



1285 Washington Street,  
Weymouth, MA 02189

October 3, 2022

Town of Weymouth  
Conservation Commission  
75 Middle Street  
Weymouth, MA 02189

RE: 38 Driftway Road  
Request for Determination of Applicability

Dear Members:

Attached, please find a Request for Determination of Applicability (RDA) submittal for proposed construction at the referenced location. The proposal seeks to demolish and reconstruct (in the same footprint) an existing single-family residence. Assessor's records designate the lot as 3-2-10.

The subject site is located at 38 Driftway Road in Weymouth, West of Cliff Street. The lot is located across a paved roadway (Driftway Rd) from the Weymouth Fore River, as depicted on the plans. The top of Coastal Bank is approximately 40-feet from the property. Additionally, the site is located within the buffer zone of a Coastal Beach and Flood Zone associated with the Fore River.

The applicant seeks to demolish an existing single-family residence and construct a new residence in the same footprint. Additionally, the applicant seeks to make minor grading and landscaping improvements as depicted on the attached Plans.

In summary, this proposal seeks construct a new residence on an existing lot. All work is proposed to be across a paved roadway from Coastal Resource areas. Based on the location of the work, we feel there will be no impact to the stability of the Bank or any of the other Coastal Resource Areas. If you have any questions regarding this application, please feel free to contact me at 781-335-1464. We look forward to discussing this project at the public hearing.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shawn P. Hardy'. The signature is written in a cursive style and is positioned above a horizontal line.

Shawn P. Hardy, PE

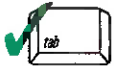


# WPA Form 1- Request for Determination of Applicability

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:

Frank & Peggy Mullaney  
Name  
8 Devils Garden Road  
Mailing Address  
Norwalk  
City/Town  
203-858-7823  
Phone Number  
fjbeacon@gmail.com  
E-Mail Address  
CT  
State  
06854  
Zip Code  
Fax Number (if applicable)

2. Representative (if any):

Hardy + Man Design Group, PC  
Firm  
Shawn Hardy  
Contact Name  
1285 Washington St  
Mailing Address  
Weymouth  
City/Town  
781-335-1464  
Phone Number  
shardy@hardymandesign.com  
E-Mail Address  
MA  
State  
02189  
Zip Code  
Fax Number (if applicable)

## B. Determinations

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

- 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:

Town 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):

38 Driftway Road

Street Address

Weymouth

City/Town

Map 3 - Block 2

Assessors Map/Plat Number

Lot 10

Parcel/Lot Number

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

Existing single-family lot in residential neighborhood. Lot is across the street (>40') from Coastal Bank, Beach & Flood Zone associated with the Weymouth Fore River.

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

Site Plan 38 Driftway Road

Title

10/3/2022

Date

Landscape Site Plan SPL-1.0

Title

9/30/2022

Date

Schematic Grading Plan SPL-2.0

Title

9/30/2022

Date

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

Existing residence to be demolished and reconstructed. Lot to be regraded and landscaped as shown on attached plans.



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### 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).

Existing lot is across a paved roadway from resource areas. Existing residence to be demolished and replaced in existing footprint.

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:

Frank & Peggy Mullaney

Name

8 Devils Garden Road

Mailing Address

Norwalk

City/Town

CT

State

06854

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.

Frank J. Mullaney

Digitally signed by Frank J. Mullaney  
Date: 2022.10.03 11:07:02 -04'00'

Signature of Applicant

10-3-2022

Date

Signature of Representative (if any)

10-3-2022

Date

**SITE ACCESS AUTHORIZATION**

DATE: 10-3-2022

PROJECT: 38 Driftway Road

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

FROM: Frank J. Mullaney

LOCATION: 38 Driftway Road  
(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: 10/3/22