

TOWN OF WEYMOUTH

NOTIFICATION TO ABUTTERS UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT AND LOCAL WETLANDS PROTECTION ORDINANCE, CHAPTER 7, SECTION 30I

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 Julie Hacket
- 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:

73 Regatta Road - remove and replace an existing
stacked block retaining wall at the rear of the
residence.

- 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 781-335-1464 contact person Shawn Hardy
between the hours of: 8 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.



1285 Washington Street,
Weymouth, MA 02189

April 5, 2023

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

RE: 73 Regatta Road
Notice of Intent

Dear Members:

Attached, please find Notice of Intent (NOI) submittal materials for construction at the referenced location. The proposal seeks to reconstruct the existing failing block retaining wall at the rear of the residence. The subject property is located at 109 Regatta Road in Weymouth, Massachusetts. Assessor's records designate the lot as 2-12-15.

The subject site is located at 73 Regatta Road in Weymouth, between Baylee Road and Great Hill Rd. To the rear of the lot is a Coastal Bank associated with the Weymouth Fore River, as depicted on the plans. The existing site has a single-family residential dwelling. To the rear of the residence is an existing concrete block wall approximately 4-feet away from the top of coastal bank. It appears that the wall was constructed without a geogrid tie-back, and has become unstable and needs repair.

This NOI application seeks to formally repair the failing retaining wall. The plan is to dismantle the existing block wall and reconstruct it in accordance with the attached structural drawings. Erosion controls will be installed in accordance with the proposed plans and will remain in place until the lawn is reseeded and stabilized upon completion of the work.

In summary, this proposal seeks to repair a failing retaining wall adjacent to a Coastal Bank. We feel that these repairs are required to ensure the stability of the bank, maintain public safety, and protect the existing property. 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'.

Shawn P. Hardy, PE

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

1. Project Location 73 Regatta Rd
2. Town of Weymouth Atlas Reference (Parcel #) 2-12-15
3. Project Description Replace retaining wall
4. County, Norfolk: Book 36936 Page 540
5. *Applicant Hardy & Man Design *Telephone# 781-335-1464
6. *Applicant Address 1285 Washington St. Weymouth, MA 02189
7. Property Owner Julie A Hackett Trust 2007
8. Representative _____ Telephone# _____
9. Representative's Address _____
10. Billing Party for Legal Notice (All info is required):
Name: Shawn Hardy
Address: 1285 Washington St Weymouth MA 02189
Home Phone: 781-335-1464 Cell: _____
Email address: shardy@hardymandesign.com
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

Julie A. Hackett
Signature

3/31/23
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

SITE ACCESS AUTHORIZATION

DATE: 3/31/2023

PROJECT: 73 Regatta Rd retaining wall repair

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

FROM: Julie Hackett

LOCATION: 73 Regatta Rd.
(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: Julie S. Hackett DATE: 3/31/23



Massachusetts Department of Environmental Protection

eDEP Transaction Copy

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: **ZDIECK**

Transaction ID: **1529589**

Document: **WPA Form 3 - NOI**

Size of File: **248.07K**

Status of Transaction: **Submitted**

Date and Time Created: **4/5/2023:1:02:36 PM**

Note: This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

WPA Form 3 - Notice of Intent

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

Provided by MassDEP:

MassDEP File #:

eDEP Transaction #:1529589

City/Town:WEYMOUTH

A.General Information

1. Project Location:

a. Street Address	REGATTA ROAD	c. Zip Code	02191
b. City/Town	WEYMOUTH	e. Longitude	70.94156W
d. Latitude	42.25187N	g.Parcel/Lot #	12-15
f. Map/Plat #	2		

2. Applicant:

Individual Organization

a. First Name	ZACHARY	b. Last Name	DIECK
c. Organization	HARDY + MAN DESIGN GROUP, PC		
d. Mailing Address	1285 WASHINGTON STREET		
e. City/Town	WEYMOUTH	f. State	MA
g. Zip Code	02189		
h. Phone Number	781-335-1464	i. Fax	
j. Email	zdieck@hardymandesign.com		

3. Property Owner:

more than one owner

a. First Name	JULIE	b. Last Name	HACKETT
c. Organization	JULIE A HACKETT TRUST 2007		
d. Mailing Address	73 REGATTA RD		
e. City/Town	WEYMOUTH	f. State	MA
g. Zip Code	02191		
h. Phone Number		i. Fax	
j. Email			

4. Representative:

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

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

a. Total Fee Paid	110.00	b. State Fee Paid	42.50	c. City/Town Fee Paid	67.50
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6. General Project Description:

REPLACING RETAINING WALL

7a. Project Type:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial |
| 5. <input type="checkbox"/> Dock/Pier | 6. <input type="checkbox"/> Utilities |
| 7. <input type="checkbox"/> Coastal Engineering Structure | 8. <input type="checkbox"/> Agriculture (eg., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation | 10. <input type="checkbox"/> Other |

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

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1. Yes No If yes, describe which limited project applies to this project:

2. Limited Project

8. Property recorded at the Registry of Deeds for:

a. County:	b. Certificate:	c. Book:	d. Page:
NORFOLK		36836	540

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

1. Buffer Zone & Resource Area Impacts (temporary & permanent):

This is a Buffer Zone only project - Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.

2. Inland Resource Areas: (See 310 CMR 10.54 - 10.58, if not applicable, go to Section B.3. Coastal Resource Areas)

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	
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if any)	
2. Width of Riverfront Area (check one)	<input type="checkbox"/> 25 ft. - Designated Densely Developed Areas only	
	<input type="checkbox"/> 100 ft. - New agricultural projects only	
	<input type="checkbox"/> 200 ft. - All other projects	
3. Total area of Riverfront Area on the site of the proposed project		square feet
4. Proposed Alteration of the Riverfront Area:		
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
5. Has an alternatives analysis been done and is it attached to this NOI?		<input type="checkbox"/> Yes <input type="checkbox"/> No

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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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)

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 Beaches	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
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, crea.
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

Restoration/Replacement

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 entered the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5. Projects Involves Stream Crossings

Project Involves Streams Crossings

If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

Massachusetts Department of Environmental Protection

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Provided by MassDEP:

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a. number of new stream crossings

b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage of Endangered Species program (NHESP)?

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

b. Date of map:FROM MAP VIEWER

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)...

c. Submit Supplemental Information for Endangered Species Review * (Check boxes as they apply)

1. Percentage/acreage of property to be altered:

(a) within Wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

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

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

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

b. Photographs representative of the site

c. MESA filing fee (fee information available at: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>)

Make check payable to "Natural Heritage & Endangered Species Fund" 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

d. 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/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; 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 Number

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.

Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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Provided by MassDEP:

MassDEP File #:

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City/Town:WEYMOUTH

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

2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?
- a. Not applicable - project is in inland resource area only
- b. Yes No

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

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 S. Rodney French Blvd
New Bedford, MA 02744

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

If yes, it 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.

3. 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 DEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC Name

4. 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

5. 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

6. 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, Explain why the project is exempt:

1. Single Family Home
2. Emergency Road Repair
3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family

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City/Town:WEYMOUTH

housing project) with no discharge to Critical Areas.

D. Additional Information

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 by regular mail delivery.

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

a. Plan Title: **b. Plan Prepared By:** **c. Plan Signed/Stamped By:** **c. Revised Final Date:** **e. Scale:**

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.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 3 - Notice of Intent
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:
eDEP Transaction #:1529589
City/Town:WEYMOUTH

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

3. Check date

4. State Check Number

5. Check date

6. Payer name on check: First Name

7. Payer name on check: Last Name

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.

Stawn Hardy
1. Signature of Applicant

4/5/2023
2. Date

Julie Hackett
3. Signature of Property Owner(if different)

4/5/2023
4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

If the applicant has checked the "yes" box in Section C, Items 1-3, 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
WPA Form 3 - Notice of Wetland Fee Transmittal
Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 MassDEP File #:
 eDEP Transaction #:1529589
 City/Town:WEYMOUTH

A. Applicant Information

1. Applicant:

a. First Name ZACHARY b. Last Name DIECK
 c. Organization HARDY + MAN DESIGN GROUP, PC
 d. Mailing Address 1285 WASHINGTON STREET
 e. City/Town WEYMOUTH f. State MA g. Zip Code 02189
 h. Phone Number 7813351464 i. Fax j. Email zdieck@hardymandesign.com

2. Property Owner: (if different)

a. First Name JULIE b. Last Name HACKETT
 c. Organization JULIE A HACKETT TRUST 2007
 d. Mailing Address 73 REGATTA RD
 e. City/Town WEYMOUTH f. State MA g. Zip Code 02191
 h. Phone Number i. Fax j. Email

3. Project Location:

a. Street Address REGATTA ROAD b. City/Town WEYMOUTH

Are you exempted from Fee?

Note: Fee will be exempted if you are one of the following:

- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

State agencies are only exempt if the fee is less than \$100

B. Fees

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
				0.00
A.) WORK ON SINGLE FAMILY LOT; ADDITION, POOL, ETC.;	1	110.00		110.00
		City/Town share of filing fee	State share of filing fee	Total Project Fee
		\$67.50	\$42.50	\$110.00