

ECR



Environmental Consulting & Restoration, LLC

Specializing in Wetland and Coastal Resource Area Delineation & Permitting

NOTICE OF INTENT

67 Heather Lane, Weymouth

SUBMITTED TO

Weymouth Conservation Commission

March 2021

APPLICANT

**Joseph & Linda Nagle
67 Heather Lane
Weymouth, MA 02190**

REPRESENTATIVE

**Environmental Consulting & Restoration, LLC
P.O. Box 4012
Plymouth, MA 02361
(617) 529-3792**

ECR

Environmental Consulting & Restoration, LLC



March 19, 2021

Town of Weymouth
Conservation Commission
Town Hall
75 Middle Street
Weymouth, MA 02189
Attn: Mary Ellen Schloss, Conservation Administrator

RE: Notice of Intent, Proposed Addition to Single Family Home, 67 Heather Lane, Weymouth

Dear Ms. Schloss & Members of the Conservation Commission:

Please accept this Notice of Intent application for the proposed construction of an addition to the single-family home located at 67 Heather Lane in Weymouth (the Site). The Town of Weymouth Assessors Department references the site as Parcel ID#48-508-88. The proposed project occurs within the 100-foot buffer zone to Bordering Vegetated Wetlands and 200-foot Riverfront Area. Prior to the start of work, erosion controls will be installed in order to protect wetland resource areas. This application is being submitted in accordance with the Massachusetts Wetlands Protection Act and the Town of Weymouth Wetland Bylaw.

If you have any questions or require additional information, please contact me at (617) 529-3792 or Brad@ecrwetlands.com.

Sincerely,
Environmental Consulting & Restoration, LLC

A handwritten signature in blue ink that reads "Brad Holmes". The signature is written in a cursive, flowing style.

Brad Holmes, PWS, MCA
Manager

CC: Department of Environmental Protection, Wetland Division, 20 Riverside Drive, Lakeville, MA 02347

Joseph & Linda Nagle

James McGrath, PLS

NOTICE OF INTENT
TABLE OF CONTENTS

<u>Item</u>	<u>Attachment</u>
Notice of Intent Form	1
Project Narrative	2
Site Photographs	3
USGS Site Locus Map	4
FEMA Map	5
Massachusetts Natural Heritage & Endangered Species Map	6
Abutter Information	7
Site Plan	8



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Weymouth

City/Town

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



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

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

67 Heather Lane	Weymouth	02043
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42°10'23.94"N	70°57'50.45"W
Parcel ID: 48-508-88	d. Latitude	e. Longitude
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

Joseph & Linda	Nagle	
a. First Name	b. Last Name	
c. Organization		
67 Heather Lane		
d. Street Address		
Weymouth	MA	02190
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	j. Email Address

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

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

4. Representative (if any):

Brad	Holmes	
a. First Name	b. Last Name	
ECR, LLC		
c. Company		
26 Union Street		
d. Street Address		
Plymouth	MA	02360
e. City/Town	f. State	g. Zip Code
617-529-3792	Brad@ecrwetlands.com	
h. Phone Number	j. Email address	

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

\$165.00	\$70.00	\$95.00
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



WPA Form 3 – Notice of Intent

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

MassDEP File Number

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Weymouth

City/Town

A. General Information (continued)

6. General Project Description:

The proposed project includes an addition to an existing single-family home. Portions of the proposed addition occur within the 100-foot buffer zone to a Bordering Vegetated Wetland and 200-foot Riverfront Area. Please refer to the Project Narrative attached for more information.

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

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

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

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

2. Limited Project Type

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

8. Property recorded at the Registry of Deeds for:

Norfolk

a. County

183562

b. Certificate # (if registered land)

c. Book

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.



WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Weymouth

City/Town

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

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

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

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

f. Riverfront Area

1. Name of Waterway (if available) - specify coastal or inland _____

2. Width of Riverfront Area (check one):

25 ft. - Designated Densely Developed Areas only

100 ft. - New agricultural projects only

200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: Approx. 16,300 sq. ft.
square feet

4. Proposed alteration of the Riverfront Area:

<u>Approx. 324 sq. ft.</u> a. total square feet	<u>Approx. 0 sq. ft.</u> b. square feet within 100 ft.	<u>Approx. 324 sq. ft.</u> 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.



WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Weymouth

City/Town

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

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

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

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

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

a. square feet of BVW _____

b. square feet of Salt Marsh _____

5. Project Involves Stream Crossings



WPA Form 3 – Notice of Intent

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

MassDEP File Number _____

Document Transaction Number _____

Weymouth

City/Town

a. number of new stream crossings _____

b. number of replacement stream crossings _____

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 Notice of Intent – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

a. Yes No

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

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

MassGIS Oliver
viewer _____

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).*

- Submit Supplemental Information for Endangered Species Review*
 - Percentage/acreage of property to be altered:
 - within wetland Resource Area _____ percentage/acreage
 - outside Resource Area _____ percentage/acreage
 - Assessor's Map or right-of-way plan of site

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

* 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.



WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Weymouth

City/Town

(b) Photographs representative of the site

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/esa_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/esa_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:

North Shore - Hull to New Hampshire border:

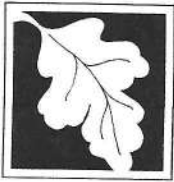
Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

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.

c. Is this an aquaculture project?

d. Yes No



WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Weymouth

City/Town

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

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 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



WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Weymouth

City/Town

to the boundaries of each affected resource area.

D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.
Plot Plan 67 Heather Lane, Weymouth MA Parcel IB 508-88

a. Plan Title

b. Prepared By

James McGrath, PLS

c. Signed and Stamped by

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number

7930

3. Check date

3/16/21

4. State Check Number

7929

5. Check date

3/16/21

6. Payor name on check: First Name

Linda & Joseph Nagle

7. Payor name on check: Last Name



WPA Form 3 – Notice of Intent

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

MassDEP File Number

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Weymouth

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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 Linda C. Nagle

2. Date 3/16/2021

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any) Bruce Holmes ECR Representative

6. Date 3/19/2021

For Conservation Commission:

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

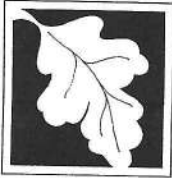
For MassDEP:

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

Other:

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

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



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

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



A. Applicant Information

1. Location of Project:

67 Heather Lane

a. Street Address

Weymouth

b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

Joseph & Linda

a. First Name

Nagle

b. Last Name

c. Organization

67 Heather Lane

d. Mailing Address

Weymouth

e. City/Town

MA

f. State

02190

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

3. Property Owner (if different):

Same as above

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

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

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

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

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

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

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

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

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



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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat. 1a) Addition to a SFH	1	\$110.00	\$110.00
			\$165.00
Weymouth Wetland Bylaw fee = \$100.00			
Step 5/Total Project Fee:			\$165.00
Step 6/Fee Payments:			
Total Project Fee:			\$165.00
State share of filing Fee:			\$70.00
City/Town share of filing Fee:			\$95.00
			a. Total Fee from Step 5
			b. 1/2 Total Fee less \$12.50
			c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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

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

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

1. Project Location 67 Heather Ln
2. Town of Weymouth Atlas Reference (Parcel #) 48-508-88
3. Project Description Prop. Addition
4. County, Norfolk: Book _____ Page 183562
5. *Applicant Linda & Joseph Nagle *Telephone# _____
6. *Applicant Address 67 Heather Ln, Weymouth
7. Property Owner Same as applicant
8. Representative ECR, LLC Telephone# _____
9. Representative's Address _____
10. Billing Party for Legal Notice (All info is required):
Name: Linda Nagle
Address: _____
Home Phone: _____ Cell: _____
Email address nags67@comcast.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 NO _____
12. Are the following additional interests relevant to the proposed project? If so, Notice of Intent must include a discussion of these interests. Aesthetics Wildlife Recreation
Erosion Control
13. Have you filed your Local Wetland Fees? State Fees? YES NO _____
14. Have you filed the Abutters' Notification and Affidavit of Service? YES NO _____

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

B. Holmes
Signature

3/19/2021
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.

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 Brad Holmes, representative hereby certify under the pains and penalties of perjury that on _____ (date)

I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, and **Town of Weymouth**, in connection with the following matter:

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

Joseph & Linda Nagle

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

For property located at 67 Heather Lane, Weymouth
Parcel ID 48-508-88

Shown on Assessors Map# _____ Block # _____ Lot# _____

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

Date

SITE ACCESS AUTHORIZATION

DATE: 3/19/2021

PROJECT: Proposed addition to single family home

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

FROM: Joseph & Linda Nagle

LOCATION: 67 Heather Lane, Weymouth

(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: _____

PROJECT DESCRIPTION

1. Introduction

This Notice of Intent application is being filed for the proposed construction of an addition to an existing single-family home located at 67 Heather Lane in Weymouth (the site). The proposed project includes re-landscaping activities associated with the addition. The Town of Weymouth Assessors Department references the site as Parcel #48-508-88. Portions of the proposed project occur within the 100-foot buffer zone to a Bordering Vegetated Wetland and the 200-foot Riverfront Area. Prior to the start of work, erosion controls will be installed in order to protect wetland resource areas. This application is being submitted in accordance with the Massachusetts Wetlands Protection Act and the Town of Weymouth Wetlands Protection Bylaw.

2. Site Description

The site consists of a single-family home with a paved driveway, shed, garden, patio, maintained lawn, etc. The site is located to the south of Heather Lane, bordered by a single-family residence to the east and west, and the Mill River with its associated wetland resource areas to the south. The limit of the Bordering Vegetated Wetland and Inland Bank of the Mill River were delineated by Environmental Consulting & Restoration, LLC (ECR) on February 17, 2021. The Bordering Vegetated Wetland consists of a marginally vegetated wetland above the Inland Bank of the stream. This vegetated wetland fringe contains some wetland vegetation among the stone wall consisting of Red Maples (*Acer rubrum*), American Elm (*Ulmus americana*), Poison Ivy (*Toxicodendron radicans*), etc. and was conservatively identified. The Inland Bank of the Mill River is very well defined with a top of Inland Bank consisting of a stone armored wall. These wetland resource areas are located on and near the southern property line of the site. Based on ECR's site review and research of online databases, ECR is able to confirm that the site contains the following wetland resource areas and areas of Conservation Commission jurisdiction:

- Bordering Vegetated Wetland (BVW)
- 100-foot buffer zone to BVW
- 200-foot Riverfront Area
- Bordering Lan Subject to Flooding (FEMA flood zone AE)

Notes:

1. The site is not located within an area mapped as Priority Habitat & Estimated Habitat for Rare Species according to the Massachusetts Natural Heritage & Endangered Species Program (MaNHESP).
2. The site does not contain a Certified Vernal Pool according to the MaNHESP.
3. The site is not located within an Area of Critical Environmental Concern (ACEC).

3. Proposed Activities

The purpose of this application is to authorize the construction of an addition to an existing single-family home to include re-landscape activities. Portions of the proposed project occur within the 100-foot buffer zone to BVW and the 200-foot Riverfront Area. The proposed project will involve the following activities:

- Installation of Erosion Controls – Prior to the start of work an erosion control line shall be installed along the limit of work associated with the proposed addition project. The erosion control line will consist of a line of strawwattles around the work area to demarcate the limit of work associated with the project as well as protect the nearby wetland resource areas.
- Proposed Addition – The proposed project includes an addition to the south side of the existing home. The proposed addition is approximately 18 feet by 18 feet in size and is located over an existing concrete patio. Although the proposed addition is located within the outer buffer zone to BVW and 200-foot Riverfront Area, there are no increases in additional degraded areas since the proposed addition is located over the existing concrete patio.

4. Riverfront Area Analysis

4.1 Riverfront Area Calculations

A portion of the proposed addition is located within the 200-foot Riverfront Area. The proposed project is classified as a Riverfront Redevelopment project. Please note the following Riverfront Area Analyses:

- Existing Riverfront Area on the site = approximately 16,300 square feet (sq. ft.)
- Existing Developed/Degraded Riverfront Area (house, driveway, walkway, shed) = approximately 3,760 ft. or 23.1% of the Riverfront Area.
- Proposed Developed/Degraded Riverfront Area consisting of the addition is not applicable since building over the existing concrete patio and no increase in degraded Riverfront Area.

4.2 Riverfront Redevelopment

The property is previously developed, and degraded areas exist within the Riverfront Area. This development predates the Riverfront Area Regulations (built in 1964). This proposed project constitutes a redevelopment project; more specifically, Redevelopment Within Previously Developed Riverfront Area (310 CMR 10.58(5)). A previously developed Riverfront Area is defined as an area degraded prior to August 7, 1996 by impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds. The proposed driveway meets this criterion for Riverfront Area Redevelopment.

In order for a project to qualify as a Riverfront Area redevelopment project, the following components are required:

- 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.

The project proposes to work over the existing concrete patio to avoid an increase in additional degraded Riverfront Area.

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

Single family homes are exempt from the Stormwater Management Guidelines.

- c. Within 200-foot Riverfront areas, proposed work shall not be 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).

The proposed project is not located closer to the perennial stream than existing degraded areas and is approximately 100 feet away from the perennial stream.

- 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).

The project proposes to work over the existing concrete patio to avoid an increase in additional degraded Riverfront Area.

- 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).

There are no increases in additional degraded areas and complies with this standard.

- f. When an 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 of restored area to area of alteration not conforming to the criteria. Areas immediately along the river shall be selected for restoration. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Restoration shall include:
1. removal of all debris, but retaining any trees or other mature vegetation;
 2. grading to a topography which reduces runoff and increases infiltration;
 3. coverage by topsoil at a depth consistent with natural conditions at the site; and
 4. seeding and planting with an erosion control seed mixture, followed by plantings of herbaceous and woody species appropriate to the site.

Not applicable, restoration of Riverfront Area is not necessary as part of the proposed project.

- 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...

Not applicable, mitigation of Riverfront Area is not necessary as part of the proposed project.

5. Weymouth Local Interests

Pursuant to the Town of Weymouth Local Interests, the proposed addition project at the site has been designed to comply with the following:

- Aesthetics – The proposed addition will match the features of the existing home and will be similar to the character of the neighborhood and abutting residences.
- Wildlife – The proposed addition project will not have an adverse impact to wildlife habitat since it occurs within the existing developed portion of the site.
- Recreation – The proposed addition project will not have an adverse impact to recreational aspects to the residents of Weymouth.
- Erosion Control – The proposed project will include erosion controls to surround the work area to ensure the protection of wetland resource areas.

6. Summary

Erosion and sediment control measures will be implemented and maintained throughout the duration of the construction process to prevent the conveyance of sedimentation into environmentally sensitive areas. Disturbed areas will be stabilized upon the completion of work, and in the event that intense rainfall is expected, reinforcing control measures will be installed as needed to protect all wetland resource areas. Stockpiling of soils and materials, if any, shall be located beyond the 100-foot buffer zone and surrounded by the erosion controls as necessary. Erosion control measures shall remain in place and be maintained until such time that a Certificate of Compliance has been issued by the Weymouth Conservation Commission, stating that the project has been constructed in accordance with the conditions set forth in the Order of Conditions.

67 Heather Lane, Weymouth
Site Photographs



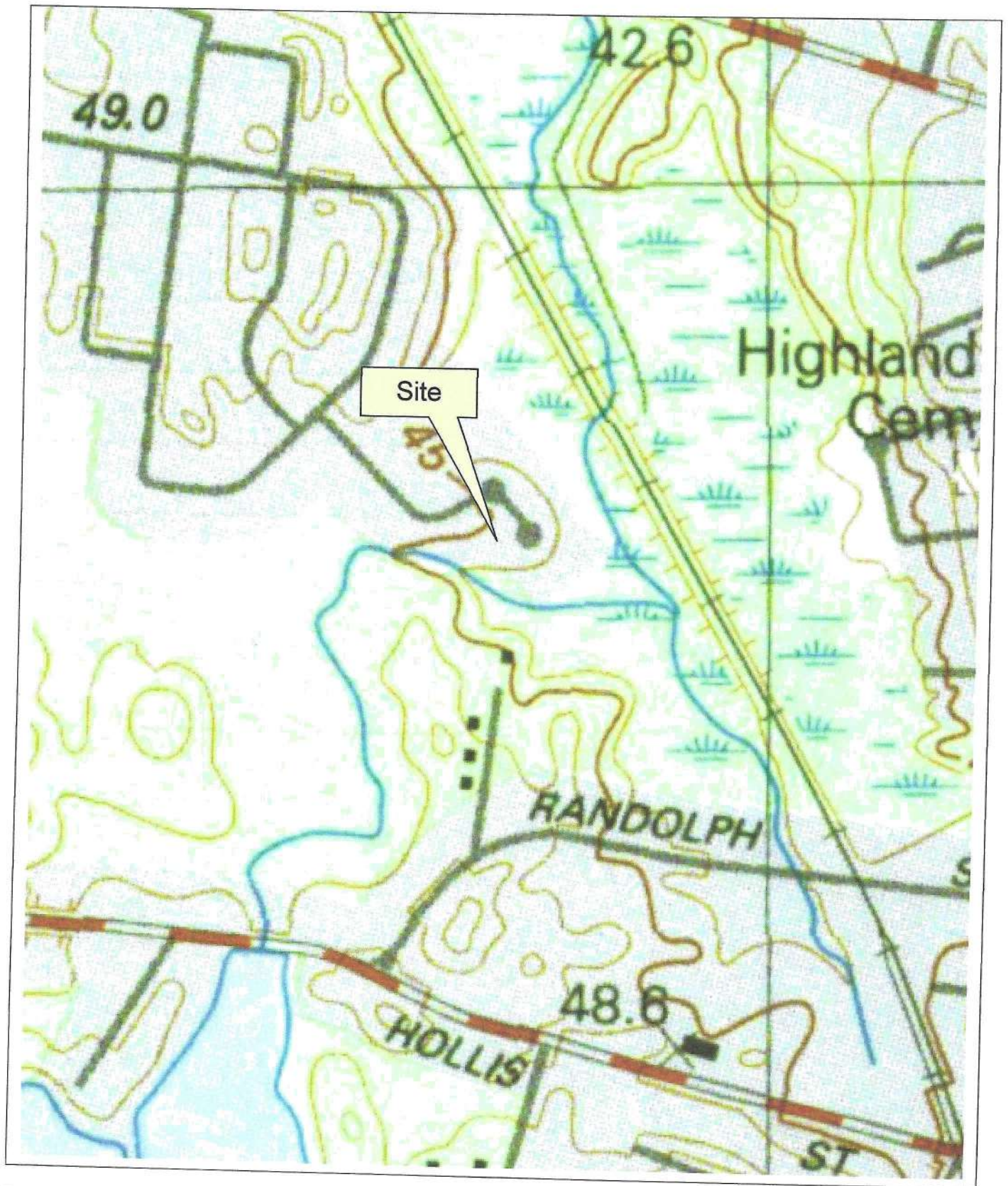
Photograph #1 – View of the back of the house where the addition is proposed.



Photograph #2 - View from the rear property line towards the project area at the back of the house.



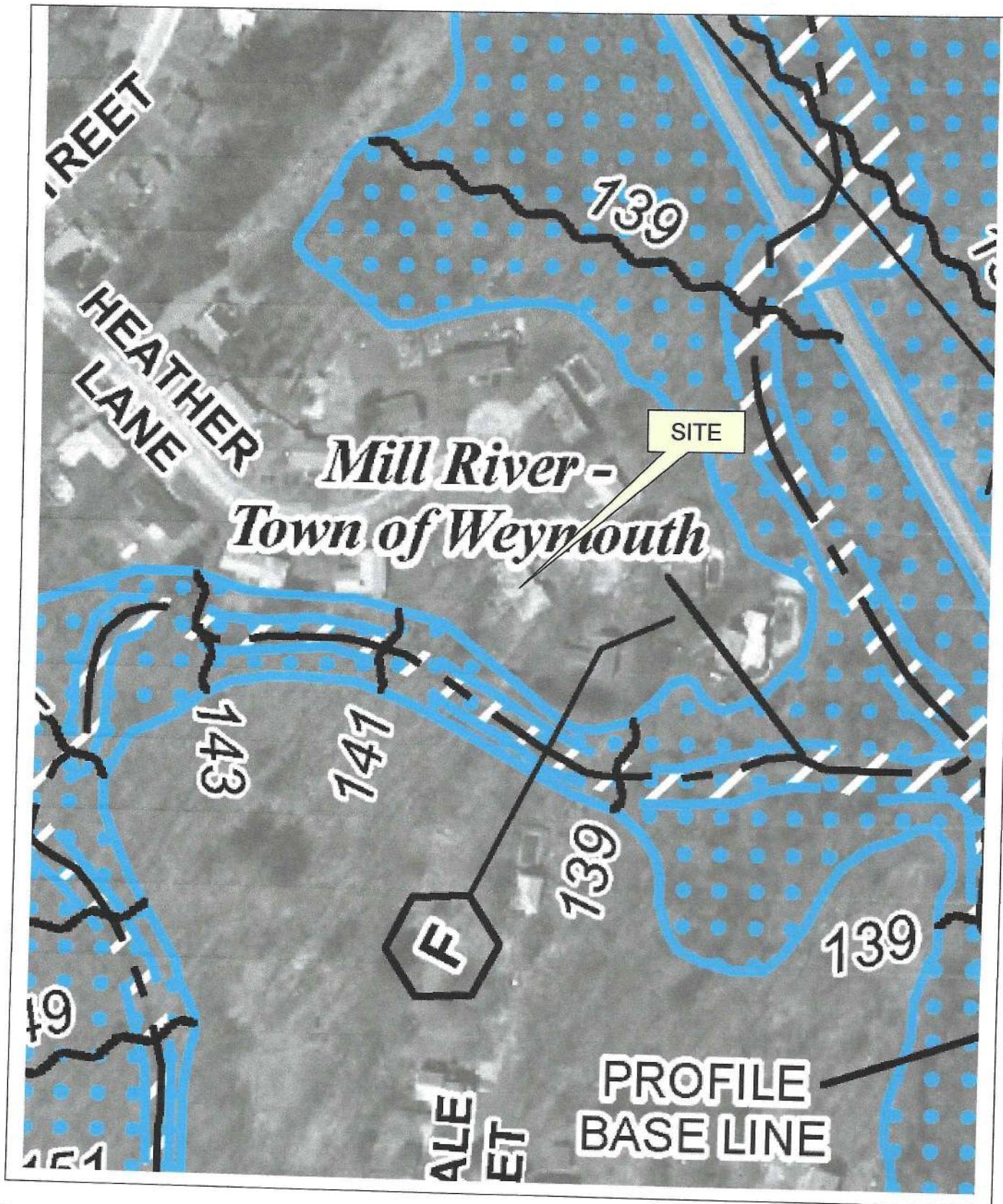
Photograph #3 – View of the Mill River with well defined Inland Bank and conservatively flagged BVW fringe to the stream.



USGS SITE LOCUS MAP
67 Heather Lane
Weymouth, Massachusetts

Source: USGS Topographic Map

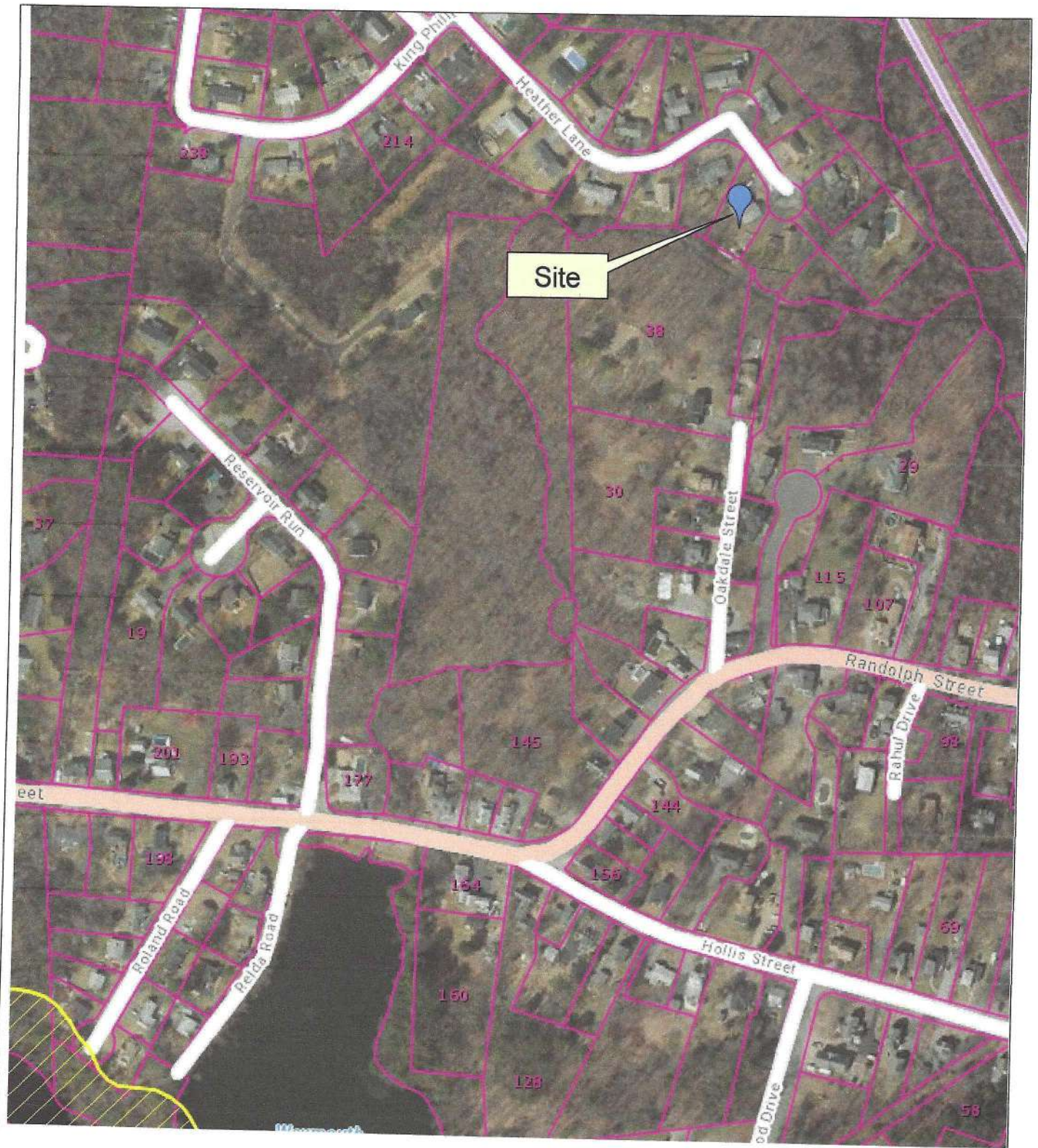




FEMA MAP
67 Heather Lane
Weymouth, Massachusetts

Source: FEMA Map 25021C0237E 07/17/2012

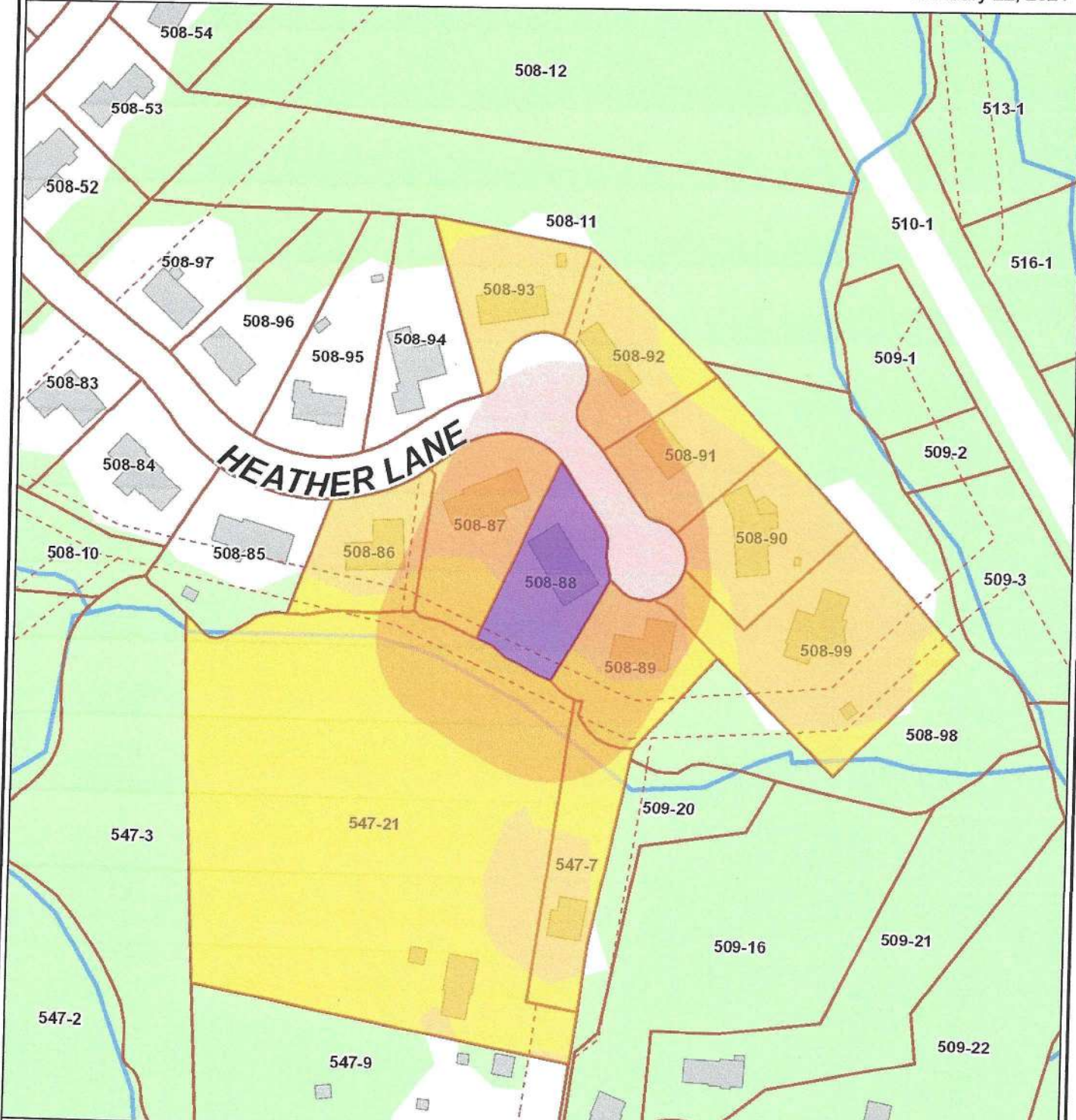
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**Priority Habitat of Rare Species, Estimated Habitat of Rare Wildlife
& Certified Vernal Pool Map
67 Heather Lane
Weymouth, Massachusetts**

Source: MassGIS Oliver Viewer





- 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

1" = 139 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.

2/22/2021

PARCEL #	LOCATION	OWNER NAME/ADDRESS	CERTIFIED	
			YES	NO
MAP: 48 BLOCK: 508 LOT: 86 EXT: 0	43 HEATHER LN	SARACENO MICHAEL J & MARIE M LIFE EST SHELENE PATRICIA TR 43 HEATHER LN WEYMOUTH, MA, 02190	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 48 BLOCK: 508 LOT: 87 EXT: 0	55 HEATHER LN	HARRIS WILLIAM C & BARBARA G TRUSTEES 55 HEATHER LN WEYMOUTH, MA, 02190	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 48 BLOCK: 508 LOT: 93 EXT: 0	58 HEATHER LN	CASSIDY SUSAN M 58 HEATHER LN WEYMOUTH, MA, 02190	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 48 BLOCK: 508 LOT: 92 EXT: 0	62 HEATHER LN	BETHELL ROBERT & CARLA TBE 62 HEATHER LN WEYMOUTH, MA, 02190	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 48 BLOCK: 508 LOT: 88 EXT: 0	67 HEATHER LN	NAGLE JOSEPH J & LINDA C TRS NAGLE FAMILY TRUST 67 HEATHER LN WEYMOUTH, MA, 02190	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 48 BLOCK: 508 LOT: 91 EXT: 0	68 HEATHER LN	MERCURIO DOMINIC AND BONNIE TBE 68 HEATHER LN WEYMOUTH, MA, 02190	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 48 BLOCK: 508 LOT: 89 EXT: 0	73 HEATHER LN	LEE JOSEPH & ROBIN 73 HEATHER LN WEYMOUTH, MA, 02190	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 48 BLOCK: 508 LOT: 90 EXT: 0	74 HEATHER LN	ANDRADE ANTONIO P & FILOMENA TBE 74 HEATHER LN S WEYMOUTH, MA, 02190	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 48 BLOCK: 508 LOT: 99 EXT: 0	80 HEATHER LN	WALSH FAMILY IRREVOCABLE TRUST DEMBOWSKI LISA TRUSTEE 80 HEATHER LN WEYMOUTH, MA, 02190	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 48 BLOCK: 547 LOT: 21 EXT: 0	38 OAKDALE ST	CORDERO VICTOR J JR & BETH A TBE 38 OAKDALE ST WEYMOUTH, MA, 02190	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2/22/2021

PARCEL #	LOCATION	OWNER NAME/ADDRESS	CERTIFIED	
			YES	NO
MAP: 48 BLOCK: 547 LOT: 7 EXT: 0	41 OAKDALE ST	SEIBERT ROBIN L 47 RUSTIC DR WEYMOUTH, MA, 02190	<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 2021.
The record of ownership is accurate through October 2020.

Prepared by:

Reviewed by:

|

ANDRADE ANTONIO P &
FILOMENA TBE
74 HEATHER LN
S WEYMOUTH, MA 02190

BETHELL ROBERT & CARLA TBE
62 HEATHER LN
WEYMOUTH, MA 02190

CASSIDY SUSAN M
58 HEATHER LN
WEYMOUTH, MA 02190

CORDERO VICTOR J JR & BETH A
TBE
38 OAKDALE ST
WEYMOUTH, MA 02190

HARRIS WILLIAM C & BARBARA G
TRUSTEES
55 HEATHER LN
WEYMOUTH, MA 02190

LEE JOSEPH & ROBIN
73 HEATHER LN
WEYMOUTH, MA 02190

MERCURIO DOMINIC AND BONNIE
TBE
68 HEATHER LN
WEYMOUTH, MA 02190

NAGLE JOSEPH J & LINDA C TRS
NAGLE FAMILY TRUST
67 HEATHER LN
WEYMOUTH, MA 02190

SARACENO MICHAEL J & MARIE M
LIFE EST SHELENE PATRICIA TR
43 HEATHER LN
WEYMOUTH, MA 02190

SEIBERT ROBIN L
47 RUSTIC DR
WEYMOUTH, MA 02190

WALSH FAMILY IRREVOCABLE TRUST
DEMBOWSKI LISA TRUSTEE
80 HEATHER LN
WEYMOUTH, MA 02190

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 Joseph & Linda Nagle
-
- 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:
- 67 Heather Lane, Weymouth - Proposed project consists of an addition to the existing single family home. For more information, please refer to the Notice of Intent application on file with the Weymouth Conservation Commission.
-
- D. Copies of the Notice of Intent or OOC Amendment Request or Request for Determination may be examined at Town Hall, 75 Middle Street, Conservation Office, 3rd floor (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 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 617-529-3792 contact person Brad Holmes @ ECR, LLC
between the hours of: 9am to 5pm on the following days of the week: Monday to 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.

Town of Weymouth



ABUTTERS LIST ORDER FORM for CONSERVATION COMMISSION

Date: 2/16/2021

1) Subject Identification
(Address and Parcel #)

67 Heather Lane
Parcel ID # 48-508-88

- 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

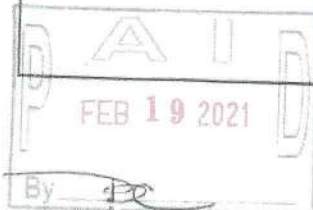
Brad Holmes
617 529 3792

4) Telephone Number

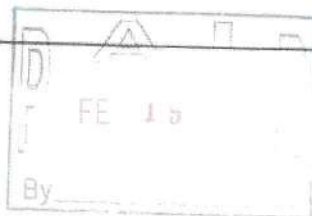
Brad@ecr.wetlands.com

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)



2928

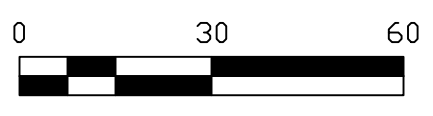
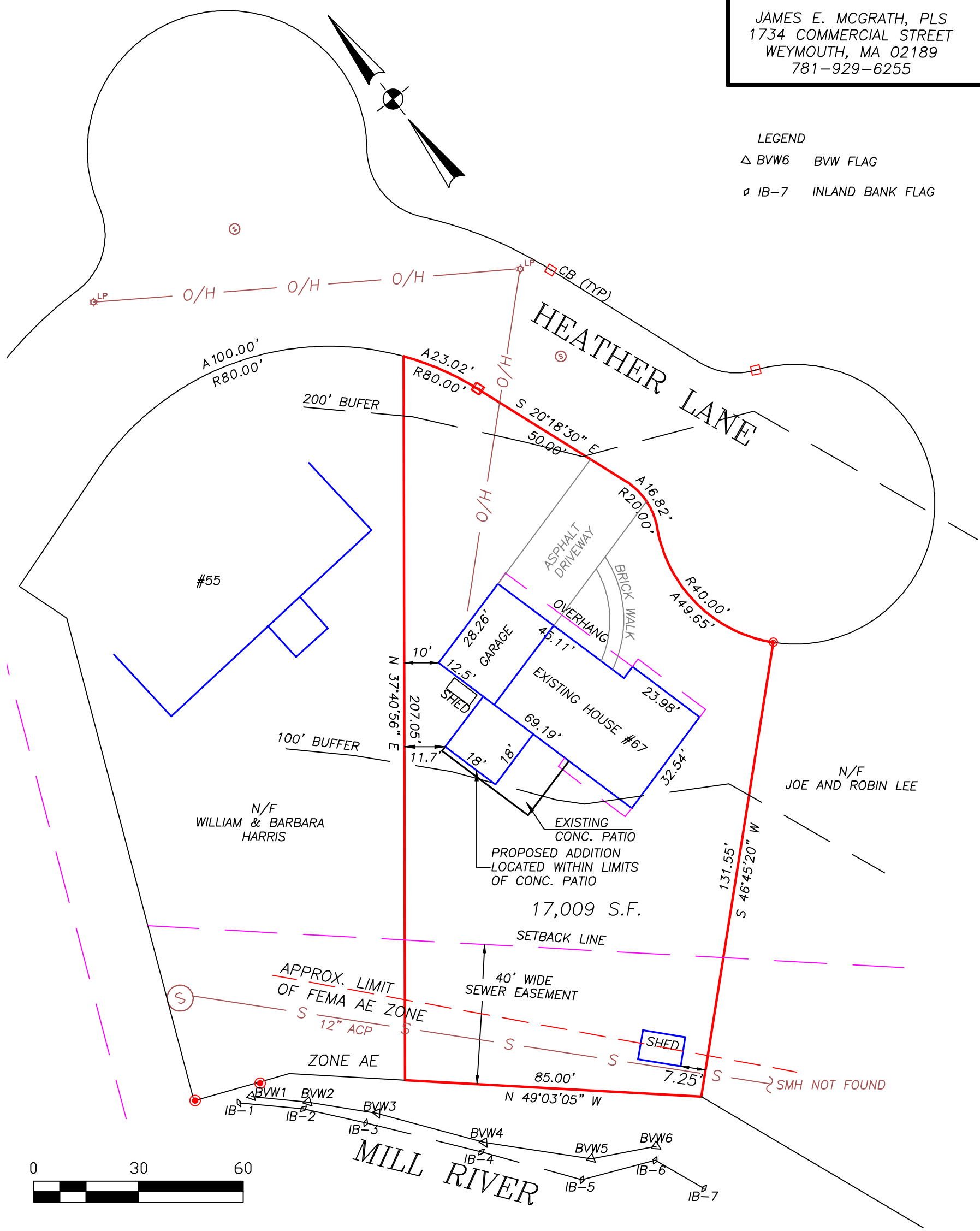


Done
2/22/21

REV. 01/2018

JAMES E. MCGRATH, PLS
 1734 COMMERCIAL STREET
 WEYMOUTH, MA 02189
 781-929-6255

LEGEND
 △ BVW6 BVW FLAG
 ◻ IB-7 INLAND BANK FLAG



COMMONWEALTH OF MASSACHUSETTS
 JAMES E. McGRATH
 45061
 PROFESSIONAL
 LAND SURVEYOR
James E. McGrath

PLOT PLAN
67 HEATHER LANE
WEYMOUTH, MA
PARCEL ID: 508-88
 OWNER: JOE & LINDA NAGLE
 SCALE: 1" = 30'
 DATE: MARCH 15, 2021
 ZONING DISTRICT: RESIDENCE 1

- NOTES:
1. LAND COURT CERT 183562
 2. LAND COURT PLAN 30151C
 3. WETLANDS FLAGS BY ENVIRONMENTAL CONSULTING AND RESTORATION, LLC
 4. A PORTION OF THE PARCEL LIES WITHIN FLOOD ZONE AE AS SHOWN ON MAP 25021C0237E REV. 7/17/2012.