L.C.

◆ Registered Professional Civil Engineers ◆



# Town of Weymouth



## ABUTTERS LIST ORDER FORM for CONSERVATION COMMISSION

Date: 7/16/22

1) Subject Identification (Address and Parcel #) 94 Prospect Hill Drive (3-4-30)

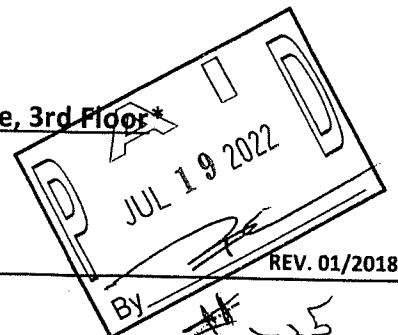
- 2) Type of filing (check one)
- Conservation Commission (all filings)
  - Planning Board - Subdivision (Definitive or Preliminary)
  - Board of Appeals (all applications)
  - Licensing  Will establishment sell or serve alcohol?
  - Town Council

3) Contact Person Paul Seaberg, Grady Consulting LLC

4) Telephone Number 781-585-2300 paul@gradyconsulting.com

### NOTE:

- Abutters List fee is \$15.00; checks are payable to Town of Weymouth. Lists are requested in the Collector's Office, 1st Floor\*
- You will be notified when list is ready (usually within a week)
- Completed requests must be picked up in the Conservation Office, 3rd Floor\*  
\*75 Middle Street (Mon-Fri 8:30-4:30)





7/19/2022

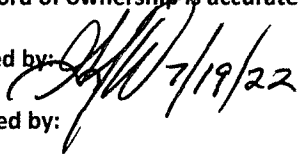
PARCEL #	LOCATION	OWNER NAME/ADDRESS	CERTIFIED	
			YES	NO
MAP: 3 BLOCK: 4 LOT: 102 EXT: 0	0 CANACUM RD	AIELLO ADAM R & MEGHAN E TBE  51 CANACUM RD  WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 3 BLOCK: 4 LOT: 33 EXT: 0	51 CANACUM RD	AIELLO ADAM R & MEGHAN E TBE  51 CANACUM RD  WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 3 BLOCK: 2 LOT: 11 EXT: 0	42 DRIFTWAY	ARAUJO FRANCES  42 DRIFTWAY  WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 3 BLOCK: 2 LOT: 12 EXT: 0	46 DRIFTWAY	FLAHERTY PATRICK TRUSTEE P J FLAHERTY & SONS FAM TRUST  46 DRIFTWAY  N WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 3 BLOCK: 4 LOT: 38 EXT: 0	85 PROSPECT HILL DR	BOGGINI CHARLES & BURKE KIMBERLY TBE  85 PROSPECT HILL DR  WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 3 BLOCK: 4 LOT: 28 EXT: 0	86 PROSPECT HILL DR	CONNOR ANNE E  40 PROSPECT HILL DR  WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 3 BLOCK: 4 LOT: 29 EXT: 0	90 PROSPECT HILL DR	RUDD NATHANIEL E  90 PROSPECT HILL DR  WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 3 BLOCK: 4 LOT: 36 EXT: 0	93 PROSPECT HILL DR	MCLAUGHLIN KEVIN M & MARGARET  93 PROSPECT HILL DR  N WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 3 BLOCK: 4 LOT: 30 EXT: 0	94 PROSPECT HILL DR	PROSPECT HILL, LLC  96 PROSPECT HILL DR  WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 3 BLOCK: 4 LOT: 31 EXT: 0	96 PROSPECT HILL DR	BARNES LYNNE A & MARTIN E III LIFE EST BARNES LYNNE A TR  96 PROSPECT HILL DR  WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7/19/2022

PARCEL #	LOCATION	OWNER NAME/ADDRESS	CERTIFIED	
			YES	NO
MAP: 3 BLOCK: 4 LOT: 32 EXT: 0	100 PROSPECT HILL DR	PATTI NICHOLAS J JR  32 COVERLY AVE  STATEN ISLAND, NY, 10301	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 3 BLOCK: 4 LOT: 35 EXT: 0	101 PROSPECT HILL DR	THOMPSON LOREN A & BARBARA J  101 PROSPECT HILL DR  N WEYMOUTH, MA, 02191	<input checked="" type="checkbox"/>	<input type="checkbox"/>

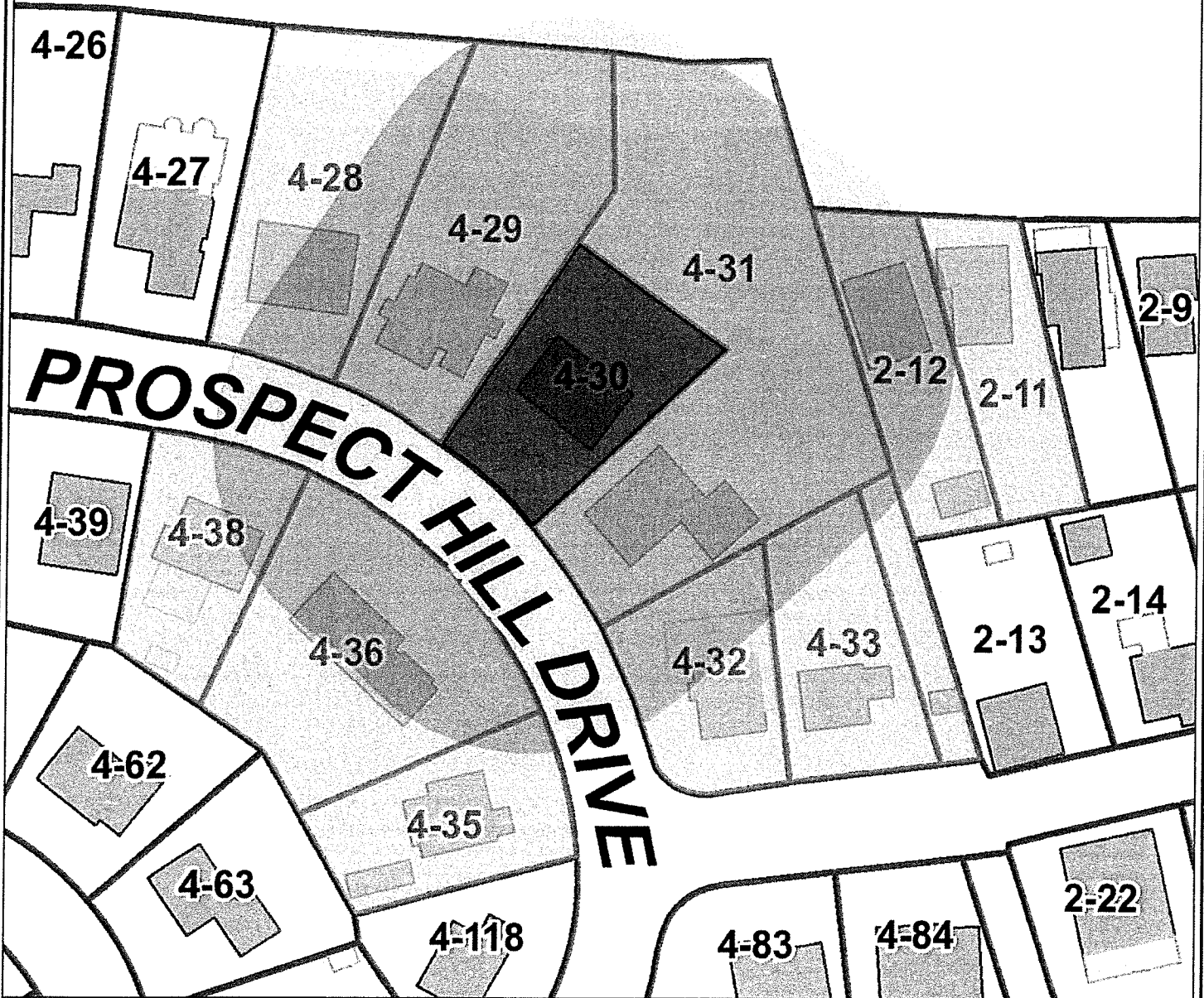
This list of abutters is a certified copy of the Town of Weymouth's tax records for fiscal year 2023.  
The record of ownership is accurate through May 2021.

Prepared by:

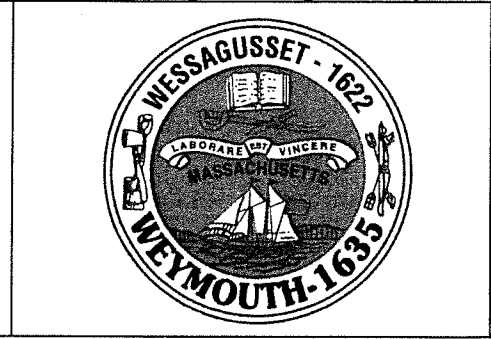


Reviewed by:

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



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.

1" = 70 ft

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 Martin E. Barnes
- 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 applicant is proposing to raze and rebuild the single family dwelling located at 94 Prospect Hill Drive within 100' of a coastal bank. The area of proposed work within the 100' buffer zone is approximately 4,000 square fee.
- 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 (it is recommended to call for an appointment first at 781 340 5007). Copies may also be viewed on the Town of Weymouth Website, on the conservation page under the current and past cases tab at: <https://www.weymouth.ma.us/conservation-commission/pages/current-and-past-cases-partial-list>
- 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 781-585-2300 contact person Paul Seaberg  
between the hours of: 8am - 4pm on the following days of the week: Monday - Friday
- 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](http://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 Paul Seaberg hereby certify under the pains and penalties of perjury that on 7/22/22 (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

Martin E. Barnes III

With the **Town of Weymouth Conservation Commission** on 7/22/22 (Date)

For property located at 94 Prospect Hill Drive

Shown on Assessors Map# 3 Block # 4 Lot# 30

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

7/22/22  
Date