

## MATTHEW S. MARRO ENVIRONMENTAL CONSULTING

---

45 Lisa Drive  
Leominster, Ma  
Phone (978) 314-7858  
Fax (888) 435-5999  
[www.marro-consulting.com](http://www.marro-consulting.com)

# **A Notice of Intent 79 Shaker Road Harvard, MA 01462**

**Environmental Analysis Submitted on Behalf of Ann Deboalt**

Matthew S. Marro  
Environmental  
Consulting  
**(MSMEC)**  
45 Lisa Drive  
Leominster, MA  
01453  
[matt@marro-consulting.com](mailto:matt@marro-consulting.com)  
[irene@marro-consulting.com](mailto:irene@marro-consulting.com)  
[www.marro-consulting.com](http://www.marro-consulting.com)

March 2024

Table of Contents

Introduction ..... 3

Proposed Construction and Mitigation Sequencing..... 3-6

GIS /USGS overlay..... 7-11

WPA form 3 ..... 12-24

Abutter Notification Materials... .. 25-30

Harvard Local Forms.....31-38

Plans by Innovative Septic Design ..... 39

## Introduction

### Summary

79 Shaker Road is a single-family home sitting on a 0.58-acre lot. The project proposal is for the replacement of a septic within the 100-foot buffer zone and 200 foot riverfront (outer Riparian Zone of Bennett Brook). Analysis of the lot reveals, excavation and minimal grading to accommodate the system within the limits of the 100-foot buffer zone and outer Riparian Zone. No work is proposed within the limits of a bordering vegetated wetland. There will be four trees to be removed at the edge of the 100 foot buffer zone. Work will take place within an existing developed area within the buffer/riparian zone to accommodate the replacement, approved by the Board of Health, in Compliance with Title V. This proposal of a septic replacement within the buffer zone/outer riparian necessitates the filing of a Notice of Intent. Due to requirements of the Board of Health, some minimal grading will traverse within the 50 foot setback as noted under section 147-12 of local wetland regulation, therefore a waiver is requested from this provision to allow for the minor grading.

### Specifics of the lot

The lot is a 0.58-acre lot with approximately 85% of the lot being developed. The lot does contain flood plain, however, there is no work requested within its limits. There is not a certified vernal pool, an area of Critical Environmental Concern nor rare species habitat present. The lot does contain river front according to the enclosed USGS map. The addition has been optimally sited to allow for compliance with local regulation regarding work within 200 feet of a wetland resource area. The total disturbance is 1,550 square feet. It is noted that work will take place within the existing developed area. The site contains a bordering vegetated wetland delineated by Marro Environmental Consulting at the rear of the property noted with flags WF 1 to WF 10 proceeding from a northerly to southerly direction. No other resource area was found on this site.

Table of Riparian zone impacts in square feet:

Component	River Front Outer Riparian	TOTAL
Tank	250	
Septic Main	300	
Leach Field	1,000	1,550

**Commencement of Construction Activities and Timelines:**

All proposed construction is estimated to be completed through to stabilization in a two-week maximum construction schedule. This schedule of course, may be adjusted due to weather related conditions.

**Proposed Construction Mitigation and Sequencing**

The formal plan submitted with this Notice of Intent is entitled "79 Shaker Road. "by Innovative Septic Design dated 2.13.2024, 1 inch = 20 feet scale.

The plan details outline a sequence of work as follows:

- Placement of erosion controls proposed in a manner to maximize protection to the resource area.
- Excavate site for new tank and sewer main.
- Construction of system field.
- Restore disturbed lawn areas.
- Remove erosion controls once areas are stabilized.

**Mitigation Measures:**

The following mitigation measures are proposed and noted on the accompanying plans:

- Minimize newly disturbed areas to limit of work area.
- Erosion control installed prior to ground disturbance.
- Minimize construction duration to within two weeks as a maximum.

## Conclusion.

With the considerations of a limited and minimized work area, optimally located and proposed mitigation for the protection of the resource areas, it is the opinion of Marro Environmental Consulting, the proposal protects the resource areas from permanent alteration. It is noteworthy, the work is within a limited area of the lot and the remainder of the lot will remain in a similar condition as predevelopment. A standard Order of Conditions, adopting the construction sequence and mitigation noted on the accompanying plans is, in our opinion, sufficient to protect the interests of the resource areas and we hope the commission will agree with this assertion and, respectfully on behalf of Anne DeBoalt will approve a standard Order of Conditions.

Thank you for your consideration of this Notice of Intent.

Respectfully Submitted,



Matthew S. Marro,  
Consulting Agent/Principal

Cc: File

Client file

Mass DEP



GIS EXHIBITS

## 79 Shaker Road







79 Shaker Road



January 25, 2024

**Wetlands**

Estuarine and Marine Deepwater	Freshwater Emergent Wetland	Lake
Estuarine and Marine Wetland	Freshwater Forested/Shrub Wetland	Other
	Freshwater Pond	Riverine

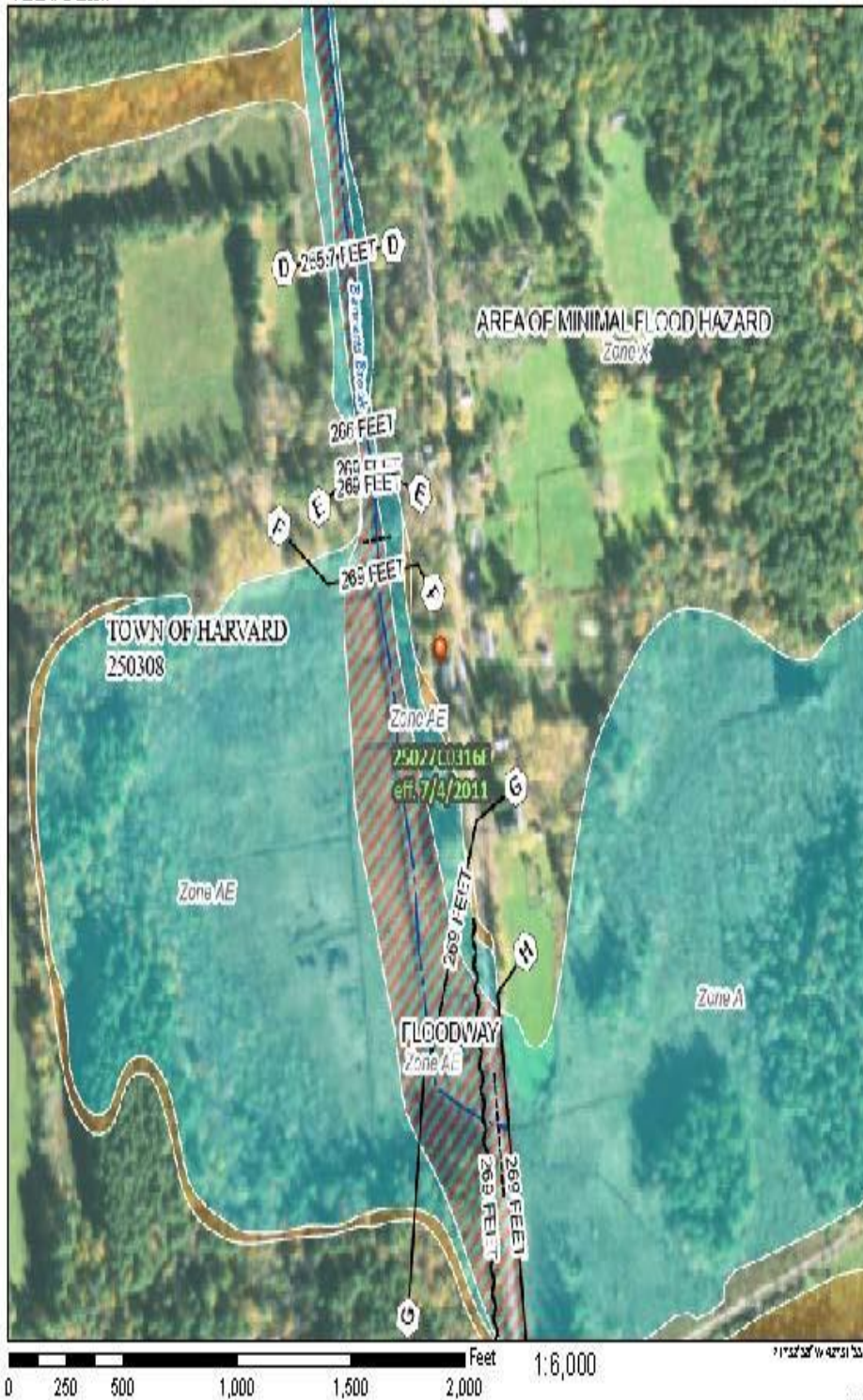
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)  
This page was produced by the NWI mapper

## National Flood Hazard Layer FIRMette



71°32'32" W 42°52'22" N



## Legend

SEE PDF REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE)
	Zone A, V, X2
	With BFE and Depth Zone AE, AO, AH, VC, AR
	Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one foot or with drainage areas of less than one square mile. Zone X
	Future Conditions 1% Annual Chance Flood Hazard. Zone X
	Area with Reduced Flood Risk due to Levee. See Note 1. Zone X
	Area with Flood Risk due to Levee. Zone X
	NO SCREEN Area of Minimal Flood Hazard. Zone X
OTHER AREAS	Effective ID MRs
	Area of Undeveloped Flood Hazard. Zone X
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Retention Wall
OTHER FEATURES	20.2 Cross Sections with 1% Annual Chance
	17.6 Water Surface Elevation
	20.2 Cross Section
	Base Flood Elevation (BFE)
	Line of Study
	Jurisdiction Boundary
OTHER FEATURES	Cross Section Baseline
	Profile Baseline
	Hydrographic Feature
MAP PANELS	Digital Data Available
	No Digital Data Available
	Unmapped
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.	

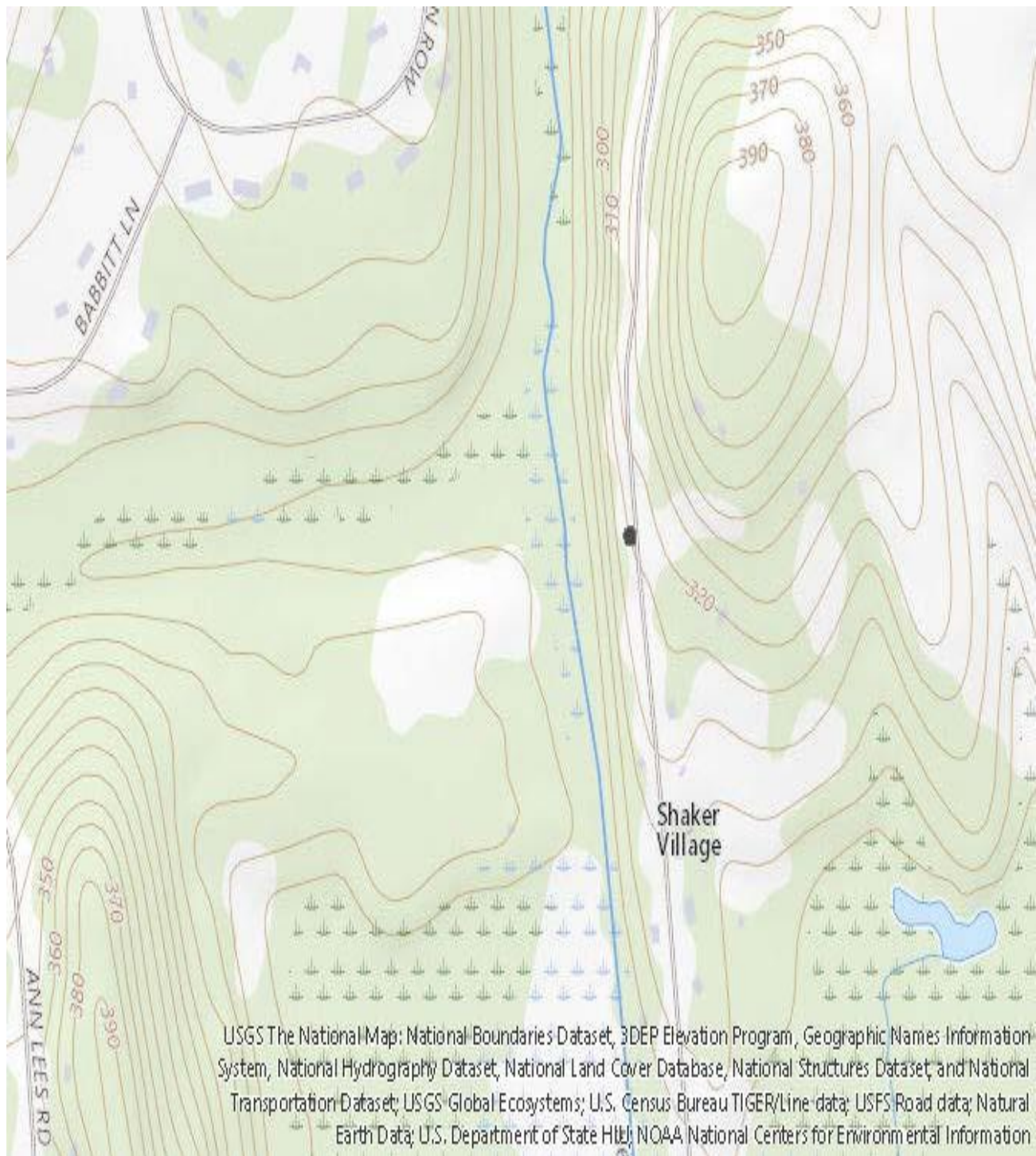
This map complies with FEMA's standards for the use of digital flood maps if it is the map as described below. The base map shown complies with FEMA's base map accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was updated on 3/24/2024 at 3:55 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map is void if the one or more of the following map elements are not present: base map imagery, flood zone labels, legend, scale bar, map creation date, community identifier, FIRM panel number, and FIRM effective date. Map images for unmapped and unincorporated areas cannot be used for regulatory purposes.

## USGS LOCUS









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 Number

Document Transaction Number

Harvard  
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):

79 Shaker Road  
a. Street Address  
Harvard  
b. City/Town  
01451  
c. Zip Code  
Latitude and Longitude:  
42.53552  
d. Latitude  
-71.55450  
e. Longitude  
5  
f. Assessors Map/Plat Number  
30  
g. Parcel /Lot Number

2. Applicant:

Anne  
a. First Name  
Deboalt  
b. Last Name  
c. Organization  
79 Shaker Road  
d. Street Address  
Harvard  
e. City/Town  
MA  
f. State  
01451  
g. Zip Code  
978-697-7096  
h. Phone Number  
i. Fax Number  
annedeboalt@gmail.com  
j. Email Address

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

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):

Matthew S.  
a. First Name  
Marro  
b. Last Name  
Matthew S. Marro Environmental Consulting  
c. Company  
45 Lisa Drive  
d. Street Address  
Leominster  
e. City/Town  
MA  
f. State  
01453  
g. Zip Code  
978-314-7858  
h. Phone Number  
775-521-7083  
i. Fax Number  
matt@marro-consulting.com/irene@marro-consulting.com  
j. Email address

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

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



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 Number

Document Transaction Number

Harvard

City/Town

#### A. General Information (continued)

6. General Project Description:

Refer to Narrative

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

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Single Family Home                        | 2. <input checked="" 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:

Worcester

a. County

5305

c. Book

b. Certificate # (if registered land)

163

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.



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 Number

Document Transaction Number

Harvard

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 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 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 checked="" type="checkbox"/> Riverfront Area	<b>Bennetts Brook (inland)</b> 1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

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: 25,265  
square feet

4. Proposed alteration of the Riverfront Area:

1,550	0	1,550
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? ☐ 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.





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 Number

Document Transaction Number

Harvard

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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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 _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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. <input type="checkbox"/> 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. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings _____	b. number of replacement stream crossings _____



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 Number

Document Transaction Number

Harvard

City/Town

### 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 Limited Project Checklists – Required Actions (310 CMR 10.11).

#### 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 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](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

March 2024 Mass  
GIS

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).*

- c. Submit Supplemental Information for Endangered Species Review\*

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

2. ☐ 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 \*\*

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

(b) ☐ Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/ma-endangered-species-act-mesa-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.



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 Number

Document Transaction Number

Harvard

City/Town

#### C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

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

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



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 Number

Document Transaction Number

Harvard

City/Town

### 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 or 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 to the boundaries of each affected resource area.



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 Number

Document Transaction Number

Harvard

City/Town

#### 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.

79 Shaker Road

a. Plan Title

Innovative Septic Design

b. Prepared By

2.13.24

d. Final Revision Date

Evan Carloni

c. Signed and Stamped By

20

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

3. Check date

4. State Check Number

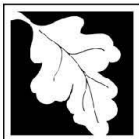
5. Check date

Matthew

Marro

6. Payor name on check: First Name

7. Payor name on check: Last Name



**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 Number

Document Transaction Number

Harvard

City/Town

### 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 Anne S DeBaait

2. Date 3/16/24

3. Signature of Property Owner (if different)

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 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:

79 Shaker Road  
 a. Street Address  
 Harvard  
 b. City/Town  
 70.00  
 c. Check number  
 d. Fee amount

2. Applicant Mailing Address:

Anne  
 a. First Name  
 DeBoalt  
 b. Last Name  
 c. Organization  
 79 Shaker Road  
 d. Mailing Address  
 Harvard  
 e. City/Town  
 MA  
 f. State  
 01451  
 g. Zip Code  
 978-697-7096  
 h. Phone Number  
 i. Fax Number  
 annedeboalt@gmail.com  
 j. Email Address

3. Property Owner (if different):

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

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

### 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.



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 1 Septio Replacement	1	110	110
River front multiplier	1	55	55

Step 5/Total Project Fee: \_\_\_\_\_

**Step 6/Fee Payments:**

Total Project Fee:	165.00
	a. Total Fee from Step 5
State share of filing Fee:	70.00
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	95.00
	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.)





## Assessor Record



**Abutters List Report**  
Town of Harvard, MA

Date: January 30, 2024

Parcel Number: 005-030-000-000

Property Address: 79 Shaker Rd

Abutters To: 300ft

The above Certified Abutters List is a true copy of the records in the Town of Harvard Assessor's office for the last known names and addresses of owners of land located within the above stated range of the subject property.

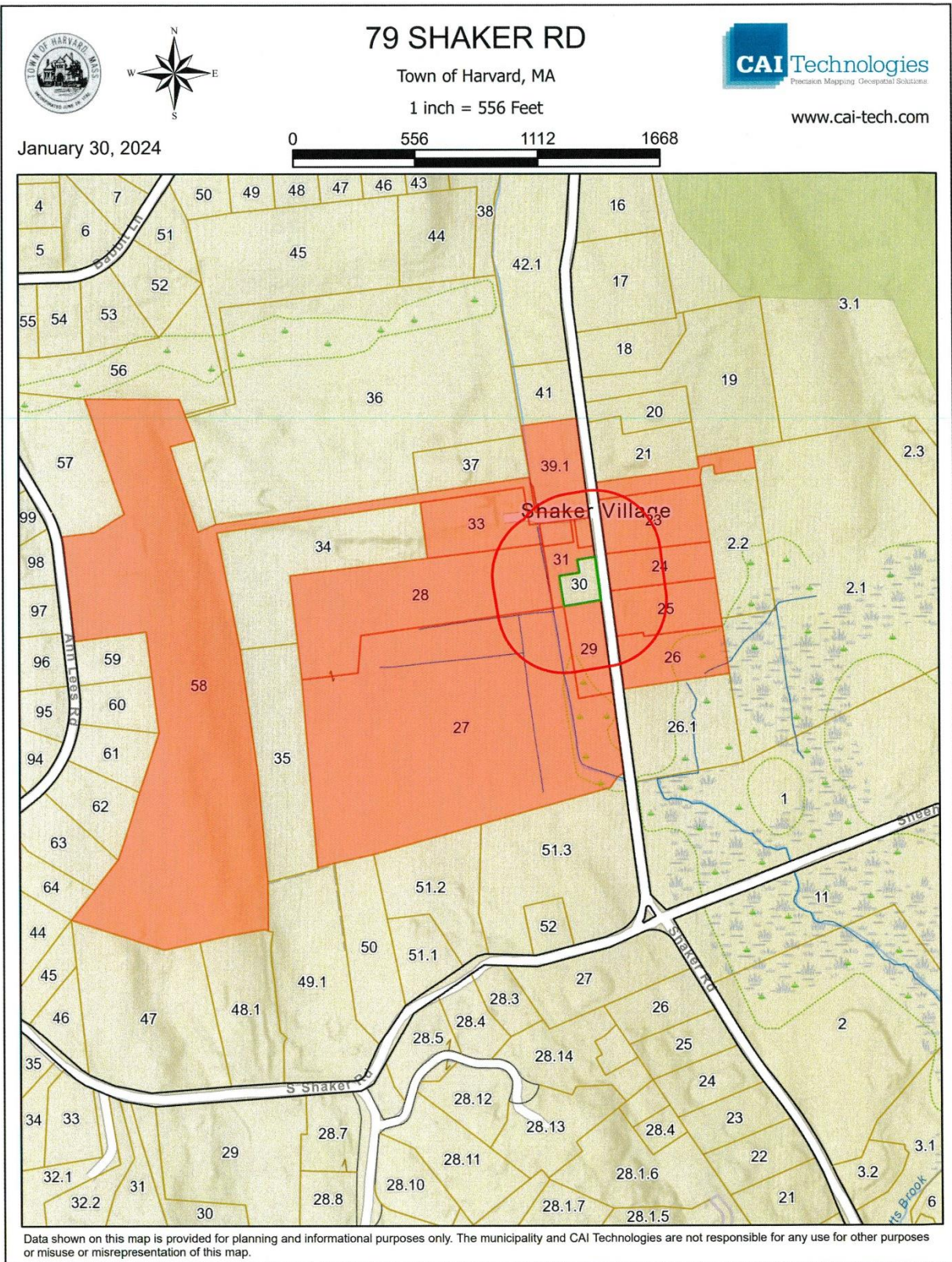
Signed: \_\_\_\_\_

Date: \_\_\_\_\_

1/30/24

Carol Dearborn  
Assistant Assessor  
(978) 456-4100 x315

FINANCE DEPARTMENT - ACCOUNTANT, ASSESSORS, TREASURER/COLLECTOR  
13 Ayer Road, Harvard, Massachusetts 01451-1458  
[www.harvard-ma.gov](http://www.harvard-ma.gov)







## 300 feet Abutters List Report

Harvard, MA  
January 30, 2024

### Subject Property:

Parcel Number: 005-030-000-000  
CAMA Number: 005-030-000-000  
Property Address: 79 SHAKER RD

Mailing Address: DEBOALT, RICHARD F & ANNE S  
79 SHAKER RD  
HARVARD, MA 01451

### Abutters:

Parcel Number: 005-022-000-000  
CAMA Number: 005-022-000-000  
Property Address: 88 SHAKER RD

Mailing Address: PAUL, AMY F & WILLIAM J JR  
5900 GREENBRIAR CT  
AGOURA HILLS, CA 91301

Parcel Number: 005-023-000-000  
CAMA Number: 005-023-000-000  
Property Address: 84 SHAKER RD

Mailing Address: NOCKA, KARL H & JULIA F  
84 SHAKER RD  
HARVARD, MA 01451

Parcel Number: 005-024-000-000  
CAMA Number: 005-024-000-000  
Property Address: 82 SHAKER RD

Mailing Address: LIMBACH-LEMPER, DIANA  
82 SHAKER RD  
HARVARD, MA 01451

Parcel Number: 005-025-000-000  
CAMA Number: 005-025-000-000  
Property Address: 78 SHAKER RD

Mailing Address: PJ FINKELPEARL INV TR&KD  
FINKELPEARL INV  
78 SHAKER RD  
HARVARD, MA 01451

Parcel Number: 005-026-000-000  
CAMA Number: 005-026-000-000  
Property Address: 74 SHAKER RD

Mailing Address: MIKITARIAN, MARK G & SEVIGNY, MARC  
74 SHAKER RD  
HARVARD, MA 01451

Parcel Number: 005-027-000-000  
CAMA Number: 005-027-000-000  
Property Address: SHAKER RD

Mailing Address: HARVARD, TOWN OF, CONSERVATION  
13 AYER RD  
HARVARD, MA 01451

Parcel Number: 005-028-000-000  
CAMA Number: 005-028-000-000  
Property Address: SIMON ATHERTON ROW

Mailing Address: HARVARD, TOWN OF, CONSERVATION  
13 AYER RD  
HARVARD, MA 01451

Parcel Number: 005-029-000-000  
CAMA Number: 005-029-000-000  
Property Address: 73 SHAKER RD

Mailing Address: COLLIER, JOHN W  
73 SHAKER RD  
HARVARD, MA 01451

Parcel Number: 005-031-000-000  
CAMA Number: 005-031-000-000  
Property Address: 81 SHAKER RD

Mailing Address: HARVARD, TOWN OF, CONSERVATION  
13 AYER RD  
HARVARD, MA 01451

Parcel Number: 005-032-001-000  
CAMA Number: 005-032-001-000  
Property Address: SHAKER RD

Mailing Address: DEBOALT, RICHARD F & ANNE S  
79 SHAKER RD  
HARVARD, MA 01451



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

1/30/2024

Page 1 of 2

Abutters List Report - Harvard, MA



## 300 feet Abutters List Report

Harvard, MA  
January 30, 2024

Parcel Number: 005-032-002-000	Mailing Address: DEBOALT, RICHARD F & ANNE S
CAMA Number: 005-032-002-000	79 SHAKER RD
Property Address: SHAKER RD	HARVARD, MA 01451
<hr/>	
Parcel Number: 005-033-000-000	Mailing Address: MORAN, ROBERT D & TERRY E MORAN,
CAMA Number: 005-033-000-000	TTE
Property Address: 87 SHAKER RD	87 SHAKER RD
	HARVARD, MA 01451
<hr/>	
Parcel Number: 005-038-000-000	Mailing Address: MORAN, ROBERT D. & TERRY E. MORAN
CAMA Number: 005-038-000-000	
Property Address: SHAKER RD	87 SHAKER RD
	HARVARD, MA 01451
<hr/>	
Parcel Number: 005-039-001-000	Mailing Address: ALDRICH, OONA
CAMA Number: 005-039-001-000	89 SHAKER RD
Property Address: 89 SHAKER RD	HARVARD, MA 01451
<hr/>	
Parcel Number: 005-058-000-000	Mailing Address: HARVARD, TOWN OF, CONSERVATION
CAMA Number: 005-058-000-000	13 AYER RD
Property Address: ANN LEES RD-HOLY HL	HARVARD, MA 01451
<hr/>	



www.cai-tech.com

1/30/2024

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

Page 2 of 2

Abutters List Report - Harvard, MA

## WETLANDS PROTECTION BYLAW RULES

147 Attachment 1

# Town of Harvard

**FORM A**  
**NOTICE OF FILING**

DATE: March 12, 2024 RE: Property located at 79 Shaker Road  
 FROM: Anne DeBoalt  
           (applicant)

Address Same  
 Telephone 978-697-7096

A. Pursuant to the requirements of M.G.L. Chapter 131, § 40, and/or the Harvard Wetlands Bylaw I am submitting herewith a complete copy of a Request for Determination of Applicability or an Application for a Harvard Wetland Permit. Copies of this complete application have been submitted as required under § 147-14, Notice to Town boards, by certified mail or hand delivery as follows:

Date of Submittal	
Conservation Commission (10 copies)	March 12, 2024
Department of Environmental Protection (2 copies)	March 12, 2024
(add boards as specified at time of filing)	

B. Have the abutters to the property on which the work is proposed, been notified about the filing of this application, on Form B? Yes (attach a certified list of abutters).

C. If the owner of the land is other than the applicant, the owner must either sign this application in the space provided or provide written authorization for the applicant to apply.

Owner's Signature \_\_\_\_\_ Date: 3.12.2024

D. Please check the appropriate box(es):

☒ Request for Determination of Applicability

☒ Notice of Intent

☐ Abbreviated Notice of Intent

☐ Abbreviated Notice of Resource Area Delineation

☐ Amendment of the Order of Conditions

E. Have the appropriate Town filing fees been included? Yes

## WETLANDS PROTECTION BYLAW RULES

147 Attachment 2

## Town of Harvard

## Form B

## Notification to Abutters

Massachusetts Wetland Protection Act  
and Harvard Wetlands Protection Bylaw

DATE: 3.12.2024 Certified Mail # \_\_\_\_\_  
or Date of Hand Delivery \_\_\_\_\_

TO: \_\_\_\_\_  
(abutter)

FROM: Anne DeBoalt (address) 79 Shaker Road call Marro Env 978-314-7858  
(applicant) (address) (Telephone No.)

RE: Property identified on Harvard Assessors Map # 5 Parcel 30  
The address of the lot where the activity is proposed is:  
79 Shaker Road

Pursuant to the requirements of the Harvard Wetlands Protection Bylaw and the second paragraph of Massachusetts General Laws Chapter 131 § 40, you are hereby notified that the following forms have been filed with the Harvard Conservation Commission:

x A Notice of Intent or Abbreviated Notice of Intent seeking permission to conduct one or more of the following, remove, fill, dredge, or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, § 40) and the Harvard Wetlands Protection Bylaw (Chapter 119 of the Code of the Town of Harvard).

\_\_\_\_\_ An Abbreviated Notice of Resource Area Delineation for confirmation of the delineation of a Bordering Vegetated Wetland (BVW) for projects in the buffer zone under the Wetlands Protection Act (General Law Chapter 131, § 40) and the Harvard Wetlands Protection Bylaw (Chapter 119 of the Code of the Town of Harvard).

\_\_\_\_\_ A Request for Determination of Applicability of the Harvard Wetlands Protection Bylaw (Chapter 119 of the Code of the Town of Harvard) and the State Wetlands Protection Act (General Laws Chapter 131, § 40)

\_\_\_\_\_ Amendment to the Order of Conditions under the Harvard Wetland Bylaw (Chapter 119 of the Code of the Town of Harvard)

The Harvard Wetlands Protection Bylaw defines abutters as those persons whose property is within 300 feet of the boundary of the property or whose property lies across a traveled way or railroad bed from the property identified above. Notices shall be sent to the most recent owner of the property according to the most recent Assessors record. The list of abutters shall be certified by the Board of Assessors.

The Harvard Conservation Commission will hold a public hearing on the filing within 21 days upon receipt of the complete application. Notice of this public hearing will be given at least five days prior to the hearing, in a local newspaper, as well as appear on the Town of Harvard website at [www.harvard.ma.us](http://www.harvard.ma.us).

147 Attachment 2:1

Supp 20, May 2021



HARVARD CODE

Plans for this project and a copy of the application are on file with the Land Use Board Office. Copies may obtained from the Applicant's Representative by calling the following telephone number 978 - 314 - 7858 between the hours of 9 am and 3 pm on the following days of the week Monday through Friday

The hearing can be subsequently continued to a later date by the Commission with the agreement of the Applicant.

To contact the Central Region DEP office call 508-792-7650

A PDF of the submission can also be obtained by a request to [Irene@marro-consulting.com](mailto:Irene@marro-consulting.com)

WETLANDS PROTECTION BYLAW RULES

147 Attachment 3

Town of Harvard

Form C

Request for Waiver

Harvard Wetlands Protection Bylaw

Date: 3.12.24

To: Harvard Conservation Commission

From: Anne DeBoalt

(name of petitioner)

79 Shaker Road

(address of petitioner)

RE: Harvard Wetlands Rules and Regulations

Request for Waiver

Pursuant to the provisions of § 147-3 of the Regulations for the administration of The Harvard Wetlands Protection Bylaw, I hereby request a waiver from the Commission for compliance with the following section of the regulations:

Section 147-12 Setback.

The waiver is requested for the following reason(s):

Waiver from the 50 foot Setback to allow for small grading change to

accommodate the septic system.

Signature of petitioner Anne S. DeBoalt Telephone # 978-314-7858 ( Marro )

## WETLANDS PROTECTION BYLAW RULES

*147 Attachment 4***Town of Harvard****Form D****Permission for Access**

TO: Harvard Conservation Commission  
13 Ayer Road  
Harvard, MA 01451  
From: Anne DeBoalt  
79 Shaker Road  
Harvard, MA 01451

Pursuant to § 147-6D or § 147-11D of the Wetlands Protection Bylaw Rules I do hereby grant the Harvard Conservation Commission and/or its consultants access to the project site under consideration for a Determination of Applicability, Notice of Intent, Abbreviated Notice of Intent, Abbreviated Notice of a Resource Area Delineation or an Amendment to the Order of Conditions any time from the receipt of such notice through the issuance of a Certificate of Compliance, Negative Determination, expiration of a Positive Determination and/or an Order of Resource Area Delineation.

Signed: Anne S DeBoalt Date 3.12.2024  
Owner or Authorized Applicant from Form A part C

WETLANDS PROTECTION BYLAW RULES

*147 Attachment 5*

**Town of Harvard**

**Form E**

**Permission to Bill Applicant Directly for Legal Notice**

TO: Harvard Conservation Commission  
13 Ayer Road  
Harvard, MA 01451

FROM: Anne Deboalt  
79 Shaker Road  
Harvard, MA 01451

I hereby authorize Harvard Press to bill me directly for the legal notice published for a public hearing with the Harvard Conservation Commission.

Signed: Anne S DeBoalt  
Owner or Authorized Applicant from Form A part C

## WETLANDS PROTECTION BYLAW RULES

147 Attachment 6

## Town of Harvard

## Form F

## Wetland Filing Fees Calculation Worksheet for Work in Resource Areas

	Fee	Total
<b>Notice of Intent Fees</b>		
1) <i>Single-family</i>		
Septic repair or upgrade (enter fee and skip to Total Fee)	\$200	200
New construction or alteration involving 500 square feet or less of total construction	\$300	
New construction or alteration involving 501 square feet to 1,499 square feet of total construction	\$600	
New construction or alteration involving 1,500 square feet or more of total construction	\$900	
2) <i>Subdivision/mini-subdivision</i>		
Roads and utilities only	\$1,500	
Multifamily/condominium structures construction	\$1,500	
3) <i>Commercial or industrial projects</i>	\$1,500	
<b>Additional charges under a Notice of Intent for disturbance within the buffer zone</b>		
1) Disturbance within the buffer zone	_____ square feet	x 0.25 = _____
2) Confirmation delineated wetland line	_____ linear feet	x 0.50 = _____
3) Alteration or replication of wetlands	_____ square feet	x 1 = _____
<b>Total Filing Fee</b>		_____
<b>Fee doubled if Notice of Intent is filed after work began or an Enforcement Order was issued</b>		_____
<b>Other fees</b>		
Request for an amendment to an Order of Conditions	\$200	_____
Request for an extension to an Order of Conditions	\$125	_____
Request for a reissued Certificate of Compliance	\$100	_____
Request for an Emergency Certificate of Compliance	\$200	_____
Request for an Emergency Certification Form	\$200	_____
Request for Certificate of Compliance with Expired OOC or Partial Certificate of Compliance	\$125	_____
Request for Determination of Applicability (RDA)	\$100	_____
Abbreviated Notice of Resource Area Delineation (ANRAD) (Minimum \$100, Maximum \$1,500)	_____ linear feet	x \$1.50 = _____

147 Attachment 6:1

Supp 20, May 2021

HARVARD CODE

Note: These fees are in addition to recording and advertising fees, and to the State Wetlands Program Fees charged under MGL. Ch. 131, Sec. 40, and 310 CMR 4.10(8)(n).

Fee	Total
	200.00

Total Fee Payable to the Town of Harvard







Note pages for readers use:

