



Gale Associates, Inc.

163 Libbey Parkway | Weymouth, MA 02189

P 781.335.6465 F 781.335.6467

www.galeassociates.com

March 16, 2023

Mr. John Reilly, Chair
Town of Weymouth Conservation Commission
75 Middle Street
Weymouth, MA 02189

Re: Request for Determination of Applicability
97 Libbey Industrial Parkway – Pedestrian Bridge Replacement
Weymouth, MA
Gale JN 719060

Dear Mr. Reilly:

On behalf of FoxRock Properties, Gale Associates, Inc. (Gale) is providing the attached Request for Determination of Applicability (RDA) package to the Town of Weymouth Conservation Commission for the proposed pedestrian bridge replacement (in kind) at 97 Libbey Industrial Parkway. The project is limited to the replacement of the existing pedestrian bridge at the rear of the building. The following is a summary narrative of the anticipated work:

1. Remove and disposal of the existing pedestrian bridge: A crane operated from the southern paved parking lot will lift the existing bridge off the abutments and place it on the parking lot to be disassembled and disposed offsite. The concrete bridge abutments and backwalls will remain in place to be reused for the replacement structure. Demolition work includes removing the steel bridge bearings from the abutments. The existing lighting fixtures will be removed and reinstalled on the replacement bridge.
2. Assembly of the new bridge: The proposed prefabricated replacement bridge will arrive on site in two to three (2-3) sections and will be staged and assembled in the paved parking lot. Assembly is expected to be completed in one to two (1-2) days.
3. Placement of the new bridge: A crane operated from the paved parking lot will lift the new bridge and lower it to the existing abutments. The bridge bearings will be fastened to the existing concrete abutments.
4. The existing lighting fixtures and supply lines will be installed onto the replacement bridge by hand.

This project is a “replacement in kind” and the majority of the work (staging, disassembly, assembly, etc.) will take place on the existing paved areas. As such, no earth disturbance is anticipated or required. Total time for the project is estimated at two to three (2-3) weeks, pending material delivery and labor ability.

SINCE 1964

Connecticut | Florida | Maine | Maryland | Massachusetts | New Hampshire | Virginia

Mr. John Reilly
Town of Weymouth Conservation Commission
Re: Request for Determination of Applicability
March 16, 2023
Page 2



We hope you find this submittal to be complete. Please do not hesitate to contact Ryan Thackeray, at (781) 335-6465 or rdt@gainc.com, if there are any questions, comments, or requirements for additional information.

Respectfully submitted,

GALE ASSOCIATES, INC.

Ryan D. Thackeray

Ryan D. Thackeray, EIT (MA)
Staff Designer

Bree D. Sullivan

Bree D. Sullivan, P.E. (MA)
Chief Civil Engineer

RDT/BDS/PS/cmh

Enclosures:

- WPA Form 1
- Existing Conditions Plan
- USGS Locus Map
- Environmental Resources Map
- Wetland Report
- Site Access Authorization Form
- Certified List of Abutters
- Notification to Abutters Form
- Affidavit of Service

CC:

- P. Indore – New England Infrastructure, Inc. – Project Manager
- B. Bova – FoxRock Properties – Director, Property Management
- D. Snyder – FoxRock Properties – Director, Property Operations
- M. Galt – FoxRock Properties – Director, Asset Management
- K. Bellis – FoxRock Properties – Property Manager

G:\719060\02 Design\permit reports\RDA\719060 FoxRock RDA Narrative 2023 0316.docx



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

City/Town _____

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:

Name _____

E-Mail Address _____

Mailing Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

2. Representative (if any):

Firm _____

Contact Name _____

E-Mail Address _____

Mailing Address _____

City/Town _____

State _____

Zip Code _____

Phone Number _____

Fax Number (if applicable) _____

B. Determinations

1. I request the _____ 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:

Name of Municipality

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



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

City/Town

WPA Form 1- Request for Determination of Applicability

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

C. Project Description

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

Street Address

City/Town

Assessors Map/Plat Number

Parcel/Lot Number

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

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

Title

Date

Title

Date

Title

Date

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



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

City/Town _____

WPA Form 1- Request for Determination of Applicability

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).

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.)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Weymouth
City/Town

WPA Form 1- Request for Determination of Applicability

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

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:

FoxRock Weymouth AT Realty, LLC; C/O FoxRock Properties, LLC

Name

P.O. Box 690528

Mailing Address

Quincy

City/Town

MA

State

02169

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
FoxRock Properties LLC, on behalf of
FoxRock Weymouth AT Realty LLC

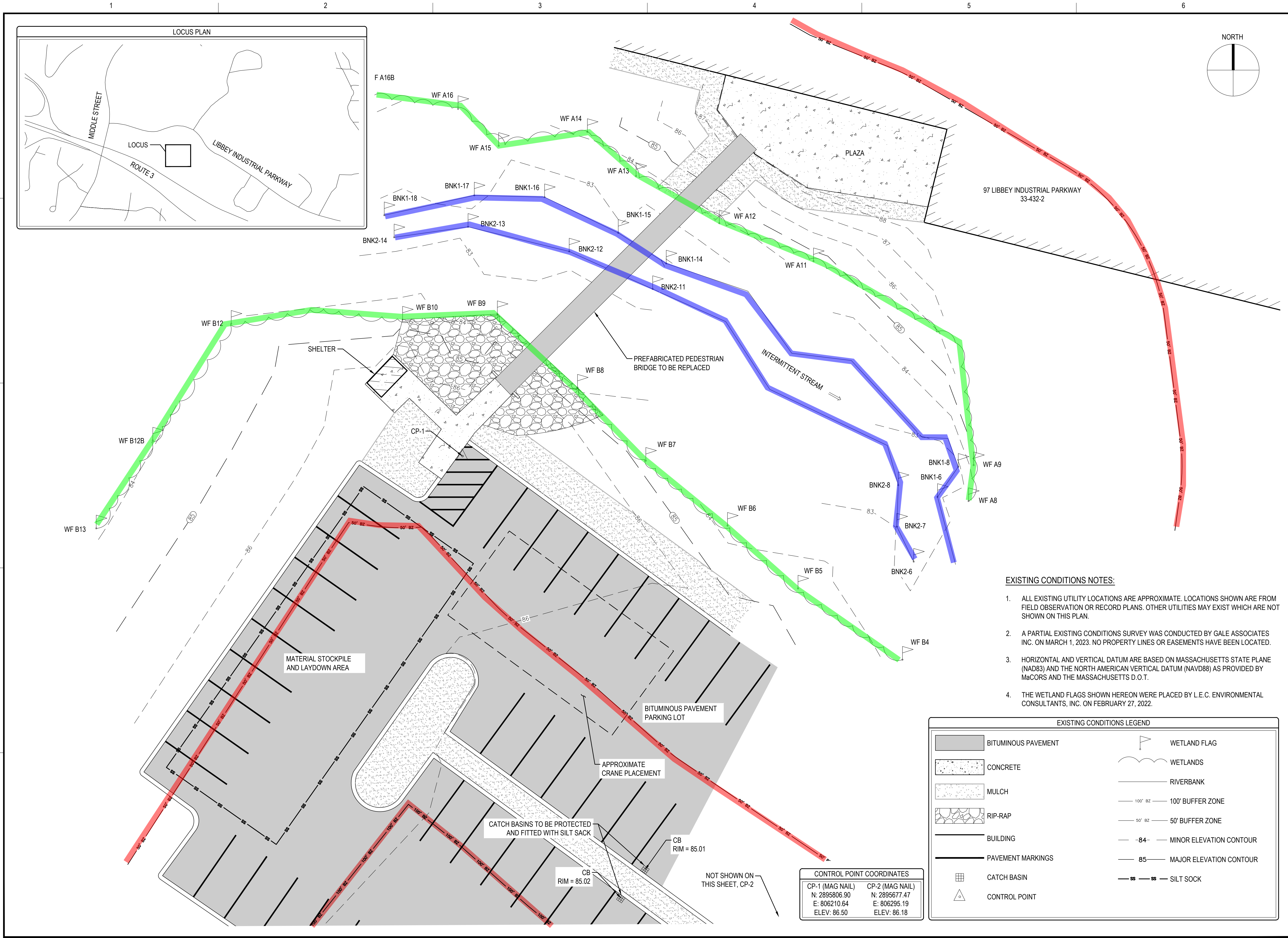
3/16/23

Date


Signature of Representative (if any)

3/17/23

Date



- EXISTING CONDITIONS NOTES:**
- ALL EXISTING UTILITY LOCATIONS ARE APPROXIMATE. LOCATIONS SHOWN ARE FROM FIELD OBSERVATION OR RECORD PLANS. OTHER UTILITIES MAY EXIST WHICH ARE NOT SHOWN ON THIS PLAN.
 - A PARTIAL EXISTING CONDITIONS SURVEY WAS CONDUCTED BY GALE ASSOCIATES INC. ON MARCH 1, 2023. NO PROPERTY LINES OR EASEMENTS HAVE BEEN LOCATED.
 - HORIZONTAL AND VERTICAL DATUM ARE BASED ON MASSACHUSETTS STATE PLANE (NAD83) AND THE NORTH AMERICAN VERTICAL DATUM (NAVD88) AS PROVIDED BY MACORS AND THE MASSACHUSETTS D.O.T.
 - THE WETLAND FLAGS SHOWN HEREON WERE PLACED BY L.E.C. ENVIRONMENTAL CONSULTANTS, INC. ON FEBRUARY 27, 2022.

EXISTING CONDITIONS LEGEND

	BITUMINOUS PAVEMENT		WETLAND FLAG
	CONCRETE		WETLANDS
	MULCH		RIVERBANK
	RIP-RAP		100' BUFFER ZONE
	BUILDING		50' BUFFER ZONE
	PAVEMENT MARKINGS		MINOR ELEVATION CONTOUR
	CATCH BASIN		MAJOR ELEVATION CONTOUR
	CONTROL POINT		SILT SOCK

CONTROL POINT COORDINATES

CP-1 (MAG NAIL) N: 2895806.90 E: 806210.64 ELEV: 86.50	CP-2 (MAG NAIL) N: 2895677.47 E: 806295.19 ELEV: 86.18
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Gale Associates, Inc.
Engineers and Planners
163 LIBBEY PARKWAY | WEYMOUTH, MA 02189P 781.335.6465 F 781.335.6467
www.gainc.com
Boston Baltimore Orlando Hartford Bedford

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CONSERVATION

**PEDESTRIAN BRIDGE REPLACEMENT
97 LIBBEY INDUSTRIAL PARKWAY
WEYMOUTH, MA 02189**

PROJECT

OWNER
FOXROCK PROPERTIES, LLC
P.O. BOX 690528
QUINCY, MA 02169

NO.	DATE	DESCRIPTION	BY
PROJECT NO.	719060		
CADD FILE	719060_C100		
DESIGNED BY	RD1		
DRAWN BY	RD1		
CHECKED BY	BDS		
DATE	3/9/2023		
DRAWING SCALE	1" = 10'		

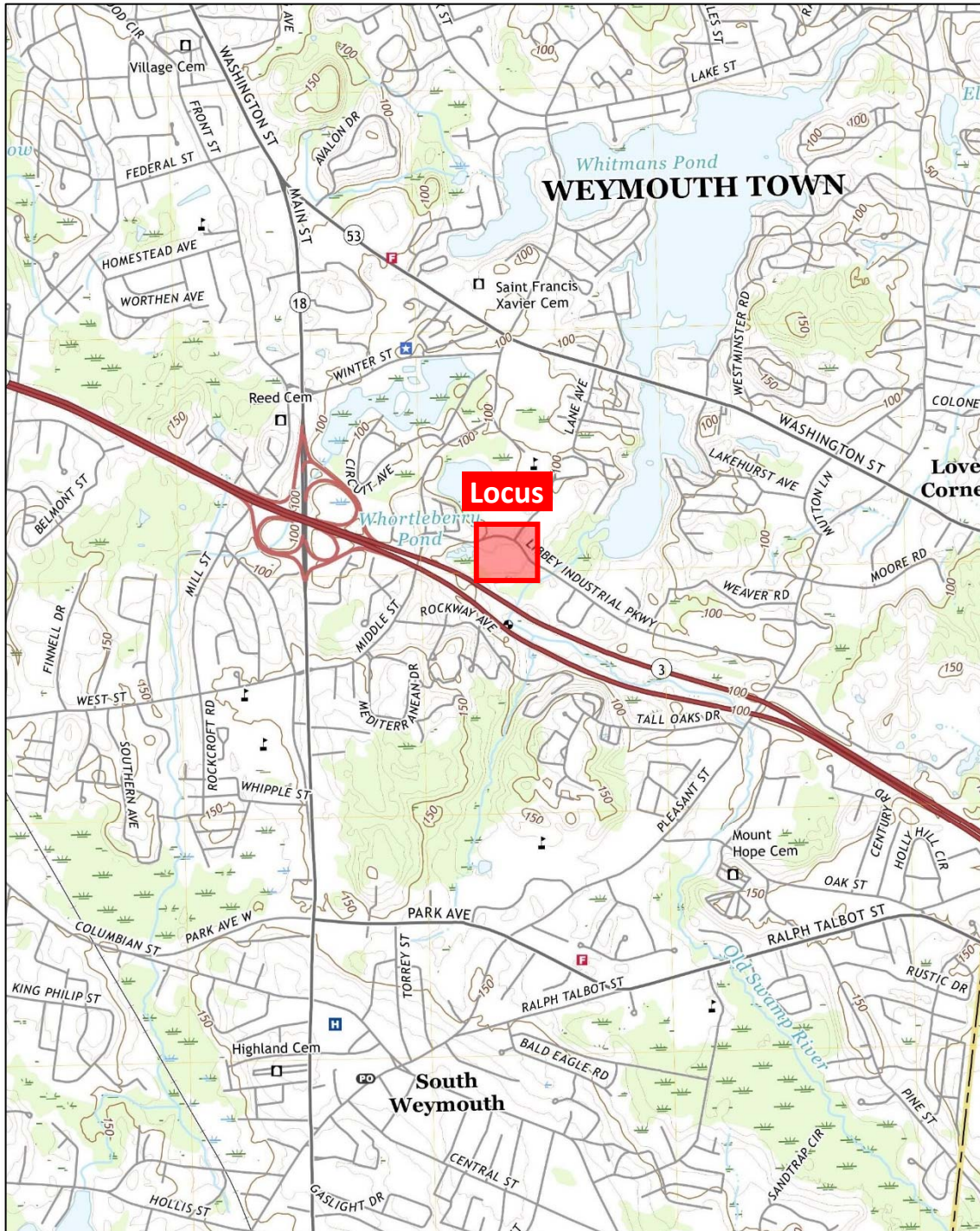
GRAPHIC SCALE
0 10' 20'

SHEET TITLE
SITE PLAN

DRAWING NO.
C100

Project Locus Map

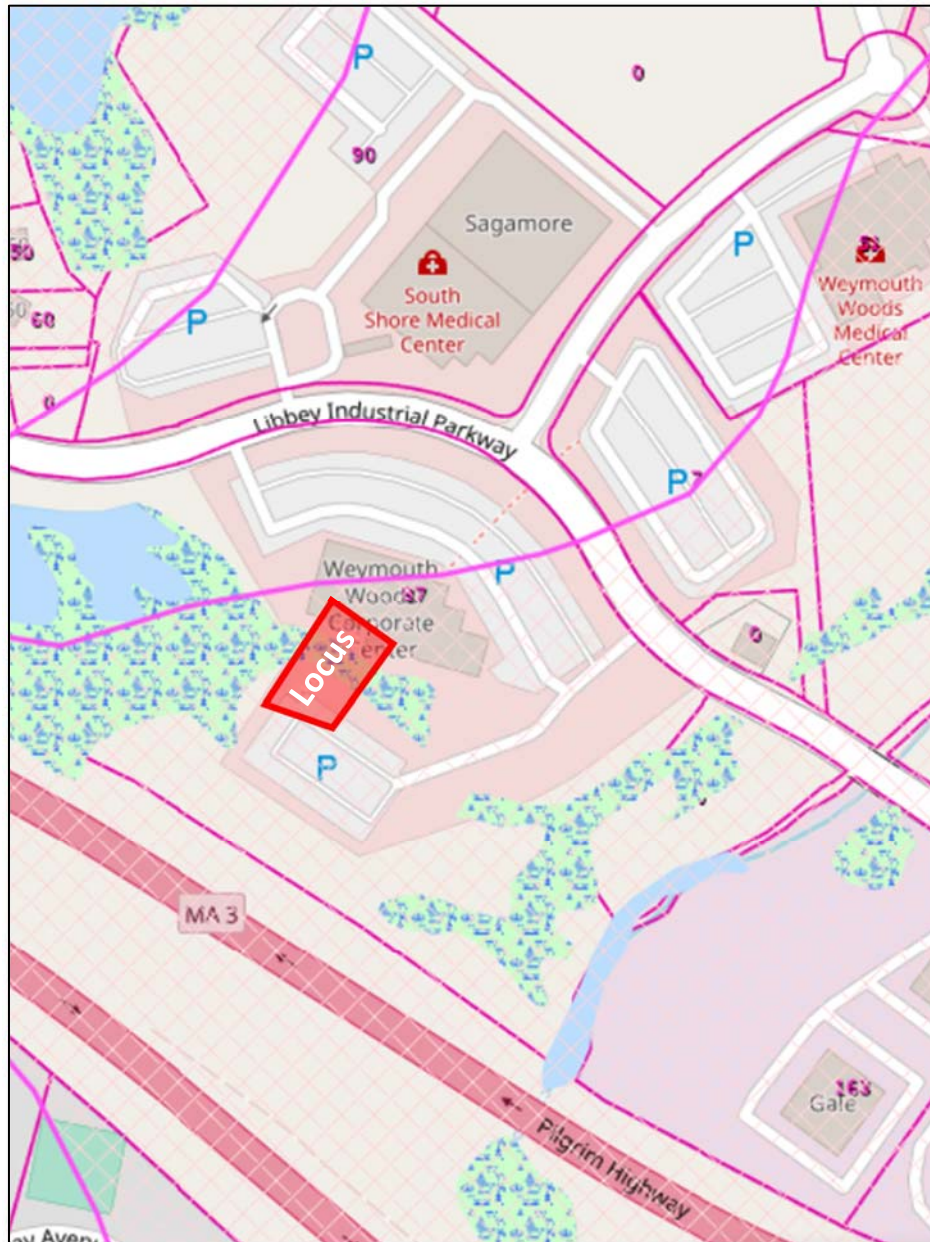
97 LIBBEY INDUSTRIAL PARKWAY PEDESTRIAN BRIDGE REPLACEMENT WEYMOUTH, MA



Reference: USGS TopoQuad – Weymouth Quadrangle

Project Environmental Resource Areas

97 LIBBEY INDUSTRIAL PARKWAY PEDESTRIAN BRIDGE REPLACEMENT WEYMOUTH, MA



Reference: MassGIS MassMapper Data Viewer

NHESP Data

- NHESP Priority Habitat of Rare Species
- NHESP Estimated Habitat of Rare Wildlife
- Certified Vernal Pool
- Potential Vernal Pool
- Area of Critical Environmental Concern (ACEC)

Wetlands

- Marsh/Bog
- Wooded Marsh
- Cranberry Bog
- Salt Marsh
- Open Water
- Reservoir w/PWSID
- Tidal Flats
- Beach/Dune

Regulated Areas

- Zone II Well Area
- IWPA

Outstanding Resource

Waters (ORW)

- ORW for ACEC
- PWS Contributor
- ORW for PWS and Other



March 21, 2023

Email [bds@gainc.com]

Ms. Bree Sullivan
Gale Associates, Inc.
163 Libbey Parkway
Weymouth, MA 02189

Re: Wetland Resource Area Analysis Report
97 Libbey Parkway
Weymouth, Massachusetts

[LEC File #: GAI\22-541.01]

Dear Ms. Sullivan:

LEC Environmental Consultants, Inc., (LEC) conducted a site evaluation and Wetland Resource Area boundary determination at 97 Libbey Parkway in Weymouth, Massachusetts. Our site evaluation was conducted in accordance with the *Massachusetts Wetlands Protection Act* (the *Act*, M.G.L. c. 131, s. 40) and its implementing *Regulations* (the *Act Regulations*, 310 CMR 10.00), the *Town of Weymouth Wetlands Protection By-Laws (Section 7-300)*, and the *Federal Clean Water Act* (33 U.S.C. 1344, s.404, the *CWA*) and its *Regulations* (33 CFR and 40 CFR, the *CWA Regulations*). The scope of the evaluation focused on Wetland Resource Areas within 200 feet of the existing pedestrian footbridge at the property.

LEC also employed the criteria provided in *Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act* (September 2022) and *Field Indicators for Identifying Hydric Soils in New England* (Version 4, June 2020, the *Field Indicators Guide*). The following report provides a general site description, wetland delineation methodology, a description of the Wetland Resource Areas, and potential regulatory implications.

General Site Description

The 12.69± acre site is located 0.5 miles south of Washington Street (Route 53), 0.5 miles east of Main Street (Route 18), and immediately north of Pilgrims Highway (Route 3) within the central vicinity of Weymouth, Massachusetts (Attachment A, Figures 1 and 2). The property is bordered by commercial/industrial development to the north, west, and south, in association with Libbey Parkway and Performance Drive. A small residential development is situated to the northwest. Undeveloped forested wetlands and forested uplands are located northeast of the property, and a northerly flowing perennial stream known as Old Swamp River extends along the southeastern property line, approximately 600 feet from the pedestrian bridge.

LEC Environmental Consultants, Inc.

www.lecenvironmental.com

12 Resnik Road
Suite 1
Plymouth, MA 02360
508.746.9491

380 Lowell Street
Suite 101
Wakefield, MA 01880
781.245.2500

100 Grove Street
Suite 302
Worcester, MA 01605
508.753.3077

P.O. Box 590
Rindge, NH 03461
603.899.6726

680 Warren Avenue
Suite 3
East Providence, RI 02914
401.685.3109

PLYMOUTH, MA

WAKEFIELD, MA

WORCESTER, MA

RINDGE, NH

EAST PROVIDENCE, RI



Photo 1: A northerly view of the pedestrian footbridge.

The northernmost portion of the site is comprised of commercial development which includes an office building, a primary parking lot to the north, manicured lawn, and associated landscaping features. A secondary parking lot is located to the south of the office building, and vehicular access is granted by way of bridge which traverses an intermittent stream that bisects the property. A pedestrian footbridge extends over the intermittent stream providing pedestrian access to the southerly parking lot from the office building. The

western portion of the site is comprised of forested scrub-shrub wetlands which abut moderately steep fill slopes associated with the commercial development along Libbey Parkway and Route 3. East of the parking lot, a small section of manicured lawn transitions to upland forest which slopes gently downgradient towards Old Swamp River.

Topography within the commercially developed portion of the site is generally flat, but grades descend gently to the south of the southerly parking lot towards the adjacent wetlands system.

Vegetation observed within the bordering forested scrub-shrub uplands include a canopy layer of red maple (*Acer rubrum*), white pine (*Pinus strobus*), red oak (*Quercus rubra*), white oak (*Quercus alba*) and black cherry (*Prunus serotina*). The understory includes a moderately dense shrub layer containing Japanese knotweed (*Fallopia japonica*), sweet pepperbush (*Clethra alnifolia*), multiflora rose (*Rosa multiflora*), and witch hazel (*Hamamelis virginiana*). The sparse groundcover layer contains patches of garlic-mustard (*Alliaria petiolata*). Entanglements of common greenbrier (*Smilax rotundifolia*), Asiatic bittersweet (*Celastrus orbiculatus*), common blackberry (*Rubus allegheniensis*) and poison ivy vine (*Toxicodendron radicans*) are present throughout the upland portions of the site.

According to the Natural Resource Conservation Service (NRCS) Soil Survey (Web Soil Survey and Bristol County, Massachusetts, Version 15, September 9, 2022), most of the upland areas located onsite are primarily mapped as Merrimac fine sandy loam, eight to fifteen percent slopes (Attachment A, Figure 3). NRCS describes the Hinckley series as very deep, somewhat excessively drained soil formed in glacial outwash. Merrimac soils are on broad areas of outwash plains and deltas; less extensive areas occur on glacial lake plains.

LEC inspected soil conditions within the forested upland along the wetland boundary using a hand-held, Dutch-style auger, and observed a 24-inch-thick, uniform gravelly and sandy loam topsoil (A horizon) with a soil matrix color of 10YR 3/2. No redoximorphic features were observed throughout this typical upland soil profile. This soil profile is not considered 'hydryc' in accordance with the *Field Indicators Guide*.



Natural Heritage and Endangered Species Program Designation

According to the 15th Edition of the *Massachusetts Natural Heritage Atlas* (effective August 1, 2021) published by the Natural Heritage & Endangered Species Program (NHESP), the evaluation area is not within *Estimated Habitat of Rare Wildlife* and/or *Priority Habitat of Rare Species*. No Certified Vernal Pools (CVP) or Potential Vernal Pools (PVP) are mapped on or within the immediate vicinity of the evaluation area (Attachment A, Figure 2).

Floodplain Designation

According to the July 17, 2012, FEMA Flood Insurance Rate Maps (FEMA FIRM) for the Town of Weymouth (*Community Panel 25021C0229E*), areas within the southeastern portion of the property are mapped within a Zone AE (elevation not determined) – *Special flood hazard areas subject to inundation by the 1% annual chance flood, base flood elevations determined*. The remaining portion of the site is located within a Zone X (shaded) – *Areas of 2% annual chance flood; areas of 1% annual chance flood with average depths less than 1 foot or within drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood*.

Wetland Boundary Determination Methodology

On February 27, 2023, LEC conducted a site evaluation to identify and characterize existing protectable Wetland Resource Areas located on or adjacent to the evaluation area. The Bordering Vegetated Wetland (BVW) boundary was determined through observations of the existing plant communities, using the "fifty percent criteria" to determine dominance of wetland/upland vegetation, the interpretation of soil characteristics, and other indicators of wetland hydrology in accordance with the Massachusetts Department of Environmental Protection (MassDEP) handbook, *Delineating Bordering Vegetated Wetlands under the Massachusetts Wetlands Protection Act* (September 2022), the *Field Indicators for Identifying Hydric Soils in New England* (Version 4, June 2020), and the criteria set forth in 310 CMR 10.55.

The boundary of the BVW was demarcated in the field with blaze orange surveyor's flagging tape, embossed with the words "LEC Resource Area Boundary" in bold, black print. The BVW flags are numbered A1 to A22, and B1 to B18. DEP Field Data Forms are included with this report (Attachment B).

The Bank boundary associated with the intermittent stream was delineated in accordance with the criteria set forth in 310 CMR 10.54 and demarcated in the field with blue surveyor's tape. Bank flags are numbered 1-1 to 1-28 and 2-1 to 2-22.

Wetland Resource Areas

The Wetland Resource Areas associated with the pedestrian footbridge includes Bordering Vegetated Wetlands (BVW), and Bank to an intermittent stream. A brief description of the Wetland Resource Areas is provided below.

Bordering Vegetated Wetland (BVW)

BVW is defined at 310 CMR 10.55(2) as *freshwater wetlands which border on creeks, rivers, streams, ponds, and lakes. In these areas soils are saturated and/or inundated such that they support a predominance of wetland indicator plants. The boundary of BVW is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist.*



Photo 2: An easterly view of the intermittent stream and BVW.

BVW located on-site is hydrologically influenced by the unnamed easterly flowing intermittent stream which originates offsite to west and bisects the property in an east/west direction. West of the pedestrian footbridge, BVW generally extends northwesterly towards Libbey Parkway, and southwesterly towards Route 3. This swathe of forested scrub-shrub BVW narrows as it extends east towards the pedestrian footbridge. East of the footbridge,

BVW is primarily comprised of vegetated embankments that extend along the intermittent stream. BVW continues east along this stream, crossing beneath the vehicle bridge and eventually converging with the larger wetland system associated with Old Swamp River.

Topography within the forested scrub-shrub BVW located in the western vicinity of the site is generally flat but contains sections of pits and mounds that surround the intermittent stream. As the stream extends east, Bank topography becomes moderately steep, and BVW within this vicinity becomes increasingly restricted to the embankments that confine the stream channel. Topography transitions to flatter grades as the BVW system extends offsite to the east.

Vegetation within the BVW associated with the easterly flowing intermittent stream includes a moderately dense canopy layer dominated by red maple, ash (*Fraxinus* sp.), and white pine. The understory contains saplings from the canopy layer and a shrub layer consisting of silky dogwood (*Cornus amomum*), spicebush (*Lindera benzoin*), highbush blueberry (*Vaccinium corymbosum*), arrowwood (*Viburnum dentatum*), witch hazel (*Hamamelis virginiana*), and sweet pepperbush (*Clethra alnifolia*). The groundcover layer consists of seedlings from the overstory, sensitive fern (*Onoclea sensibilis*) and cinnamon fern (*Osmunda cinnamomeum*). Entanglements of poison ivy and Asiatic bittersweet were observed within the BVW.

LEC inspected soil conditions using a hand-held, Dutch-style soil auger within wetland areas and observed a two-inch-thick, organic layer (O-Horizon) consisting of partially decomposed organic matter.



The organic layer is directly underlain by a 24-inch-thick, mucky-modified, very fine sandy loam topsoil (A-Horizon), with a soil matrix color of 10YR 2/1. Low-chroma redoximorphic features were observed within 12 inches of the soil surface. The soil profile within the BVW is considered 'hydric' in accordance with the *Field Indicators Guide*.

Bank

According to the *Act Regulations*, Bank is the *first observable break in slope or the mean annual flood level, whichever is lower. The lower boundary of a Bank is the mean annual low flow level* [310 CMR 10.54 (2) (c)].

Bank is associated with an easterly flowing unnamed intermittent stream situated south and downgradient of the main office building. The stream is located entirely within BVW and contained within a 3-7± foot wide meandering channel. Bank heights vary considerably along the extent of the stream. West of the pedestrian footpath and among the flatter grades present with the BVW, Bank heights generally range from 6 inches to 1.5 feet. Within this portion of stream the channel width ranges between 3-5 feet. The stream substrate along this vicinity is uniform and consists of decomposing organic material and leaf detritus. Sticks and branches are present along the stream bed with medium sized boulders interspersed. East of the pedestrian foot bridge, the stream channel becomes increasingly well-defined and conveyed within steeper banks as the stream approaches the vehicular cross over. Stream channel widths within this region range from 5-8 feet wide, with depths ranging from 1-2 feet. The stream substrate along the eastern vicinity is stonier, and comprised of pebbles and rocks, with medium boulders present along the Banks.

Summary

LEC identified and delineated the boundaries of BVW and Bank to an intermittent stream in the vicinity of a pedestrian footbridge at 97 Libbey Parkway in Weymouth, Massachusetts. The Wetland Resource Areas are protected under the *Massachusetts Wetlands Protection Act* (M.G.L. c. 131, s. 40) and its implementing Regulations (310 CMR 10.00) and the *Town of Weymouth Wetlands By-Laws*.

It is LEC's understanding that proposed work is being considered within the vicinity of the footbridge. As a result, a Notice of Intent (NOI) or Request for Determination of Applicability (RDA) filing with the Weymouth Conservation Commission and the Massachusetts Department of Environmental Protection (MassDEP) will be required. Should any work be proposed within the BVW or Bank, additional state and federal environmental permitting may be required.

We appreciate the opportunity to provide you with this report. If you have any questions or require additional information, please do not hesitate to contact us at 508-746-9491.

Sincerely,

LEC Environmental Consultants, Inc.

Nathan Goshgarian

Wetland Scientist

Mark Manganello

Assistant Director of Ecological Services

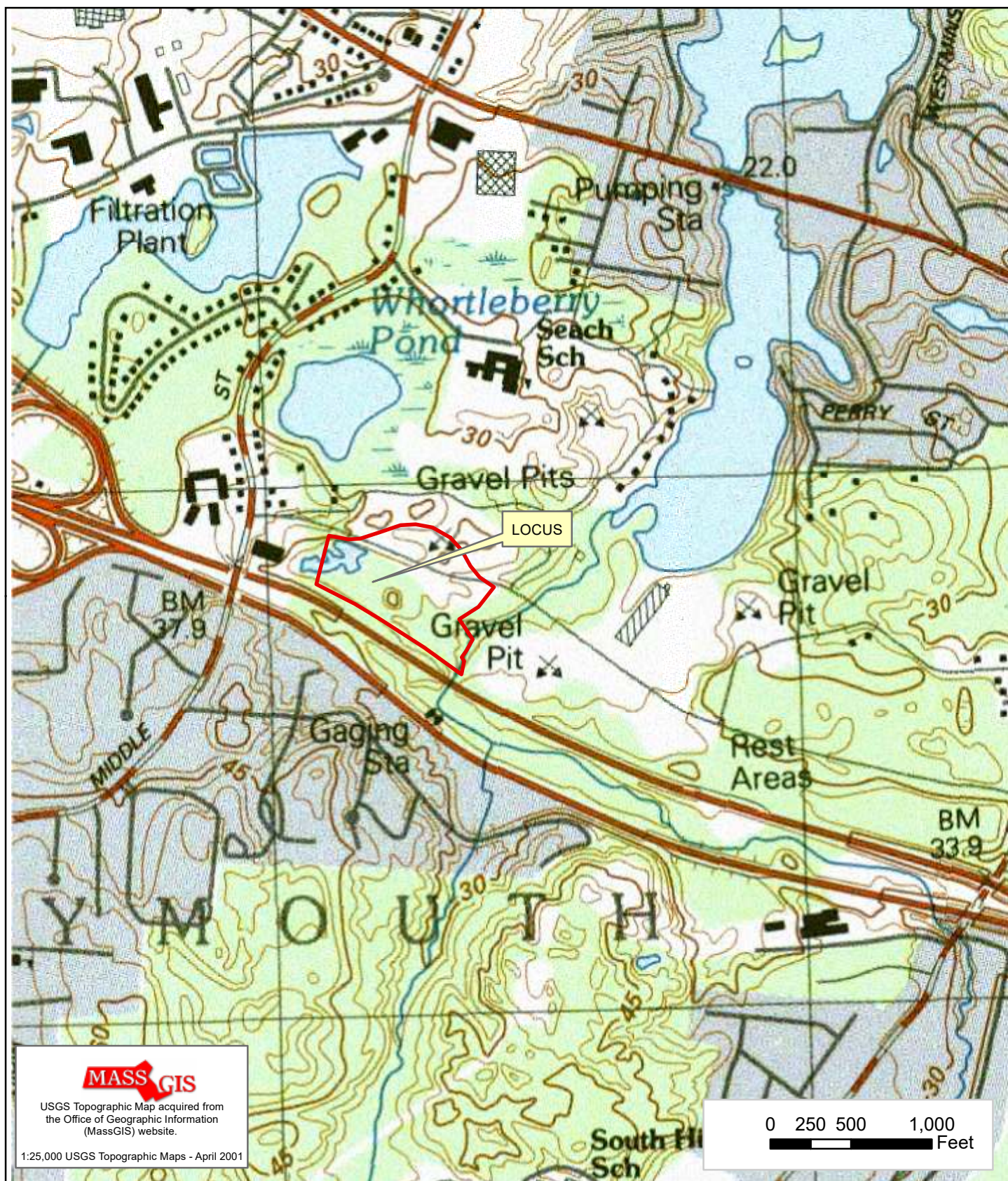
Attachment A

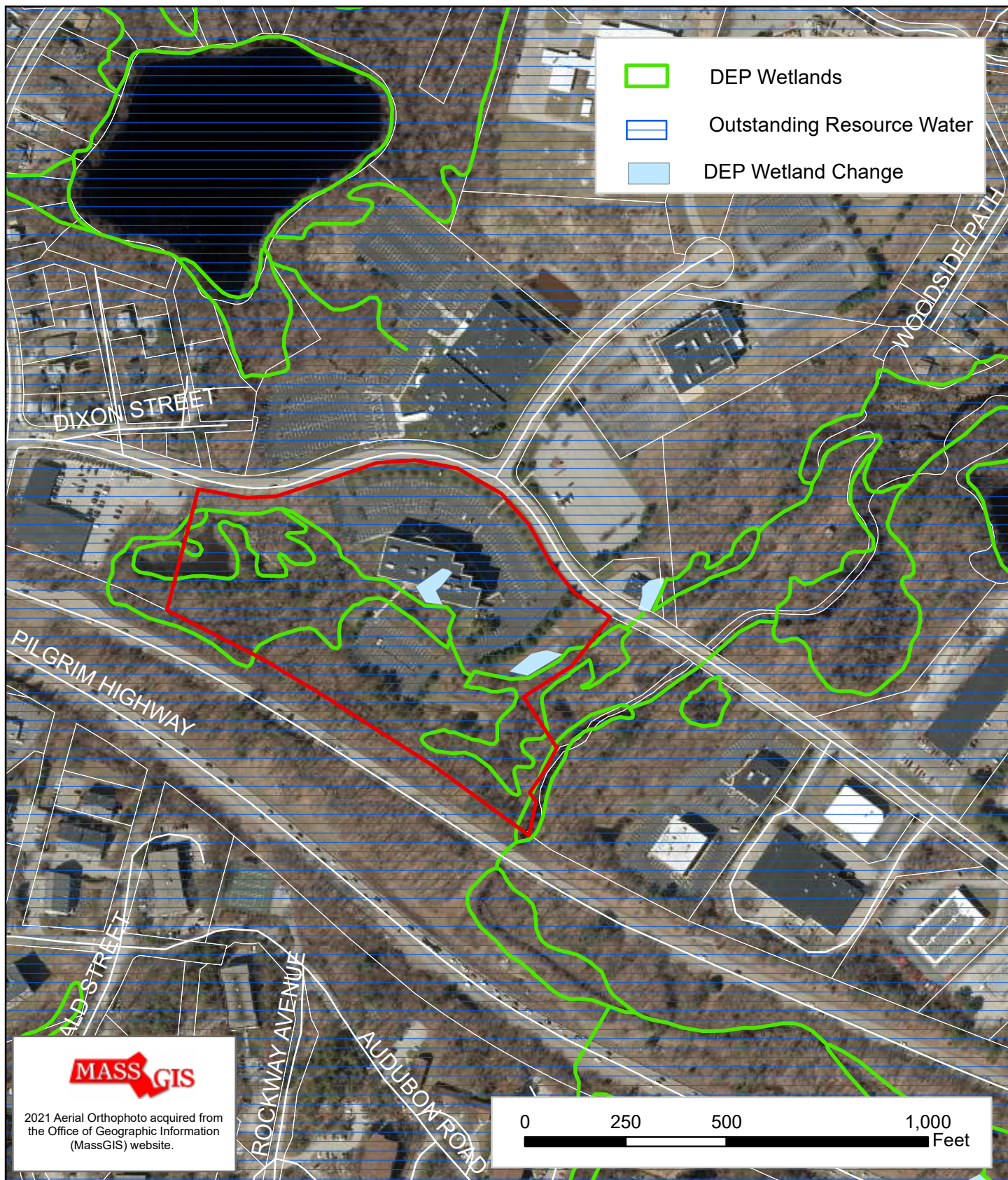
Figure 1: USGS Topographic Map


Figure 2: Aerial Map

Figure 3: NRCS Soil Map

Figure 4: FEMA Flood Insurance Rate Map







LEC Environmental Consultants, Inc.
Plymouth, MA
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Figure 2: Aerial Orthophoto Map
97 Libbey Parkway
Weymouth, Massachusetts


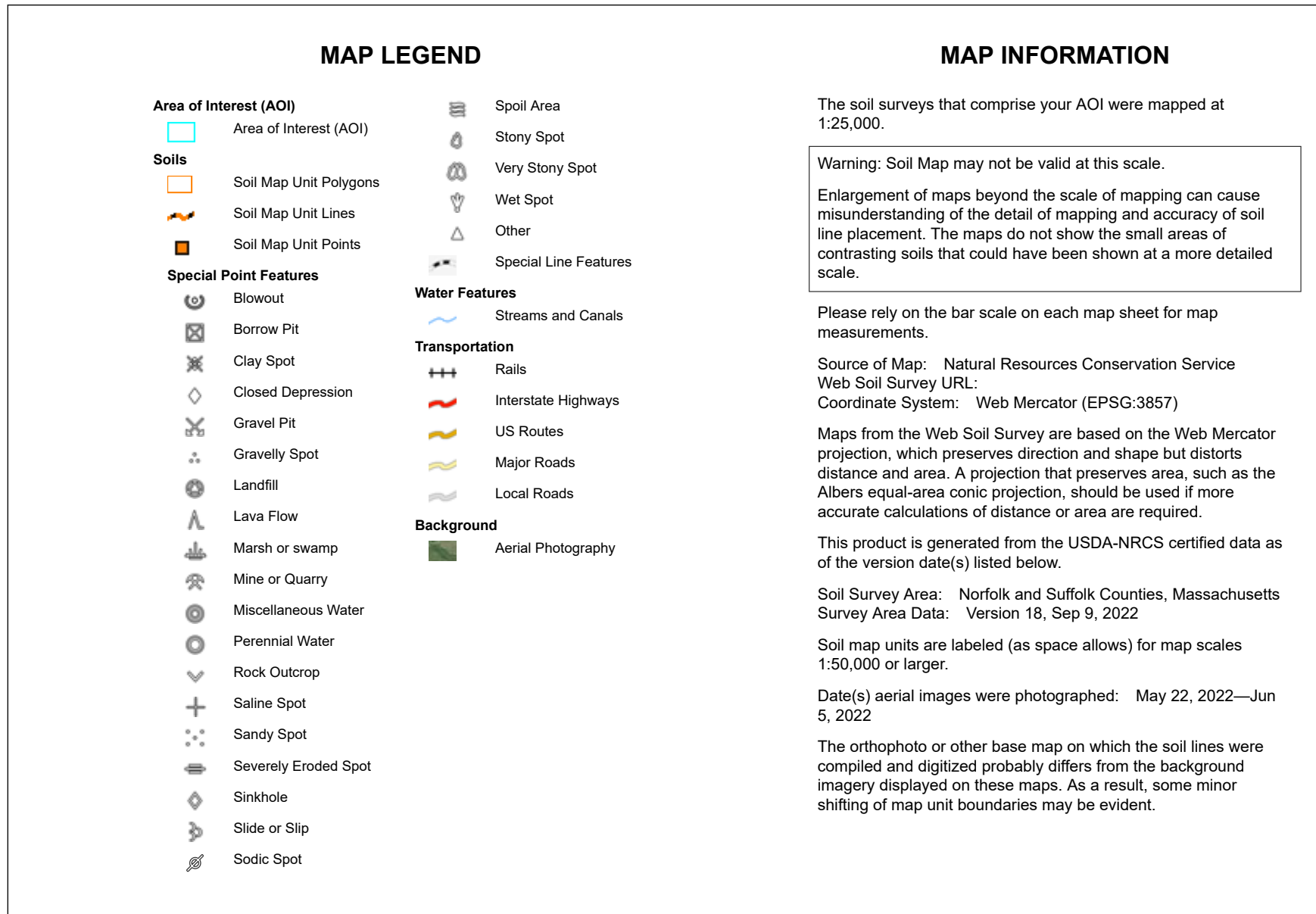
N

, 2022

Figure 3: Soil Map—Norfolk and Suffolk Counties, Massachusetts



Figure 3: Soil Map—Norfolk and Suffolk Counties, Massachusetts



Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
53	Freetown muck, ponded, 0 to 1 percent slopes	1.0	7.9%
245C	Hinckley loamy sand, 8 to 15 percent slopes	3.3	25.9%
254C	Merrimac fine sandy loam, 8 to 15 percent slopes	3.8	29.5%
653	Udorthents, sandy	4.7	36.7%
Totals for Area of Interest		12.8	100.0%

Attachment B

DEP Field Data Forms

Applicant: **FoxRock Pedestrian Bridge Replacement.** Prepared by: **Nate Goshgarian (LEC)** Project location: **97 Libbey Pkwy. Weymouth MA** DEP File #: **NA**

Check all that apply:

Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only

X Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II

Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: 2		Transect Number: 1	Date of Delineation: 11/29/2022
A. Sample Layer & Plant Species	B. Percent Cover	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*

CANOPY

ash (<i>Fraxinus sp.</i>)	63	61	YES	FAC*
red maple (<i>Acer rubrum</i>)	20.5	20	YES	FACW*
tree of heaven (<i>Ailanthus altissima</i>)	20.5	20	YES	UPL

SHRUB

Japanese knotweed (<i>Reynoutria japonica</i>)	85.5	100	YES	UPL
--	------	-----	-----	-----

GROUND

garlic mustard (<i>Alliaria petiolata</i>)	10.5	100	YES	FACU
--	------	-----	-----	------

VINES

Asiatic bittersweet (<i>Celastrus orbiculatus</i>)	3	100	YES	FACU
--	---	-----	-----	------

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

Vegetation conclusion:

Number of dominant wetland indicator plants: 2

Number of dominant non-wetland indicator plants: 4

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes **no**

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

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? yes no
title/date: NRCS Websoil Survey/ Version 17, Sept 3, 2021
map number:
soil type mapped: Merrimac-Urban land complex. 0 to 8 percent
slopes

hydric soil inclusions: **No.**

Are field observations consistent with soil survey? yes no
Generally, observations are consistent
Remarks:
Field observations generally consistent.

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-"24	10YR 3/2 (SL)	No

Remarks:
Test pit dug utilizing a hand-held Dutch style auger

3. Other:

Conclusion: Is soil hydric? yes no

Other Indicators of Hydrology: (check all that apply & describe)

- ☐ Site Inundated: _____
- ☐ Depth to free water in observation hole: _____
- ☐ Depth to soil saturation in observation hole: _____
- ☐ Water marks: _____
- ☐ Drift lines: _____
- ☐ Sediment Deposits: _____
- ☐ Drainage patterns in BVW: _____
- ☐ Oxidized rhizospheres: _____
- ☐ Water-stained leaves: Yes _____
- ☐ Recorded Data (streams, lake, or tidal gauge; aerial photo; other):

- ☐ Other: _____

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ # of non-wetland indicator plants		x
Wetland hydrology present:		
Hydric soil present		x
Other indicators of hydrology present		x

Sample location is in a BVW

Submit this form with the Request for Determination of Applicability or Notice of Intent.

Applicant: **FoxRock Pedestrian Bridge Replacement** Prepared by: **Nate Goshgarian (LEC)** Project location: **97 Libbey Pkwy, Weymouth, MA** DEP File #: **NA**

Check all that apply:

Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only

X Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II

Method other than dominance test used (attach additional information)

Section I.

Vegetation	Observation Plot Number: 1		Transect Number: 1	Date of Delineation: 11/29/2022
A. Sample Layer & Plant Species	B. Percent Cover	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*

CANOPYred maple (*Acer rubrum*)

63

75

YES

FAC*

ash (*Fraxinus sp.*)

20.5

24

YES

FACW*

SAPLINGred maple (*Acer rubrum*)

20.5

100

YES

FAC*

SHRUBsilky dogwood (*Cornus amomum*)

63

61

YES

FACW*

arrowwood (*Viburnum dentatum*)

20.5

20

YES

FAC*

spicebush (*Lindera benzoin*)

10.5

20

YES

FACW*

GROUNDsensitive fern (*Onoclea sensibilis*)

20.5

100

YES

FACW*

VINEpoison ivy (*Toxicodendron radicans*)

3

100

YES

FAC*

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

Vegetation conclusion:

Number of dominant wetland indicator plants: 8

Number of dominant non-wetland indicator plants: 0

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? yes no

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

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? yes no
title/date: NRCS Websoil Survey/ Version 17, Sept 3, 2021
map number:
soil type mapped: Hinkley loamy sand. 8-15 percent slopes.

hydric soil inclusions: **No**

Are field observations consistent with soil survey? yes no
Generally, observations are consistent
Remarks: Field observations generally consistent.

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
Oe	1-0		
A	0-24"	10YR 2/1 (MMOD SL)	Yes @ 4"

Remarks:
Test pit dug utilizing a hand-held Dutch style auger

3. Other:

Conclusion: Is soil hydric? yes no

Other Indicators of Hydrology: (check all that apply & describe)

- ☐ Site Inundated: _____
- ☐ Depth to free water in observation hole: 4"
- ☐ Depth to soil saturation in observation hole: 0"
- ☐ Water marks: _____
- ☐ Drift lines: _____
- ☐ Sediment Deposits: _____
- ☐ Drainage patterns in BVW: _____
- ☐ Oxidized rhizospheres: _____
- ☐ Water-stained leaves: Yes _____
- ☐ Recorded Data (streams, lake, or tidal gauge; aerial photo; other):

- ☐ Other: _____

Vegetation and Hydrology Conclusion

	Yes	No
Number of wetland indicator plants ≥ # of non-wetland indicator plants	X	
Wetland hydrology present:		
Hydric soil present	X	
Other indicators of hydrology present	X	
Sample location is in a BVW	X	

Submit this form with the Request for Determination of Applicability or Notice of Intent.

SITE ACCESS AUTHORIZATION

DATE: March 16, 2023

PROJECT: 97 Libbey Industrial Parkway Pedestrian Bridge Replacement

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

FROM: FoxRock Weymouth AT Realty, LLC

LOCATION: 97 Libbey Industrial Parkway
(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:** 3/16/23

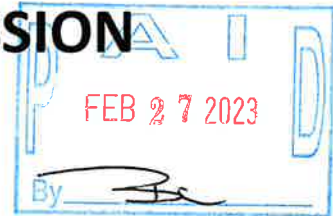
FoxRock Properties LLC on behalf of
FoxRock Weymouth AT Realty LLC

Town of Weymouth



ABUTTERS LIST ORDER FORM for CONSERVATION COMMISSION

Date: 2/27/23



1) Subject Identification
(Address and Parcel #)

97 Libbey Industrial Parkway
Parcel ID #: 33-432-2

Cool
13

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

Ryan Thackeray - rdt@gainc.com

4) Telephone Number

774-578-5952

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)

REV. 01/2018

2/28/2023

PARCEL #	LOCATION	OWNER NAME/ADDRESS	CERTIFIED	
			YES	NO
MAP: 33 BLOCK: 430 LOT: 43 EXT: 0	35 DIXON ST	CASSIDY JL & CASSIDY JA SR LE CASSIDY K I & J A JR TIC 60 HOBSON AVE WEYMOUTH, MA, 02188	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 33 BLOCK: 432 LOT: 3 EXT: 0	0 LIBBEY IND PKY	TOWN OF WEYMOUTH 75 MIDDLE ST WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 33 BLOCK: 433 LOT: 8 EXT: 0	0 LIBBEY IND PKY	FOXROCK PERFORMANCE RLTY, LLC C/O FOXROCK PROPERTIES LLC P O BOX 690528 QUINCY, MA, 02169	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 34 BLOCK: 433 LOT: 18 EXT: 0	0 LIBBEY IND PKY	TOWN OF WEYMOUTH SEWER DEPT 75 MIDDLE ST WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 33 BLOCK: 433 LOT: 4 EXT: 0	90 LIBBEY IND PKY	FOXROCK LIBBEY REALTY LLC C/O FOXROCK PROPERTIES LLC P O BOX 690528 QUINCY, MA, 02169	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 33 BLOCK: 432 LOT: 2 EXT: 0	97 LIBBEY IND PKY	FOXROCK WEYMOUTH AT REALTY LLC C/O FOXROCK PROPERTIES LLC P O BOX 690528 QUINCY, MA, 02169	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 38 BLOCK: 435 LOT: 7 EXT: 163	163 LIBBEY IND PKY	LIBBEY INDUSTRIAL PARKWAY LLC 15 SCOTLAND BLVD BRIDGEWATER, MA, 02324	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 38 BLOCK: 435 LOT: 7 EXT: 169	169 LIBBEY IND PKY	GOLDBERG MICHAEL A /TR MARTINBERG REALTY TRUST 169 LIBBEY IND PKY WEYMOUTH, MA, 02189	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 33 BLOCK: 432 LOT: 1 EXT: 0	944 MIDDLE ST	FOXROCK LIBBEY CORNER REALTY, LLC C/O FOXROCK PROPERTIES LLC PO BOX 690528 QUINCY, MA, 02169	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MAP: 34 BLOCK: 433 LOT: 17 EXT: 0	7 PERFORMANCE DR	FOXROCK WEYMOUTH AT REALTY LLC C/O FOXROCK PROPERTIES LLC P O BOX 690528 QUINCY, MA, 02169	<input checked="" type="checkbox"/>	<input type="checkbox"/>

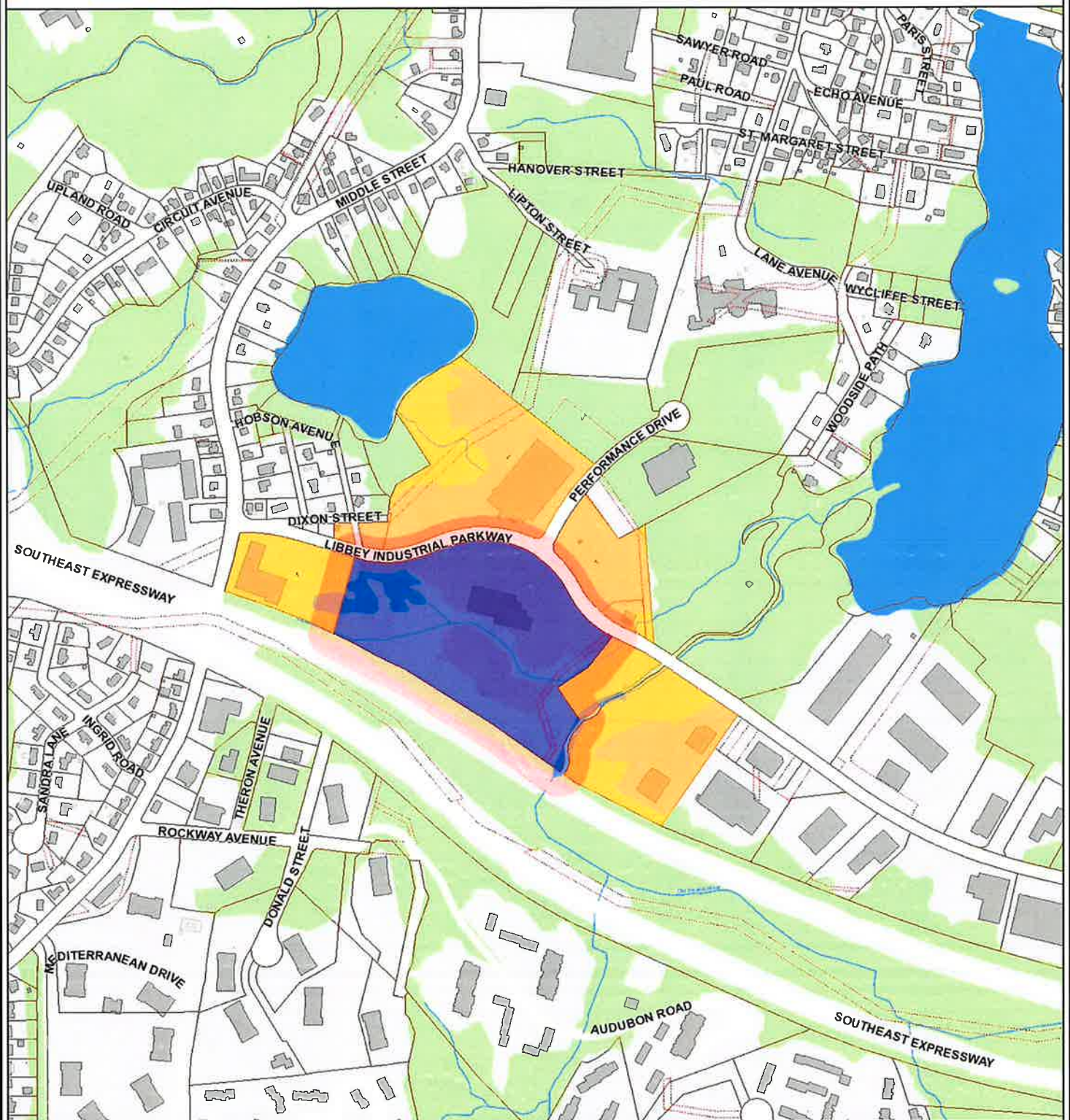
2/28/2023

PARCEL #	LOCATION	OWNER NAME/ADDRESS	CERTIFIED	
			<u>YES</u>	<u>NO</u>

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 November 2022.

Prepared by:

Reviewed by:



- 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" = 557 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.

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 FoxRock Weymouth AT Realty LLC
- 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:
- 97 Libbey Industrial Parkway
Replacement-in-kind of a 80' long prefabricated pedestrian bridge that connects the
parking lot to the building.
- 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) 335-6465 contact person Ryan Thackeray - rdt@gainc.com
- between the hours of: 8:30 AM - 5 PM on the following days of the week: M-F
- F. Information regarding the date, time, and place of the public hearing may be obtained from:
- Weymouth Conservation Commission
- By calling this telephone number: 781-340-5007
- Between the hours of: 8:30 – 4:30 Mon. though Friday
- G. Check One: This is the Applicant
This is the Applicant's Representative
Other (specify) Town of Weymouth Conservation Commission

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

AFFIDAVIT OF SERVICE

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

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

I Ryan Thackeray hereby certify under the
pains and penalties of perjury that on 3/20 (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

FoxRock Weymouth AT Realty LLC

With the **Town of Weymouth Conservation Commission** on 3/21
(Date)

For property located at 97 Libbey Industrial Parkway

Shown on Assessors Map# 33 Block # 432 Lot# 2

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

3/20
Date



1C 99



Certificate of Mailing
This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing.
This form may be used for domestic and international mail.

From: **GALE ASSOCIATES, INC.**
163 LIBBEY PARKWAY
WEYMOUTH, MA 02189

To: **FOX ROCK WEYMOUTH REALTY**
P.O. BOX 690528
QUINCY MA 02169

PS Form 3817, April 2007 PSN 7530-02-000-9065

U.S. POSTAGE PAID
FCM LETTER
SOUTH WEYMOUTH, MA
02190
MAR 20, 23
AMOUNT
\$1.85
R2303S102065-10



1C 99



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From: **GALE ASSOCIATES, INC.**
163 LIBBEY PARKWAY
WEYMOUTH, MA 02189

To: **Town of Weymouth**
75 Middle Street
Weymouth, MA 02189

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From: **GALE ASSOCIATES, INC.**
163 LIBBEY PARKWAY
WEYMOUTH, MA 02189

To: **FOXROCK Performance RLTY**
c/o FOXROCK Properties
P.O. Box 690528
QUINCY, MA 02169

PS Form 3817, April 2007 PSN 7530-02-000-9065

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From: **GALE ASSOCIATES, INC.**
163 LIBBEY PARKWAY
WEYMOUTH, MA 02189

To: **CASSIDY JL & CASSIDY JA SR**
60 HOBSON AVENUE
WEYMOUTH, MA 02188

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From: **GALE ASSOCIATES, INC.**
163 LIBBEY PARKWAY
WEYMOUTH, MA 02189

To: **Goldberg Michael A / TR**
MARTIN Berg realty TRUST
169 Libbey Ind. PKY
WEYMOUTH, MA 02189

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From: **GALE ASSOCIATES, INC.**
163 LIBBEY PARKWAY
WEYMOUTH, MA 02189

To: **FOXROCK Libbey Corner**
FOXROCK properties LLC
P.O. Box 690528
QUINCY, MA 02169

PS Form 3817, April 2007 PSN 7530-02-000-9065

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WEYMOUTH, MA 02189

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From: **GALE ASSOCIATES, INC.**
163 LIBBEY PARKWAY
WEYMOUTH, MA 02189

To: **TOWN of Weymouth**
SEWER Dept.
75 middle street
Weymouth, MA 02189

PS Form 3817, April 2007 PSN 7530-02-000-9065



U.S. POSTAGE PAID
FCM LETTER
SOUTH WEYMOUTH, MA
02190
MAR 20 23
AMOUNT
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R2303S102065-10



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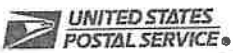
From: **GALE ASSOCIATES, INC.**
163 LIBBEY PARKWAY
WEYMOUTH, MA 02189

To: **FOXROCK Libbey Realty**
c/o Foxrock properties
P.O. BOX 690528
QUINCY, MA 02169

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From: **GALE ASSOCIATES, INC.**
163 LIBBEY PARKWAY
WEYMOUTH, MA 02189

To: **Libbey industrial parkway**
15 Scotland blvd
Bridgewater, MA
02322



U.S. POSTAGE PAID
FCM LETTER
SOUTH WEYMOUTH, MA
02190
MAR 20 23
AMOUNT
\$1.85
R2303S102065-10