

**TOWN OF HARVARD
CONSERVATION COMMISSION AGENDA
THURSDAY AUGUST 17, 2023 @7:00PM**

Pursuant to Chapter 2 of the Acts of 2023, An Act Making Appropriations for the Fiscal Year 2023 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects, and signed into law on March 29, 2023, this meeting will be conducted via remote participation. Interested individuals can listen in and participate by phone and/or online by following the link and phone number below.

Hildreth Pro is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/88441126030?pwd=NU9OdXpTN2tWR243M3lvNWIDamZLQT09>

Meeting ID: 884 4112 6030

Passcode: 963630

Dial by your location

Meeting ID: 884 4112 6030

Find your local number: <https://us02web.zoom.us/u/kELPUTjsu>

New Business:

1. Planning Board Request for Comment – 60 Old Shirley Road
2. ZBA Request for Comments – 61 Stow Road, and 43 & 11 Mass Ave
3. Approve Minutes
4. Allocation of Funding: DEP Reporter \$270; MACC eHandbook \$135; MACC Fundamentals Unit 102 (Panek) \$65

Public Hearings:

- 7:25pm **Continuation of a Notice of Intent Hearing – Bare Hill Pond Watershed Management Committee, Harvard#0523-03**, for the drawdown of Bare Hill Pond in accordance with the Massachusetts Lake & Pond General Environmental Impact Report to control phosphorus and invasive plant species
- 7:30pm **Abbreviated Notices of Intent Hearing – Harvard Conservation Commission, Mass Ave (Map 23 Parcel 35) and Stow Road (Map 32 Parcel 55), Harvard#0823-01 & 02**, for the management of invasive plant species within wetland resource areas and their associated buffer zone
- 7:45pm **Notice of Intent Hearing – David Caponera, 38 Lovers Lane, Harvard#0723-01**, for the installation of a 1,500-gallon septic tank, 1,000-gallon pump chamber, leaching facility and associated grading within the 100' wetland buffer zone
- 8:00pm **Request to Amend the Order of Conditions Hearing - Nicola Cavicchio, 53 Turner Lane, DEP#177-697, Harvard#1220-03**, to include parking improvements, pervious walkway and stepping stones, brick paver patio, fieldstone retaining walls and granite steps within 200' of Bare Hill Pond
- 8:15pm **Notice of Intent Hearing - John & Laura Hunt, 61 Stow Road, Harvard#0823-04**, for the addition of deck, porch, and patio to an existing single-family dwelling within the 200' riverfront area
- 8:30pm **Notice of Intent Hearing - Rachel Broadhurst, 41 Pinnacle Road, Harvard#0823-03**, for the construction of a paddock within 100' of a wetland resource area and the restoration of the resource area after enforcement

Old Business:

1. Discuss Land Stewardship Subcommittee Recommendations for Additional Deer Management Program Lands: Tripp Land, Stephenson West, Old Mill Land, Abbot-Reed-Powell Land, Clapp-Scorgie-Smith-Tufts Land, Gravel Pit and Warilla Land
2. ZBA Request for Comments – Village at Robin Lane (corner of Ayer & Old Mill Road)
3. Update on Enforcement Order – 320 Ayer Road
4. Update Pine Hill Village Status
5. Update on 90 Warren Ave, DEP#177-719, Harvard#1122-02

NEXT MEETING: SEPTEMBER 7, 2023

AS

The listing of matters are those reasonably anticipated by the chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

**HARVARD CONSERVATION COMMISSION
MINUTES OF MEETING
AUGUST 3, 2023**

Chair Don Ritchie called the meeting to order at 7:00pm, virtually, pursuant to Chapter 2 of the Acts of 2023, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, and signed into law on March 29, 2023, under MGL Chapter 131 §40 Wetland Protection Act and Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw

Members Present: Don Ritchie, Eve Wittenberg, Jaye Waldron, Joanne Ward, Jessie Panek and Paul Willard (Associate Member)

Others Present: Liz Allard (Conservation Agent), Bob Douglas (Deer Management Subcommittee), Dave Pinard, Robb Ricker, Tom Cotton (Deer Management Subcommittee), Martin Feehan (State Deer Biologist), John Lee (Harvard Conservation Trust), Kelvin Weibe, Joe Pulido (Deer Management Subcommittee) and Megan Crawford

Appointment of Petri Flint Land Stewardship Subcommittee

Jaye Waldron made a motion to appoint Petri Flint to the Land Stewardship Subcommittee with a term to expire on June 30, 2024. Jessie Panek seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Joanne Ward, aye; Jessie Panek, aye; and Eve Wittenberg, aye.

Discuss Land Stewardship Subcommittee Recommendations for Additional Deer Management Program Lands: Tripp Land, Old Mill Land, Abbot-Reed-Powell Land, Clapp-Scorgie-Smith-Tufts Land, Gravel Pit and Warilla Land

Bob Douglas, chair of the Deer Management Subcommittee (DMS), stated the DMS is asking for two lands to be added to the Deer Management Program for the 2023 hunt season, those lands being Tripp/Stevenson West and Old Mill Road lands. The Tripp land was identified at the onset of the program, and is a large, isolated area that is contiguous to other lands that support many deer. Stevenson West is in conjunction with the Tripp land. A portion of the Old Mill land is considered great for hunting by DMS and they believe it fits in well with the program. As for the Smith-Tufts land, more information is needed. In addition, the DMS is seeking to add a couple of parcels that are not under the care and custody of the Commission, but are being vetted by the Select Board with the intent to allow hunters within the program as well as others to hunt those lands.

John Lee, a member of the Harvard Conservation Trust (HCT), stated HCT holds Conservation Restriction (CR) on the Tripp land and a decision regarding inclusion in the DMS program not yet been made. HCT is seeking additional survey information from a botanist. Mr. Lee stated the CR allows deer management but not recreational hunting.

Eve Wittenberg stated after three years of the program she would like to see some measurable outputs of the program to determine if the goals of the program are being achieved. She reminded the Commission that DMS has floated several ideas on how to monitor the deer density, but has not produced any data. Ms. Wittenberg does not think it is time to expand the program further until the Commission determines if the program is doing what it was meant to do. Ms. Wittenberg is willing to assist in developing those metrics.

Mr. Douglas stated he believes intuitively that reducing the deer, by taking the does out of the breeding population, is the best and only way to control deer in the Commonwealth of Massachusetts. Ms. Wittenberg reiterated that just reducing deer was not the goal of this program, it is protecting the forest ecology by maintaining a certain level of deer density, meaning getting the deer to a level in which they are "in harmony" with environment. Ms. Wittenberg stated that the Commission needs to know what the current density is and the change in that density has been as a result of this program.

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Joanne Ward agreed with Ms. Wittenberg on the purpose of the program and asked if there have been any further studies done on how the browse in these areas is responding. Mr. Douglas stated DMS conducted pellet counts for two years which is a technique that has fallen out of favor; DMS is looking at other ways.

Dr. Martin Feehan, the State Deer Biologist, stated the change in browse impacts would not be measurable at this point. Without having enough available land for the hunters, and success by the hunters of years of being able to actually develop skills, and scouting on the landscape and having an elimination of refugia, you are not going to be able to have enough deer harvested to have an impact on the forest. Conducting surveys now to detect whether there has been a change in the forest impacts and have that as a precursor to the expand the program is essentially creating a way in which you could not have success by doing it in that order, he asserted. The actual measure in Harvard is less than 27 square miles and the amount of land in the program is a small percentage of that. Each one of these parcels is increasing the percentage of the land that is actually open to hunting by subtle orders of magnitude on the percentage across the area. Dr. Feehan worries in terms of science it takes more deer to do that. To have more deer harvested, you actually have more land you have available to take away that refugia. In areas like Harvard the home range of an average doe is between a quarter and a half square mile. Therefore, areas closed to hunting are essentially allowing individual places for a does to be able to live their entire reproductive lifecycle, have their fawns be able to grow up, allowing those areas to become sources populations for any of the areas open to hunting, both private and those within the program.

Ms. Wittenberg thought Dr. Feehan's point suggested that hunting on conservation land is never going to control the population because the private land is far greater than public land and that hunting on private land is the way to control the population. Ms. Wittenberg stated that we are nearly at the point where the conservation land is exhausted in terms of hunting because the remaining lands are used extensively for other recreational purposes. The argument Dr. Feehan is making would suggest that a strategy to encourage hunting on private land, in fact, would be the way to control the population. If what Dr. Feehan is saying is true then there is a threshold in the amount of land hunted that we would need to surpass in order to control the population. Ms. Wittenberg wondered if there was enough conservation land for hunting to make a difference, with private land far exceeding the public land in the amount of land available for hunting. Ms. Wittenberg questioned how we could discuss the scenario of how the population was going to be controlled and how the population is out of control when we do not have a baseline density. What she sees missing is the science in this conversation.

Dr. Feehan didn't disagree about the benefit of having the density information, however having it where the goal is to just get below a density of deer per square mile and considering anything else is a failure is shortsighted in his view. Dr. Feehan explained that there are issues across the board across eastern Massachusetts with high deer densities and there is certainly going to be difficulties to get below 18 deer per square mile, but 18 per square mile is better than 22 per square mile, he stated. As those density numbers go up you have a complete loss in the understory. Having it as a straight black and white issue if it only being successful if the density is under 18 and if you achieve that then the program should not grow is a shortsighted viewpoint when long-term deer density is going to be an issue, Dr. Feehan asserted. The conservation lands that are the ones that are going to survive are the ones that are managed as best as they can be, with the limitation of the percentage of conservation land that is actually part of the program. Dr. Feehan believed that most private land in Harvard is not going to be hunted particularly with the new laws in place that are going to hamstring it. Where you really see the impact of this program has been if you look over the few years the program has occurred the actual overall town harvest has nearly doubled when hunting on private land is included with public land. This is not a factor of more hunters, as data shows there are fewer. What is actually changing in that time period is this program, which has taken away the refugia. Therefore, Dr. Feehan would consider it successful from the standpoint of increasing overall harvest with the Town and actually having impacts at that level is going to

107 stop the population from growing potentially and a reduction of the overall impacts. It is about having
108 incremental impacts and trying to do the best we can to keep the forest healthy. Dr. Feehan implored the
109 Commission to really think about this in terms of their land long-term because these issues are not going
110 away; deer densities are going up. When asked, Dr. Feehan explained the State does not track density in
111 small scale as it is almost impossible to have an effective estimate as that scale because of migration.
112 Essentially Harvard is at a scale between Zones 9 and 10 of 25 to 35 deer per square mile. Dr. Feehan
113 further detailed the number of deer harvested in Harvard since the inception of the program for Jessie
114 Panek.

115
116 Ms. Wittenberg was not completely convinced that there is a casual relationship between private and
117 public lands and the increase in the number of deer harvested; she does not believe it can be definitively
118 said that there is a casual relationship between the Town, the Conservation hunting program and the
119 increase in deer being harvested. Ms. Wittenberg says this because there has been a repeated argument
120 about the increase on private land being a direct result of the conservation land hunting program. Ms.
121 Wittenberg agreed with Dr. Feehan that we have observed those two phenomena occurring
122 simultaneously, and one could argue that they are connected, but she needed to push back on the
123 causality and the certainty of the causality with which Dr. Feehan and others have been repeating it,
124 because she does not think we can make that statement with certainty and that it would be hard to prove
125 causality there. Ms. Wittenberg wanted to make clear to the Commission it is not definitive, the casual
126 relationship, it is a correlation. Ms. Wittenberg feels the Commission needs to be careful about how
127 definitively we say the harvest on private land is a direct result of having this program, because that
128 would make a certain argument to go in a certain direction. Dr. Feehan stated he could see what Ms.
129 Wittenberg was saying but if you have people in the woods you are going to have more deer moving
130 around and therefore probably more deer being harvested; in his view that is a simple fact.

131
132 When asked, Mr. Douglas stated the DMS is requested the Commission approve the two lands previously
133 mentioned, Tripp/Stevenson West and the Old Mill Road. Ms. Ward wondered with two members of the
134 Commission absent this evening perhaps a vote should be held off until they are available to provide their
135 input. Mr. Douglas initially agreed the decision to include these lands could be delayed, but after talking
136 out the necessary timeframes for notification to abutters it would be best to take a vote this evening.

137
138 Ms. Wittenberg suggested before a vote is taken that the residents abutting the Old Mill Road land be
139 notified as there are several farms in that area. Ms. Wittenberg would also like the Policies and
140 Procedures drafted by the Commission for DMS be approved before adding additional lands to the
141 program. After a brief discussion Ms. Wittenberg withdrew her suggestion to notify the residents on Old
142 Mill Road.

143
144 Jessie Panek made a motion to add the Tripp/Stephson West and the Old Mill Road lands to the Deer
145 Management Program. There was no second to this motion. Mr. Douglas requested this item be tabled
146 to the next meeting of the Commission. Don Ritchie agreed.

147
148 **Continuation of a Notice of Intent Hearing – Bare Hill Pond Watershed Management Committee,**
149 **Harvard#0523-03.** Opened at 7:42pm

150
151 **Planning Board Request for Comment – Scenic Road Consent, 35 East Bare Hill Road**

152 The Commission had no comments pertaining to this application.

153
154 **Approve Minutes**

155 Eve Wittenberg made a motion to approve the minutes of July 20, 2023 as amended. Joanne Ward
156 seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jaye Waldron,
157 abstained; Joanne Ward, aye; Jessie Panek, aye; Eve Wittenberg, aye; and Don Ritchie, aye.

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Approve Invoice

There was no invoice for approval this evening.

ZBA Request for Comments – Village at Robin Lane (corner of Ayer & Old Mill Road)

Liz Allard is working on a draft response to the requested exemptions to the Wetland Protection Bylaw, with the intention of having the draft available for the next meeting. Don Ritchie questioned Ms. Allard previous recommendation to allow a portion of the fees under the WPB be exempt; he felt this could be further discussed at the next meeting.

Update on Enforcement Order – 320 Ayer Road

As previously reported the representative for Chestnut Tree & Landscape anticipates being prepared to present their findings to the Commission at the August 17, 2023 meeting.

Pine Hill Village Status Update

Don Ritchie stated he reviewed the site yesterday where a survey crew was working to layout the roadway.

Update on 90 Warren Ave, DEP#177-719, Harvard#1122-02

Liz Allard stated the well has been installed and the perimeter drain was being installed and backfilled today. This drain will daylight on the pond side of the property, with rip rap at the outflow to ensure any water that may drain will not cause erosion toward the pond. There are five additional items to be completed within Phase 1 of this project, ending with the commencement of framing. Phase 2 of this project is the framing of the dwelling. The site itself is in compliance with the Order of Conditions.

Adjournment

Eve Wittenberg made a motion to adjourn the meeting at 7:58pm. Jaye Waldron seconded the motion. The vote was unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Joanne Ward, aye; Jessie Panek, aye; and Eve Wittenberg, aye.

Respectfully submitted,

Liz Allard,
Conservation Agent

EXHIBITS & OTHER DOCUMENTS

- Conservation Commission Agenda, dated August 3, 2023

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Harvard Conservation Commission
Continuation of a Notice of Intent Hearing Meeting Minutes
Bare Hill Pond Watershed Management Committee, Harvard#0523-03
August 3, 2023

219 The public hearing was opened at 7:42pm by Chair Don Ritchie under MGL Chapter 131 §40 Wetland
220 Protection Act and the Code of the Town of Harvard Chapter 119 Wetland Protection Bylaw virtually,
221 pursuant to Chapter 2 of the Acts of 2023, An Act Relative to Extending Certain COVID-19 Measures
222 Adopted during the State of Emergency, and signed into law on March 29, 2023.

223
224 **Members Present:** Don Ritchie, Eve Wittenberg, Jaye Waldron, Joanne Ward, and Jessie Panek

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226 **Others Present:** Liz Allard (Conservation Agent)

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228 This hearing was continued from July 20, 2023 for a Notice of Intent filed by Bare Hill Pond watershed
229 Management Committee for the drawdown of Bare Hill Pond in accordance with the Massachusetts Lake
230 & Pond General Environmental Impact Report to control phosphorus and invasive plant species.

231
232 With still no Department of Environmental Protection File Number, Jaye Waldron made a motion to
233 continue the hearing to August 17 2023 at 7:30pm. Eve Wittenberg seconded the motion. The vote was
234 unanimously in favor of the motion by a roll call, Jaye Waldron, aye; Joanne Ward, aye; Jessie Panek, aye;
235 and Eve Wittenberg, aye.

236
237 Respectfully submitted,

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240 Liz Allard,
241 Conservation Agent

Mass Conservation Commissions: Critical Wetlands Updates

MassDEP Reporter <depr@landlaw.com>

Tue 08/08/23 12:05 PM

To: depr@landlaw.com <depr@landlaw.com>

Dear Massachusetts Conservation Commission members,

The *Massachusetts DEP Reporter*, published every other month since 1994, is a highly useful resource that helps Conservation Commissions throughout the Commonwealth stay fully informed about the decisions of this important state agency. With ever-evolving regulations impacting wetlands, hazardous waste, groundwater discharge, and natural resources, Conservation Commissions cannot afford to remain in the dark about the workings of MassDEP.

You'll receive MassDEP's decisions in our useful format with our case citations along with exceptionally helpful subject matter indices, easy-to-read digests of the decisions, expert commentary by noted environmental attorneys, and more. In addition, you'll get unlimited access to our fully keyword-searchable online archive of MassDEP decisions going back to 1994. There you will also find our useful case citations, allowing for seamless cross-referencing with the reporter.

We are offering Massachusetts Conservation Commissions **50% off** a one-year digital subscription through **August 31**. [Subscribe online here](#) for ~~\$540~~ **\$270/yr** and on our order form, please let us know if you'd also like the most recent cumulative index volume. Below you will find links to a complimentary sample issue. We are confident you'll find this digital resource an excellent value and a major time and money saver. Even MassDEP itself cites to this well-respected reporter in the agency's decisions.

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Questions? Please email us at info@landlaw.com. And again, don't forget to [subscribe online here](#) by **August 31**. Note: a print version is also available for an additional fee.

Kind regards,

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Fw: MassDEP NOI File Number

Julie Doucet <jdoucet@harvard-ma.gov>

Mon 08/14/23 2:02 PM

To:Liz Allard <lallard@harvard-ma.gov>

Julie Doucet
Executive Assistant
Town of Harvard
13 Ayer Road, Harvard, Ma 01451
978-456-4100x312
www.harvard-ma.gov

From: CERO_NOI@MassMail.state.ma.us <CERO_NOI@MassMail.state.ma.us>
Sent: Tuesday, August 8, 2023 4:19 PM
To: kshrives01451@gmail.com <kshrives01451@gmail.com>; Julie Doucet <jdoucet@harvard-ma.gov>;
bruceleicher@aol.com <bruceleicher@aol.com>
Cc: cero_noi@state.ma.us <cero_noi@state.ma.us>; lallard@harvard.ma.us <lallard@harvard.ma.us>;
cero_noi@state.ma.us <cero_noi@state.ma.us>
Subject: MassDEP NOI File Number

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
CENTRAL REGIONAL OFFICE
8 NEW BOND STREET, WORCESTER, MA 01606 508-792-7650

Date: 08/08/2023 Municipality HARVARD

RE: **NOTIFICATION OF WETLANDS PROTECTION ACT FILE NUMBER**

The Department of Environmental Protection has received a Notice of Intent filed in accordance with the Wetlands Protection Act (M.G.L. c. 131, §40):

<p>Applicant TOWN OF HARVARD, BARE HILL POND WATERSHED MANAGEMENT COMMITTEE</p> <p>Address 13 AYER ROAD, HARVARD MA 01451</p> <p>Locus BARE HILL POND (POND ROAD) , HARVARD MA 01451</p>	<p>Owner Address</p>
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This project has been assigned the following file # : **CE 177-0726**
ISSUANCE OF A FILE NUMBER INDICATES ONLY COMPLETENESS OF SUBMITTAL, NOT APPROVAL OF APPLICATION

Although a file # is being issued, please note the following:

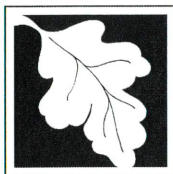
Submittal of an Appendix A: Ecological Restoration Limited Project Checklist, documentation that this project qualifies as a Ecological Restoration Limited Project under 310 CMR 10.53(4), and proof of publication in the Environmental Monitor is required for this application to be complete. Please submit this additional information to the Harvard Conservation Commission and MassDEP at your earliest convenience.

The proposed 6.5' drawdown and the September 15th drawdown start date needed to achieve this deep drawdown, do not meet the criteria for drawdowns found in the "Final Generic Impact Report on Eutrophication and Aquatic Plant Management in Massachusetts" (FGEIR). For drawdowns exceeding 3 feet the FGEIR guidelines specify that the applicant should contact the Massachusetts Division of Fish and Wildlife (DFW) for assistance in evaluating the proposed drawdown depths. In addition, in order to minimize adverse impacts to downstream waterways and meet FGEIR drawdown criteria, the applicant should keep outflow during drawdown below a discharge equivalent to 4 cfs per square mile of watershed; and once the target water level is achieved, match outflow to inflow to the greatest extent possible to maintain a stable water level. During refill the applicant should keep outflow above a discharge equivalent to 0.5 cfs per square mile of watershed. MEPA review may be required if the drawdown is not consistent with the FGEIR. Submittal of an ENF may be required if a project varies substantially from the criteria in the FGEIR.

The applicant states that reduction of phosphorus in Bare Hill Pond is achieved by flushing during the annual drawdown. What is the impact of this flushing on downstream waterbodies, including ponds in Ayer?

Regards,
for MassDEP,

(508)-767-2722
Judith.Schmitz@mass.gov



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

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

Provided by DEP

Harvard

Town

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.



Note:

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

1. Applicant:

Harvard Conservation Commission

Name

lallard@harvard-ma.gov

E-Mail Address

13 Ayer Road

Street Address

Harvard

City/Town

MA

State

01451

Zip Code

978-456-4100 ext 321

Phone Number

N/A

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)

3. Property Owner (if different from applicant):

Town of Harvard

Name

13 Ayer Road

Mailing Address

Harvard

City/Town

MA

State

01451

Zip Code

4. Total Fee:

(from NOI Wetland Fee Transmittal Form)

5. Project Location:

Massachusetts Avenue

Street Address

Harvard

City/Town

Latitude and Longitude:

-71.565333

Latitude

42.491173

Longitude

Map 23

Assessors Map/Plat Number

Parcel 35

Parcel /Lot Number

6. General Project Description:

Control of Japanese Knotweed



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

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

 Provided by DEP

Harvard

 Town

A. General Information (cont.)

7. Registry of Deeds:

Worcester
County

55358
Book

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Page

 Certificate (if Registered Land)

B. Site and Activities Subject to Regulation

Complete any of the following sections that apply to the proposed work and project site.

1. Complete for proposed activities located, in whole or in part, in Buffer Zone.

a. Check all the following borders to the Buffer Zone:

Inland Resource Areas

- Inland Bank
- Bordering Vegetated Wetland (BVW)

Coastal Resource Areas

- Coastal Beach Barrier Beach
- Rocky Intertidal Shore Coastal Dune
- Salt Marsh Coastal Bank

b. Check all the methods used to delineate the Bordering Vegetated Wetland boundary:

- Final Order of Resource Area Delineation issued by Conservation Commission or DEP (attached)
- DEP BVW Field Data Form (attached)
- Final Determination of Applicability issued by Conservation Commission (attached)
- Other Method of Determining BVW boundary (attach documentation):
- 50% or more wetland indicator plants
 - Saturated/inundated conditions exist
 - Groundwater indicators
 - Direct observation
 - Hydric soil indicators
 - Credible evidence of conditions prior to disturbance.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

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

Provided by DEP
Harvard
Town

B. Site and Activities Subject to Regulation (cont.)

c. Describe, with reference to supporting plans and calculations where necessary, the size, type, and location of the proposed work and mitigating measures and designs to insure that the proposed work will not alter the resource area and Buffer Zone borders. Attach additional sheets, if necessary.

The site is relatively contained area alongside Route 111 between its junction with Stow Road and Woodchuck Hill Road. Japanese Knotweed is centered on a culvert under the road. This infestation is fairly small and localized and should be readily controllable. The initial treatment should only take one day for one senior certified applicator to complete. Herbicide selection will be strictly limited to materials allowed under Massachusetts list of materials to be used in Sensitive Areas, otherwise known as the Sensitive Materials List. Permitted application to the edge of water will be limited to Rodeo aquatically labelled glyphosate herbicide alone. The application will be performed selectively, with a backpack sprayer to minimize runoff and off target application.

2. Complete for proposed activities located, in whole or in part, in Land Subject to Flooding.

a. Resource area description:

Bordering Land Subject to Flooding:

Isolated Land Subject to Flooding:

Volume of Flood Storage Lost (cubic feet)

Volume of Flood Storage Lost (cubic feet)

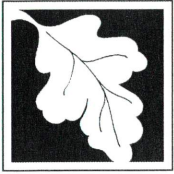
Volume of Flood Storage Compensation (cubic feet)

Volume of Flood Storage Compensation (cubic feet)

b. Describe, with reference to supporting plans and calculations where necessary the size, shape, location, and type of work, mitigating measures, and designs proposed to meet the performance standards set forth in 310 CMR 10.57(4) and 10.60. Attach additional sheets, if necessary.

3. Complete for proposed activities located, in whole or in part, in the Riverfront Area.

a. Name of Waterway (if available):



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

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

Provided by DEP

Harvard

Town

B. Site and Activities Subject to Regulation (cont.)

b. Width of Riverfront Area (check one):

25 ft. - Designated Densely Developed Areas only

100 ft. - New agricultural projects only

200 ft. - All other projects

c. Describe how the Mean Annual High-Water Line was determined:

d. Distance of proposed activity closest to the Mean Annual High-Water Line:

Feet

e. Total area of Riverfront Area on the site of the proposed project:

Square Feet

f. Proposed alteration of the Riverfront Area:

Total Square Feet

Square Feet within 100 ft.

Square Feet between 100 ft. and 200 ft.

g. Indicate project purpose:

Single family house

Commercial development

Transportation

Residential subdivision

Industrial development

Other (describe):

h. Was the lot where the activity is proposed created prior to August 1, 1996?

Yes

No



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

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

Provided by DEP

Harvard

Town

B. Site and Activities Subject to Regulation (cont.)

i. Describe how the project will meet all performance standards set forth in 310 CMR 10.58(4) for the Riverfront Area, including standards requiring consideration of alternative project design or location. Attach additional sheets, if necessary.

4. Is the project exempt from the DEP Stormwater Management Policy?

Yes If yes, explain why the project is exempt:

No If no, stormwater management measures are required. Applicants are encouraged to complete the Stormwater Management Form and submit it with this Abbreviated Notice of Intent.

5. a. Is any portion of the proposed project located within estimated habitat as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program?

Yes If yes, include proof of mailing or hand delivery of Abbreviated Notice of Intent to :

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581-3336

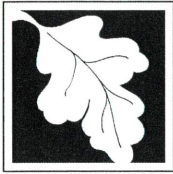
No

2021
Date of Map

b. Is any portion of the proposed project in an Area of Critical Environmental Concern (ACEC)?

Yes If yes, provide name of ACEC (see the Area of Critical Concern list for ACEC locations):

No ACEC Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

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

Provided by DEP

Harvard

Town

B. Site and Activities Subject to Regulation (cont.)

c. 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)?

Yes

No

6. If any activity within Land Subject to Flooding, the Riverfront Area, or Buffer Zone is exempt from performance standards in accordance with any provision of the wetlands regulations, 310 CMR 10.00, identify the appropriate exemption:

Exemption

C. Additional Information

Applicants must include the following with this Abbreviated Notice of Intent (ANOI):

- 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.
- Plans identifying the location of proposed activities relative to the boundaries of each affected resource area.
- Other material identifying and explaining the determination of resource area boundaries shown on plans (e.g., a DEP BVW Field Data Form).
- List the titles and final revision dates for all plans and other materials submitted with this ANOI.

D. Fees

The fees for work proposed under each Abbreviated Notice of Intent must be calculated and submitted to the Conservation Commission and DEP (see Instructions and NOI Wetland Fee Transmittal Form).

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:

N/A

Check Number

N/A

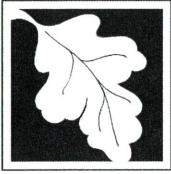
Payor name on check

N/A

Check date

N/A

Applicant name on check



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

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

Provided by DEP

Harvard

Town

E. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Abbreviated 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 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.

Liz Allan - Conservation Agent

Signature of Applicant

8/31/2023

Date

[Handwritten Signature]

Signature of Property Owner (if different)

8/3/23

Date

Signature of Representative (if any)

Date

For Conservation Commission:

Two copies of the completed Abbreviated Notice of Intent (Form 4), including supporting plans and documents; two copies of pages 1 and 2 of the NOI Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For DEP:

Two copies of the completed Abbreviated Notice of Intent (Form 4), including supporting plans and documents; two copies of pages 1 and 2 of the NOI Wetland Fee Transmittal Form; and a **copy** of the state fee payment must be sent to the DEP Regional Office by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section B, Item 5, 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 Abbreviated Notice of Intent.

FORM A
NOTICE OF FILING

DATE: August 3, 2023

RE: Property located at: Barrett Land, Mass Ave Map 23
Parcel 35

FROM: Harvard Conservation Commission
(applicant)

Address: 13 Ayer Road, Harvard 01451

Telephone: 978-456-4100 ext. 321

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 subsection 147-14 Notice to Town Boards by certified mail or hand delivery as follows:

	Date of Submittal
Conservation Commission (10 copies)	<u>August 3, 2023</u>
Department of Environmental Protection (2 copies)	<u>August 3, 2023</u>
_____	_____
_____	_____
_____	_____

(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) No

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: 8-3-23

D. Please check the appropriate box(s):

- 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 No

FORM B
NOTIFICATION TO ABUTTERS
MASSACHUSETTS WETLAND PROTECTION ACT
AND HARVARD WETLANDS PROTECTION BYLAW

DATE: August 3, 2023 Certified Mail # _____
or Date of Hand Delivery: _____

TO: _____
(abutter) (address)

FROM: Harvard Conservation Commission 13 Ayer Rd Harvard, MA 01451 978-456-410 ext. 321
(applicant) (address) (Telephone No.)

RE: Property identified on Harvard Assessors Map # 23 Parcel 35

The address of the lot where the activity is proposed is:

Barrett Land Mass Ave, between Stow Road and Woodchuck Hill 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:

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 twenty-one (21) days upon receipt of the complete application. Notice of this public hearing will be given at least five (5) days prior to the hearing, in a local newspaper, as well as appear on the Town of Harvard website at www.harvard.ma.us.

Plans for this project and a copy of the application are on file with the Land Use Board Office. Copies may be obtained from the Applicant's Representative by calling the following telephone number 978-456-4100 ext. 32 between the hours of 8:00am and 5:00pm on the following days of the week Monday – Thursday.

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.



Abutters List Report
Town of Harvard, MA

Date: July 5, 2023

Parcel Number: 023-035-000

Property Address: Mass Ave

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.

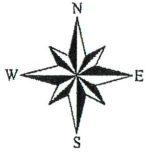
Signed: _____

Date: _____

7/5/23

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



MASS AVE MAP 23 PARCEL 35

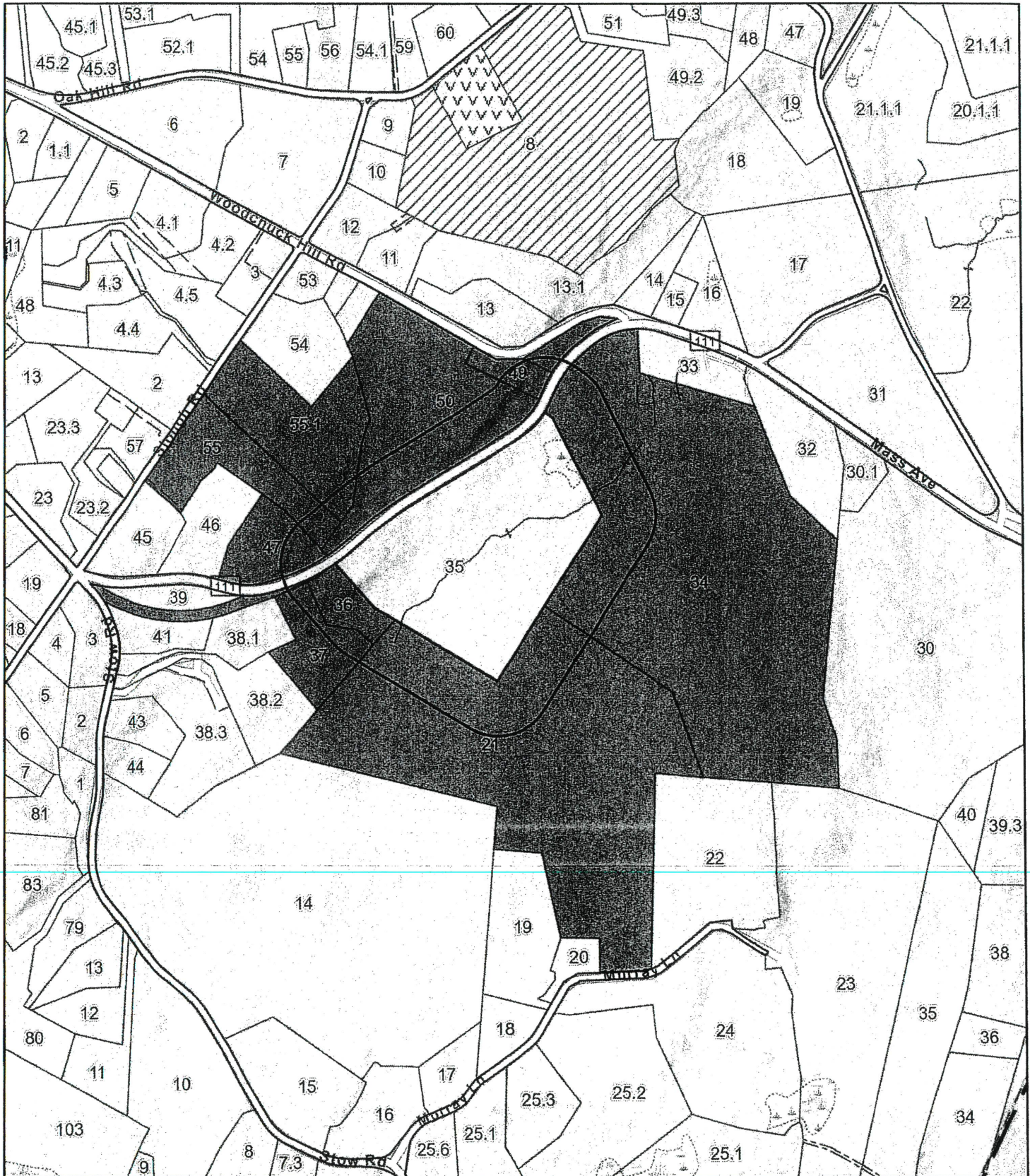
Town of Harvard, MA



1 inch = 752 Feet

www.cai-tech.com

July 5, 2023



Data shown on this map 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 map.



300 feet Abutters List Report

Harvard, MA
July 05, 2023

Subject Property:

Parcel Number: 023-035-000-000
CAMA Number: 023-035-000-000
Property Address: MASS AV

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

Abutters:

Parcel Number: 023-034-000-000
CAMA Number: 023-034-000-000
Property Address: MASS AV

Mailing Address: WESTWARD ORCHARDS INC
90 OAK HILL RD
HARVARD, MA 01451

Parcel Number: 023-036-000-000
CAMA Number: 023-036-000-000
Property Address: 126 MASS AV

Mailing Address: KAY, DAVID C. & WEEKS, KATHERINE R,
TTES
126 MASS AV
HARVARD, MA 01451

Parcel Number: 023-037-000-000
CAMA Number: 023-037-000-000
Property Address: 122 MASS AV

Mailing Address: HANSLER ALEX
122 MASS AV
HARVARD, MA 01451

Parcel Number: 023-040-000-000
CAMA Number: 023-040-000-000
Property Address: MASS AV

Mailing Address: MASS, COMMONWEALTH OF
PO BOX 7015
BOSTON, MA 02204

Parcel Number: 023-047-000-000
CAMA Number: 023-047-000-000
Property Address: 115 MASS AV

Mailing Address: S M ROBBINS TR NO 1
PO BOX 469
HARVARD, MA 01451

Parcel Number: 023-048-000-000
CAMA Number: 023-048-000-000
Property Address: WOODCHUCK HILL RD

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

Parcel Number: 023-049-000-000
CAMA Number: 023-049-000-000
Property Address: 54 WOODCHUCK HILL RD

Mailing Address: CALDERWOOD, WILLIAM T & CARLAW,
ROBIN M
54 WOODCHUCK HILL RD
HARVARD, MA 01451

Parcel Number: 023-050-000-000
CAMA Number: 023-050-000-000
Property Address: WOODCHUCK HILL RD

Mailing Address: RUSHMORE III TTE, RICHARD J
39 EAST BARE HILL RD
HARVARD, MA 01451

Parcel Number: 023-055-000-000
CAMA Number: 023-055-000-000
Property Address: 43 SLOUGH RD

Mailing Address: JOHN K. GRADY & ELIZABETH G.
MARINO, TRUSTEES
43 SLOUGH RD
HARVARD, MA 01451

Parcel Number: 023-055-001-000
CAMA Number: 023-055-001-000
Property Address: 0 SLOUGH RD

Mailing Address: MICHAEL MORTON, ABBE ALPERT, GINA
ASHE, et al, TRU
P.O. BOX 31
HARVARD, MA 01451



www.cai-tech.com

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7/5/2023

Page 1 of 2



300 feet Abutters List Report

Harvard, MA

July 05, 2023

Parcel Number: 028-021-000-000
CAMA Number: 028-021-000-000
Property Address: MURRAY LN

Mailing Address: FIDUCIARY TRUST COMPANY, TTE
PO BOX 55806
BOSTON, MA 02205-5806



www.cai-tech.com

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7/5/2023

Page 2 of 2



HCC_Barrett Land_Mass Ave_Map 23 Parcel 35

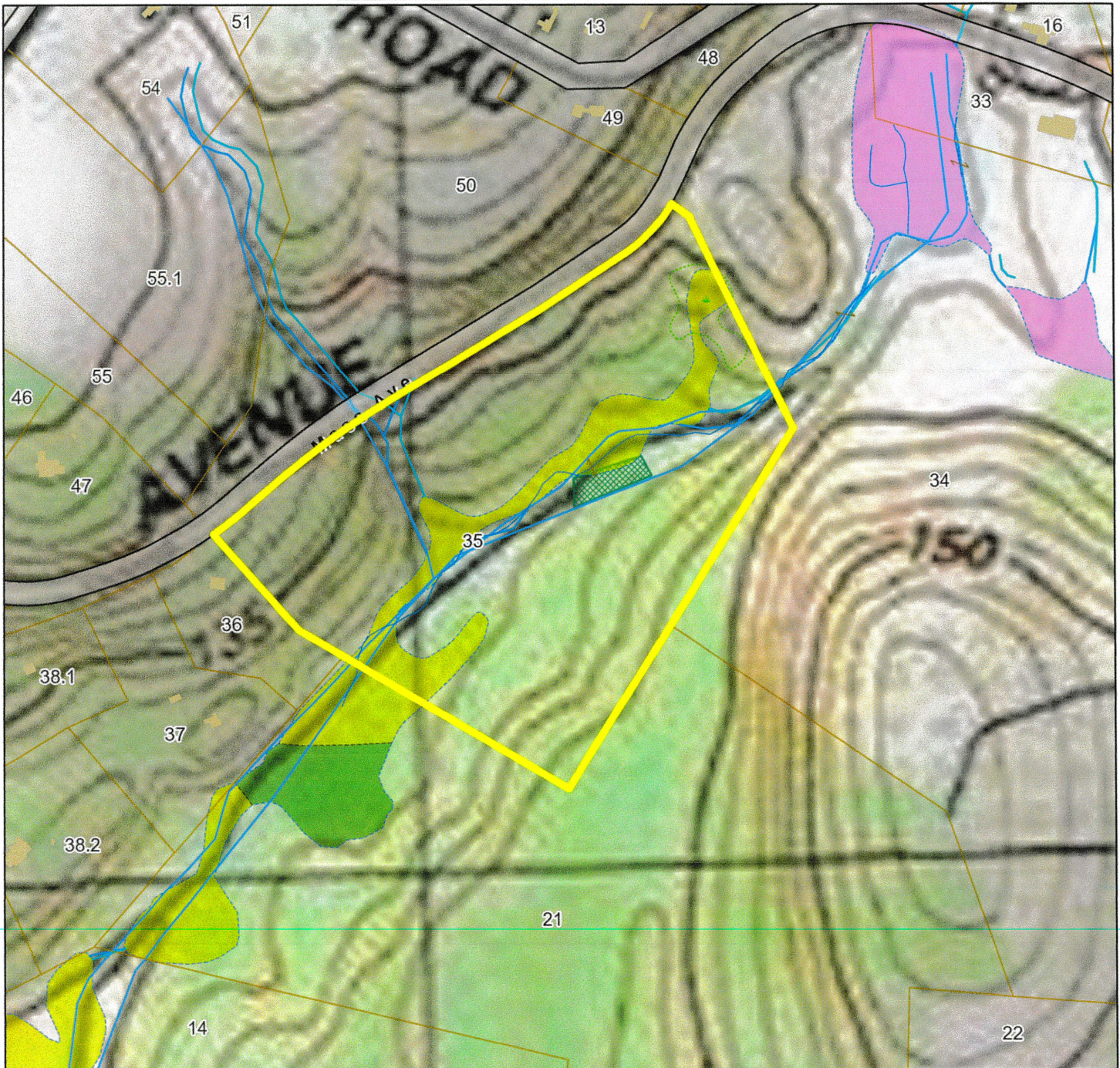
Town of Harvard, MA

1 inch = 376 Feet



www.cai-tech.com

July 25, 2023



Parcel - Poly	Wetland	USGS_Hydro_100k_Rivers_Streams	SHALLOW MARSH MEADOW OR FEN
Street Names	WaterLines	Perennial Stream	WOODED SWAMP DECIDUOUS
Property Line	Buildings	Intermittent Stream	WOODED SWAMP MIXED TREES
Public Road	Right of Ways	Hydrologic Connection	NWI_Rivers_and_Streams
Right of Way	Wet Areas	Wetland Limit	Freshwater Forested/Shrub Wetland
Property Hook	Hydrologic_Connections	Closure Line	USA Topo Maps

Data shown on this map 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 map.



HCC_Barrett Land_Mass Ave_Map 23 Parcel 35

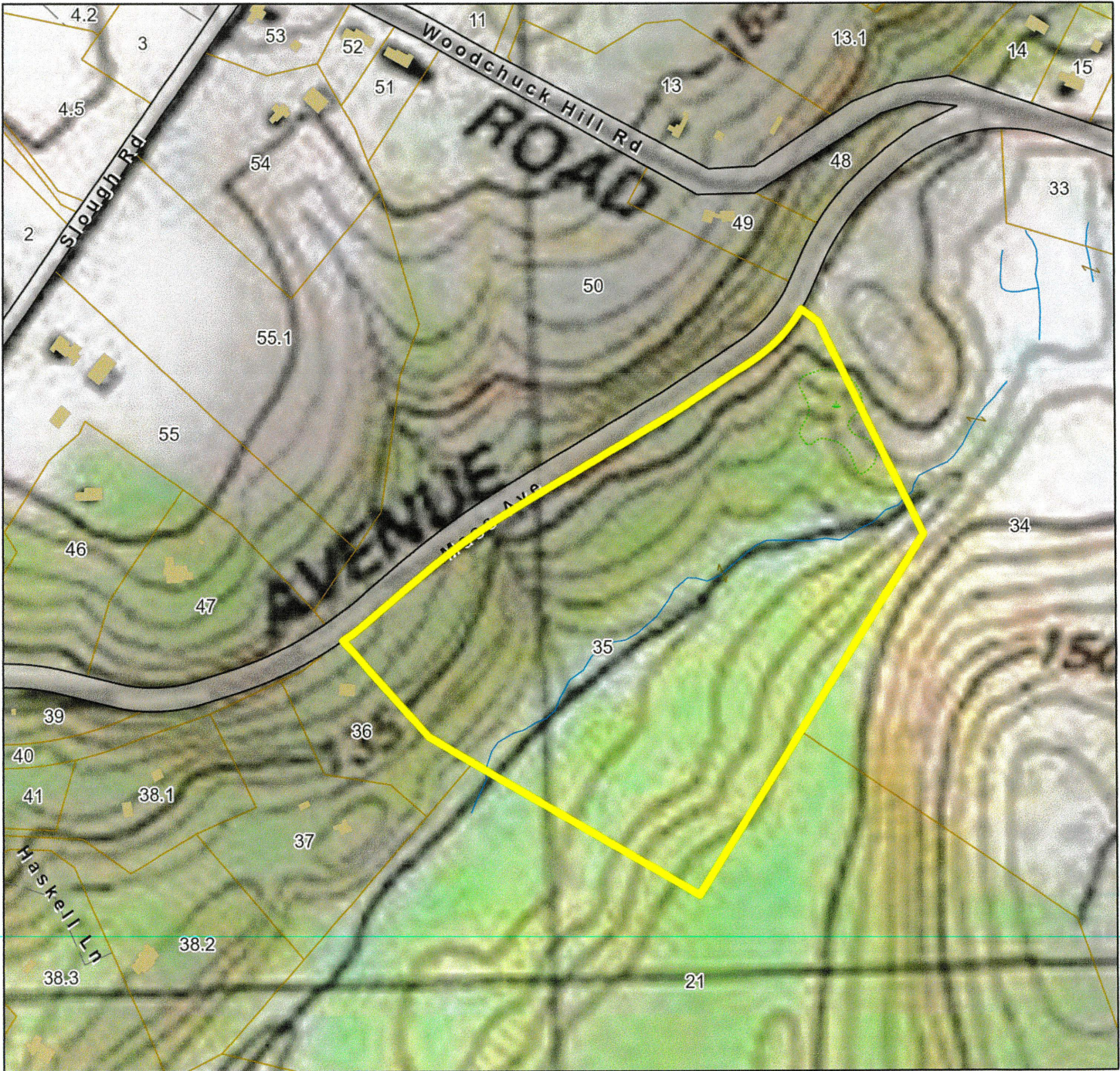
Town of Harvard, MA

1 inch = 376 Feet



www.cai-tech.com

July 25, 2023



	Parcel - Poly		Right of Way		Right of Ways
	Street Names		Property Hook		Wet Areas
	Property Line		Wetland		USA Topo Maps
	Public Road		WaterLines		
	Conservation Restriction		Buildings		

Data shown on this map 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 map.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

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

Provided by DEP

Harvard

Town

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.



Note:

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

1. Applicant:

Harvard Conservation Commission

Name

lallard@harvard-ma.gov

E-Mail Address

13 Ayer Road

Street Address

Harvard

City/Town

MA

State

01451

Zip Code

978-456-4100 ext 321

Phone Number

N/A

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)

3. Property Owner (if different from applicant):

Harvard Conservation Trust

Name

P.O. Box 31

Mailing Address

Harvard

City/Town

MA

State

01451

Zip Code

4. Total Fee:

N/A

(from NOI Wetland Fee Transmittal Form)

5. Project Location:

Stow Road

Street Address

Harvard

City/Town

Latitude and Longitude:

-71.563925

Latitude

42.472717

Longitude

Map 32

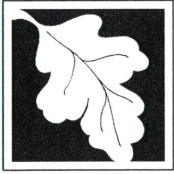
Assessors Map/Plat Number

Parcel 55

Parcel /Lot Number

6. General Project Description:

Control of Japanese Knotweed



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

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

Provided by DEP

Harvard

Town

A. General Information (cont.)

7. Registry of Deeds:

Worcester
County

67158
Book

162
Page

Certificate (if Registered Land)

B. Site and Activities Subject to Regulation

Complete any of the following sections that apply to the proposed work and project site.

1. Complete for proposed activities located, in whole or in part, in Buffer Zone.

a. Check all the following borders to the Buffer Zone:

Inland Resource Areas

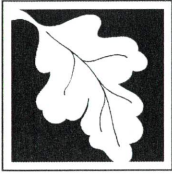
- Inland Bank
- Bordering Vegetated Wetland (BVW)

Coastal Resource Areas

- Coastal Beach Barrier Beach
- Rocky Intertidal Shore Coastal Dune
- Salt Marsh Coastal Bank

b. Check all the methods used to delineate the Bordering Vegetated Wetland boundary:

- Final Order of Resource Area Delineation issued by Conservation Commission or DEP (attached)
- DEP BVW Field Data Form (attached)
- Final Determination of Applicability issued by Conservation Commission (attached)
- Other Method of Determining BVW boundary (attach documentation):
- 50% or more wetland indicator plants
- Saturated/inundated conditions exist
- Groundwater indicators
- Direct observation
- Hydric soil indicators
- Credible evidence of conditions prior to disturbance.



WPA Form 4 – Abbreviated Notice of Intent

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

Provided by DEP

Harvard

Town

B. Site and Activities Subject to Regulation (cont.)

c. Describe, with reference to supporting plans and calculations where necessary, the size, type, and location of the proposed work and mitigating measures and designs to insure that the proposed work will not alter the resource area and Buffer Zone borders. Attach additional sheets, if necessary.

The site is a critical area alongside Stow Road. The infestation of knotweed lies between Stow Road and a large wetland area, presenting a high likelihood of continued spread to both the wetland and along the roadside. Although the area is heavily impacted by both woody and herbaceous invasives, for the purpose of this particular project the application will be limited to the small Japanese Knotweed site immediately adjacent to Stow Road and extended to the edges of the wetland. Any bittersweet, Honeysuckle, Multiflora Rose and other invasives within the limits of the Knotweed treatment area will also be targeted. The initial treatment should only take one day for one senior certified applicator to complete. Herbicide selection will be strictly limited to materials allowed under Massachusetts list of materials to be used in Sensitive Areas, otherwise known as the Sensitive Materials List. Permitted application to the edge of water will be limited to Rodeo aquatically labelled glyphosate herbicide alone. The application will be performed selectively, with a backpack sprayer to minimize runoff and off target application.

2. Complete for proposed activities located, in whole or in part, in Land Subject to Flooding.

a. Resource area description:

Bordering Land Subject to Flooding:

Isolated Land Subject to Flooding:

Volume of Flood Storage Lost (cubic feet)

Volume of Flood Storage Lost (cubic feet)

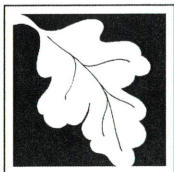
Volume of Flood Storage Compensation (cubic feet)

Volume of Flood Storage Compensation (cubic feet)

b. Describe, with reference to supporting plans and calculations where necessary the size, shape, location, and type of work, mitigating measures, and designs proposed to meet the performance standards set forth in 310 CMR 10.57(4) and 10.60. Attach additional sheets, if necessary.

3. Complete for proposed activities located, in whole or in part, in the Riverfront Area.

a. Name of Waterway (if available):



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

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

Provided by DEP

Harvard

Town

B. Site and Activities Subject to Regulation (cont.)

b. Width of Riverfront Area (check one):

25 ft. - Designated Densely Developed Areas only

100 ft. - New agricultural projects only

200 ft. - All other projects

c. Describe how the Mean Annual High-Water Line was determined:

d. Distance of proposed activity closest to the Mean Annual High-Water Line:

Feet

e. Total area of Riverfront Area on the site of the proposed project:

Square Feet

f. Proposed alteration of the Riverfront Area:

Total Square Feet

Square Feet within 100 ft.

Square Feet between 100 ft. and 200 ft.

g. Indicate project purpose:

Single family house

Commercial development

Transportation

Residential subdivision

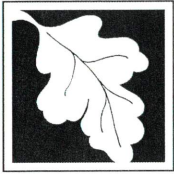
Industrial development

Other (describe):

h. Was the lot where the activity is proposed created prior to August 1, 1996?

Yes

No



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

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

Provided by DEP

Harvard

Town

B. Site and Activities Subject to Regulation (cont.)

i. Describe how the project will meet all performance standards set forth in 310 CMR 10.58(4) for the Riverfront Area, including standards requiring consideration of alternative project design or location. Attach additional sheets, if necessary.

4. Is the project exempt from the DEP Stormwater Management Policy?

Yes If yes, explain why the project is exempt:

No If no, stormwater management measures are required. Applicants are encouraged to complete the Stormwater Management Form and submit it with this Abbreviated Notice of Intent.

5. a. Is any portion of the proposed project located within estimated habitat as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program?

Yes If yes, include proof of mailing or hand delivery of Abbreviated Notice of Intent to :

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581-3336

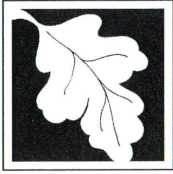
No

2021
Date of Map

b. Is any portion of the proposed project in an Area of Critical Environmental Concern (ACEC)?

Yes If yes, provide name of ACEC (see the Area of Critical Concern list for ACEC locations):

No _____
ACEC Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

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

Provided by DEP

Harvard

Town

B. Site and Activities Subject to Regulation (cont.)

c. 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)?

Yes

No

6. If any activity within Land Subject to Flooding, the Riverfront Area, or Buffer Zone is exempt from performance standards in accordance with any provision of the wetlands regulations, 310 CMR 10.00, identify the appropriate exemption:

Exemption

C. Additional Information

Applicants must include the following with this Abbreviated Notice of Intent (ANOI):

- 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.
- Plans identifying the location of proposed activities relative to the boundaries of each affected resource area.
- Other material identifying and explaining the determination of resource area boundaries shown on plans (e.g., a DEP BVW Field Data Form).
- List the titles and final revision dates for all plans and other materials submitted with this ANOI.

D. Fees

The fees for work proposed under each Abbreviated Notice of Intent must be calculated and submitted to the Conservation Commission and DEP (see Instructions and NOI Wetland Fee Transmittal Form).

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:

N/A

Check Number

N/A

Payor name on check

N/A

Check date

N/A

Applicant name on check

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

Provided by DEP _____

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

Harvard
Town _____

N/A
Payer name on check _____

N/A
Applicant name on check _____

E. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Abbreviated 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 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.

Michael AS Spohn
Signature of Applicant _____
Property owner (with circled 'a')

7/27/2023
Date _____

Applicant (with circled 'a')
Signature of Property Owner (if different) _____
Liz Allan - Conservation Agent

8/3/2023
Date _____

Signature of Representative (if any) _____ Date _____

For Conservation Commission:

Two copies of the completed Abbreviated Notice of Intent (Form 4), including supporting plans and documents; two copies of pages 1 and 2 of the NOI Wetland Fee Transmittal Form; and the city/town fee payment must be sent to the Conservation Commission by certified mail or hand delivery.

For DEP:

Two copies of the completed Abbreviated Notice of Intent (Form 4), including supporting plans and documents; two copies of pages 1 and 2 of the NOI Wetland Fee Transmittal Form; and a **copy** of the state fee payment must be sent to the DEP Regional Office by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section B, Item 5, 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 Abbreviated Notice of Intent.

FORM A
NOTICE OF FILING

DATE: August 3, 2023 RE: Property located at: Stow Road Map 35 Parcel 55

FROM: Harvard Conservation Commission
(applicant)

Address: 13 Ayer Road, Harvard 01451

Telephone: 978-456-4100 ext. 321

- 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 subsection 147-14 Notice to Town Boards by certified mail or hand delivery as follows:

	Date of Submittal
Conservation Commission (10 copies)	<u>August 3, 2023</u>
Department of Environmental Protection (2 copies)	<u>August 3, 2023</u>
_____	_____
_____	_____
_____	_____

(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) No
- 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: _____

- D. Please check the appropriate box(s):

- 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 No

FORM B
NOTIFICATION TO ABUTTERS
MASSACHUSETTS WETLAND PROTECTION ACT
AND HARVARD WETLANDS PROTECTION BYLAW

DATE: _____ Certified Mail # _____
or Date of Hand Delivery: _____

TO: _____
(abutter) (address)

FROM: Harvard Conservation Commission 13 Ayer Rd Harvard, MA 01451 978-456-410 ext. 321
(applicant) (address) (Telephone No.)

RE: Property identified on Harvard Assessors Map # 32 Parcel 55
The address of the lot where the activity is proposed is:
Stow Road, across from 145 Stow 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:

- 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 twenty-one (21) days upon receipt of the complete application. Notice of this public hearing will be given at least five (5) days prior to the hearing, in a local newspaper, as well as appear on the Town of Harvard website at www.harvard.ma.us.

Plans for this project and a copy of the application are on file with the Land Use Board Office. Copies may be obtained from the Applicant's Representative by calling the following telephone number 978-456-4100 ext. 32 between the hours of 8:00am and 5:00pm on the following days of the week Monday – Thursday.

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.

FORM D
PERMISSION FOR ACCESS

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

From: Harvard Conservation Trust

P.O. Box 31

Harvard, MA 01451

Pursuant to §147-6.D. or §147-11.D. 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: 
Owner or Authorized Applicant from Form A part C

Date 7/27/2023



Abutters List Report
Town of Harvard, MA


Date: July 20, 2023

Parcel Number: 032-055-000

Property Address: Stow Rd

Abutters To: 300ft

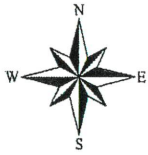
The above Certified Abutters List is a true copy of the records in the Town of Harvard Assessor's office for the last known names and addresses of owners of land located within the above stated range of the subject property.

Signed: 

Date: 7/20/23

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



STOW RD MAP 32 PARCEL 55

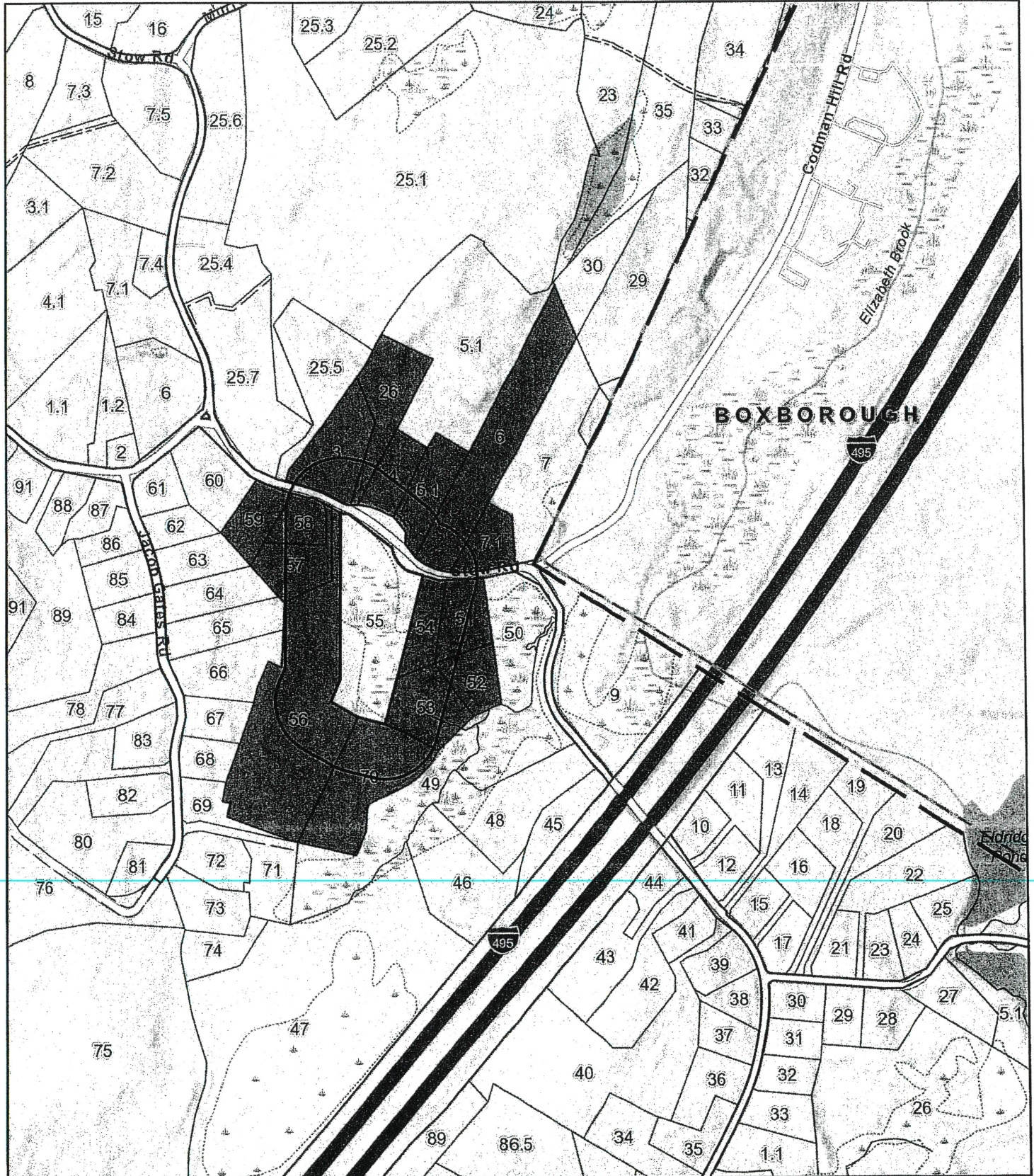
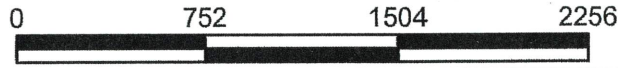
Town of Harvard, MA

1 inch = 752 Feet



www.cai-tech.com

July 20, 2023



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300 feet Abutters List Report

Harvard, MA
July 20, 2023

Subject Property:

Parcel Number: 032-055-000-000
CAMA Number: 032-055-000-000
Property Address: STOW RD

Mailing Address: MICHAEL MORTON, ABBE ALPERT, GINA ASHE, et al, TRU
P.O. BOX 31
HARVARD, MA 01451

Abutters:

Parcel Number: 028-026-000-000
CAMA Number: 028-026-000-000
Property Address: 143 STOW RD

Mailing Address: CARLSON, ERIC J., & TIMM, LESLIE A.
143 STOW RD
HARVARD, MA 01451

Parcel Number: 032-003-000-000
CAMA Number: 032-003-000-000
Property Address: 141 STOW RD

Mailing Address: FLINT, PETRI & PURNELL, JENNIE
141 STOW RD
HARVARD, MA 01451

Parcel Number: 032-004-000-000
CAMA Number: 032-004-000-000
Property Address: 145 STOW RD

Mailing Address: WILLIAM R LENDERKING TTE
145 STOW RD
HARVARD, MA 01451

Parcel Number: 032-005-001-000
CAMA Number: 032-005-001-000
Property Address: 149 STOW RD

Mailing Address: ZHOU, CHEN & LIANG, JIANYU
149 STOW RD
HARVARD, MA 01451

Parcel Number: 032-006-000-000
CAMA Number: 032-006-000-000
Property Address: STOW RD

Mailing Address: MICHAEL MORTON, ABBE ALPERT, GINA ASHE, et al, TRU
P.O. BOX 31
HARVARD, MA 01451

Parcel Number: 032-007-001-000
CAMA Number: 032-007-001-000
Property Address: 163 STOW RD

Mailing Address: DOUGLAS, ROBERT J & CHO, EVE
163 STOW RD
HARVARD, MA 01451-0778

Parcel Number: 032-054-000-000
CAMA Number: 032-054-000-000
Property Address: STOW RD

Mailing Address: MICHAEL MORTON, ABBE ALPERT, GINA ASHE, et al, TRU
P.O. BOX 31
HARVARD, MA 01451

Parcel Number: 032-056-000-000
CAMA Number: 032-056-000-000
Property Address: STOW RD

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

Parcel Number: 032-057-000-000
CAMA Number: 032-057-000-000
Property Address: 140 STOW RD

Mailing Address: LORA, ROLANDO A & PAMELA J
140 STOW RD
HARVARD, MA 01451

Parcel Number: 032-058-000-000
CAMA Number: 032-058-000-000
Property Address: 138 STOW RD

Mailing Address: RYAN B ZIELINSKI
138 STOW RD
HARVARD, MA 01451



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300 feet Abutters List Report

Harvard, MA
July 20, 2023

Parcel Number: 032-059-000-000
CAMA Number: 032-059-000-000
Property Address: 134 STOW RD

Mailing Address: CURTIN, RICHARD J & DEMETRI, DIANA
134 STOW RD
HARVARD, MA 01451

Parcel Number: 032-070-000-000
CAMA Number: 032-070-000-000
Property Address: JACOB GATES RD

Mailing Address: GAIL A. MCCARTHY, TRUSTEE OF
39 JACOB GATES RD
HARVARD, MA 01451



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7/20/2023

Page 2 of 2



HCT_Eastern Greenway_Stow Road_Map 32 Parcel 55

Town of Harvard, MA

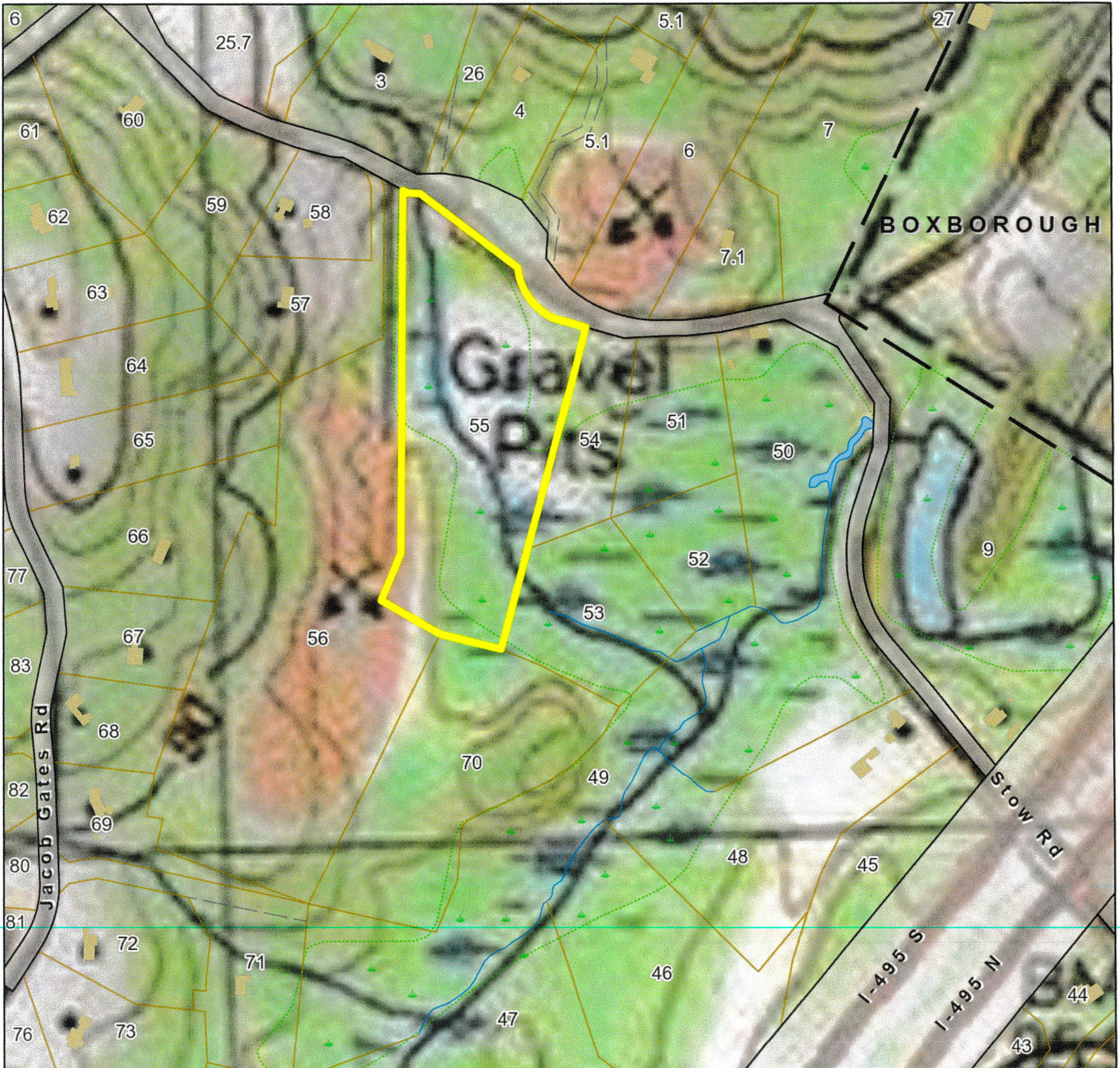
1 inch = 376 Feet



www.cai-tech.com

July 25, 2023

0 376 752 1128



Large Scale	PWater	RoadNotPar	Right of Ways
CAI Town Line	Property Line	Wetland	Wet Areas
Parcel - Poly	Public Road	WaterLines	Water-poly
Street Names	Right of Way	Buildings	USA Topo Maps

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HCT - Eastern Greenway Stow Road Map 32 Parcel 55

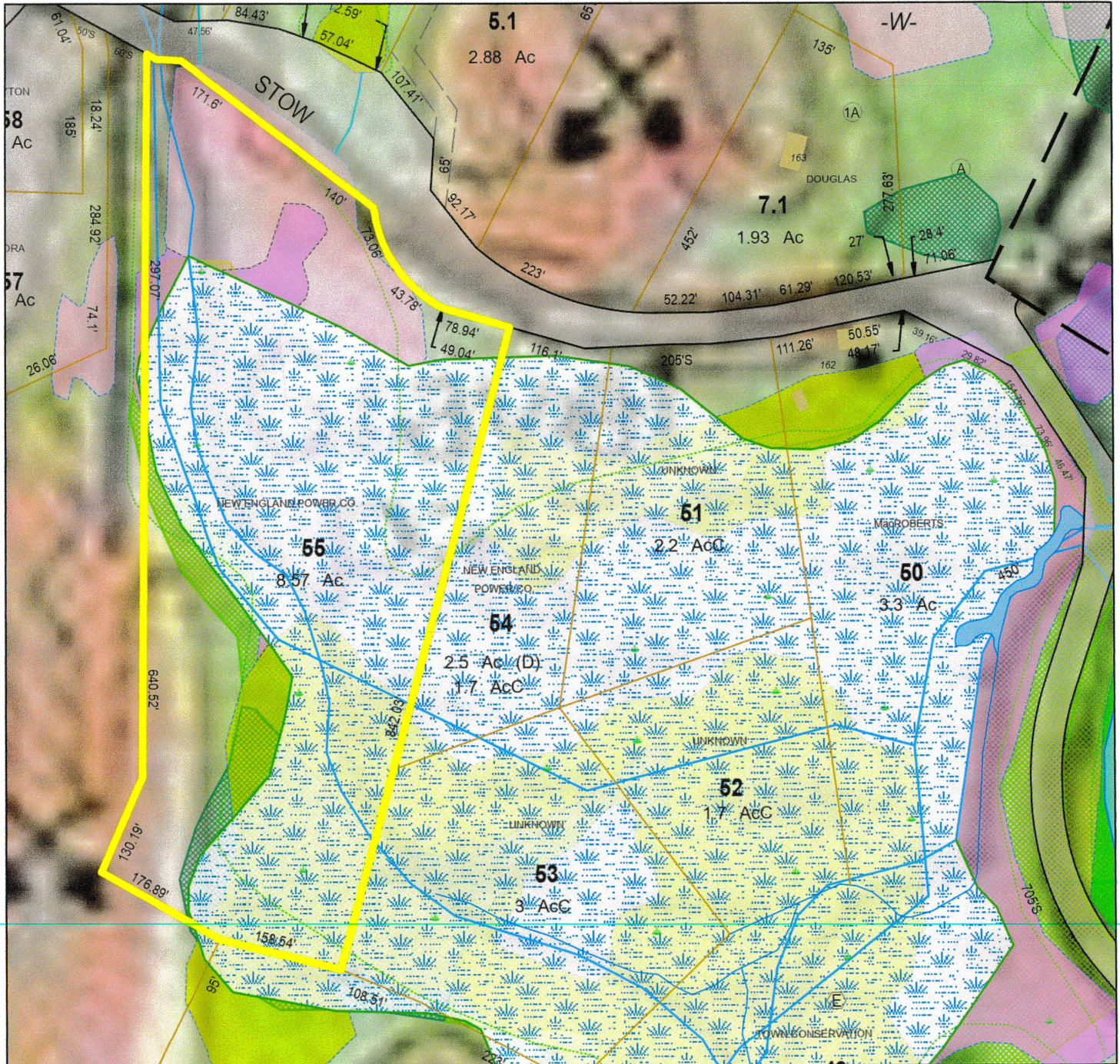
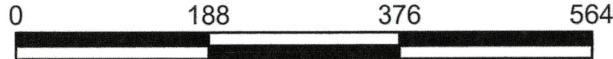
Town of Harvard, MA

1 inch = 188 Feet



www.cai-tech.com

July 25, 2023



Large Scale	TaxmapText_Leaders	Perennial Stream	DEEP MARSH
CAI Town Line	TaxmapText_Arrowheads	Shoreline	SHALLOW MARSH MEADOW OR FEN
PWater	Buildings	Apparent Wetland Limit	SHRUB SWAMP
Property Line	Right of Ways	Ponds and Lakes	WOODED SWAMP DECIDUOUS
Public Road	Wet Areas	Wetland	NWI_Rivers_and_Streams
Right of Way	Water-poly	Hydrologic Connection	Freshwater Emergent Wetland
Wetland	Hydrologic_Connections	Wetland Limit	Freshwater Forested/Shrub Wetland
WaterLines	USGS Hydro_100k Rivers Streams	Closure Line	USA Topo Maps

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NOTICE OF INTENT

Pursuant to the Massachusetts Wetlands Protection Act MGL ch.131 sec.40 & Town of Harvard Wetlands Protection Bylaw

Proposed Project:

#38 Lovers Lane
Harvard, Massachusetts
Map 17c / Parcel 27
Worcester County



Date: July 17, 2023

Prepared By: Dillis & Roy Civil Design Group
1 Main Street-Suite #1
Lunenburg, Massachusetts 01462

Prepared For: Mamie Wytrwal & David Caponera
38 Lovers Lane
Harvard, MA 01451

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Sections:

1. NOTICE OF INTENT
 - WPA Form 3 – Notice of Intent
2. PROJECT NARRATIVE
 - Project Type
 - Site Description
 - Proposed Development
 - Mitigation Measures
 - Wetland Protection Act Performance Standards
 - Protection of Wildlife Habitat
3. NOTIFICATION TO ABUTTERS
 - Certified List of Abutters
 - Abutter Notification Form
 - Affidavit
4. PLANS & DETAILS
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 - Figure 2 – Endangered Species Map
 - Figure 3 – ACEC
 - Figure 4 – Wetlands
 - Figure 5 – Flood Map
5. Assessor's Map/Deed
6. Harvard Forms A-F

NOTICE OF INTENT

PROJECT NARRATIVE

1.0 Project Narrative

1.1 *Project Type*

The proposed project is the construction of a replacement septic system.

1.2 *Site Description*

The property is approximately 4.50 +/- acres and is located on Lover's Lane. No work is proposed in the resource area. The site is an existing single-family house with woods surrounding the perimeter. Soil testing has been performed on the property. The Natural Resource Conservation Service (NRCS) soil survey information indicates that the majority of the site is underlain by soils classified as belonging to Hydrologic Soil Group B, which is confirmed by soil testing on the site as well as within the neighborhood.

1.3 *Proposed Project*

The proposed project involves the installation of a 1,500-gallon septic tank, 1,000-gallon pump chamber, leaching facility, and associated grading.

With limited space, outside the wetlands, and no town sewer available to the property, this septic system is being proposed to accommodate a 3-bedroom dwelling.

1.4 *Mitigation Measures*

Erosion and sediment controls have been incorporated in the design of the layout with the objective of retaining sediment on site, filtering and reducing storm water discharge and protecting wetland and undisturbed areas. A combination of stabilization and structural practices is included to meet the objective, as described in detail below. The following is a list of common temporary and permanent structural erosion control devices, which will be applied:

- 1.4.1 Straw wattles will be installed up gradient from areas of bordering vegetated wetlands that may receive runoff from areas disturbed by construction. The straw wattles will be installed according to the

manufacturer's instructions and will be maintained throughout the construction process.

- 1.4.2 The sediment control barrier will be installed to prevent the migration of soil materials under, around, or over the fencing. Sediment will be removed from behind the barrier when the accumulated amount has reached approximately half of the original installed height of the barrier. The overall condition of the silt fence and straw wattles will be inspected and maintained by the general contractor to maintain the level of sufficiency.

Upon completion of construction, all disturbed areas shall be loamed and seeded (or landscaped). The erosion and sedimentation controls shall be removed only upon final stabilization of the site and/or after the Conservation Commission has issued a Certificate of Compliance for the project.

1.5 WETLAND PROTECTION ACT PERFORMANCE STANDARD

In accordance with 310 CMR 10.01(2), Dillis & Roy Civil Design Group, Inc. briefly reviewed the proposed project's compliance with the Wetland Protection Act in regard to the following interests:

- 1.5.1 **Private and Public Water Supplies** – The on-site sewage disposal system is located outside of all the resource areas subject to protection of 310 CMR 10.00 and Harvard Bylaw.
- 1.5.2 **Groundwater Supply** - There will be no change.
- 1.5.3 **Flood Control** - The project is located outside of the 100-year flood elevation and does not involve any placement of fill within Bordering Lands Subject to Flooding as defined in 310 CMR 10.57(2)(a).
- 1.5.4 **Storm Damage Prevention** – Erosion control barriers will be installed and maintained down gradient to all proposed work.
- 1.5.5 **Prevention of Pollution** - There will be no impact.
- 1.5.6 **Protection of land containing shellfish** - Not applicable.
- 1.5.7 **Protection of Fisheries** - Not applicable.

1.6 Protection of Wildlife Habitat

The Massachusetts Natural Heritage Atlas (Oct. 2008 Edition) demonstrates that the site is within a Priority Habitats of Rare Species and Estimated Habitats of Rare Wildlife. A filing with NHESP is NOT required.

NOTIFICATION TO ABUTTERS

Notification to Abutters Under the Massachusetts Wetlands Protection Act

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 Mamie Wyrwal & David Caponera.
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Harvard 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 is #38 Lover's Lane-Harvard MA

D. Copies of the Notice of Intent may be examined at Dillis & Roy Civil Design Group
1 Main Street, Suite #1, Lunenburg, MA 01462
between the hours of 8:00 am and 4:00 pm on the following days of the week: Monday – Friday
For more information, call: (978) 779 – 6091.

Check One: This is the applicant , representative , or other (specify) _____

E. Copies of the Notice of Intent may be obtained (for a fee) from either (check one) the applicant , or the applicant's representative , by calling this telephone number (978)-779-6091 between the hours of 9:30 am and 2:30 pm on the following days of the week: Monday – Thursday

F. The public hearing will be held on **August 17, 2023**. A site walk may be scheduled at that time. If you have any questions regarding this information you may call the
Harvard Conservation Commission by calling (978)-829-1891.

NOTE: Notice of the public hearing, including its date time and place, will be published in advance in the Worcester Telegram, newspaper.

NOTE: Notice of the public hearing, including its date, time, and place, will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

NOTE: You may also contact your local Conservation Commission or the nearest Department of Environmental Protection Regional office for more information about this application or the Wetlands Protection Act.

To contact DEP, call:

Central Region: 508-792-7650
Southeast Region: 508-946-2800

Northeast Region: 781-661-7600
Western Region: 413-784-1100



**TOWN OF HARVARD
ASSESSORS OFFICE
13 AYER ROAD
HARVARD, MA 01451
978-456-4100 X314**

RECEIVED
JUL 19 2023

BOARD OF ASSESSORS
TOWN OF HARVARD

REQUEST FOR CERTIFIED ABUTTERS LIST

PROPERTY LOCATION: 38 LOVER'S LANE-HARVARD, MA

MAP/BLOCK/LOT: 17C/27

PROPERTY OWNERS: MAMIE WYTRALL & DAVID CAPONERA

REQUIRED FOOTAGE: 300'

******PLEASE ALLOW UP TO 10 DAYS PER REQUEST******

CONTACT INFORMATION: Jack Maloney @ Dillis & Roy Civil Design Group, Inc

PHONE NUMBER: 978-779-6091 x-302 or 860-933-9385-cell

FEE: \$25.00 TO BE PAID UPON REQUEST

DATE PAID: 7-21-23 CH# 4270

Emailed
Abutters, 7/24/23
Package:

Sent
originals
Lunenburg: 7/25/23
USPS



Abutters List Report
Town of Harvard, MA

Date: July 24, 2023

Parcel Number: 17C-027-000

Property Address: 38 Lovers Ln

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: 7/24/23

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



38 LOVERS LN

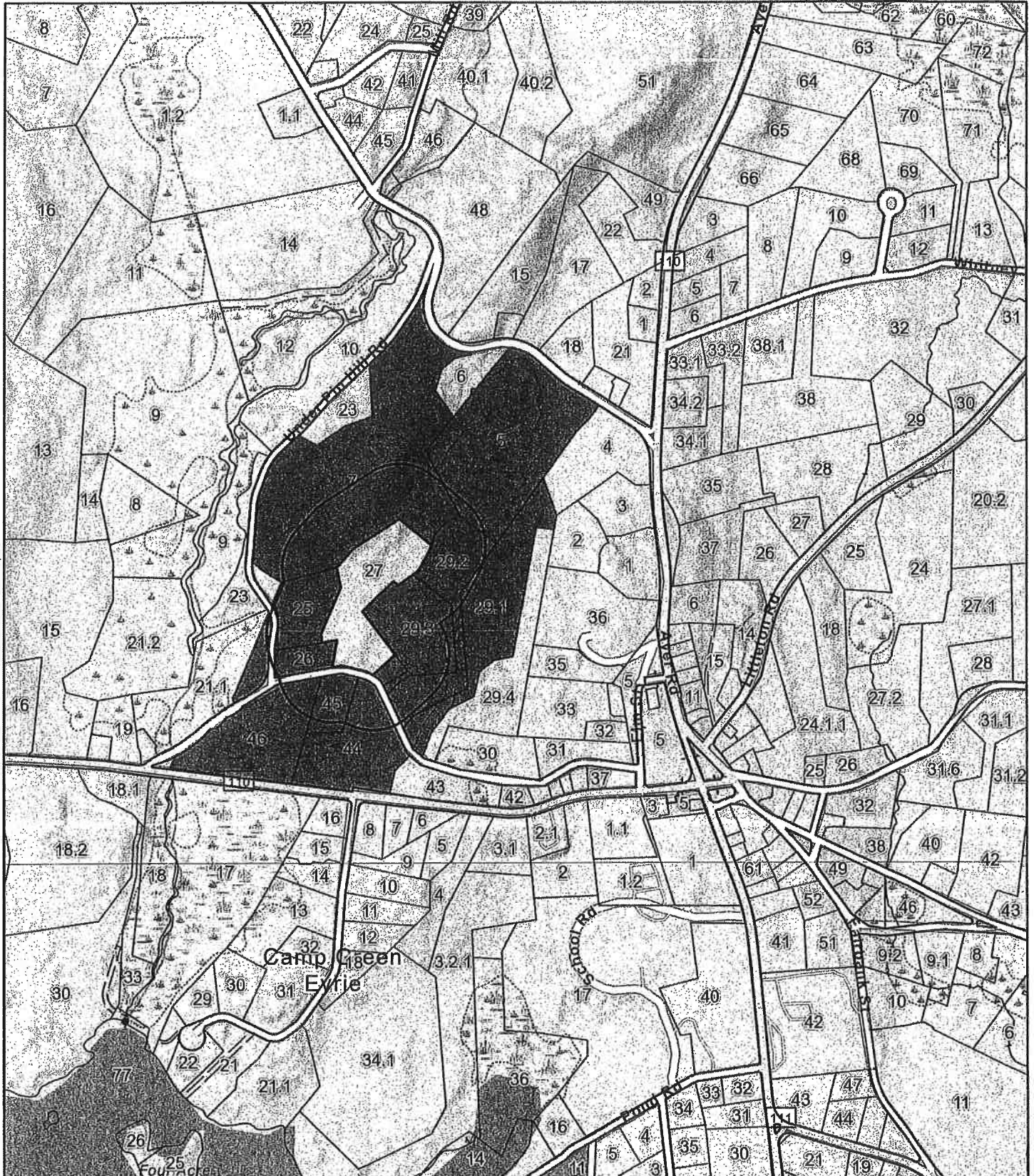
Town of Harvard, MA

1 inch = 752 Feet



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July 24, 2023



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300 feet Abutters List Report

Harvard, MA
July 24, 2023

Subject Property:

Parcel Number: 17C-027-000-000
CAMA Number: 17C-027-000-000
Property Address: 38 LOVERS LN

Mailing Address: CAPONERA, DAVID J. & WYTRWAL,
MAMIE L., TRUSTEES O
38 LOVERS LN
HARVARD, MA 01451

Abutters:

Parcel Number: 17A-005-000-000
CAMA Number: 17A-005-000-000
Property Address: 9 DEPOT RD-HARVARD

Mailing Address: ARNOLD, KEVIN
9 DEPOT RD-HARVARD
HARVARD, MA 01451

Parcel Number: 17A-007-000-000
CAMA Number: 17A-007-000-000
Property Address: 25 DEPOT RD-HARVARD

Mailing Address: SMEDLEY, TREVOR & PARKER, JANE
25 DEPOT RD
HARVARD, MA 01451

Parcel Number: 17C-022-000-000
CAMA Number: 17C-022-000-000
Property Address: 15 UNDER PIN HILL RD

Mailing Address: LARRABEE, BRYCE B JR
15 UNDER PIN HILL RD
HARVARD, MA 01451

Parcel Number: 17C-025-000-000
CAMA Number: 17C-025-000-000
Property Address: 20 UNDER PIN HILL RD

Mailing Address: ANDREI, MIHAI & ISABELLE
20 UNDER PIN HILL RD
HARVARD, MA 01451

Parcel Number: 17C-026-000-000
CAMA Number: 17C-026-000-000
Property Address: 40 LOVERS LN

Mailing Address: FITZGIBBONS, DAVID R.
40 LOVERS LN
HARVARD, MA 01451

Parcel Number: 17C-028-000-000
CAMA Number: 17C-028-000-000
Property Address: 36 LOVERS LN

Mailing Address: GARDE, SAMANTHA
36 LOVERS LN
HARVARD, MA 01451

Parcel Number: 17C-029-001-000
CAMA Number: 17C-029-001-000
Property Address: 20 LOVERS LN

Mailing Address: MCFARLAND, WAYNE T & KIMBERLY K
20 LOVERS LN
HARVARD, MA 01451

Parcel Number: 17C-029-002-000
CAMA Number: 17C-029-002-000
Property Address: 28 LOVERS LN

Mailing Address: LEDOUX, ROBERT J & THERESA J
28 LOVERS LN
HARVARD, MA 01451 1341

Parcel Number: 17C-029-003-000
CAMA Number: 17C-029-003-000
Property Address: 32 LOVERS LN

Mailing Address: L P J INVEST TR & M H P INVEST TR
32 LOVERS LN
HARVARD, MA 01451

Parcel Number: 17C-044-000-000
CAMA Number: 17C-044-000-000
Property Address: 31 LOVERS LN

Mailing Address: CHIANG, WAN-CHIH
31 LOVERS LN
HARVARD, MA 01451



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7/24/2023

Page 1 of 2



300 feet Abutters List Report

Harvard, MA
July 24, 2023

Parcel Number: 17C-045-000-000
CAMA Number: 17C-045-000-000
Property Address: 39 LOVERS LN

Mailing Address: BODTMAN, STEPHEN W & CORINNE M
39 LOVERS LN
HARVARD, MA 01451

Parcel Number: 17C-046-000-000
CAMA Number: 17C-046-000-000
Property Address: 47 LOVERS LN

Mailing Address: DANIEL P FEMINO
47 LOVERS LN
HARVARD, MA 01451



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7/24/2023

Page 2 of 2

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

(To be submitted to the Massachusetts Department of
Environmental Protection and the Conservation Commission
when filing a Notice of Intent)

I, Jack Maloney, hereby certify under the pains of penalties of perjury that on **July 28, 2023** 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 March 22, 1995, in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by MAMIE WYTRWAL & DAVID CAPONERA with the Harvard Conservation Commission **July 27, 2023** for the property located at 13 Lovers Lane in Harvard, Massachusetts.

The form of the notification and a list of the abutters to whom it was given and their addresses are attached to this Affidavit of Service.


Name


Date

PLANS & DETAILS

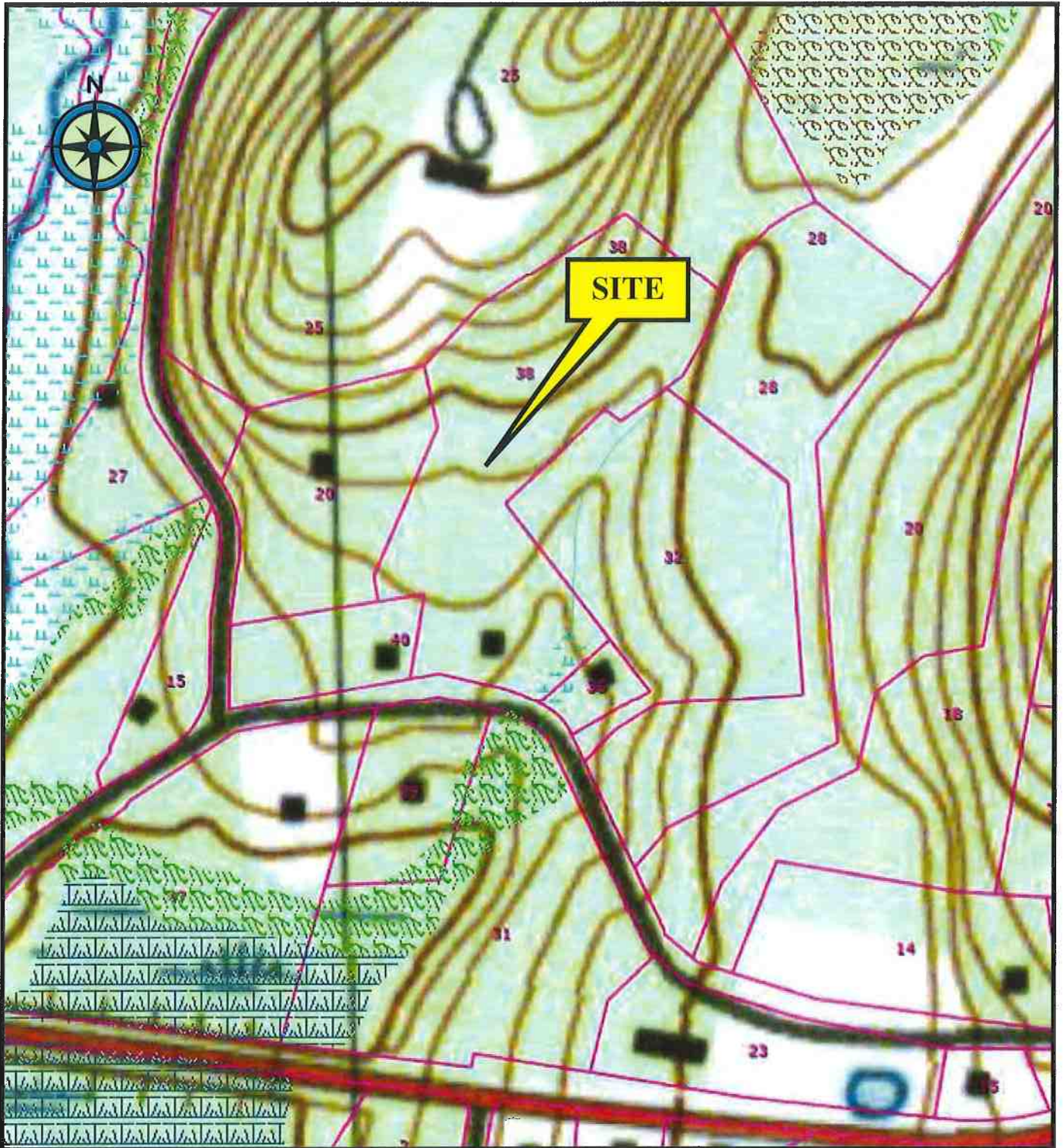


FIGURE 1 – LOCUS MAP
NOT TO SCALE

Prepared By: Dillis & Roy Civil Design Group, Inc.
1 Main Street-Suite #1
Lunenburg, MA 01462

Prepared For: Mamie Wyrwal & David Caponera
13 Lovers Lane
Harvard, MA 01451



Date: 7/17/2023
DDCDG #: 659

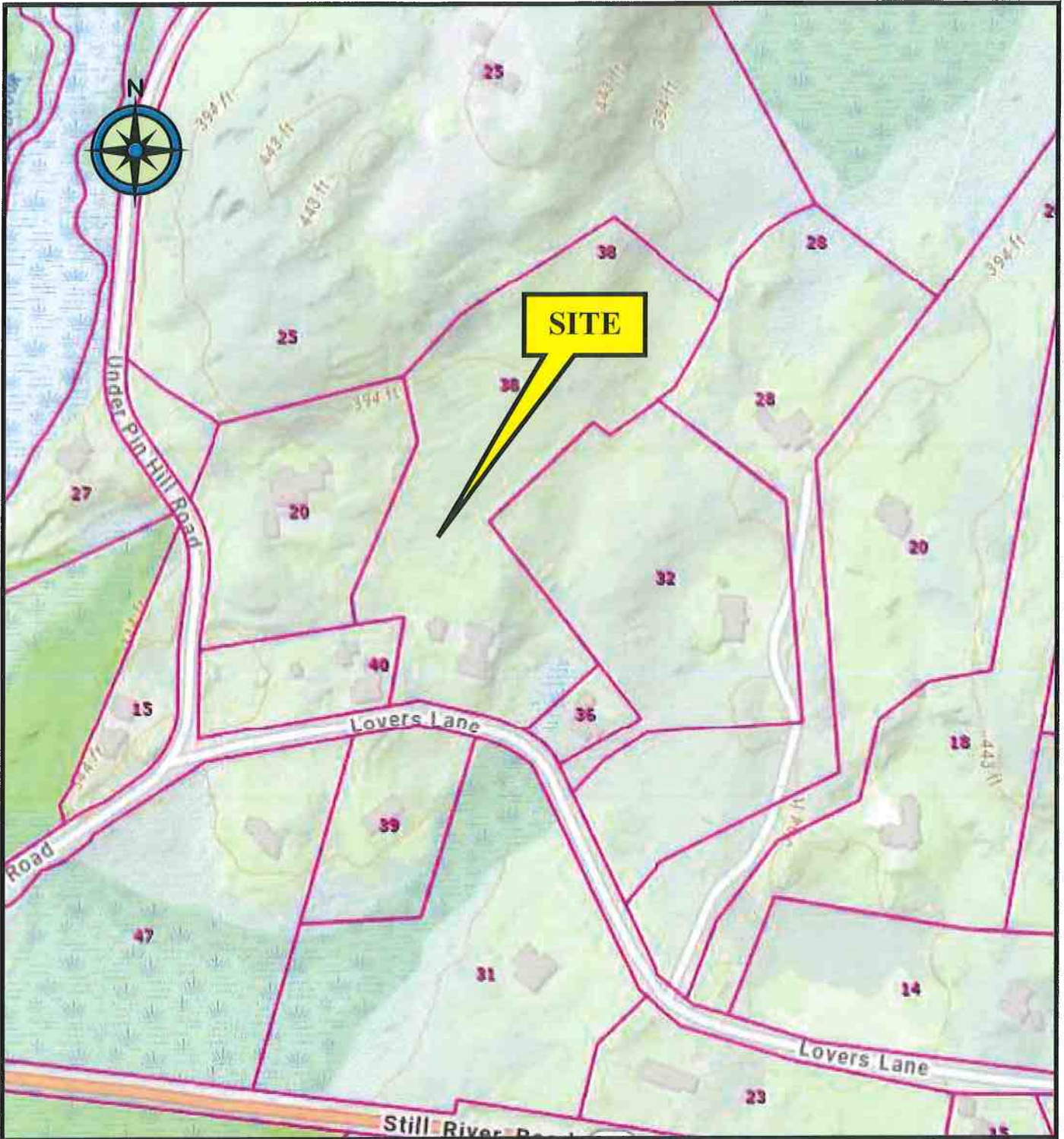


FIGURE 2 – NHESP
NOT TO SCALE

Prepared By: Dillis & Roy Civil Design Group, Inc.
1 Main Street-Suite #1
Lunenburg, MA 01462

Prepared For: Mamie Wyrwal & David Caponera
13 Lovers Lane
Harvard, MA 01451



Date: 7/17/2023
DDCDG #: 659

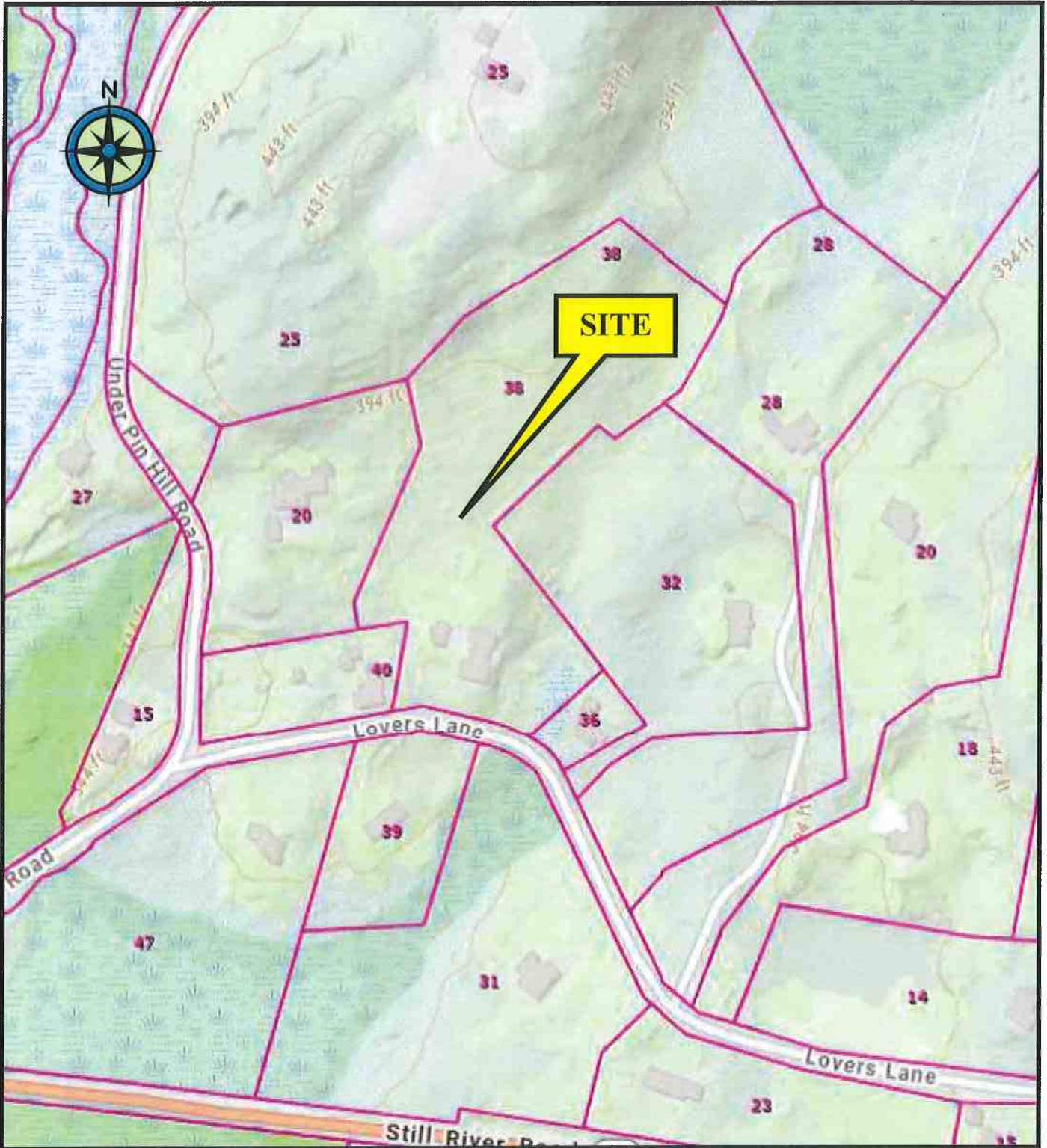


FIGURE 3 – ACEC
NOT TO SCALE

Prepared By: Dillis & Roy Civil Design Group, Inc.
1 Main Street-Suite #1
Lunenburg, MA 01462

Prepared For: Mamie Wyrwal & David Caponera
13 Lovers Lane
Harvard, MA 01451



Date: 7/17/2023
DDCDG #: 659

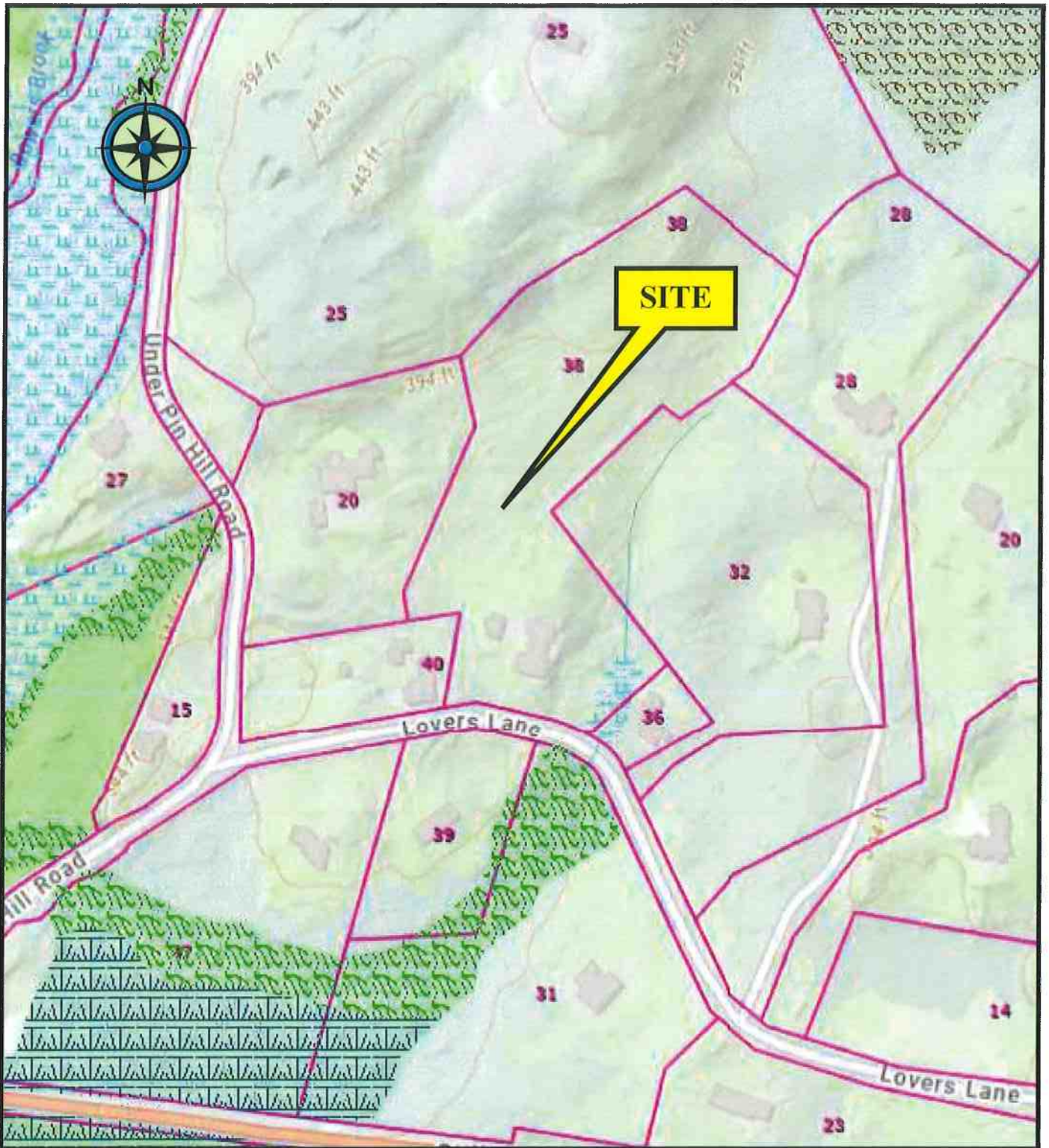


FIGURE 4 – WETLANDS
NOT TO SCALE

Prepared By: Dillis & Roy Civil Design Group, Inc.
1 Main Street-Suite #1
Lunenburg, MA 01462

Prepared For: Mamie Wyrwal & David Caponera
13 Lovers Lane
Harvard, MA 01451



Date: 7/17/2023
DCCDG #: 659

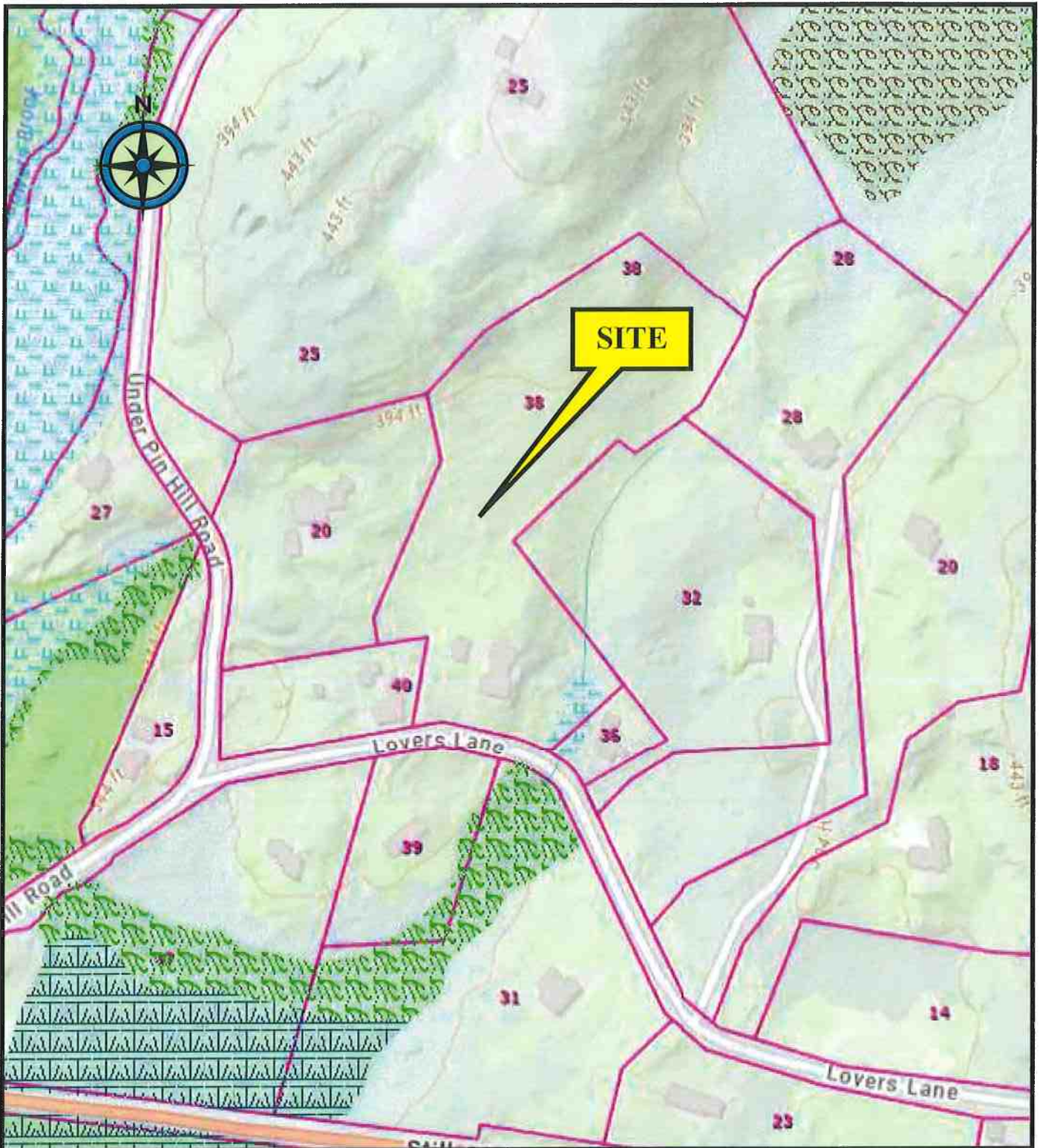


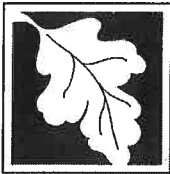
FIGURE 5 – FLOOD PLAIN
NOT TO SCALE

Prepared By: Dillis & Roy Civil Design Group, Inc.
1 Main Street-Suite #1
Lunenburg, MA 01462

Prepared For: Mamie Wyrwal & David Caponera
13 Lovers Lane
Harvard, MA 01451



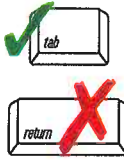
Date: 7/17/2023
DDCDG #: 659



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
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 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):

38 LOVERS LANE	HARVARD	01451
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	42.50285	-71.59081
17c	d. Latitude	e. Longitude
f. Assessors Map/Plat Number	27	g. Parcel /Lot Number

2. Applicant:

David	Caponera	
a. First Name	b. Last Name	
c. Organization		
38 LOVERS LANE		
d. Street Address		
HARVARD	MA	01451
e. City/Town	f. State	g. Zip Code
978.618.0241	dcaponera38@gmail.com	
h. Phone Number	i. Fax Number	j. Email Address

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

MAMIE	Wyrwal	
a. First Name	b. Last Name	
c. Organization		
38 LOVERS LANE		
d. Street Address		
HARVARD	MA	01451
e. City/Town	f. State	g. Zip Code
978.618.0241	mlwyrwal@gmail.com	
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

JACK	MALONEY	
a. First Name	b. Last Name	
DILLIS & ROY CIVIL DESIGN GROUP, INC.		
c. Company		
1 MAIN STREET - SUITE #1		
d. Street Address		
LUNENBURG	MA	01462
e. City/Town	f. State	g. Zip Code
978-779-6091	978-779-0260	JMALONEY@DILLISANDROY.COM
h. Phone Number	i. Fax Number	j. Email address

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

110.00	42.50	67.50
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

The proposed project involves the installation of a 1,500-gallon septic tank, 1,000-gallon pump chamber, leaching facility, and associated grading.

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

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. 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.

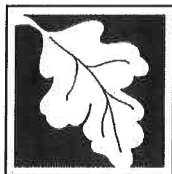
8. Property recorded at the Registry of Deeds for:

<u>WORCESTER</u>	
a. County	b. Certificate # (if registered land)
<u>68068</u>	<u>282</u>
c. Book	d. Page Number

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

- 1. 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.
- 2. 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.



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

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	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. Riverfront Area
1. Name of Waterway (if available) - specify coastal or inland _____
 2. Width of Riverfront Area (check one):
 - 25 ft. - Designated Densely Developed Areas only
 - 100 ft. - New agricultural projects only
 - 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

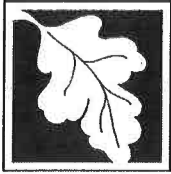
_____	_____	_____
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? 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.



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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



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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.

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

CURRENT
MASSMAPPER

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 **

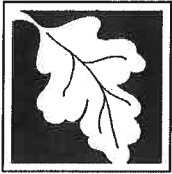
(a) Project description (including description of impacts outside of wetland resource area & buffer zone)

(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/mas-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.



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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:

North Shore - Hull to New Hampshire border:

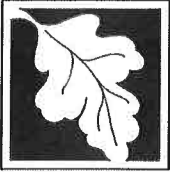
Division of Marine Fisheries -
 Southeast Marine Fisheries Station
 Attn: Environmental Reviewer
 836 South Rodney French Blvd.
 New Bedford, MA 02744
 Email: dmf.envreview-south@mass.gov

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



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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.



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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.

PROPOSED SEWAGE DISPOSAL DESIGN PLAN

a. Plan Title	<u>DILLIS & ROY</u>	c. Signed and Stamped by	<u>GREG ROY, PE</u>
b. Prepared By	<u>7/12/2023</u>	d. Final Revision Date	<u>1"=30'</u>
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	<u>4072</u>	3. Check date	<u>7/19/23</u>
4. State Check Number	<u>4273</u>	5. Check date	<u>7/19/23</u>
6. Payor name on check. First Name	<u>Dillis & Roy Civil Boston Group</u>	7. Payor name on check: Last Name	



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F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant	(As Agent For Applicant)	7/24/23
3. Signature of Property Owner (if different)	(As Agent For Owner)	7/24/23
5. Signature of Representative (if any)	(As Rep.)	7/29/23

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.

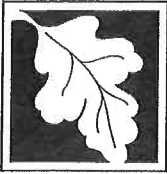
For MassDEP:

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.



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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:

38 LOVERS LANE

a. Street Address

HARVARD

b. City/Town

42.50

d. Fee amount

c. Check number

2. Applicant Mailing Address:

DAVID

a. First Name

CAPONERA

b. Last Name

c. Organization

38 LOVERS LANE

d. Mailing Address

HARVARD

e. City/Town

MA

f. State

01451

g. Zip Code

978.618.0241

h. Phone Number

i. Fax Number

dcaponera38@gmail.com

j. Email Address

3. Property Owner (if different):

MAMIE

a. First Name

Wytrwal

b. Last Name

c. Organization

38 LOVERS LANE

d. Mailing Address

HARVARD

e. City/Town

MA

f. State

01451

g. Zip Code

978.618.0241

h. Phone Number

i. Fax Number

mlwytrwal@gmail.com

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
CATEGORY 1	1	110.00	110.00

Step 5/Total Project Fee: 110.00

Step 6/Fee Payments:

Total Project Fee:	110.00
State share of filing Fee:	42.50
City/Town share of filling Fee:	67.50
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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

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

FORM A
NOTICE OF FILING

DATE: 7/17/2023 RE: Property located at 38 LOVER'S LANE
FROM: MAMIE WYTRWAL & DAVID CAPONERA
(applicant)

Address 38 LOVER'S LANE-HARVARD, MA

Telephone 978.618.0241

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 subsection 147-14 Notice to Town Boards by certified mail or hand delivery as follows:

	Date of Submittal
Conservation Commission (10 copies)	_____
Department of Environmental Protection (2 copies)	_____
_____	_____
_____	_____
_____	_____

(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 who have been notified).

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 David Caponera Date: 7/17/2023
DocuSigned by:
3420DEC0DB6D4FC...

D. Please check the appropriate box(s):

- 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

FORM B
NOTIFICATION TO ABUTTERS
MASSACHUSETTS WETLAND PROTECTION ACT
AND HARVARD WETLANDS PROTECTION BYLAW

DATE: _____

Certified Mail # _____
or Date of Hand Delivery _____

TO: _____

(abutter) (address)

FROM: DAVID & MAMIE CAPONERA - WYTTORAL 30 LOWERS LANE HARVARD, MA.
(applicant) (address) (Telephone No.)

RE: Property identified on Harvard Assessors Map # 17C Parcel 27
The address of the lot where the activity is proposed is:

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 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 confirmamtion 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 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 twenty-one (21) days upon receipt of the complete application. Notice of this public hearing will be given at least five (5) days prior to the hearing, in a local newspaper, as well as appear on the Town of Harvard website at www.harvard.ma.us . 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) 789 6091 between the hours of 9 and 3 on the following days of the week MON - FRI. 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)946-2800

FORM C

REQUEST FOR WAIVER

HARVARD WETLANDS PROTECTION BYLAW

Date:

To: Harvard Conservation Commission

David Caponera

From:

(name of petitioner)

38 LOVERS LANE, HARVARD, MA. 01451

(address of petitioner)

RE: Harvard Wetlands Rules and Regulations

Request for Waiver

Pursuant to the provisions of §147-3 of the Rules And 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 as shown on the pages listed.

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

Signature of petitioner


DocuSigned by:
David Caponera
3420DEC0DB6D4FC... Telephone # ()

FORM D
PERMISSION FOR ACCESS

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

From: David Caponera

Pursuant to §147-6.D. or §147-11.D. 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 a Order of Resource Area Delineation.

Signed:  Date 7/17/2023
DocuSigned by:
Original Document Digitized Applicant from Form A part C

FORM E

PERMISSION TO BILL APPLICANT DIRECTLY FOR LEGAL NOTICE

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

FROM: JACK WATSON & DILLIS: TAG CIVIL ACTION GROUP
1 MAIN ST. - SUITE #1
WRENTHAM, MA. 01962

I hereby authorize WONC. TAG to bill me directly for the legal notice published in the
(Name of Newspaper Company)
WONC-TELEGRAM Newspaper for a public hearing with the Harvard Conservation Commission
(Name of Newspaper)

Signed: DocuSigned by:
David Capomera
3420DEC0DB6D4FC...
Owner or Authorized Applicant from Form A part C

FORM F

Wetland filing fees calculation worksheet for work in resource areas

Notice of Intent Fees

	Fee	Total
1) <i>Single family</i>		
Septic Repair or Upgrade (Enter Fee & Skip to Total Fee)	\$200.00	<u>200.00</u>
New Construction or alteration involving 500sf or less of total construction	\$300.00	_____
New Construction or alteration involving 501sf to 1499sf of total construction	\$600.00	_____
New Construction or alteration involving 1500 sf or more of total construction	\$900.00	_____
2) <i>Subdivision/mini Subdivision</i>		
Roads and Utilities only	\$1,500.00	_____
Multifamily/Condominium Structures construction	\$1,500.00	_____
3) <i>Commercial or Industrial Projects</i>	\$1,500.00	_____

Additional charges under a Notice of Intent for disturbance within the buffer zone

1) Disturbance within the buffer zone (Maximum \$1,000.00)	_____ sf	x 0.10 =	_____
2) Confirmation delineated wetland line	_____ linear ft	x 0.50 =	_____
3) Alteration or replication of wetlands	_____ sf	x 1.00 =	_____

TOTAL FILING FEE

Fee doubled if Notice of Intent is filed after work began or an Enforcement Order was issued

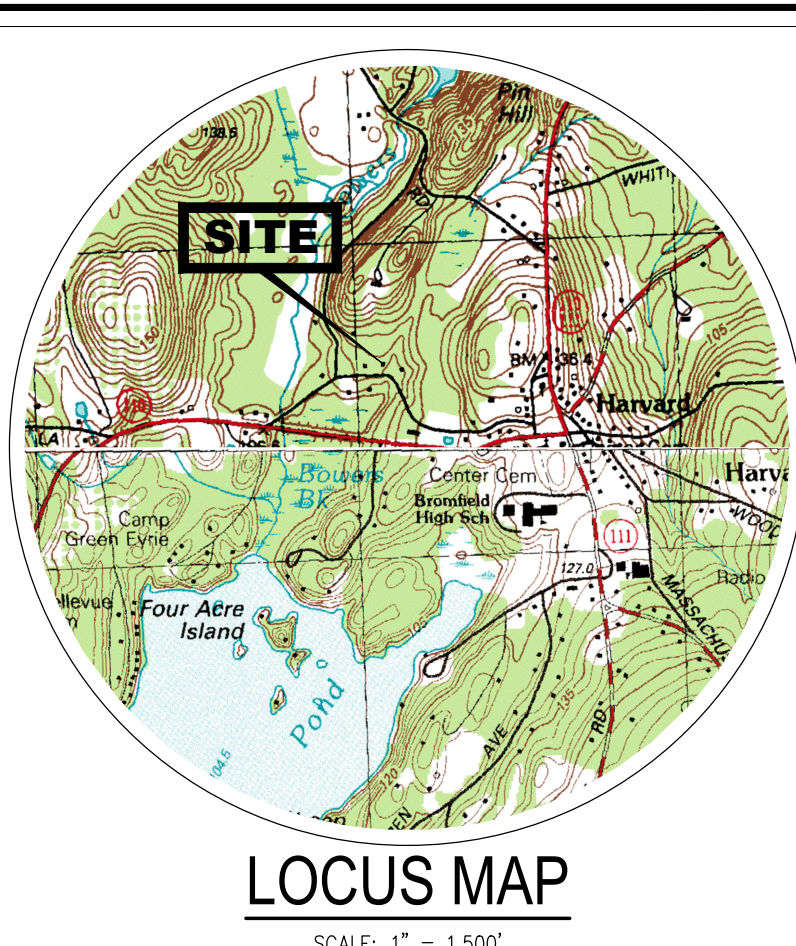
Other fees

Request for an amendment to an Order of Conditions	\$100.00	_____
Request for an extension to an Order of Conditions	\$75.00	_____
Request for a reissued Certificate of Compliance	\$75.00	_____
Request for an Emergency Certificate of Compliance	\$200.00	_____
Request for an Emergency Certification Form	\$200.00	_____
Request for Certificate of Compliance with Expired OOC or Partial Certificate of Compliance	\$100.00	_____
Request for Determination of Applicability (RDA)	\$100.00	_____
Abbreviated Notice of Resource Area Delimitation (ANRAD) (Minimum \$100.00)		
	_____ linear ft	x 0.50= _____

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).

TOTAL FEE PAYABLE TO THE TOWN OF HARVARD

200.00



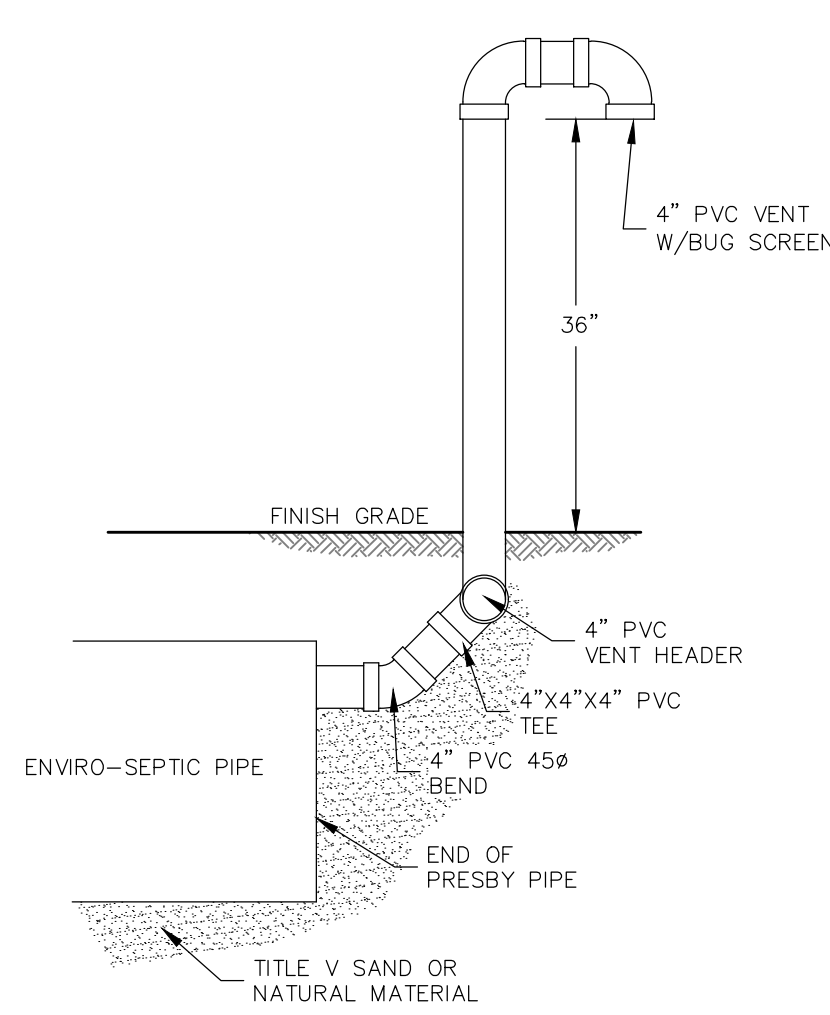
CALCULATIONS:
HYDRAULIC LOADING:
 THREE (3) BEDROOMS AT 110 GALLONS PER DAY PER BEDROOM = 330 GALLONS PER DAY.

SEPTIC TANK SIZE:
 AVERAGE DAILY FLOW = 330 G.P.D.
 MINIMUM STORAGE REQUIRED:
 COMPARTMENT #1 = 330 G.P.D. X 200% = 660 GALLONS
 COMPARTMENT #2 = 330 G.P.D. X 100% = 330 GALLONS
 SEPTIC TANK PROVIDED = 1500 GALLON, 2 COMPARTMENT (1,000/500)

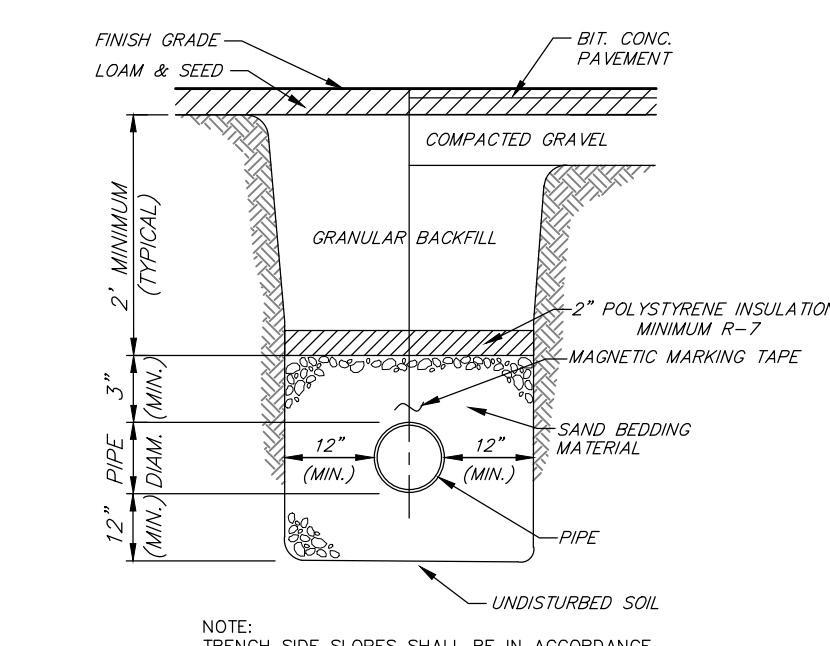
PRIMARY LEACHING AREA (PRESBY ENVIRONMENTAL, INC.):
 DESIGN PERCOLATION RATE = 40 M/I (SOIL CLASS III)
 SLOPE ACROSS SYSTEM = 0%
 LINEAL FOOTAGE REQUIRED = 210 L.F. (TABLE A - DESIGN REFERENCE GUIDE-REV. SEPT. 2019)
 LINEAL FOOTAGE PROVIDED = 320 L.F. (8 - 40' LINES)
 MINIMUM CENTER TO CENTER SPACING REQUIRED = 2.50 FEET
 MINIMUM SAND BED REQUIRED = 792 S.F. (TABLE D - DESIGN REFERENCE GUIDE-REV. SEPT 2019)
 SAND BED PROVIDED = 792 S.F. (42' x 20.5')

SCHEDULE OF ELEVATIONS:

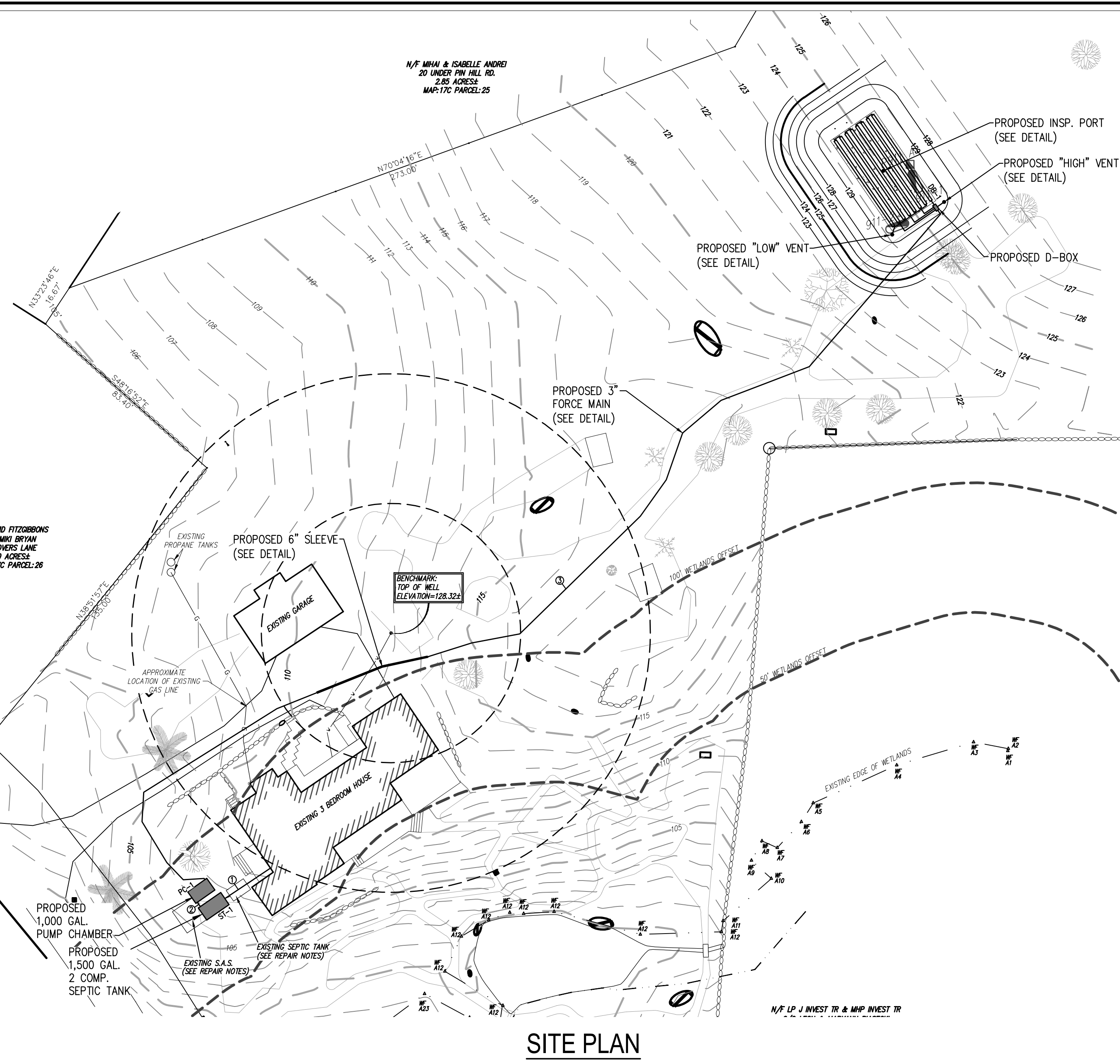
SYSTEM ELEVATIONS:				PIPE DATA:			
TOP EL. OF FOUNDATION WALL = xxx.x1*				PIPE 1 GRAVITY SEWER 4" PVC (SCH. 40)			
INV. EL. AT FOUNDATION WALL = 106.51*				L = 21'			
				S = 0.02			
SEPTIC TANK (ST-1) - H-10				PIPE 2 GRAVITY SEWER 4" PVC (SCH. 40)			
4" INV. (IN) = 106.08				L = 2'			
4" INV. (OUT) = 105.83				S = 0.02			
PUMP CHAMBER (PC-1)				PIPE 3 FORCE MAIN 3" PVC (SDR 21)			
4" INV. (IN) = 105.79				L = 44.31'			
3" INV. (OUT) = 105.54							
DISTRIBUTION BOX (DB-1)							
3" INV. (IN) = 127.85							
4" INV. (OUT) = 127.68							
PRIMARY PRESBY ELEVATIONS:				AS-BUILT PRESBY ELEVATIONS:			
LINE NO.	EL. INV. BEG. OF 4" PVC.	EL. INV. OF PRESBY PIPE.	EL. OF BOT. OF SAND BED.	LINE NO.	EL. INV. BEG. OF 4" PVC.	EL. INV. OF PRESBY PIPE.	EL. OF BOT. OF SAND BED.
P1-8	127.58	127.00	126.50	P1	XXXX.XX	XXXX.XX	
				P2	XXXX.XX	XXXX.XX	
				P3	XXXX.XX	XXXX.XX	
				P4	XXXX.XX	XXXX.XX	
				P5	XXXX.XX	XXXX.XX	
				P6	XXXX.XX	XXXX.XX	
				P7	XXXX.XX	XXXX.XX	
				P8	XXXX.XX	XXXX.XX	



LOW VENT DETAIL
NOT TO SCALE



FORCE MAIN INSULATION
NOT TO SCALE



SITE PLAN
SCALE 1" = 30'

GENERAL NOTES:

1. TOPOGRAPHIC INFORMATION IS THE RESULT OF AN ON-THE-GROUND SURVEY PERFORMED BY DILLIS & ROY CIVIL DESIGN GROUP, INC. ELEVATIONS REFER TO AN ASSUMED DATUM (SEE BENCH MARK LOCATED ON PLOT PLAN).
2. PROPERTY LINE INFORMATION TAKEN FROM RECORDED DEED ON FILE WITH THE WORCESTER REGISTRY OF DEEDS.
3. DEED BOOK: 18734 PAGE: 256
4. PROPERTY LINES SHALL BE DETERMINED PRIOR TO CONSTRUCTION OR INSTALLATION OF ANY OF THE PROPOSED IMPROVEMENTS HEREON.
5. PERCOLATION TESTS PERFORMED IN ACCORDANCE WITH 310 CMR (TITLE 5) REGULATIONS 15.104 AND 15.105.
6. ANY DEVIATIONS FROM THE DESIGN PLAN MUST BE APPROVED IN WRITING BY DILLIS & ROY CIVIL DESIGN GROUP, INC.
7. NO PERMANENT STRUCTURES MAY BE CONSTRUCTED OVER THE RESERVE LEACHING AREA.
8. THE BOARD OF HEALTH REQUIRES INSPECTION OF ALL CONSTRUCTION BY THE DESIGN ENGINEER OR BY AN AGENT OF THE BOARD OF HEALTH, AND THAT SUCH A PERSON CERTIFIES IN WRITING THAT ALL WORK HAS BEEN COMPLETED IN ACCORDANCE WITH THE TERMS OF THE PERMIT AND THE APPROVED PLANS.
9. FOR PROPER PERFORMANCE, A SEPTIC TANK SHOULD BE INSPECTED AT LEAST EVERY YEAR AND WHEN THE TOTAL DEPTH OF SCUM AND SOLIDS EXCEEDS ONE THIRD OF LIQUID DEPTH OF THE TANK, THE TANK SHOULD BE PUMPED.
10. THERE ARE NO POTABLE DRINKING WATER WELLS WITHIN 150 FEET OF THE PROPOSED SEWAGE DISPOSAL SYSTEM UNLESS OTHERWISE NOTED.
11. THIS DESIGN DOES NOT ACCOMMODATE A CHARGED DISPOSAL.
12. CONSTRUCTION WITHIN 100 FEET OF A WETLAND RESOURCE AREA AS DEFINED IN THE MASSACHUSETTS WETLAND PROTECTION ACT AND REGULATIONS (310 CMR 10.00) SHALL NOT BE PERFORMED UNTIL AN ORDER OF CONDITIONS OR NEGATIVE DETERMINATION OF APPLICABILITY HAS BEEN OBTAINED FROM THE LOCAL CONSERVATION COMMISSION.
13. EXISTING UTILITIES SHOWN ON THIS PLAN WERE COMPILED FROM FIELD MEASUREMENT AND RECORD PLANS. THE UTILITIES SHOWN ON THIS PLAN ARE FOR REFERENCE ONLY AND SHOULD NOT BE ASSUMED TO BE CORRECT NOR SHOULD IT BE ASSUMED THAT THE UTILITIES SHOWN ARE THE ONLY UTILITIES LOCATED ON OR NEAR THE SITE. THE CONTRACTOR SHALL CALL DIG SAFE 1-888-616-SAFE PRIOR TO CONSTRUCTION IN ACCORDANCE WITH STATE LAWS.
14. A NOTICE OF THE EXISTENCE OF THIS ALTERNATIVE SYSTEM SHALL BE RECORDED AT THE REGISTRY OF DEEDS IN THE CHAIN OF TITLE TO THE PROPERTY.
15. THE OWNER SHALL BE RESPONSIBLE FOR THE APPLICABLE PROVISIONS SET FORTH IN 310 CMR 15.287.
16. THIS PLAN HAS BEEN PREPARED TO DETAIL THE CONSTRUCTION REQUIREMENTS FOR A SUBSURFACE SEWAGE DISPOSAL SYSTEM ONLY. THIS PLAN SHALL NOT BE UTILIZED FOR ANY OTHER PURPOSE.

CONSTRUCTION NOTES:

1. CONTACT DESIGN ENGINEER PRIOR TO SYSTEM INSTALLATION. DESIGN ENGINEER MUST BE ON SITE ONCE TOPSOIL AND ORGANIC MATERIAL IS REMOVED AND PRIOR TO PLACEMENT OF ANY SAND OR FILL.
2. SYSTEM TO BE INSTALLED IN ACCORDANCE WITH PRODUCT DESIGN AND INSTALLATION MANUAL, AND STATE AND LOCAL REGULATIONS. FOR PRODUCT INFORMATION OR THE NEAREST DEALER CONTACT PRESBY ENVIRONMENTAL, INC. 143 AIRPORT ROAD, WHITEFIELD, NH 03598 - PHONE 1-800-473-5298 - WWW.PRESBYECO.COM
3. MINIMUM OF 4" OF MEDIUM TO COARSE SAND MEETING THE REQUIREMENTS OF ASTM C-33, WITH LESS THAN 2% PASSING A # 200 SIEVE REQUIRED AROUND CIRCUMFERENCE OF ENVIRO-SEPTIC PIPES. (SEE DESIGN AND INSTALLATION MANUAL FOR COMPLETE SAND AND FILL SPECIFICATIONS).
4. THE SYSTEM INSTALLER SHALL PROVIDE THE SYSTEM OWNER AND LOCAL APPROVING AUTHORITY WITH A BILL OF LADING CERTIFYING THE AROUND SAND FILL MEETS ASTM C-33.
5. SYSTEM SHALL NOT BE INSTALLED ON FROZEN GROUND OR LEFT UNCOVERED FOR EXTENDED PERIODS OF TIME.
6. FINISH GRADING SHALL BE DONE IN ACCORDANCE WITH THE PLOT PLAN. ALL DISTURBED AREAS SHALL BE COVERED WITH A MINIMUM OF 4" OF LOAM AND SEEDING WITH A NATIVE GRASS MIXTURE.
7. BACKFILL OVER THE SOIL ABSORPTION SYSTEM, SEPTIC TANK AND DISTRIBUTION BOX SHALL BE A MINIMUM OF 9 INCHES EXCLUDING TOPSOIL. PLACE IN LOTS AND SUFFICIENTLY COMPACTED TOP PREVENT DEPRESSIONS DUE TO SETTLING. BACKFILL OVER THE SOIL ABSORPTION SYSTEM SHALL BE FREE OF STONES AND Boulders GREATER THAN 6 INCHES IN SIZE.
8. THE BUILDING SEWER SHALL BE LAID ON A COMPACTED FIRM BASE.
9. ALL PIPING SHALL BE MINIMUM OF SCHEDULE 40 UNLESS OTHERWISE NOTED.
10. ALL PIPE JOINTS AND CONNECTIONS TO SYSTEM COMPONENTS SHALL BE MECHANICALLY SOUND, WATER TIGHT AND PROTECTED AGAINST DAMAGE BY ROOTS.
11. ALL BUILDING SEWERS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STATE PLUMBING CODE 248 CMR 2.00.
12. OUTLET DISTRIBUTION LINE FROM THE D-BOX TO THE FIRST LINE SHALL BE LAID AT A MINIMUM SLOPE OF 2.0%.
13. FINAL COVER OVER THE SYSTEM SHALL BE GRADED TO REDUCE INFILTRATION OF SURFACE WATER AND MINIMIZE EROSION. FINISH GRADE SHALL HAVE A MINIMUM SLOPE OF 2%.
14. EFFLUENT DISTRIBUTION LINES SHALL BE LAID LEVEL.
15. FILL MATERIAL FOR SYSTEMS CONSTRUCTED IN FILL SHALL CONSIST OF SELECT ON-SITE OR IMPORTED SOILS MATERIAL THAT MEET THE MINIMUM REQUIREMENTS STATED IN 310 CMR 15.25(3).
16. WHERE FILL IS REQUIRED TO REPLACE UNSUITABLE OR IMPERMEABLE SOILS, THE EXCAVATION OF THE UNSUITABLE MATERIAL SHALL EXTEND A MINIMUM OF 5 FEET LATERALLY IN ALL DIRECTIONS BEYOND THE OUTER PERIMETER OF THE SOIL ABSORPTION SYSTEM TO THE DEPTH OF 3 INCHES INTO THE NATURALLY OCCURRING PERVIOUS MATERIAL.
17. THE BOTTOM SURFACE OF THE EXCAVATION SHALL BE SCARPED AND RELATIVELY DRY. FILL SHALL NOT BE PLACED DURING RAIN OR SNOW STORMS. IF THE WATER TABLE ELEVATION IS ABOVE THE ELEVATION OF THE BOTTOM OF THE EXCAVATION, THE EXCAVATION SHALL BE DEWATERED.
18. SUBSURFACE COMPONENTS OF A SYSTEM SHALL NOT BE BACKFILLED OR OTHERWISE CONCEALED FROM VIEW UNTIL A FINAL INSPECTION HAS BEEN CONDUCTED BY THE APPROVING AUTHORITY AND PERMISSION HAS BEEN GRANTED BY THE APPROVING AUTHORITY TO BACKFILL. THE SYSTEM, THE DESIGNER SHALL INSPECT THE CONSTRUCTION AFTER THE INITIAL EXCAVATION, PRIOR TO BACKFILLING, AND DURING BACKFILLING. IN ADDITION, THE FINAL INSPECTION OF THE SYSTEM SHALL BE CONDUCTED BY THE APPROVING AUTHORITY. THE SYSTEM INSTALLER AND THE DESIGNER PRIOR TO THE ISSUANCE OF A CERTIFICATE OF COMPLIANCE PURSUANT TO 310 CMR 15.02(3). ANY COMPONENT OF THE SYSTEM WHICH HAS BEEN COVERED WITHOUT SUCH PERMISSION SHALL BE UNCOVERED UPON THE REQUEST OF THE APPROVING AUTHORITY OR THE (DEP).
19. ALL SYSTEM COMPONENTS SHALL BE MARKED WITH MAGNETIC MARKING TAPE OR A COMPARABLE MEANS IN ORDER TO LOCATE THEM ONCE BURIED.
20. ALL SOIL ABSORPTION SYSTEMS SHALL HAVE A MINIMUM OF ONE (1) INSPECTION PORT CONSISTING OF A PERFORATED FOUR (4) INCH PIPE PLACED VERTICALLY TO THE NATURALLY OCCURRING SOIL OR SAND FILL BELOW THE SYSTEM SAND. THE PIPE SHALL BE CAPPED WITH A SCREW TYPE CAP AND ACCESSIBLE TO WITHIN THREE (3) INCHES OF FINISH GRADE. (SEE DETAIL).

SOIL TEST DATA

NAME OF APPROVING AUTHORITY:				NAME OF SOIL EVALUATOR:			
HARVARD BOARD OF HEALTH IRA GROSSMAN, N.A.B.O.H. AGENT				DUCHARME & DILLIS CIVIL DESIGN GROUP LARRY DUCHARME			
SOIL CLASSIFICATION:				PERCOLATION TEST DATA			
CHATELAIN-HOLDS ROCK OUTCROP							
COARSE LOAMY MELT OUT							
LAND FORM: RIDGES HILLS							
SOIL LIMITATIONS: NONE							
GENERAL NOTES: 102D							
TEST PIT NO.	DATE	BOTTOM OF TEST HOLE DEPTH FROM SURFACE	RATE: MINUTES PER INCH				
911-4	9/27/11	90"	125.58	40 M/I			
DEPT. TEST PIT: 911-1	DEPTH	HOR.	TEX.	COLOR	MOTT.	C.W.	OTHER
DATE OF TEST: 9/27/11	0-4"	A	S.L.	10R/3/2	NONE	NONE	CRUMB, FRABLE
REFUSAL AT:	4-16"	B	S.L.	10R/5/8	NONE	NONE	S.A.B., FRABLE
	OBSERVED	16-94"	C	S.L.	10R/4/4	Ø 36"	NONE MASSIVE, FRABLE
ESTIMATED SEASONAL HIGH GROUND WATER AT 36" (ELEVATION = 122.54)							
DEPT. TEST PIT: 911-2	DEPTH	HOR.	TEX.	COLOR	MOTT.	C.W.	OTHER
DATE OF TEST: 9/27/11	0-5"	A	S.L.	10R/3/8	NONE	NONE	CRUMB, FRABLE
REFUSAL AT:	5-16"	B	S.L.	10R/5/8	NONE	NONE	S.A.B., FRABLE
	OBSERVED	16-28"	C1	S.L.	10R/7/2	NONE	NONE MASSIVE, FRABLE
	OBSERVED	28-94"	C2	S.L.	10R/4/4	Ø 36"	NONE MASSIVE, FRABLE
ESTIMATED SEASONAL HIGH GROUND WATER AT 36" (ELEVATION = 121.54)							

I CERTIFY THAT I AM CURRENTLY APPROVED BY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION PURSUANT TO 310 CMR 15.07 TO CONDUCT SOIL EVALUATIONS AND THAT THE ABOVE ANALYSIS HAS BEEN PERFORMED BY ME CONSISTENT WITH THE REQUIRED TRAINING, EXPERTISE, AND EXPERIENCE DESCRIBED IN 310 CMR 15.07. I FURTHER CERTIFY THAT THE RESULTS OF MY SOIL EVALUATION, AS INDICATED ON THE ATTACHED SOIL EVALUATION FORM, ARE ACCURATE IN ACCORDANCE WITH 310 CMR 15.100 THROUGH 15.107.

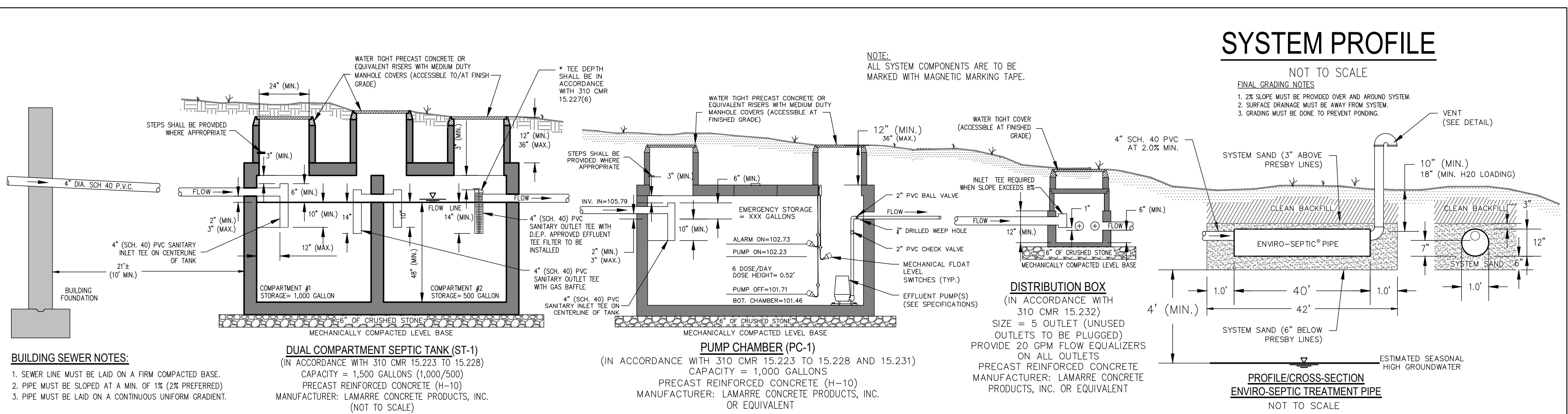
Jack Maloney
 LICENSED SOIL EVALUATOR: WILLIAM J. "JACK" MALONEY, JR. (S.E.# 13704)

REPAIR NOTES:

1. CONTRACTOR TO VERIFY ELEVATION (*) PRIOR TO THE START OF CONSTRUCTION AND REPORT TO ENGINEER ANY VARIATIONS IN ELEVATIONS TO THOSE SHOWN ON THIS PLAN.
2. EXISTING BUILDING SEWER TO BE CLEANED AND INSPECTED FOR STRUCTURAL INTEGRITY, WATER TIGHTNESS, SLOPE AND GRADE. IF FOUND TO BE UN-ACCEPTABLE, REPLACE WITH NEW SCHEDULE 40 PVC BUILDING SEWER PIPE IN ACCORDANCE WITH 310 CMR 15.222.
3. EXISTING SEPTIC TANK TO BE PUMPED, CRUSHED AND BACKFILLED WITH CLEAN GRANULAR MATERIAL, AND/OR REMOVED IN ACCORDANCE WITH THE TOWN OF HARVARD'S BOARD OF HEALTH RULES AND REGULATIONS AND A NEW 1,500 GALLON SEPTIC SHALL BE INSTALLED.
4. EXISTING SYSTEM MAY BE ENCOUNTERED DURING THE INSTALLATION OF NEW SOIL ABSORPTION SYSTEM (S.A.S.). REMOVAL, DISPOSAL AND UTILIZATION OF MATERIAL SHALL BE IN ACCORDANCE WITH THE TOWN OF HARVARD'S BOARD OF HEALTH RULES AND REGULATIONS.

LEGEND

DESCRIPTION	DRAWING ENTITY
Denotes existing contour (INDEX)	○
Denotes existing contour (INTERMEDIATE)	○
Denotes proposed contour (INDEX)	○
Denotes proposed contour (INTERMEDIATE)	○
Denotes limit of excavation of unsuitable soils	○
Denotes proposed sewer line	○
Denotes proposed water line	○
Denotes proposed underground utilities	○
Denotes proposed concrete septic tank	○
Denotes proposed concrete pump chamber	○
Denotes proposed concrete distribution box	○
Denotes proposed sewer cleanout	○

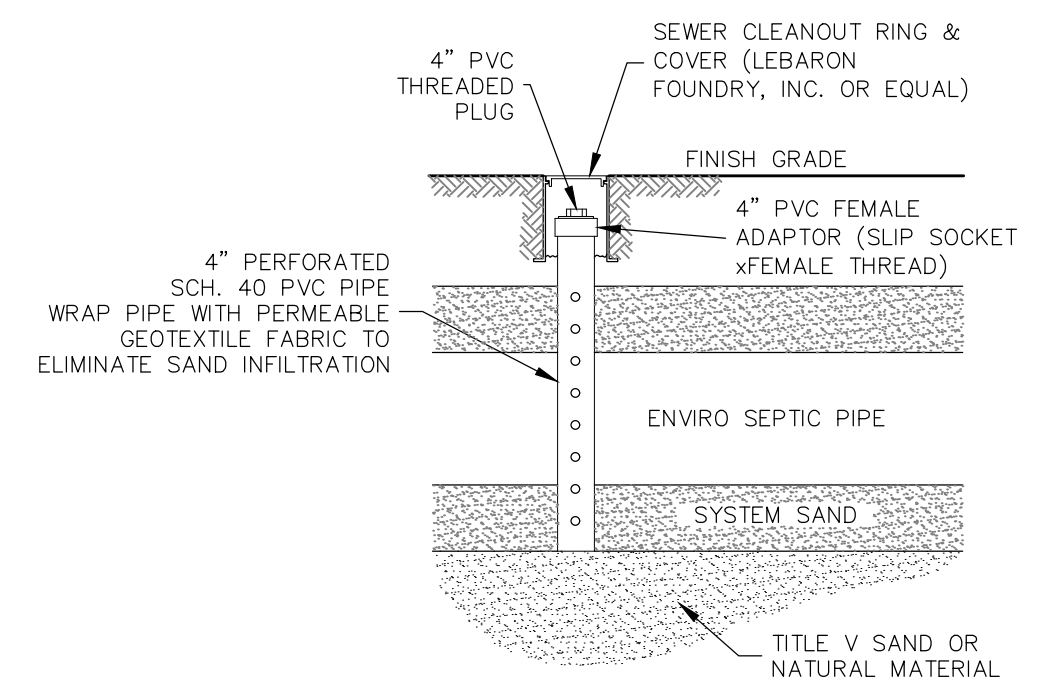


SYSTEM PROFILE

FINAL GRADING NOTES:
 1. 2% SLOPE MUST BE PROVIDED OVER AND AROUND SYSTEM.
 2. SURFACE DRAINAGE MUST BE AWAY FROM SYSTEM.
 3. GRADING MUST BE DONE TO PREVENT PONDING.

DISTRIBUTION BOX
 (IN ACCORDANCE WITH 310 CMR 15.232)
 PROVIDE 20 GPM FLOW EQUALIZERS ON ALL OUTLETS
 PRECAST REINFORCED CONCRETE
 MANUFACTURER: LAMARRE CONCRETE PRODUCTS, INC. OR EQUIVALENT

PROFILE/CROSS-SECTION ENVIRO-SEPTIC TREATMENT PIPE
NOT TO SCALE



INSPECTION PORT DETAIL
NOT TO SCALE

DILLIS & ROY CIVIL DESIGN GROUP
 CIVIL ENGINEERS LAND SURVEYORS WETLAND CONSULTANTS
 CORPORATE OFFICE: 1 MAIN STREET, SUITE 1 LUNENBURG, MA 01462
 CONCORD OFFICE: 100 MAIN ST., SUITE 310 CONCORD, MA 01742
 978-779-6091
 www.dillisandroy.com

OWNER:
 DAVID CAPONERA & MAMIE WYTRWAL
 38 LOVERS LANE
 HARVARD MASSACHUSETTS 01451

APPLICANT:
 DAVID CAPONERA & MAMIE WYTRWAL
 38 LOVERS LANE
 HARVARD, MASSACHUSETTS 01451

SCALE:
 30 0 15 30 60 120
 1 in. = 30 ft.

DIG SAFE
 1-888-344-7233

DATE: 7/10/2023
DESIGN BY: M.J.M.
DRAWN BY: M.J.M.
CHECKED BY: G.S.R.

STAMP DATE: 7/12/2023

SEWAGE DISPOSAL SYSTEM DESIGN
 38 LOVERS LANE (M:17C P:27)
 HARVARD, MASSACHUSETTS 01451

NO.	DATE	DESCRIPTION	BY

JOB NO. 659
DRAWING NO. 659-SDS
SHEET NO. 1 OF 2

GENERAL PUMP NOTES

1. **GENERAL**— FURNISH AND INSTALL A COMPLETE PUMPING SYSTEM CONSISTING OF A SUBMERSIBLE SEWAGE PUMP AND MOTOR, DISCHARGE PIPING AND VALVES, FLOAT SWITCH LEVEL CONTROLS, HIGH WATER ALARM, SIMPLEX CONTROL PANEL AND A PRECAST CONCRETE PUMP CHAMBER. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND RECOMMENDATIONS AND SHALL BE WARRANTED FOR AT LEAST ONE YEAR. THE CONTRACTOR SHALL PROVIDE A SUFFICIENT QUANTITY OF CLEAN WATER TO CONDUCT TWO PUMP OPERATION TESTS.

2. **PUMP CHAMBER**— THE PUMP CHAMBER SHALL BE A REINFORCED PRECAST CONCRETE STRUCTURE. CONSTRUCTION JOINTS AND OPENINGS SHALL BE SEALED WITH A HYDRAULIC CEMENT OR OTHERWISE MADE WATERTIGHT.

3. **PUMP AND MOTOR**— PUMP AND MOTOR SHALL BE A MEYERS WHRH ½ HP SUBMERSIBLE SEWAGE PUMP CAPABLE OF PASSING 2-INCH SOLIDS. PUMP AND MOTOR SHALL BE FULLY SUBMERSIBLE AND SHALL OPERATE AT 1000 RPM WITH A 220V, 60 CYCLE, SINGLE PHASE AC POWER SOURCE. (NOTE: ELECTRICAL CONTRACTOR SHALL VERIFY AVAILABLE VOLTAGE AT THE PUMP CONTROL PANEL PRIOR TO CONSTRUCTION.) PUMP SHALL BE RATED AS FOLLOWS:

H.P.: 1/2 H.P.
 RATE: 40 GPM
 TDH: 29 FEET
 MODEL: MEYERS WHRH ½ HP – OR EQUAL (SEE SYSTEM CURVE)

PUMP SHALL BE FACTORY TESTED PRIOR TO SHIPMENT AND A CERTIFIED FACTORY TEST REPORT SHALL BE PROVIDED TO THE ENGINEER.
 PUMP SLIDE RAILS SHALL BE CONSTRUCTED AS SHOWN ON PLAN. RAILS SHALL BE MODEL SRA-200 OR APPROVED EQUAL.

4. **PIPING**— 2-INCH (SCHEDULE 80) PVC PIPE AND FITTINGS SHALL BE USED FOR INTERIOR PUMP STATION DISCHARGE PIPING AND FITTINGS. THE SEWAGE FORCE MAIN SHALL BE 2-INCH DIAMETER SDR 21 PVC PIPE OR EQUAL. THE DISCHARGE LINES WITHIN THE PUMP CHAMBER SHALL INCLUDE THE FOLLOWING:

- 1) IN THE VERTICAL POSITION: A 2-INCH CHECK VALVE
- 2) IN THE HORIZONTAL POSITION: A 2-INCH BALL VALVE

ALL PIPING BETWEEN THE PUMP CHAMBER AND THE DISTRIBUTION BOX SHALL BE INSULATED. (SEE NOTE 8)

5. **LEVEL CONTROLS**— SEALED FLOAT TYPE MECHANICAL SWITCHES SHALL BE SUPPLIED TO CONTROL THE PUMP LEVEL AND ALARM SIGNAL. THREE FLOAT SWITCHES SHALL BE USED TO CONTROL THE PUMP LEVEL: ONE EACH FOR PUMP "ON" AND FOR PUMP "OFF" AND A THIRD SWITCH SHALL BE PROVIDED WITH A POWER SOURCE SEPARATE FROM THE PUMP POWER AND SHALL BE FOR THE ALARM UNIT. THE ALARM SHALL BE LOCATED IN THE BUILDING SERVED BY THE SYSTEM. FLOAT SWITCHES SHALL BE OF THE MECHANICAL TUBE TYPE SEALED IN POLYURETHANE FLOATS. THE FLOAT LEVEL CONTROLS SHALL BE SET TO OPERATE AT THE ELEVATIONS INDICATED ON THE PLANS. FLOATS AND ALARMS SHALL BE WIRED TO THE CONTROL BOX IN THE BUILDING WITHOUT THE USE OF A JUNCTION BOX.

6. **CONTROL PANEL**— THE SIMPLEX CONTROL PANEL SHALL BE EQUIPPED WITH A RUN LIGHT FOR THE PROPERLY SIZED PUMP CIRCUIT BREAKERS, A TRANSFORMER TO GIVE PROPER VOLTAGE TO THE CONTROL CIRCUITS AND A THREE-WAY HAND CONTROL SWITCH. THE SWITCH POSITIONS SHALL BE AS FOLLOWS:

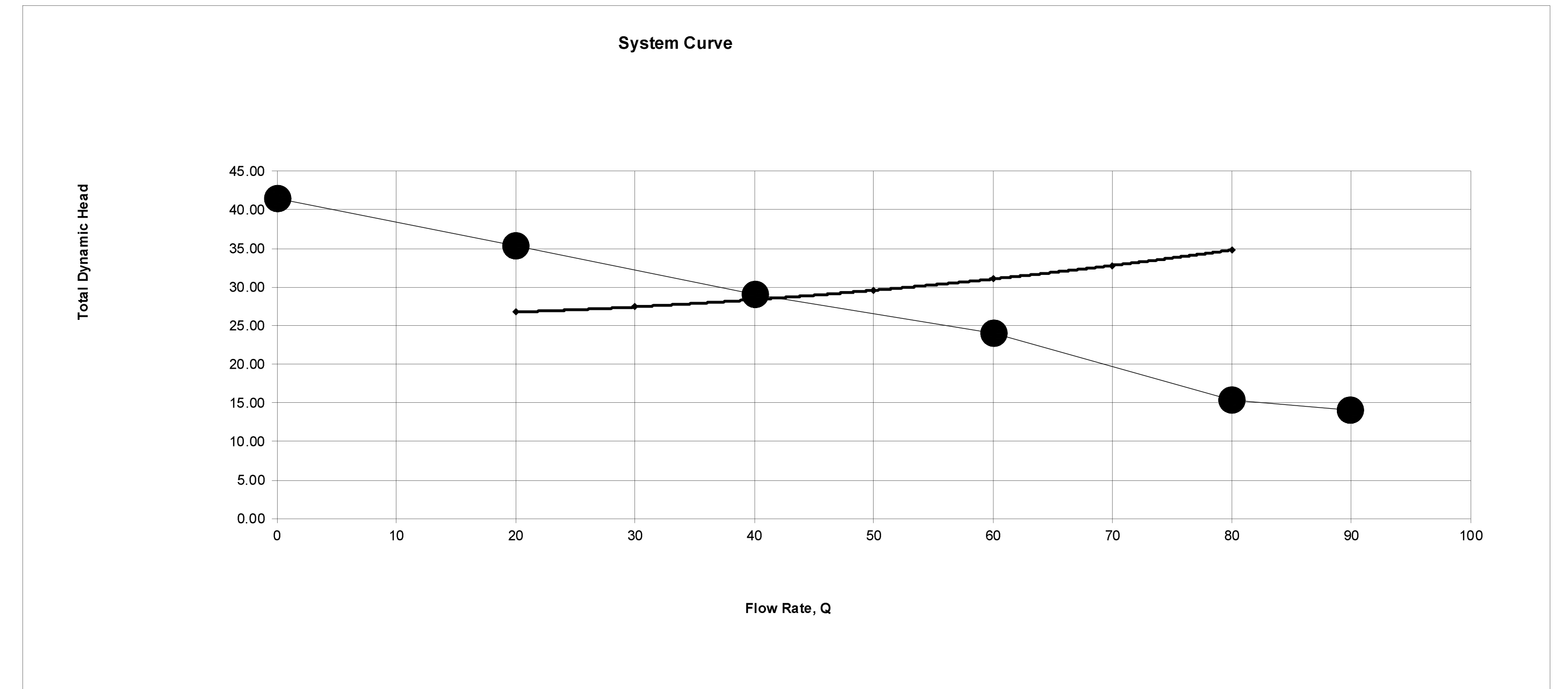
- 1) PUMP OFF
- 2) AUTOMATIC PUMP ON
- 3) MANUAL PUMP ON

THE CONTROL PANEL SHALL BE HOUSED IN A NEMA-1 CONTROL BOX FOR 220V, SINGLE PHASE OPERATION. PANEL SHALL BE INSTALLED IN A SUITABLE LOCATION INSIDE THE BUILDING.

7. **ALARM**— A HIGH WATER ALARM SHALL BE SUPPLIED WITH BOTH AUDIBLE AND VISUAL ALARMS WITH A SEPARATE POWER SUPPLY FROM THE PUMP. THE ALARMS SHALL BE MOUNTED IN A NEMA-1 ENCLOSURE SEPARATE FROM THE CONTROL PANEL. AN ALARM SILENCER BUTTON SHALL BE PROVIDED TO SILENCE THE AUDIBLE ALARM WHILE THE VISUAL ALARM REMAINS ILLUMINATED UNTIL MANUALLY RESET.

8. **PIPE INSULATION**— FORCE MAIN SHALL BE COVERED WITH 2-INCH, THICK RIDGED POLYSTYRENE INSULATION.

9. **EFFLUENT TEE FILTER**— EFFLUENT TEE FILTER SHALL BE ZABEL A-1800 OR EQUAL DEP APPROVED FILTER. FILTER SHALL BE RATED FOR THE FLOW SHOWN ON THE PLAN.



DILLIS & ROY
 CIVIL DESIGN GROUP

CIVIL ENGINEERS LAND SURVEYORS WETLAND CONSULTANTS

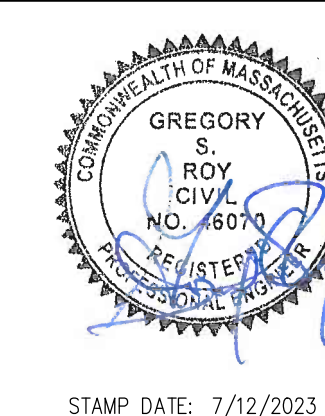
CORPORATE OFFICE: 1 MAIN STREET, SUITE 1 LUNENBURG, MA 01462 978-779-6091 www.dillisandroy.com

CONCORD OFFICE: 100 MAIN ST., SUITE 310 CONCORD, MA 01742

OWNER:
DAVID CAPONERA & MAMIE WYTRWAL
 38 LOVERS LANE
 HARVRD MASSACHUSETTS 01451

APPLICANT:
DAVID CAPONERA & MAMIE WYTRWAL
 38 LOVERS LANE
 HARVARD, MASSACHUSETTS 01451

SCALE:



DATE: 7/10/2023
 DESIGN BY: MJM
 DRAWN BY: MJM
 CHECKED BY: GSR

SEWAGE DISPOSAL SYSTEM DESIGN			
38 LOVERS LANE (M:17C P:27)			
HARVARD, MASSACHUSETTS 01451			
NO.	DATE	DESCRIPTION	BY

JOB NO. 659
 DRAWING NO. 659-SDS
 SHEET NO. **2** OF 2

DAVID E. ROSS ASSOCIATES, INC.

Civil Engineers, Land Surveyors, Environmental Consultants

August 1, 2023

Harvard Conservation Commission
13 Ayer Road
Harvard, MA 01451

Re: 53 Turner Lane, Harvard
Request for Amendment to Order of Conditions
DEP File No. 177-0697
Project No. 33465

Dear Commission Members:

On behalf of our client, Ms. Nicola Cavicchio, we are requesting an Amendment to the existing Order of Conditions for additional landscape/hardscape in the vicinity of the existing home at 53 Turner Lane.

This request includes a revised Site Plan (Plan No. L-14145, revised through 7-20-23) that details the location of driveway/parking improvements, a pervious walkway and steppingstones, a brick paver patio, two fieldstone retaining walls, and two granite stairways.

These proposed improvements are in keeping with the general descriptions given during our initial conversations about this property in January of 2021, but more detail is now included for your consideration.

The bulk of the structural work on the house itself has been completed and has progressed as proposed. We trust that you will find these improvements to be an overall improvement to both the property and the neighborhood, and we look forward to discussing these new details with you soon.

Very truly yours,
DAVID E. ROSS ASSOCIATES, INC.

By:



Daniel B. Wolfe, P.E.

FORM A
NOTICE OF FILING

DATE: August 1, 2023
FROM: Nicola Cavicchio
(applicant)

RE: Property located at: 53 Turner Lane

Address: 20 Sunnyside Street, Apartment 9, Boston, MA 02130

Telephone: 617-438-7758

- 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 subsection 147-14 Notice to Town Boards by certified mail or hand delivery as follows:

	Date of Submittal
Conservation Commission (10 copies)	<u>8/1/23</u>
Department of Environmental Protection (2 copies)	<u>8/1/23</u>
_____	_____
_____	_____
_____	_____

(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) No
- 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: _____

- D. Please check the appropriate box(s):

- 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 No

FORM B
NOTIFICATION TO ABUTTERS
MASSACHUSETTS WETLAND PROTECTION ACT
AND HARVARD WETLANDS PROTECTION BYLAW

DATE: August 1, 2023 Certified Mail # _____
or Date of Hand Delivery: _____

TO: _____
(abutter) (address)

FROM: Ms. Nicola Cavicchio, 20 Sunnyside St., Apt 9, Boston, MA 02130 617-438-7758
(applicant) (address) (Telephone No.)

RE: Property identified on Harvard Assessors Map # 21 Parcel 40
The address of the lot where the activity is proposed is:
53 Turner Lane, Harvard

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:

- 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 twenty-one (21) days upon receipt of the complete application. Notice of this public hearing will be given at least five (5) days prior to the hearing, in a local newspaper, as well as appear on the Town of Harvard website at www.harvard.ma.us.

Plans for this project and a copy of the application are on file with the Land Use Board Office. Copies may be obtained from the Applicant's Representative by calling the following telephone number 978-772-6232 between the hours of 8 am and 4 pm on the following days of the week Monday - 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.

FORM D
PERMISSION FOR ACCESS

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

From: Nicola Cavicchio
20 Sunnyside Street, Apt. 9
Boston, MA 02130

Pursuant to §147-6.D. or §147-11.D. 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:  AS AGENT Date 8-1-23
Owner or Authorized Applicant from Form A part C

FORM E

PERMISSION TO BILL APPLICANT DIRECTLY FOR LEGAL NOTICE

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

FROM: Nicola Cavicchio
20 Sunnyside Street, Apt. 9
Boston, MA 02130

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

Signed:  AS AGENT Date 8-1-23
Owner or Authorized Applicant from Form A part C

FORM F

Wetland filing fees calculation worksheet for work in resource areas

	Fee	Total
<u>Notice of Intent Fees</u>		
1) <i>Single family</i>		
Septic Repair or Upgrade (Enter Fee & Skip to Total Fee)	\$200.00	_____
New Construction or alteration involving 500sf or less of total construction	\$300.00	_____
New Construction or alteration involving 501sf to 1499sf of total construction	\$600.00	_____
New Construction or alteration involving 1500 sf or more of total construction	\$900.00	_____

2) <i>Subdivision/mini Subdivision</i>		
Roads and Utilities only	\$1,500.00	_____
Multifamily/Condominium Structures construction	\$1,500.00	_____
3) <i>Commercial or Industrial Projects</i>	\$1,500.00	_____

Additional charges under a Notice of Intent for disturbance within the buffer zone

1) Disturbance within the buffer zone	_____ sf	x 0.25 =	_____
2) Confirmation delineated wetland line	_____ linear ft	x 0.50 =	_____
3) Alteration or replication of wetlands	_____ sf	x 1.00 =	_____

TOTAL FILING FEE

Fee doubled if Notice of Intent is filed after work began or an Enforcement Order was issued

Other fees

Request for an amendment to an Order of Conditions	\$200.00	\$200	_____
Request for an extension to an Order of Conditions	\$125.00		_____
Request for a reissued Certificate of Compliance	\$100.00		_____
Request for an Emergency Certificate of Compliance	\$200.00		_____
Request for an Emergency Certification Form	\$200.00		_____
Request for Certificate of Compliance with Expired OOC or Partial Certificate of Compliance	\$125.00		_____
Request for Determination of Applicability (RDA)	\$100.00		_____
Abbreviated Notice of Resource Area Delineation (ANRAD) (Minimum \$100.00, Maximum \$1,500.00)	_____ linear ft	x \$1.50=	_____

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).

TOTAL FEE PAYABLE TO THE TOWN OF HARVARD

\$200



Abutters List Report
Town of Harvard, MA

Date: July 20, 2023

Parcel Number: 021-040-000

Property Address: 53 Turner Ln

Abutters To: 300ft

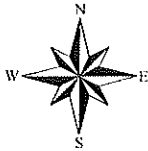
The above Certified Abutters List is a true copy of the records in the Town of Harvard Assessor's office for the last known names and addresses of owners of land located within the above stated range of the subject property.

Signed: 

Date: 7/20/23

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



53 TURNER LN

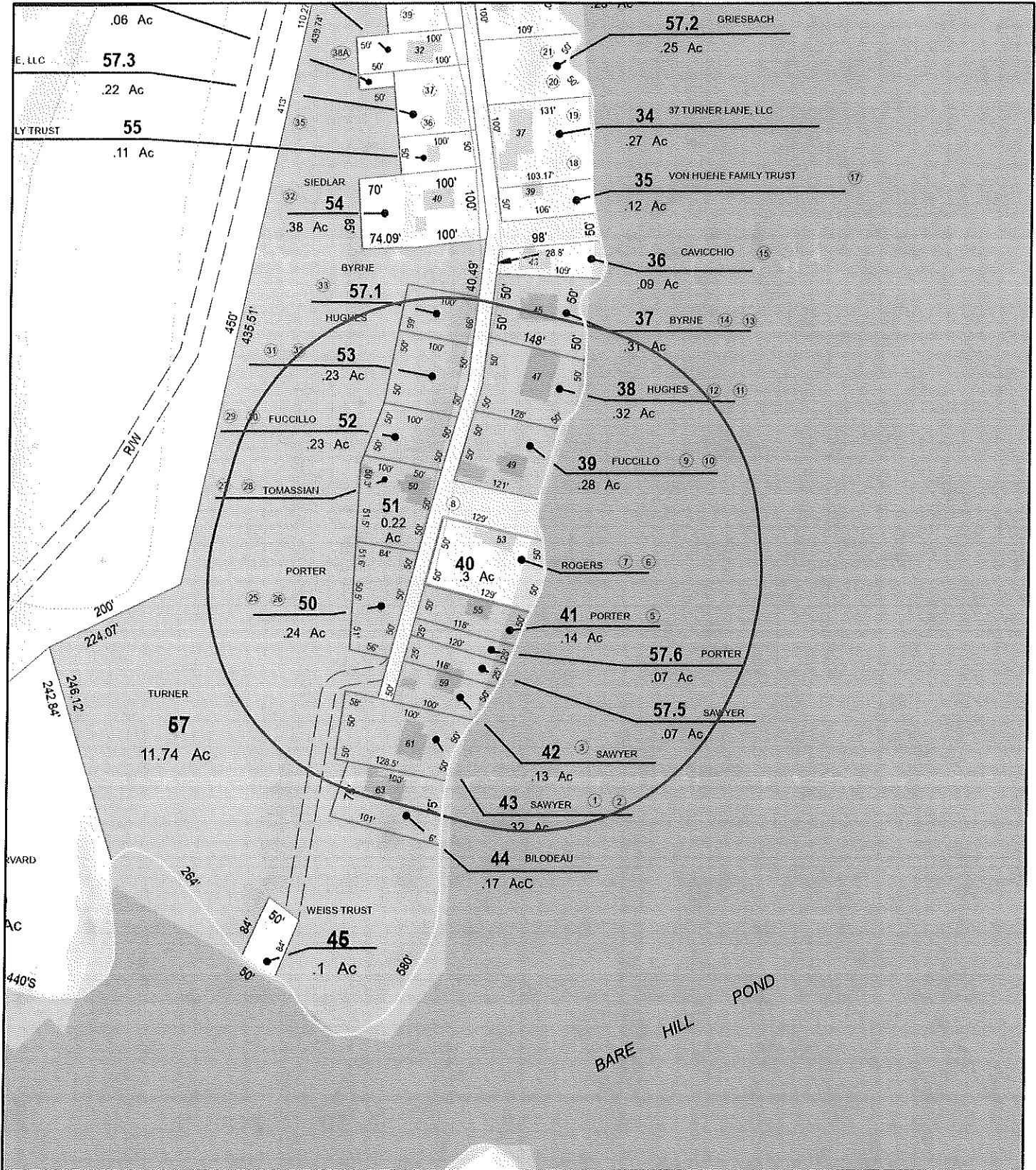
Town of Harvard, MA

1 inch = 188 Feet



www.cai-tech.com

July 20, 2023



Data shown on this map 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 map.



300 feet Abutters List Report

Harvard, MA
July 20, 2023

Subject Property:

Parcel Number: 021-040-000-000
CAMA Number: 021-040-000-000
Property Address: 53 TURNER LN

Mailing Address: CAVICCHIO, NICOLA
20 SUNNYSIDE STREET, APT#9
JAMAICA PLAIN, MA 02130

Abutters:

Parcel Number: 021-037-000-000
CAMA Number: 021-037-000-000
Property Address: 45 TURNER LN

Mailing Address: BYRNE, JOHN A & IRENE M
PO BOX 148
HARVARD, MA 01451

Parcel Number: 021-038-000-000
CAMA Number: 021-038-000-000
Property Address: 47 TURNER LN

Mailing Address: HUGHES, ROBERT H & LUCILLE T
PO BOX 79
STILL RIVER, MA 01467

Parcel Number: 021-039-000-000
CAMA Number: 021-039-000-000
Property Address: 49 TURNER LN

Mailing Address: EDWARD G. LYON, TRUSTEE OF THE
NLSS INVESTMENT TRU
49 TURNER LN
HARVARD, MA 01451

Parcel Number: 021-041-000-000
CAMA Number: 021-041-000-000
Property Address: 55 TURNER LN

Mailing Address: SARAH R PORTER 2006 REVOCABLE
TRUST
PO BOX 206
STILL RIVER, MA 01467

Parcel Number: 021-042-000-000
CAMA Number: 021-042-000-000
Property Address: 59 TURNER LN

Mailing Address: SAWYER, JANE L & WENDY M
PO BOX 39
BERLIN, MA 01503

Parcel Number: 021-043-000-000
CAMA Number: 021-043-000-000
Property Address: 61 TURNER LN

Mailing Address: SAWYER, JANE L & WENDY M
PO BOX 39
BERLIN, MA 01503

Parcel Number: 021-044-000-000
CAMA Number: 021-044-000-000
Property Address: 63 TURNER LN

Mailing Address: BILODEAU, CHRISTIAN
PO BOX 422
HARVARD, MA 01451

Parcel Number: 021-050-000-000
CAMA Number: 021-050-000-000
Property Address: TURNER LN

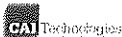
Mailing Address: SARAH R PORTER 2006 REVOCABLE
TRUST
PO BOX 206
STILL RIVER, MA 01467

Parcel Number: 021-051-000-000
CAMA Number: 021-051-000-000
Property Address: 50 TURNER LN

Mailing Address: FRENCH DAWN
PO BOX 43
STILL RIVER, MA 01467

Parcel Number: 021-052-000-000
CAMA Number: 021-052-000-000
Property Address: TURNER LN

Mailing Address: LYON, EDWARD G & SOONG, SHARON E
49 TURNER LN
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.



300 feet Abutters List Report

Harvard, MA
July 20, 2023

Parcel Number: 021-053-000-000
CAMA Number: 021-053-000-000
Property Address: TURNER LN

Mailing Address: HUGHES, ROBERT H & LUCILLE T
PO BOX 79
STILL RIVER, MA 01467-0079

Parcel Number: 021-057-000-000
CAMA Number: 021-057-000-000
Property Address: TURNER LN

Mailing Address: TURNER, ARTHUR S & ROBERT
TURNER
630 GREENLEAF DR
RICHARDSON, TX 75080

Parcel Number: 021-057-001-000
CAMA Number: 021-057-001-000
Property Address: TURNER LN

Mailing Address: BYRNE, JOHN A & IRENE M
PO BOX 148
HARVARD, MA 01451

Parcel Number: 021-057-005-000
CAMA Number: 021-057-005-000
Property Address: TURNER LN

Mailing Address: SAWYER, JANE L
PO BOX 39
BERLIN, MA 01503

Parcel Number: 021-057-006-000
CAMA Number: 021-057-006-000
Property Address: TURNER LN

Mailing Address: PORTER, SARAH R
PO BOX 206
STILL RIVER, MA 01467

Parcel Number: 021-077-000-000
CAMA Number: 021-077-000-000
Property Address: BARE HILL POND

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



www.cai-tech.com

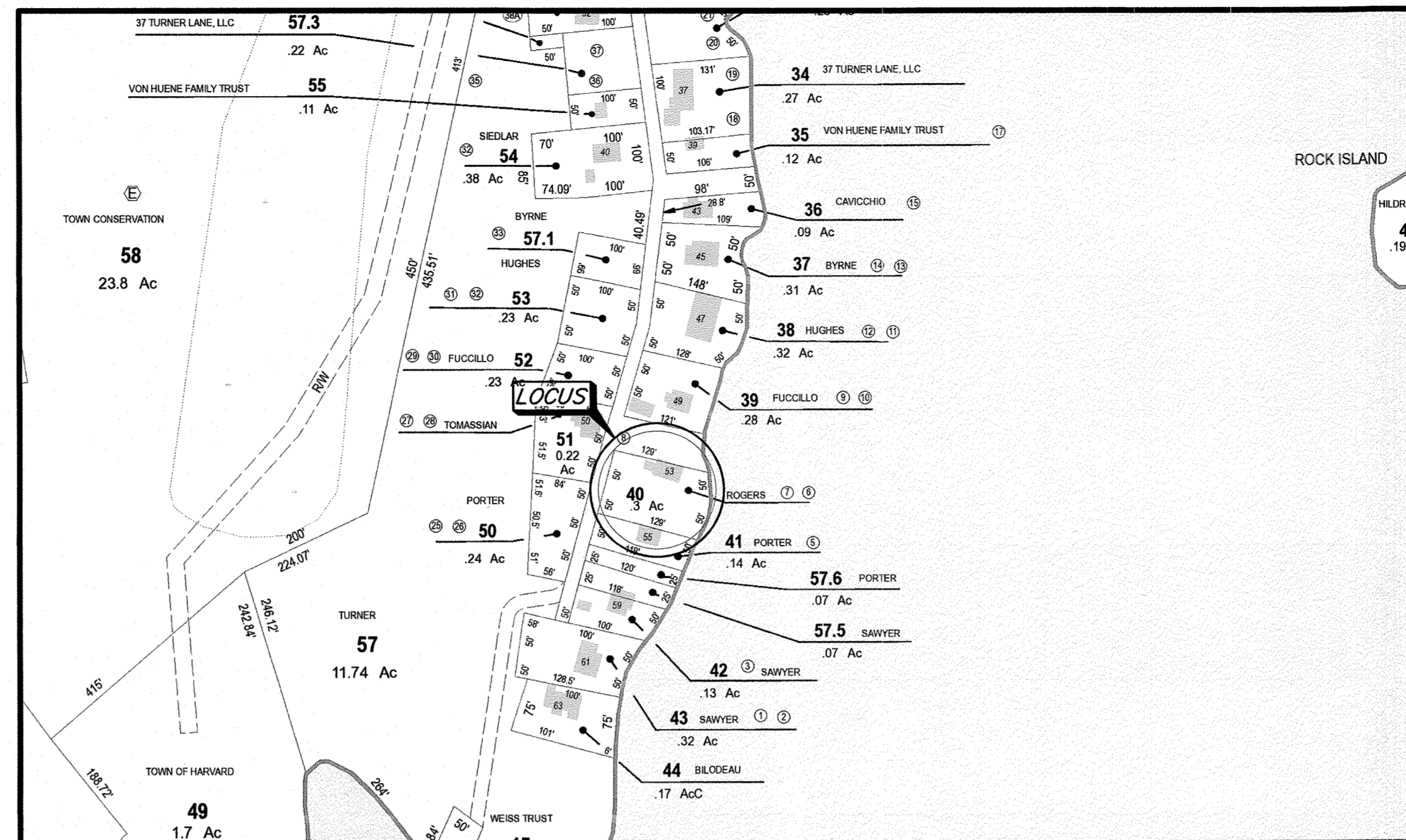
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LEGEND

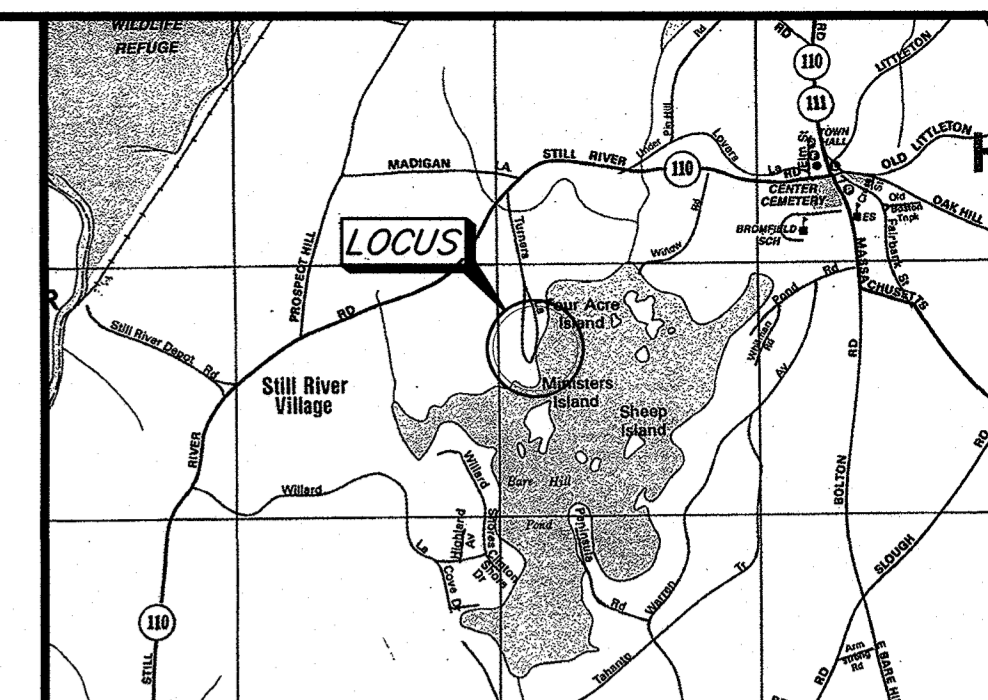
- 300 --- EXISTING CONTOUR
- - - 300 - - - PROPOSED CONTOUR
- S --- SEWER LINE
- W --- WATER LINE
- W-DISTRICT BOUNDARY
- EDGE OF WETLANDS

TABLE OF ZONING COMPLIANCE			
AGRICULTURE-RESIDENTIAL DISTRICT			
ZONING CRITERIA (MAXIMUM OR MINIMUM)	REQUIRED	EXISTING	PROVIDED
LOT AREA	1.5 ACRES	0.3 ACRES *	0.3 ACRES
MIN. FRONTAGE	180'	100' *	100'
MIN. SETBACK FROM ROAD CENTERLINE	75'	53' *	53'
MIN. SIDE YARD	20'	5' *	5'
W-DISTRICT SETBACK (EL.=339.8')	60'	22' *	22'

* PRE-EXISTING, NON-CONFORMING LOT AND STRUCTURE



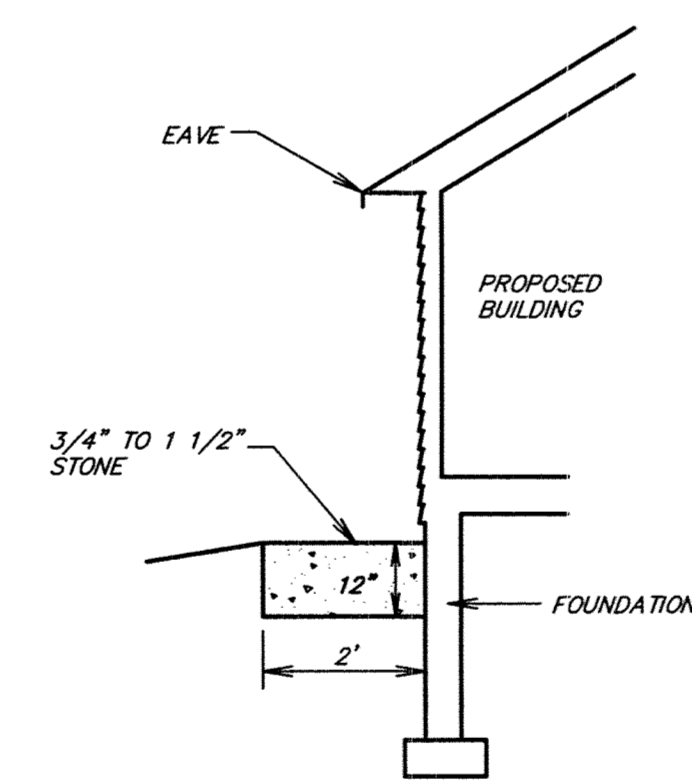
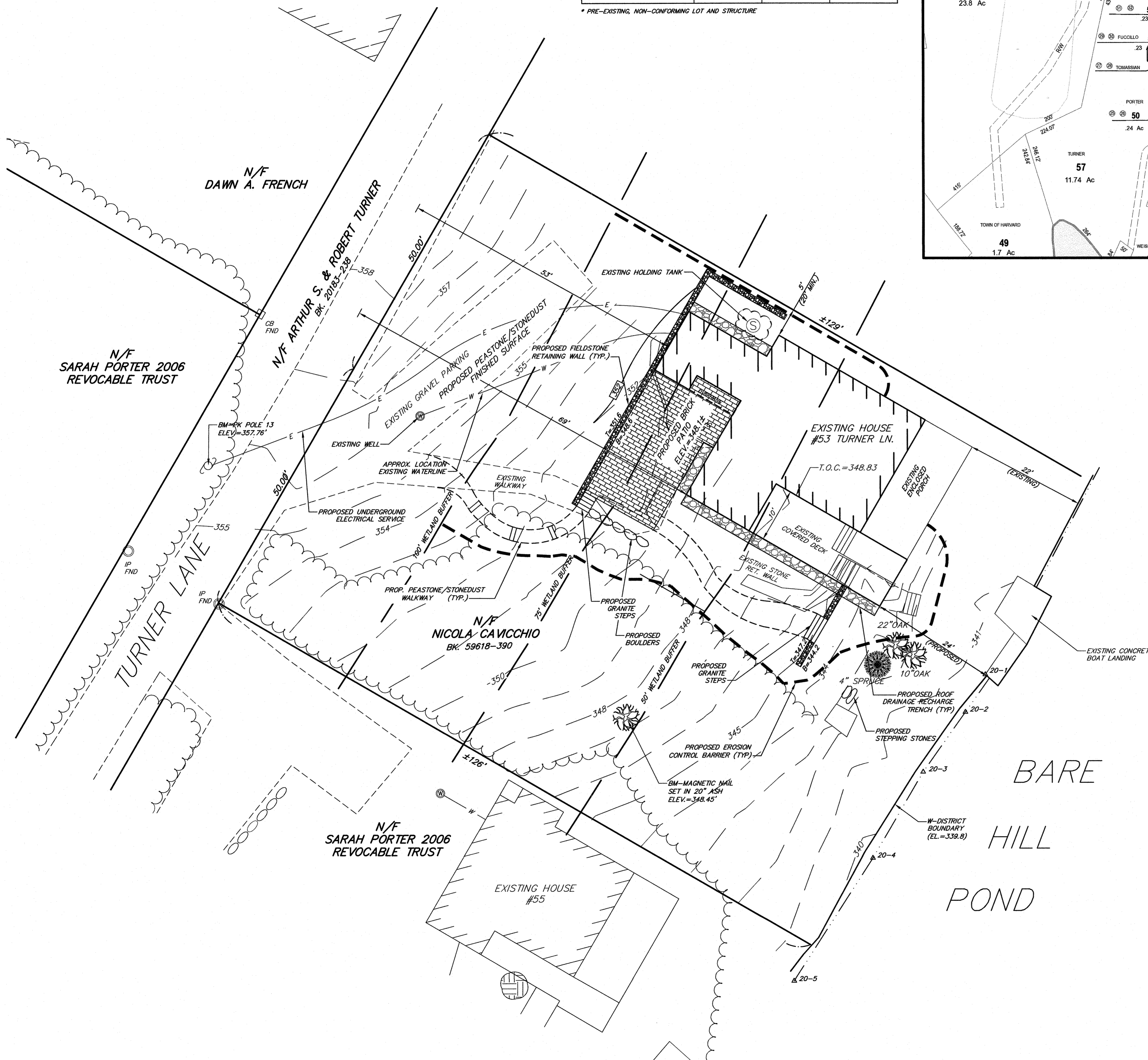
HARVARD GIS MAP
NOT TO SCALE



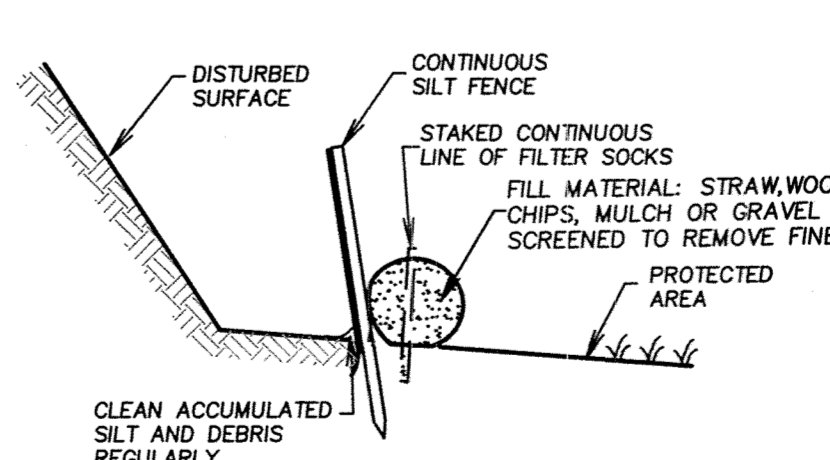
LOCUS MAP
NOT TO SCALE

NOTES
EXISTING STRUCTURES, TOPOGRAPHY, WETLAND LIMITS AND OTHER SITE FEATURES ARE THE RESULT OF AN ON-THE-GROUND SURVEY PERFORMED BY DAVID E. ROSS ASSOCIATES, INC. ON OCTOBER 5, 2020.

CONTRACTOR SHALL NOTIFY 'DIG SAFE' PRIOR TO ANY EXCAVATION. 1-858-DIG-SAFE (344-7233).

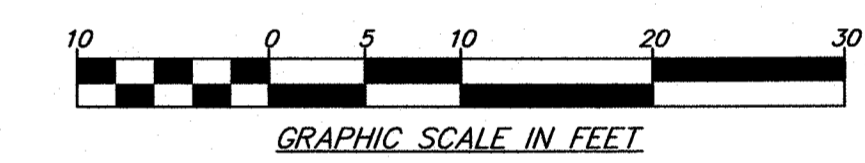


ROOF DRAINAGE RECHARGE TRENCH
(NOT TO SCALE)



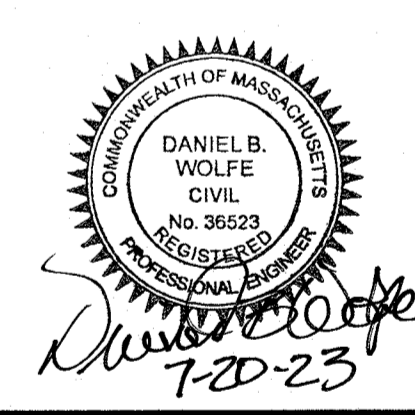
HARVARD SILTATION BARRIER
(NOT TO SCALE)

WETLAND PROTECTION ACT (C131 S40)
PRIOR TO INITIATING ANY ALTERATIONS (REMOVAL OF VEGETATION, EXCAVATIONS, GRADING, ETC.) WITHIN 100' OF WETLANDS (PONDS, BROOKS, SWAMPS, ETC.) OR WITHIN 200' OF AN AREA SUBJECT TO THE RIVER'S ACT (PERENNIALY FLOWING RIVER, BROOK OR STREAM), A REQUEST FOR DETERMINATION OF APPLICABILITY OR A NOTICE OF INTENT UNDER THE WETLANDS PROTECTION ACT (310 CMR 10.00) SHOULD BE FILED WITH THE TOWN'S CONSERVATION COMMISSION. LOCAL BYLAWS MAY ALSO APPLY.



SURV.: MSB/SPM	CALC.: SPM	DRAFT: KRM
NR: 824-4	DEED: 59618/390	CHECK: DBW

REVISIONS	
12/15/20	ORIGINAL ENDORSEMENT
1/20/21	ADDED WALKWAY
11/03/22	ADDED PROP. ELECTRICAL SERVICE & ABUTTER INFORMATION
7/20/23	RETAINING WALLS/ LANDSCAPE ADDED



SHEET TITLE: **SITE PLAN**

DESIGNED FOR: **NICOLA CAVICCHIO**

ADDRESS: **53 TURNER LANE HARVARD, MA**

LOT NO.: ---	ASSESSOR MAP: 21	ASSESSOR PARCEL: 40
--------------	------------------	---------------------

DAVID E. ROSS ASSOCIATES, INC.
CIVIL ENGINEERS - LAND SURVEYORS
ENVIRONMENTAL CONSULTANTS

6 Lancaster County Road
P.O. Box 795
Harvard, MA 01451-0795

978-772-6232
FAX 978-772-6258
www.davidross.com

SCALE: 1"=10'	DATE: DECEMBER 2020
REF: ---	PLAN NO.: L-14145
JOB NO.: 33465	SHEET NO.: 1 of 1

R:\Proj\CHRD\2018\3465\CAVICCHIO\DWG\3465CAVICCHIO - Site Plan.dwg, 7/20/2023 9:26:35 AM, HP Designer T390px V4

Notice of Intent

Pursuant to the Massachusetts Wetlands Protection Act MGL ch.131 sec.40 & Town of Harvard Wetlands Protection Bylaw

Proposed Project:

61 Stow Road

Harvard, Massachusetts

Map 28 / Parcel 15



Date: July 17, 2023

Prepared By: Dillis & Roy Civil Design Group, Inc.
1 Main Street – Suite #1
Lunenburg, Massachusetts 01462

Prepared For: John & Laura Hunt
61 Stow Road
Harvard, MA 01451

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- Assessor's Map/Deed

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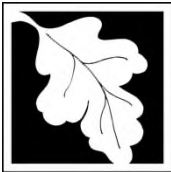
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NOTICE OF INTENT



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):

<u>61 Stow Road</u>	<u>Harvard</u>	<u>01451</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>42.48</u>	<u>-71.56</u>	
d. Latitude	e. Longitude	
<u>28</u>	<u>15</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>John & Laura</u>	<u>Hunt</u>	
a. First Name	b. Last Name	
c. Organization		
<u>61 Stow Road</u>		
d. Street Address		
<u>Harvard</u>	<u>MA</u>	<u>01451</u>
e. City/Town	f. State	g. Zip Code
<u>617-549-4045</u>	<u>ckfh1430@gmail.com</u>	
h. Phone Number	i. Fax Number	j. Email Address

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

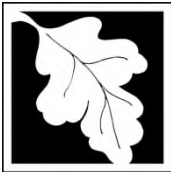
<u></u>	<u></u>	
a. First Name	b. Last Name	
c. Organization		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Seth</u>	<u>Donohoe</u>	
a. First Name	b. Last Name	
<u>Dillis & Roy Civil Design Group, Inc.</u>		
c. Company		
<u>1 Main Street, Suite 1</u>		
d. Street Address		
<u>Lunenburg</u>	<u>MA</u>	<u>01462</u>
e. City/Town	f. State	g. Zip Code
<u>978-779-6091</u>	<u>978-779-0260</u>	<u>sdonohoe@dillisandroy.com</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$110.00</u>	<u>\$42.50</u>	<u>\$67.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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

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A. General Information (continued)

6. General Project Description:

The proposed project involves the addition of a deck, porch and patio to an existing single-family dwelling.

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

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. 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 CMR10.24(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

53475

c. Book

b. Certificate # (if registered land)

0202

d. Page Number

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

- 1. 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.
- 2. 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.



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 Bureau of Resource Protection - Wetlands
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 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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 Harvard

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

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

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

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

2. Width of Riverfront Area (check one):
- 25 ft. - Designated Densely Developed Areas only
 - 100 ft. - New agricultural projects only
 - 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 203,041 square feet

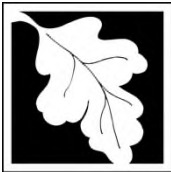
4. Proposed alteration of the Riverfront Area:

<u>1848</u>	<u>0</u>	<u>1848</u>
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
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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	

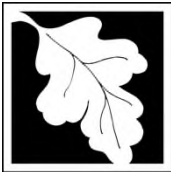
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	

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

_____	_____
a. square feet of BVW	b. square feet of Salt Marsh

5. Project Involves Stream Crossings

_____	_____
a. number of new stream crossings	b. number of replacement stream crossings



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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Provided by MassDEP:	
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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

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

- a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

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

- August 2021
b. Date of map

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*

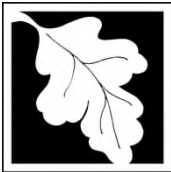
- Percentage/acreage of property to be altered:
 - (a) within wetland Resource Area _____ percentage/acreage
 - (b) outside Resource Area _____ percentage/acreage
- Assessor's Map or right-of-way plan of site

- Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
 - (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/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
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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. [x] Not applicable – project is in inland resource area only b. [] Yes [] No

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

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

North Shore - Hull to New Hampshire border:

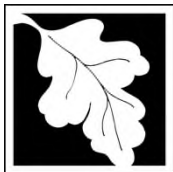
Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

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

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

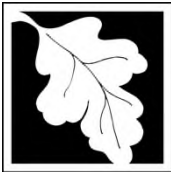
- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

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.

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



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.

Site Plan

a. Plan Title

Dillis & Roy Civil Design Group, Inc.

Gregory S. Roy, P.E.

b. Prepared By

c. Signed and Stamped by

7/17/2022

1" = 30'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

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

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

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

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

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

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

469
2. Municipal Check Number
468
4. State Check Number
John & Laura
6. Payor name on check: First Name

7/28/23
3. Check date
7/28/23
5. Check date
Hunt
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:

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Harvard

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F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

[Handwritten Signature]

1. Signature of Applicant

7-10-2023

2. Date

3. Signature of Property Owner (if different)

[Handwritten Signature]

4. Date

7-28-23

5. Signature of Representative (if any)

Seth Donohoe, Sillis & Roy Civil Design Group, Inc.

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:

61 Stow Road	Harvard
a. Street Address	b. City/Town
468	\$42.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

John & Laura	Hunt	
a. First Name	b. Last Name	
c. Organization		
61 Stow Road		
d. Mailing Address		
Harvard	MA	01451
e. City/Town	f. State	g. Zip Code
978-779-6091	ckfh1430@gmail.com	
h. Phone Number	i. Fax Number	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

B. Fees

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

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

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

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

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

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

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

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



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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
1a).Work on single family home	1	\$110.00	\$110.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee:			\$110.00
Step 6/Fee Payments:			
Total Project Fee:			\$110.00
State share of filing Fee:			\$42.50
City/Town share of filing Fee:			\$67.50
			a. Total Fee from Step 5
			b. 1/2 Total Fee less \$12.50
			c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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

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

HARVARD WETLANDS BY-LAW FORMS

WETLANDS PROTECTION BYLAW RULES

147 Attachment 1

Town of Harvard

FORM A
NOTICE OF FILING

DATE: July 18, 2023 RE: Property located at 61 Stow Road
FROM: John & Laura Hunt
(applicant)

Address 61 Stow Road, Harvard MA
Telephone 617-549-4045

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)	_____
Department of Environmental Protection (2 copies)	_____
_____	_____
_____	_____
_____	_____
(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: 7.20.2023
7-28-2023

- D. Please check the appropriate box(s):
- 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 4

Town of Harvard

Form D

Permission for Access

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

From: John & Laura Hunt
61 Stow Road
Harvard, MA

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:  Date 7.20.2023
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: John & Laura Hunt
61 Stow Road
Harvard, MA

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

Signed: 
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
Notice of Intent Fees		
1) <i>Single-family</i>		
Septic repair or upgrade (enter fee and skip to Total Fee)	\$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	\$900.00 _____
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	_____
Additional charges under a Notice of Intent for disturbance within the buffer zone		
1) Disturbance within the buffer zone	_____ square feet	x 0.25 = _____
2) Confirmation delineated wetland line	451 BVW & 210 <u>STREAM</u> linear feet	x 0.50 = <u>\$330.50</u> _____
3) Alteration or replication of wetlands	_____ square feet	x 1 = _____
Total Filing Fee		_____
Fee doubled if Notice of Intent is filed after work began or an Enforcement Order was issued		_____
Other fees		
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 = _____

HARVARD CODE

Fee **Total**

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).

\$1,230.50

Total Fee Payable to the Town of Harvard

PROJECT NARRATIVE

1.0 Project Narrative

1.1 Project Type

The applicant is seeking approval to construct an addition to an existing single-family dwelling. The addition consists of a new screen porch, a new deck and patio with various landscaping features as depicted on the attached site plan. The work is to occur within an area surrounded by existing landscape walls.



1.2 Site Description

The proposed project is located at 61 Stow Road which is identified as Assessor Map 28 Parcel 15, hereinafter referred to as the site. The site consists of 304,920 square feet (7-acres) and is located on the northerly side of Stow Road, west of the Murray Lane intersection. The majority of the site is wooded with some cleared area and lawn surrounding existing structures. The property is located within the Town Agricultural / Residential Zoning District. It is also located within the Water Protection & Wireless Communication overlay districts. There is a Bordering Vegetated Wetland & Perennial Stream located towards the rear of the

site. FEMA Flood Zone X exists along the mentioned Stream and is located outside all proposed disturbances.

1.3 *Proposed Project*

The proposed scope of work includes the construction of an addition to an existing single-family dwelling. The addition consists of a new screen porch, a new deck & various landscaping features as depicted on the attached site plan. All work is within existing disturbed areas and partially within the footprint of the existing dwelling. All proposed construction & limit of disturbance is located outside the 100-foot Buffer Zone. The site has approximately 203,041 SF of Riverfront Area. A portion of the proposed work (1,848 SF) is located between the 100' Inner Riparian Zone & the 200' Outer Riparian Zone.

1.4 *Mitigation Measures*

Erosion and sediment controls have been incorporated in the design of the layout with the objective of retaining sediment on site, filtering and reducing storm water discharge and protecting wetland and undisturbed areas. A combination of stabilization and structural practices is included to meet the objective, as described in detail below. The following is a list of common temporary and permanent structural erosion control devices, which will be applied:

- 1.4.1 An erosion control barrier is proposed downgradient from the work area.
- 1.4.2 The sediment control barrier will be installed to prevent the migration of soil materials under, around, or over the barrier. Sediment will be removed from behind the barrier when the accumulated amount has reached approximately half of the original installed height of the barrier. The overall condition of the silt fence and straw bales will be inspected and maintained by the general contractor to maintain the level of sufficiency.

Upon completion of construction, all disturbed areas shall be loamed and seeded (or landscaped). The erosion and sedimentation controls shall be removed only upon final stabilization of the site and/or after the Harvard Conservation Commission has issued a Certificate of Compliance for the project.

1.5 WETLAND PROTECTION ACT PERFORMANCE STANDARD

In accordance with 310 CMR 10.01(2), Dillis & Roy Civil Design Group, Inc. briefly reviewed the proposed project's compliance with the Wetland Protection Act regarding the following interests:

- 1.5.1 **Private and Public Water Supplies** – The existing dwelling on the property is serviced by a private well. The proposed additions will not add any bedrooms to the dwelling. As such, there is no change to the water demand or wastewater discharge at the site.
- 1.5.2 **Groundwater Supply** – As mentioned, the property is serviced by an existing drilled well and the proposed construction will not add additional bedrooms to the dwelling. The landscape improvements and patio are within an existing disturbed area surrounded by an existing wall.
- 1.5.3 **Flood Control** – There is no work proposed within the floodplain.
- 1.5.4 **Storm Damage Prevention** – An erosion control barrier is proposed to mitigate and erosion control concerns during construction.
- 1.5.5 **Prevention of Pollution** – The proposed project does not intend to use, store, or generate any potentially toxic or hazardous materials on the site. The project does not propose any underground or above ground storage for any chemicals of gasoline. As such, no toxic or hazardous materials are to be disposed of on the site. In the event that toxic materials are uncovered unexpectedly during construction, disposal of all such materials will comply with applicable rules and regulations.
- 1.5.6 **Protection of land containing shellfish** - Not applicable.
- 1.5.7 **Protection of Fisheries** – Not applicable.

1.6 Protection of Wildlife Habitat

The Massachusetts Natural Heritage Atlas (August 2021 Edition) demonstrates that the site is not in a Priority Habitats of Rare Species and Estimated Habitats of Rare Wildlife. A filing with NHESP is not required.

1.7 Alternatives Analysis

In accordance with 310 CMR 10.58, an alternatives analysis has been prepared and the protection of riverfront area has been incorporated in the site design. The site contains 203,041 SF of Riverfront Area. 1,848 SF of the proposed work is located within the 200' outer riparian zone.

All proposed alterations are within the outer riparian zone and within previously disturbed areas. This area consists of an existing raised terrace area which is surrounded by stone walls. The existing stone walls are to be replaced along with the installation of a landscaped area above the walls resulting in no alterations being closer to the perennial stream than existing walls.

Deeds for the property indicate the lot was created prior to the Rivers Protection Act. 310 CMR 10.58(4)(2)(a) limits the alternative analysis to options on the subject property. Below is an outline of substantially equivalent economic alternatives:

Alternative 1 – (Addition on southerly side of dwelling)

Construction of an addition on the southerly side of the dwelling is a potential equivalent alternative. The addition incorporates a deck & patio. To accommodate these additions on the easterly side of the house the existing hardscapes will need to be relocated. Additional clearing within the outer riparian zone will also be required for such relocation. The relocation of the hardscapes will result in a greater alteration of the riverfront area. Due to the increased amount of structure within the outer riparian zone and overall increase in riverfront area alteration, this alternative is not desired.

Alternative 2 – (Proposed Development)

Alternative 2 is the proposed addition on the easterly side of the dwelling which is depicted on the Notice of Intent Plan. This alternative allows the continued use of the existing hardscapes which will limit alterations to the riverfront area. Due to the location of the stream, this alternative also limits the alterations to the outer riparian zone. The proposed project is desirable due to the reduced riverfront area alterations and reduced amount of structure within the outer riparian zone associated with this alternative.

ABUTTER NOTIFICATION

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: August 3, 2023 Certified Mail #
or Date of Hand Delivery
TO: (abutter) (address)
FROM: John & Laura Hunt, 61 Stow Road, Harvard MA 617-549-4045
(applicant) (address) (Telephone No.)
RE: Property identified on Harvard Assessors Map # 28 Parcel 15
The address of the lot where the activity is proposed is:
61 Stow Road, Harvard MA

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.

HARVARD CODE

Plans for this project and a copy of the application are on file with the Land Use Board Office. Copies may be obtained from the Applicant's Representative by calling the following telephone number 978 - 779 - 6091 between the hours of 9 AM and 4 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

#4608



TOWN OF HARVARD
ASSESSORS OFFICE
13 AYER ROAD
HARVARD, MA 01451
978-456-4100 X315

RECEIVED
JUN 22 2023
JUN 21 2023
BOARD OF ASSESSORS
TOWN OF HARVARD

REQUEST FOR CERTIFIED ABUTTERS LIST

PROPERTY LOCATION: 101 Staw Road
MAP/BLOCK/LOT: 028-015
PROPERTY OWNERS: John & Laura Hunt
REQUIRED FOOTAGE: 100' Conservation & 300' ZBA

CONTACT INFORMATION

EMAIL ADDRESS: cpinault@dillisandroy.com

MAILING ADDRESS IF DIFFERENT FROM PROPERTY LOCATION:
1 Main St. Suite 1 Lanesburg MA 01462

FEE: \$25.00

To be paid with completed Abutters List request by Cash or Check #4213
payable to the Town of Harvard

****Please allow 10 working days for your request to be processed****

If you have questions or concerns, please contact the Assessors office at

assessingdept@havard-ma.gov or 978-456-4100x315

Emailed package = 6-27-23

Sent Original USPS = 6-28-23



Abutters List Report
Town of Harvard, MA


Date: June 27, 2023

Parcel Number: 028-015-000

Property Address: 61 Stow Rd

Abutters To: 300ft

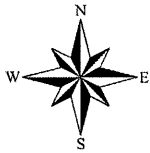
The above Certified Abutters List is a true copy of the records in the Town of Harvard Assessor's office for the last known names and addresses of owners of land located within the above stated range of the subject property.

Signed: 

Date: 6/27/23

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



61 STOW RD

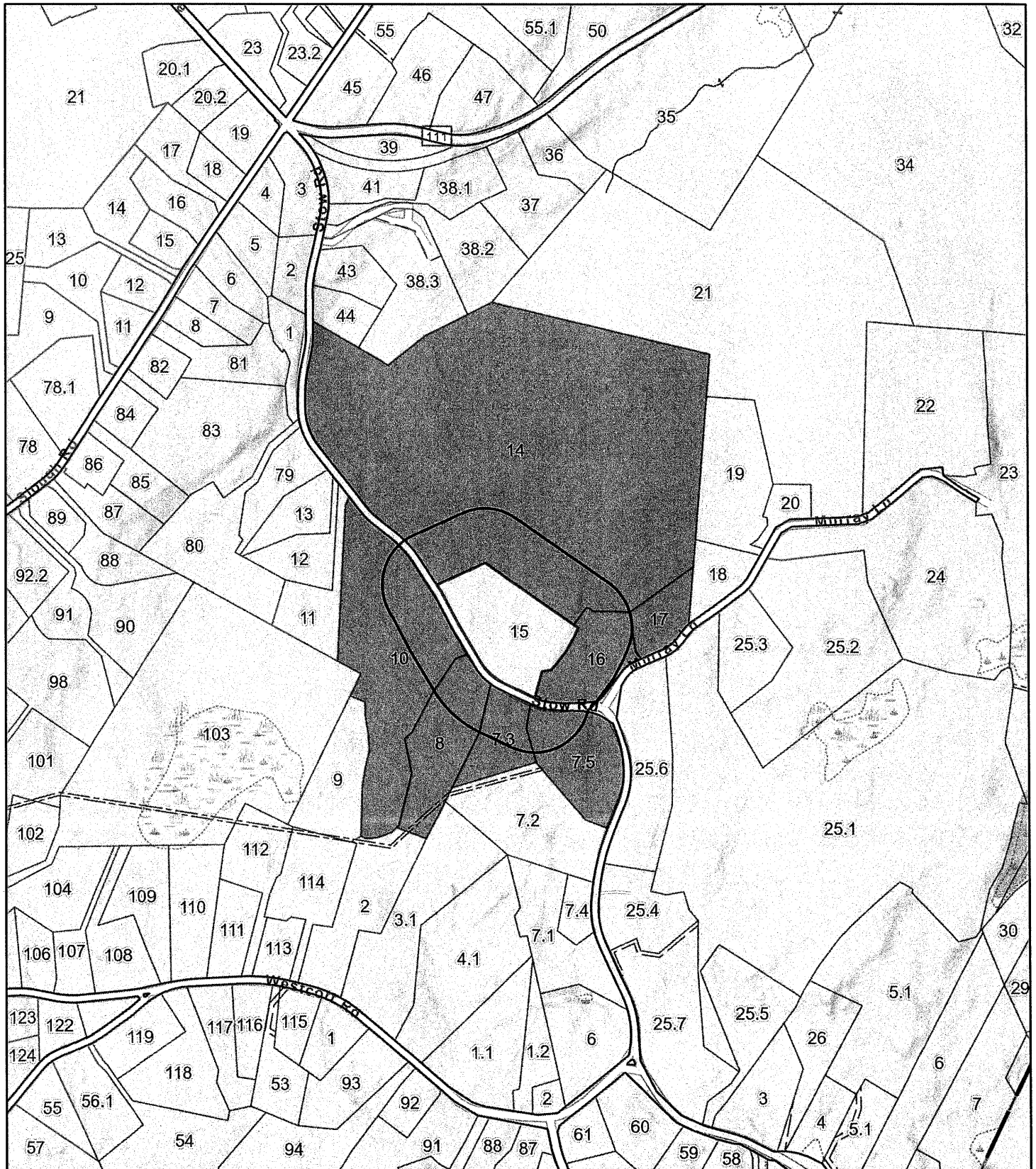
Town of Harvard, MA

1 inch = 752 Feet



www.cai-tech.com

June 27, 2023



Data shown on this map 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 map.



300 feet Abutters List Report

Harvard, MA
June 27, 2023

Subject Property:

Parcel Number:	028-015-000-000	Mailing Address:	HUNT, JOHN & LAURA
CAMA Number:	028-015-000-000		61 STOW RD
Property Address:	61 STOW RD		HARVARD, MA 01451

Abutters:

Parcel Number:	028-007-003-000	Mailing Address:	COOPER, LEE J & PATRICIA G
CAMA Number:	028-007-003-000		82 STOW RD
Property Address:	82 STOW RD		HARVARD, MA 01451

Parcel Number:	028-007-005-000	Mailing Address:	MARY F MAXWELL
CAMA Number:	028-007-005-000		84 STOW RD
Property Address:	84 STOW RD		HARVARD, MA 01451

Parcel Number:	028-008-000-000	Mailing Address:	BYRNES, E ARAN & KIMBERLY J
CAMA Number:	028-008-000-000		PO BOX 33
Property Address:	66 STOW RD		STILL RIVER, MA 01467

Parcel Number:	028-010-000-000	Mailing Address:	CUTLER, PHILIP CHRISTOPHER,
CAMA Number:	028-010-000-000		TRUSTEE
Property Address:	56 STOW RD		56 STOW RD
			HARVARD, MA 01451

Parcel Number:	028-014-000-000	Mailing Address:	HARVARD, TOWN OF, CONSERVATION
CAMA Number:	028-014-000-000		13 AYER RD
Property Address:	STOW RD		HARVARD, MA 01451

Parcel Number:	028-016-000-000	Mailing Address:	HARVARD, TOWN OF, CONSERVATION
CAMA Number:	028-016-000-000		13 AYER RD
Property Address:	STOW RD		HARVARD, MA 01451

Parcel Number:	028-017-000-000	Mailing Address:	BILODEAU, SEAN A & KATHY B
CAMA Number:	028-017-000-000		9 MURRAY LN
Property Address:	9 MURRAY LN		HARVARD, MA 01451



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BILODEAU, SEAN A & KATHY
9 MURRAY LN
HARVARD, MA 01451

BYRNES, E ARAN & KIMBERLY
PO BOX 33
STILL RIVER, MA 01467

COOPER, LEE J & PATRICIA
82 STOW RD
HARVARD, MA 01451

CUTLER, PHILIP CHRISTOPHE
56 STOW RD
HARVARD, MA 01451

HARVARD, TOWN OF, CONSERV
13 AYER RD
HARVARD, MA 01451

MARY F MAXWELL
84 STOW RD
HARVARD, MA 01451

PLANS & DETAILS

Assessor's Map/Deed

Figure 1 – Locus Map

Figure 2 – Endangered Species Map

Figure 3 – ACEC Map

Figure 4 – FEMA Flood Map

Figure 5 – Site Plan



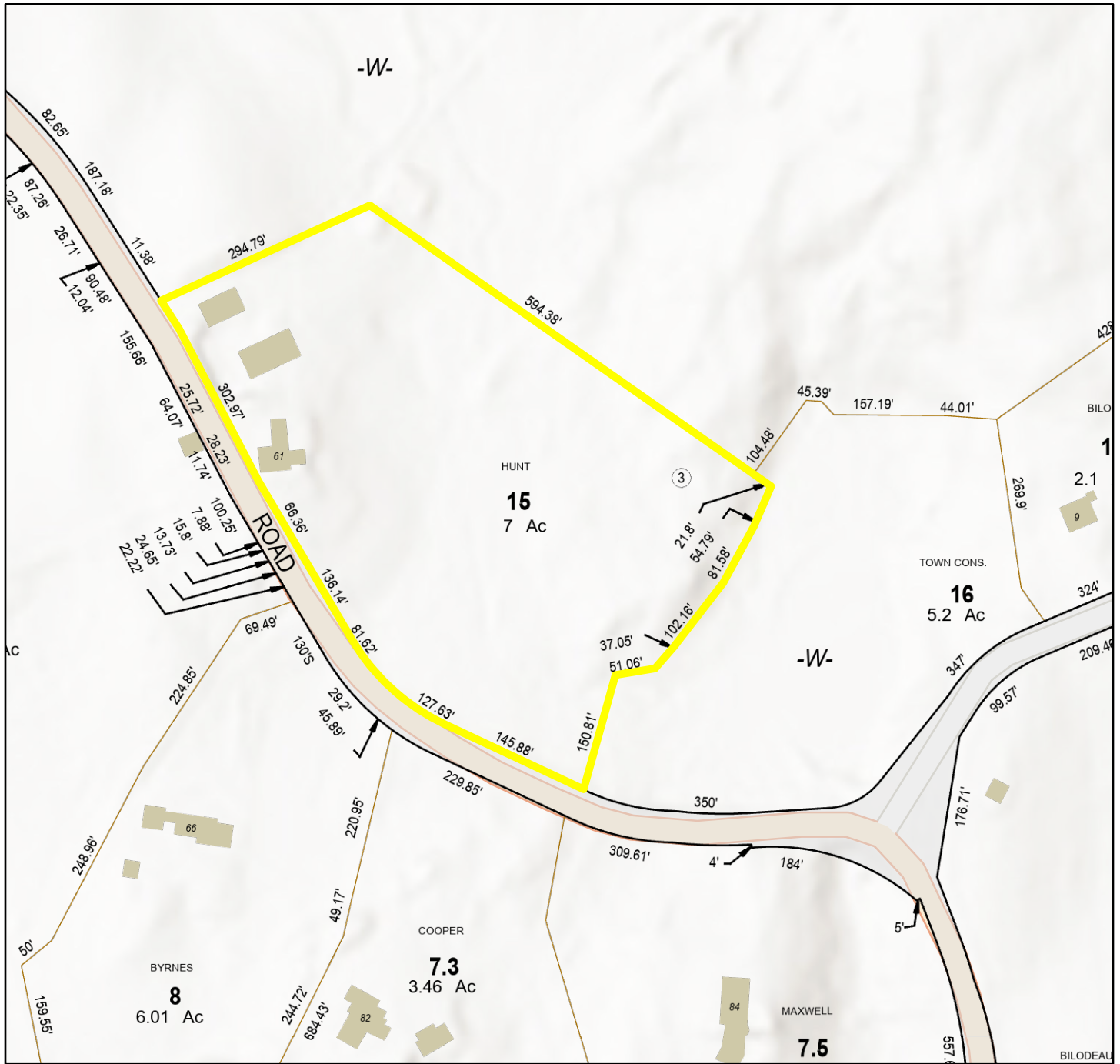
Town of Harvard, MA

1 inch = 188 Feet



www.cai-tech.com

July 18, 2023



	Property Line		Buildings
	Public Road		Right of Ways
	TaxmapText_Leaders		World Hillshade
	TaxmapText_Arrowheads		

Data shown on this map 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 map.

CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT				125 HARVARD, MA VISION
HUNT, JOHN & LAURA 61 STOW RD HARVARD MA 01451		1 Level	5 Well	3 Med Traffic		Description	Code	Appraised	Assessed	
			6 Septic	6 Paved		RESIDENTL	1010	801,400	801,400	
		SUPPLEMENTAL DATA		T Two Way		RES LAND	1010	301,700	301,700	
Alt Prcl ID 125028000150000 House Col YELLOW Field Chec		GIS ID M_194278_914735		Assoc Pid#		RES OB	1010	38,900	38,900	
						Total		1,142,000	1,142,000	

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)					
HUNT, JOHN & LAURA		53475 0202	03-17-2015	U	I	100	1A	Year	Code	Assessed	Year	Code	Assessed
HUNT, JOHN		40104 0159	11-02-2006	U	I	1	1A	2022	1010	742,900	2021	1010	606,300
HUNT, JOHN & JENNIFER		21037 0064	02-12-1999	U	I	725,000	00		1010	345,000	2020	1010	345,000
THE NEWTONS TRUST		15489 0055	08-24-1993	U	I	100	1A		1010	37,200		1010	37,200
NEWTON, EDMUND H & DIANNE M		15148 0118	05-04-1993	U	I	100	1A	Total		1,125,100	Total		988,500
						Total		Total		938,700	Total		938,700

EXEMPTIONS			OTHER ASSESSMENTS				This signature acknowledges a visit by a Data Collector or Assessor						
Year	Code	Description	Amount	Code	Description	Number	Amount	Comm Int					
Total			0.00										

ASSESSING NEIGHBORHOOD			
Nbhd	Nbhd Name	B	Tracing
1			

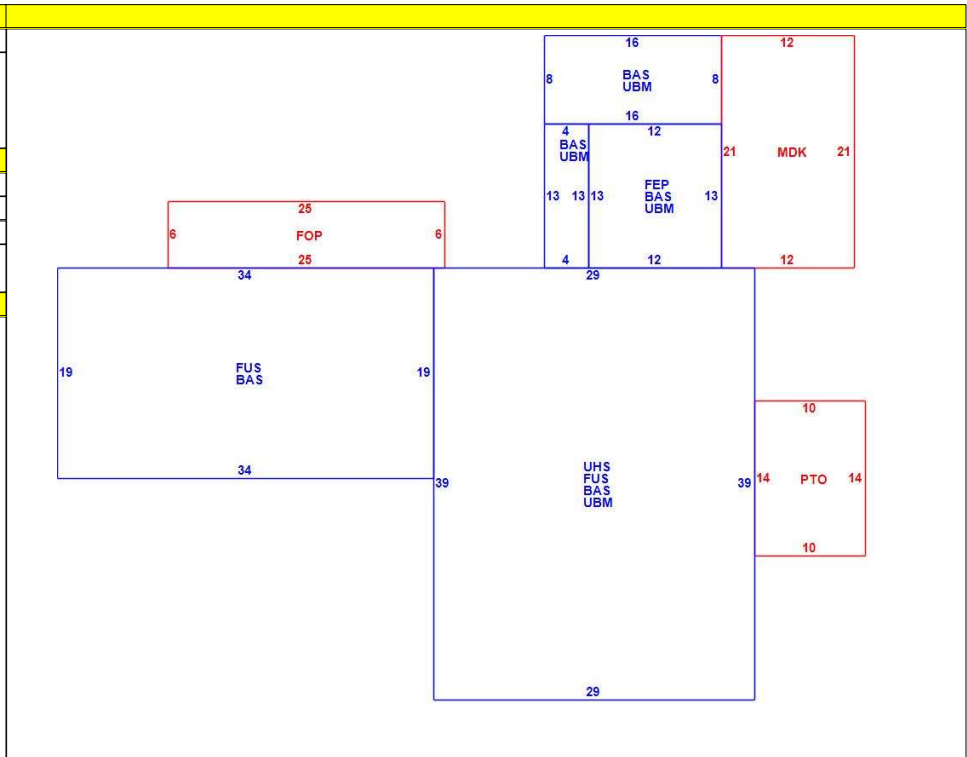
NOTES		APPRAISED VALUE SUMMARY			
PLAN B472 P75 LOT 2		Appraised Bldg. Value (Card)			801,400
painted. 10/18/2011		Appraised Xf (B) Value (Bldg)			0
		Appraised Ob (B) Value (Bldg)			38,900
		Appraised Land Value (Bldg)			301,700
		Special Land Value			0
		Total Appraised Parcel Value			1,142,000
		Valuation Method			C
		Total Appraised Parcel Value			1,142,000

As of January 1, 2022

BUILDING PERMIT RECORD								VISIT / CHANGE HISTORY						
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpost/Result
17-079	05-08-2017	WN	Window	24,433	03-07-2018	100	03-07-2018	WINDOW RPL	06-02-2022	TB		Q	C	Cyclical Insp
14-236	12-22-2014	HA	HVAC	6,043	04-14-2015	100		REPLCE EXIST HVAC EQUIP	04-14-2015	DE	X	N	M	Maintenance/Buld Pemt
11-155	09-12-2011	RF	Roofing	15,000		100		FRAME NEW PITCHED ROO	10-18-2011	DH	X	O	C	Cyclical Insp
08-177	10-20-2008	RF	Roofing	21,645		100	10-20-2008	STRIP/REROOF	07-09-2000	EAB	X	M	M	Maintenance/Buld Pemt
53	06-15-1990	RE	Renovation	30,000		100		Renovations						

LAND LINE VALUATION SECTION															
B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Location Adjustment	Adj Unit P	Land Value
1	1010	Single Fam	AR	Primary	1.500 AC	225,000.00	0.73807	P	1.00	20	0.880			1.0000	219,200
1	1010	Single Fam	AR	Primary	5.500 AC	15,000.00	1.00000	0	1.00		1.000			1.0000	82,500
Total Card Land Units					7.00 AC	Parcel Total Land Area					7.00	Total Land Value			301,700

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Style:	63	Antique			
Model	01	Residential			
Grade:	06	Good +			
Stories:	2.5	2.5 Stories			
Occupancy	1				
Exterior Wall 1	11	Clapboard			
Exterior Wall 2					
Roof Structure:	03	Gable/Hip			
Roof Cover	03	Asph/F Gls/Cmp			
Interior Wall 1	03	Plastered			
Interior Wall 2					
Interior Flr 1	09	Pine/Soft Wood			
Interior Flr 2					
Heat Fuel	02	Oil			
Heat Type:	04	Forced Air-Duc			
AC Type:	03	Central			
Total Bedrooms	04	4 Bedrooms			
Total Bthrms:	3				
Total Half Baths	1				
Total Xtra Fixtrs	0				
Total Rooms:	11				
Bath Style:	02	Modern			
Kitchen Style:	02	Modern			
# of Kitchens	1				
Fireplaces	5				
CONDO DATA					
Parcel Id		C			OWNE
					B S
Adjust Type	Code	Description	Factor%		
Condo Flr					
Condo Unit					
COST / MARKET VALUATION					
Building Value New				1,001,779	
Year Built				1740	
Effective Year Built					
Depreciation Code				VG	
Remodel Rating					
Year Remodeled					
Depreciation %				20	
Functional Obsol					
External Obsol					
Trend Factor				1.000	
Condition					
Condition %					
Percent Good				80	
RCNLD				801,400	
Dep % Ovr					
Dep Ovr Comment					
Misc Imp Ovr					
Misc Imp Ovr Comment					
Cost to Cure Ovr					
Cost to Cure Ovr Comment					



OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)										
Code	Description	L/B	Units	Unit Price	Yr Bld	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value
SHD1	Shed	L	132	15.00	1900	0			0.00	500
SHD1	Shed	L	221	15.00	1850	0			0.00	800
BRN1	Barn-1 Story	L	1,650	30.00	1940	21			0.00	10,400
BRN5	Barn-2 Story	L	2,664	40.00	1900	0			0.00	24,000
SHD1	Shed	L	888	15.00	1900	0			0.00	3,200

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	2,113	2,113	2,113	202.02	426,874
FEP	Porch, Enclosed, Finished	0	156	109	141.16	22,020
FOP	Porch, Open, Finished	0	150	30	40.40	6,061
FUS	Upper Story, Finished	1,777	1,777	1,777	202.02	358,995
MDK	Deck, Masonry	0	252	25	20.04	5,051
PTO	Patio	0	140	14	20.20	2,828
UBM	Basement, Unfinished	0	1,467	293	40.35	59,193
UHS	Half Story, Unfinished	0	1,131	339	60.55	68,486
Ttl Gross Liv / Lease Area		3,890	7,186	4,700		949,508





2015 00022018

Bk: 53475 Pg: 202

Page: 1 of 2 03/17/2015 10:33 AM WD

MASSACHUSETTS QUITCLAIM DEED

I, **JOHN HUNT**, a married man, of 61 Stow Road, Harvard, Massachusetts

in full consideration of less than One Hundred (\$100.00) dollars

grant to **JOHN HUNT and LAURA G. HUNT**, husband and wife, tenants by the entirety of 61 Stow Road, Harvard, Worcester County, Massachusetts

with quitclaim covenants

A certain parcel of land with the buildings thereon, situated in Harvard, Worcester County, Massachusetts, on 61 Stow Road, bounded and described as follows:

The land at 61 Stow Road, Harvard, Worcester County, Massachusetts, being shown as Lot 2 on a plan entitled "Land in Harvard, Mass. surveyed for the Estate of Alexander Williams", dated December 1979, recorded with Worcester County (Worcester District) Registry of Deeds, Plan Book 472, Plan 75.

Together with the benefit of an easement and right of way to use and maintain well, pump hose and water lines as shown on said plan, as granted in an Instrument dated July 1, 1982, recorded with said Deeds, Book 7501, Page 348.

Said premises are subject to the following encumbrances:

1. Title to and rights of the public and others in so much of the premises as lies within the bounds of Stow Road
2. Easement to American Telephone and Telegraph Company, dated February 3, 1964, recored with said Deeds, Book 4452, Page 431.
3. Eighty (80) foot wide "WFH" District and twenty (20) foot wide "W" District, shown on the above-mentioned plan.

Being the same premises conveyed to me by Deed of John Hunt and Jennifer Hunt (k/n/a Jennifer Lee) dated October 12, 2006 and recorded in Worcester District Registry of Deeds, Book 40104, Page 159.

Property Address: 61 Stow Road, Harvard

SHEILA C. HARRINGTON
Attorney at Law
214 Main Street
Groton, MA 01450

OT₂


WITNESS my hand and seal this 23^d day of October, 2014.


JOHN HUNT

COMMONWEALTH OF MASSACHUSETTS

Suffolk, SS.

On this 23rd day of October, 2014, before me, the undersigned notary public, personally appeared the above-named JOHN HUNT, who proved to me through satisfactory evidence of identification, a valid driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.


Notary Public

My Commission Expires: 1-19-2018

SPAL

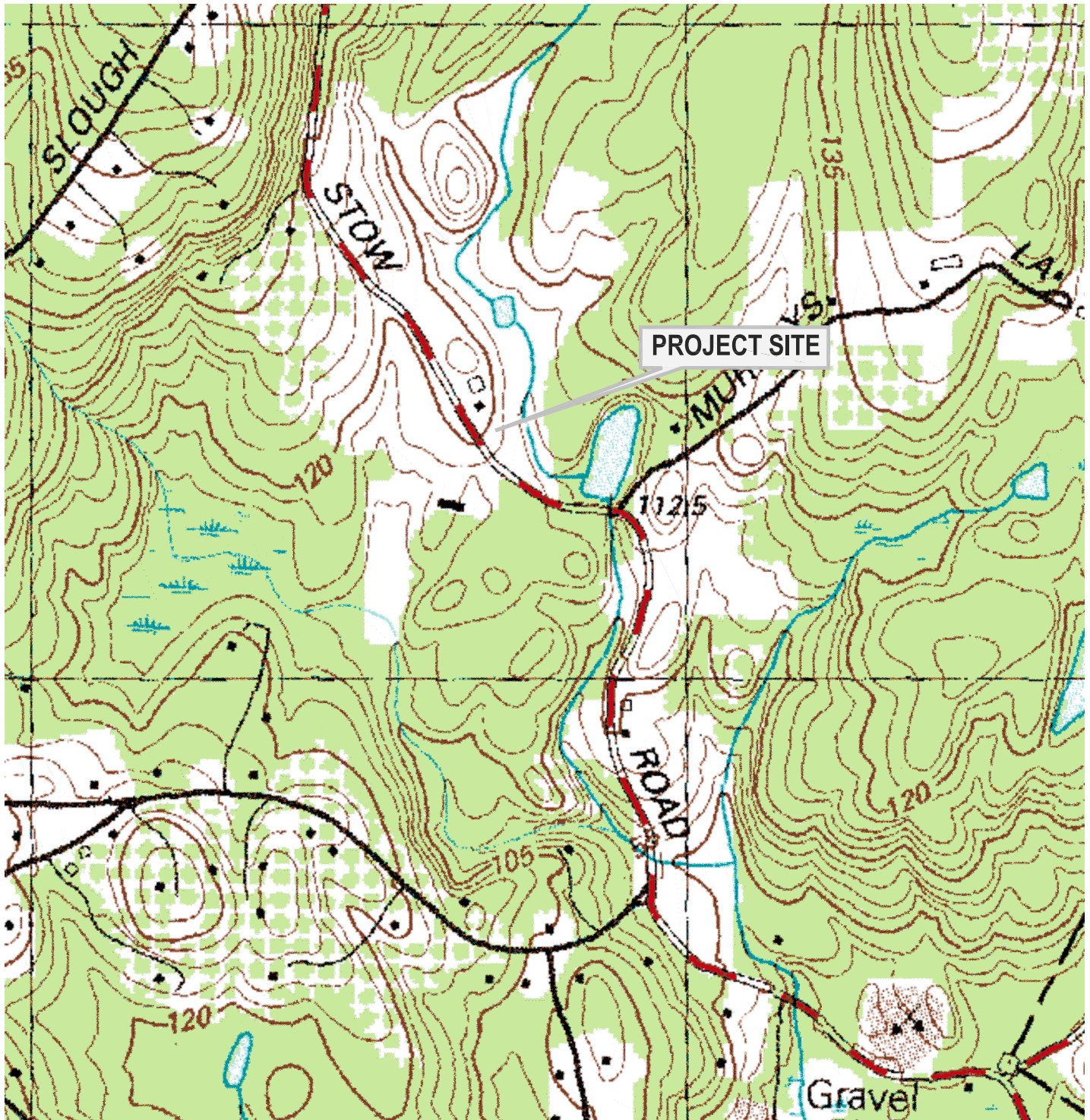


FIGURE 1 - LOCUS MAP

1" = 200'

Prepared By: Dillis & Roy Civil Design Group, Inc.
 1 Main Street, Suite 1
 Lunenburg, MA 01462



CIVIL ENGINEERS LAND SURVEYORS WETLAND CONSULTANTS
 1 MAIN STREET, SUITE 1 PHONE: (978) 779-6091
 LUNENBURG, MA 01462 www.dillisandroy.com

References: 1988 USGS Hudson
 Massachusetts Topographic Map

Prepared For: John Hunt
 61 Stow Road
 Harvard, MA 01451

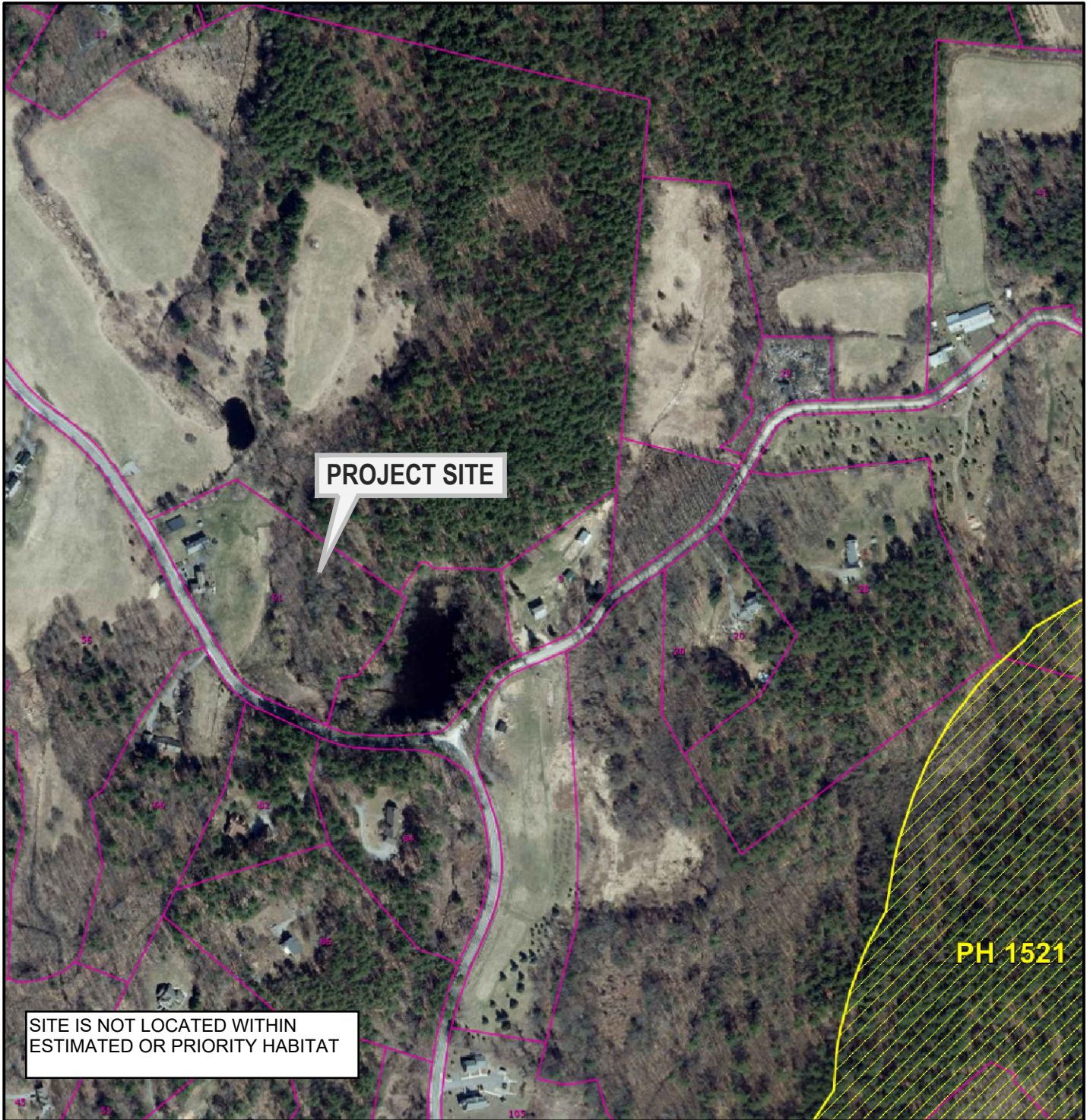


FIGURE 2 - ENDANGERED SPECIES MAP

NOT TO SCALE

Prepared By: Dillis & Roy Civil Design Group, Inc.
 1 Main Street, Suite 1
 Lunenburg, MA 01462



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 1 MAIN STREET, SUITE 1 PHONE: (978) 779-6091
 LUNENBURG, MA 01462 www.dillisandroy.com

References: Massachusetts Natural Heritage Atlas

Prepared For: John Hunt
 61 Stow Road
 Harvard, MA 01451

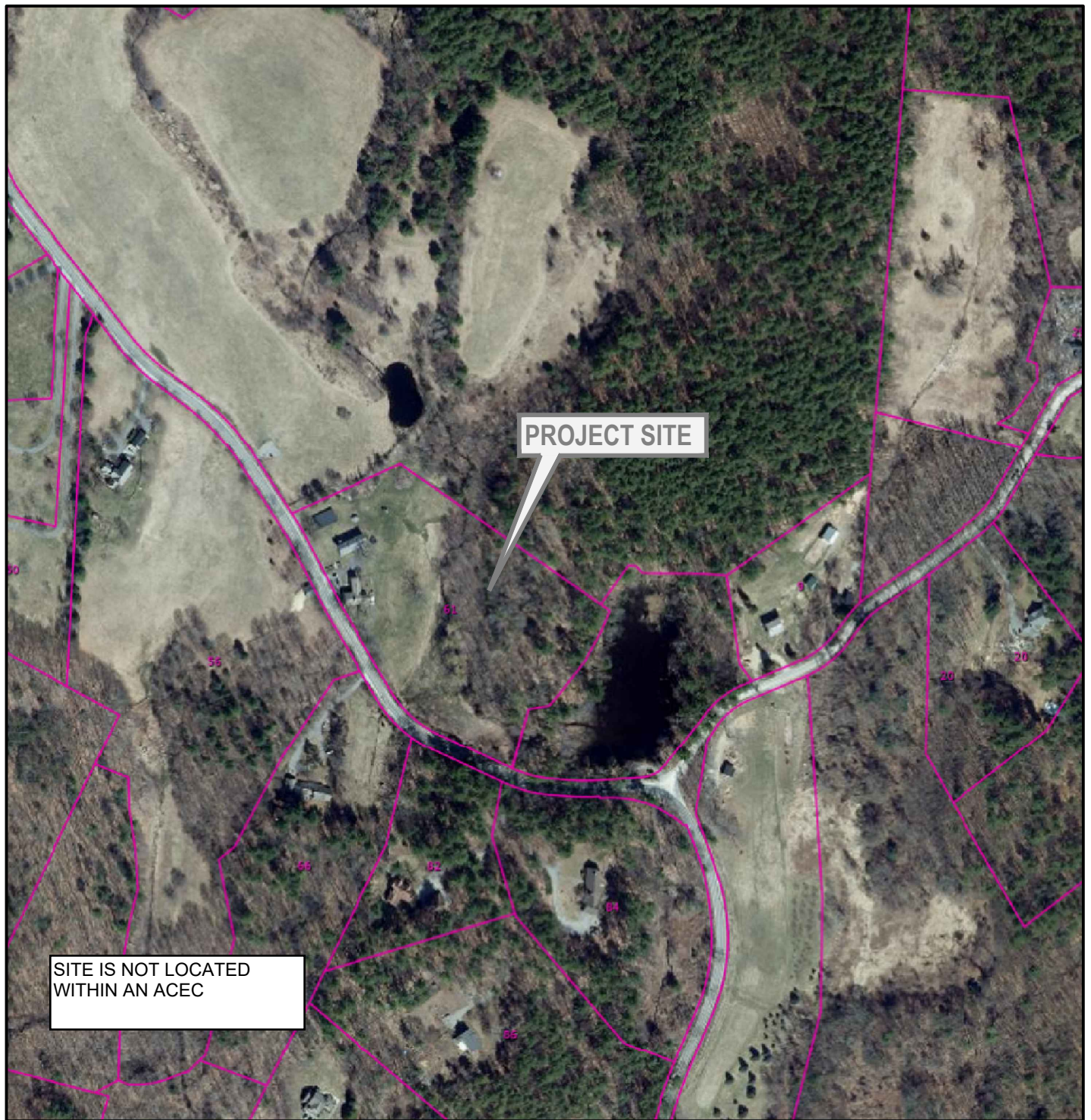


FIGURE 3 - Area of Critical Environmental Concern

NOT TO SCALE

Prepared By: Dillis & Roy Civil Design Group, Inc.
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 Lunenburg, MA 01462



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 1 MAIN STREET, SUITE 1 PHONE: (978) 779-6091
 LUNENBURG, MA 01462 www.dillisandroy.com

References: Mass Mapper

Prepared For: John Hunt
 61 Stow Road
 Harvard, MA 01451

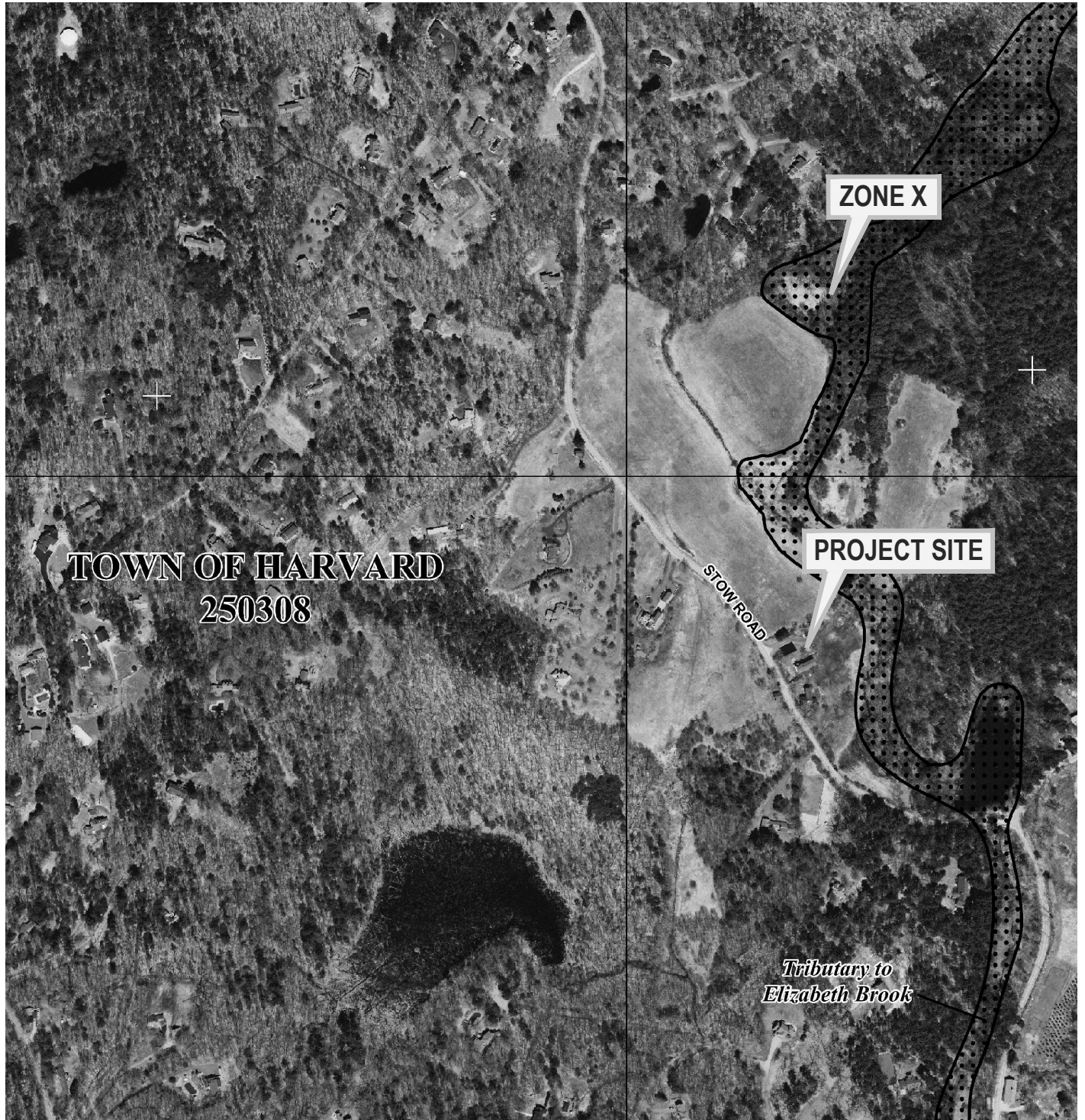


FIGURE 4 - FLOOD MAP

NOT TO SCALE

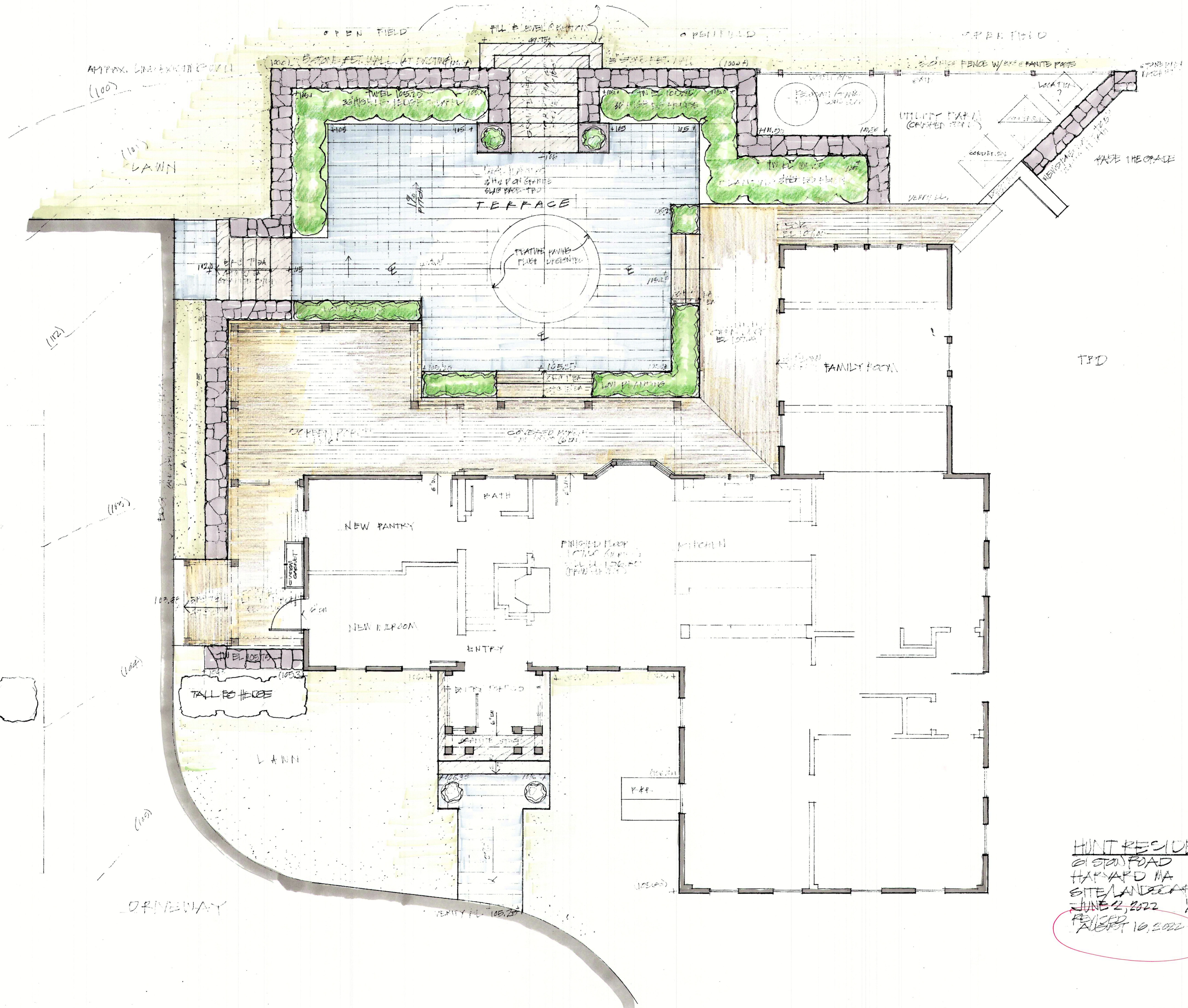
Prepared By: Dillis & Roy Civil Design Group, Inc.
 1 Main Street, Suite 1
 Lunenburg, MA 01462



CIVIL ENGINEERS LAND SURVEYORS WETLAND CONSULTANTS
 1 MAIN STREET, SUITE 1 PHONE: (978) 779-6091
 LUNENBURG, MA 01462 www.dillisandroy.com

References: FIRM - Flood Insurance Rate Map
 Community-Panel Number: 25027C0477F

Prepared For: John Hunt
 61 Stow Road
 Harvard, MA 01451



HUNT RESIDENCE
 61 STANFORD
 HARVARD MA
 SITE/LANDSCAPE PLAN
 JUNE 2, 2022 1/4" = 1'-0"
 REVISED AUGUST 10, 2022

NOTES:

A. GENERAL:

1. TOPOGRAPHIC INFORMATION IS THE RESULT OF AN ON-THE-GROUND SURVEY PERFORMED BY DILLIS AND ROY CIVIL DESIGN GROUP IN OCTOBER OF 2022. ELEVATIONS REFER TO AN ASSUMED DATUM.
2. PROPERTY LINE INFORMATION SHOWN ON THIS PLAN WAS PREPARED BY DILLIS AND ROY CIVIL DESIGN GROUP, INC. BASED ON AN ON-THE-GROUND SURVEY AND RECORDED PLANS AND DEEDS.
3. CONSTRUCTION WITHIN 100 FEET OF A WETLAND RESOURCE AREA AS DEFINED IN THE MASSACHUSETTS WETLAND PROTECTION ACT AND REGULATIONS (310 CMR 10.00) SHALL NOT BE PERFORMED UNTIL AN ORDER OF CONDITIONS OR NEGATIVE DETERMINATION OF APPLICABILITY HAS BEEN OBTAINED FROM THE LOCAL CONSERVATION COMMISSION.
4. EXISTING UTILITIES SHOWN ON THIS PLAN WERE COMPILED FROM FIELD MEASUREMENT AND RECORD PLANS. THE UTILITIES SHOWN ON THIS PLAN ARE FOR REFERENCE ONLY AND SHOULD NOT BE ASSUMED TO BE CORRECT NOR SHOULD IT BE ASSUMED THAT THE UTILITIES SHOWN ARE THE ONLY UTILITIES LOCATED ON OR NEAR THE SITE. THE CONTRACTOR SHALL CALL DIG SAFE 1-888-DIG-SAFE PRIOR TO CONSTRUCTION IN ACCORDANCE WITH STATE LAWS.
5. ADDITIONAL CONSTRUCTION DETAILS AND SPECIFICATION MAY BE PROVIDED BY ARCHITECT. CONTRACTOR TO CONSULT WITH ARCHITECT PRIOR TO BIDDING AND CONSTRUCTION.
6. REFER TO LANDSCAPING PLANS FOR PROPOSED PLANTINGS.

B. CONSTRUCTION NOTES:

1. ALL DISTURBED AREAS SHALL BE COVERED WITH A MINIMUM OF 4" OF LOAM AND SEEDED WITH A NATIVE GRASS MIXTURE.
2. CONTRACTOR TO SET EROSION CONTROL BARRIER PRIOR TO WORK AT THE SITE AND HAVE SAID BARRIER INSPECTED BY THE HARVARD CONSERVATION COMMISSION PRIOR TO CONSTRUCTION.
3. CONTRACTOR TO COORDINATE WITH APPROPRIATE UTILITY COMPANIES FOR ANY TEMPORARY DISCONNECTIONS AND SERVICES CONNECTIONS.
4. ALL CONSTRUCTION DEBRIS SHALL BE REMOVED FROM THE SITE AND DISPOSED OF IN ACCORDANCE WITH FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS.
5. REFER TO ARCHITECTURAL PLANS PREPARED BY PRESTON DESIGN INC. FOR DETAILS AND SPECIFICATIONS ON THE PROPOSED STAIRS FROM THE PROPOSED HOUSE TO THE EXISTING DOCK.

C. EROSION CONTROL SPECIFICATIONS

1. WORK SHALL BE PERFORMED DURING A DRY PERIOD.
2. PLACE EROSION CONTROL BARRIER PER THE DETAIL ON THIS PLAN PRIOR TO CONSTRUCTION. NOTIFY THE HARVARD CONSERVATION COMMISSION AFTER INSTALLATION FOR INSPECTION.
3. RESTORE DISTURBED AREAS IN ONE OF THE FOLLOWING WAYS AS INDICATED ON THE PLANS:
 - 3.1.1 VEGETATED UPLAND SLOPE AREAS - ALL UPLAND SLOPE AREAS SHALL BE RESTORED WITH A MINIMUM OF 4" TOPSOIL, SEED, FERTILIZER AND MULCH.
 - 3.1.2 SLOPES GREATER THAN 3- FEET HORIZONTAL TO 1- FOOT VERTICAL SHALL BE RESTORED WITH EROSION CONTROL BLANKET SIMILAR TO NORTH AMERICAN GREEN (NAG-575), OR APPROVED EQUAL.

RIVERFRONT CALCULATIONS

DESCRIPTION	VALUE
TOTAL AREA OF LOT	304,920 SF
TOTAL RIVERFRONT AREA	203,041 SF
MAX. ALTERATION ALLOWED (10%)	20,304 SF (10%)
ALTERATION PROPOSED	1,848 SF (0.9%)

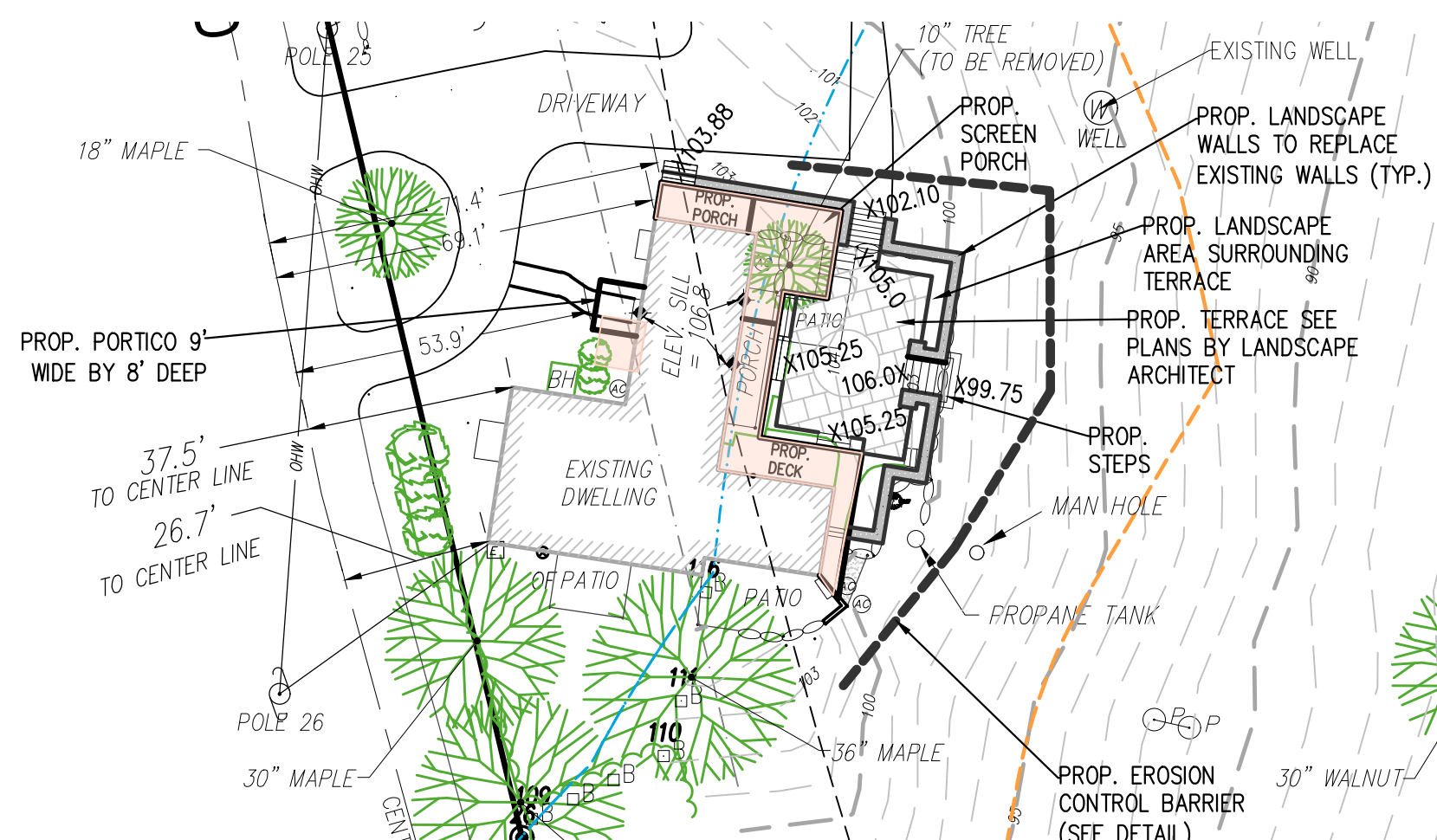


LOCUS MAP
NOT TO SCALE

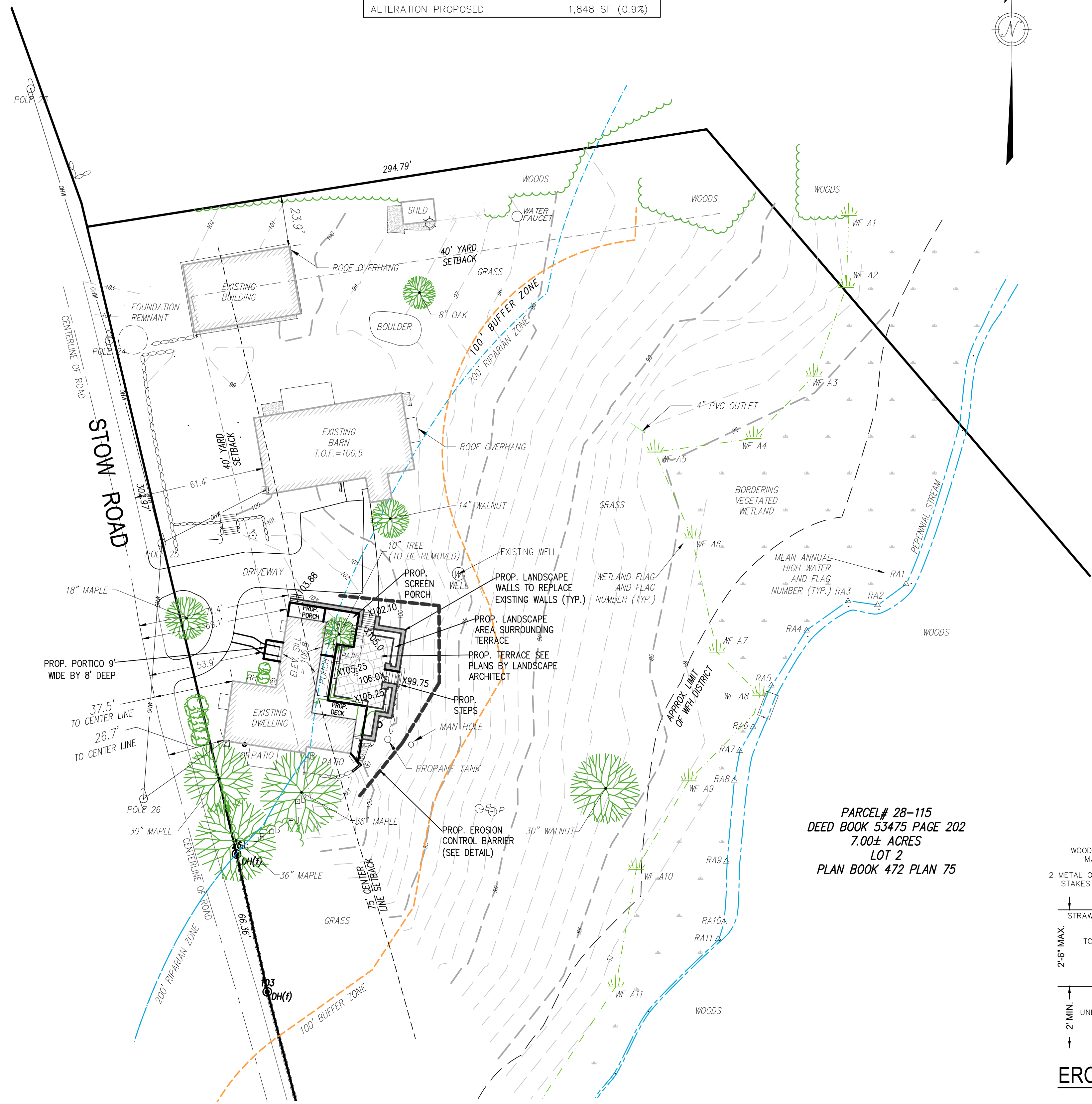
N/E TOWN OF HARVARD
CONSERVATION COMMISSION
PARCEL# 28-14



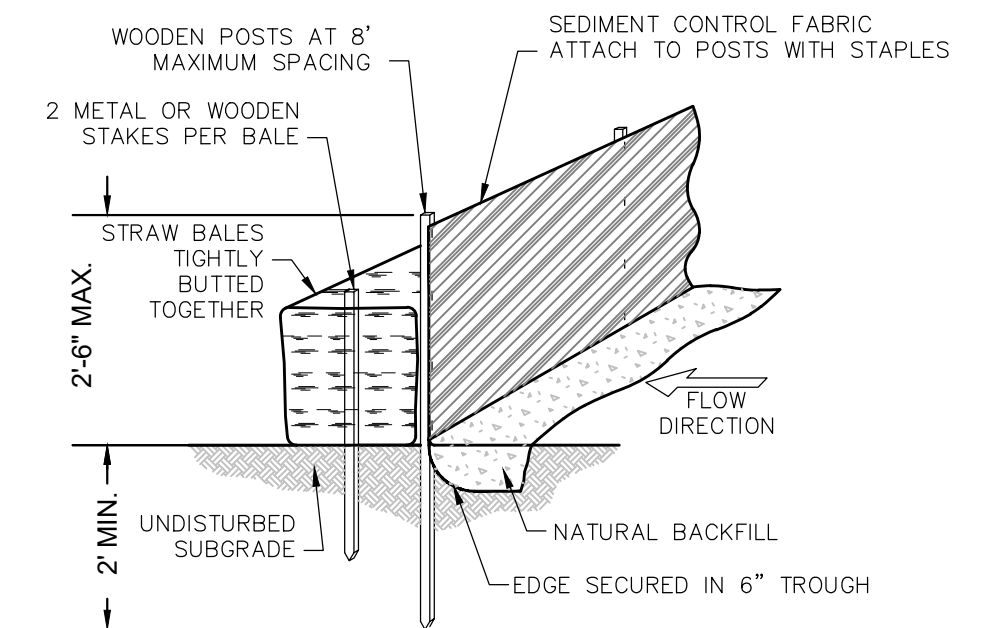
EXISTING DWELLING DETAIL
1"=30'



PROPOSED DWELLING DETAIL
1"=30'



PARCEL# 28-115
DEED BOOK 53475 PAGE 202
7.00± ACRES
LOT 2
PLAN BOOK 472 PLAN 75



EROSION CONTROL BARRIER
NOT TO SCALE

DILLIS & ROY
CIVIL DESIGN GROUP

CIVIL ENGINEERS LAND SURVEYORS WETLAND CONSULTANTS

CORPORATE OFFICE: 1 MAIN STREET, SUITE 1 LUNENBURG, MA 01462 978-779-6091 www.dillisandroy.com

CONCORD OFFICE: 100 MAIN ST., SUITE 310 CONCORD, MA 01742

OWNER: JOHN & LAURA HUNT
61 STOW ROAD
HARVARD, MASSACHUSETTS

APPLICANT: JOHN & LAURA HUNT
61 STOW ROAD
HARVARD, MASSACHUSETTS

SCALE: 1 in. = 30 ft.

COPYRIGHT DILLIS & ROY CIVIL DESIGN GROUP, INC 2023

DATE: 7/17/2023

DESIGN BY: SBD

DRAWN BY: RPV

CHECKED BY: GSR

NOI SITE PLAN
61 STOW ROAD
HARVARD, MASSACHUSETTS

NO.	DATE	DESCRIPTION	BY

JOB NO. 4608

DRAWING NO. 4608-ZBA SP

SHEET NO. 1 of 1

MATTHEW S. MARRO ENVIRONMENTAL CONSULTING

45 Lisa Drive

Leominster, Ma

Phone (978) 314-7858

Fax (888) 435-5999

www.marro-consulting.com

A Notice of Intent 41 Pinnacle Road Harvard, MA 01776

Environmental Analysis Submitted on Behalf of Rachel Broadhurst



Matthew S. Marro

Environmental

Consulting

(MSMEC)

45 Lisa Drive

Leominster, MA

01453

matt@marro-consulting.com

irene@marro-consulting.com

www.marro-consulting.com

July 2023

Table of Contents

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Introduction

Summary

41 Pinnacle Road is a single-family home sitting on a 2.85 -acre lot. The project proposal is for the restoration of some alteration of wetland resource area and the establishment of a paddock within the 100-foot buffer zone. Analysis of the lot reveals some minimal sitework will be involved with the construction of a paddock fence at the rear lot line directly adjacent to the bordering vegetated wetland. There will be a total of 5 Red Maple trees to be replanted at the rear of the lot within the wetland resource area to re-establish a lost overstory. There will be no trees or shrubs proposed to be removed in the buffer zone. This proposal for a paddock and replanting of trees, necessitates the filing of a Notice of Intent.

Specifics of the lot

The lot is a 2.58-acre lot consisting of approximately 65% of the lot being developed. The lot contains a bordering vegetated wetland as noted on accompanying plans to the rear quarter section of the lot. Consultation with Mass Mapper reveals no ACEC, vernal pools or potential vernal pools present on the subject property. According to the FEMA FIRMette enclosed with this Notice of Intent, there is no subject flood plain on the property. No other resource areas are present within the subject lot.

A previous enforcement order issued by the Conservation Commission, noted the removal of trees within the bordering vegetated wetland area. Analysis of the wetland revealed the herbaceous layer was maintained and is established and does not require any restorative work. Analysis of past historical photos does not reveal a shrub layer present within the wetland resource area, therefore replantation should be limited to re-establishing an overstory. Red Maple, which was previously present in the subject replantation area, should be replanted. The number of five trees are suggested for replantation. The trees should be replanted near the area of stumps that were discovered on site by the commission during the course of site inspection.

The overstory area should be sufficiently re-established with a minimal effort as the red maple trees area fast growing, have a wide crown for shade value and are known for spreading successive offspring growth rapidly as well. This will allow for the overstory to re-establish over time and minimize the possibility of the trees outcompeting each other. After planting is completed a paddock fence will be placed in front of the wetland resource area allowing for the use of the remainder of the property in a manner consistent with the previous use of the property. (see notes below)

The following outlines the mix of BVW vegetation that was noted on the site throughout the entirety of the delineated portion noted on the plan as GC 1 through GC 15:

Botanical Name	Common Name	Wetland Indicator Status ⁱ
<i>Onoclea sensibilis</i>	Sensitive Fern	FACW
<i>Osmundastrum cinnamomeum</i>	Cinnamon Fern	FACW
<i>Solidago altissima</i>	Canada Golden Rod	FACU
<i>Acer Rubrum</i>	Red Maple	FAC
<i>Symplocarpus foetidus</i>	Skunk Cabbage	OBL
<i>Quercus rubra</i>	Northern Red Oak	FACU
<i>Vaccinium corymbosum</i>	High Bush Blueberry	OBL

Commencement of Construction Activities and Timelines:

All proposed construction is estimated to be completed through stabilization in a two-month 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 "Topographic Plan of Land" by Summit Surveying dated 6.20.2023, 1 inch = 40 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. Erosion Protection will be placed closer to the limit of work to ensure work does not traverse within the adjacent wetland.
- Replanting of trees within the resource area.
- Placement of fence adjacent to the wetland resource area.
- Restore any disturbed 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 the work area.
- Maintain all structures and permanent work to ensure no encroachment to a bordering wetland resource area.
- Erosion control installed prior to ground disturbance.
- Minimize construction duration to within four months as a maximum.

Notes:

- Mitigation shall be monitored by Matthew S. Marro Environmental Consulting (MSMEC)
- Mitigation status shall be reported to the Conservation for compliance on June 30 and October 31 for 2024 and 2025.
- During this period, any deficiencies in growth shall be noted and reseeded.
- MSMEC shall certify the success of the mitigation after the 2-year monitoring period if achieved. Deficiencies of such shall be noted, reported, and corrected if required.

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 MSMEC, the proposal protects the resource areas from alteration. It is noteworthy, the work is within a limited area of the lot and the remainder of the lot will remain in the same condition as pre development, 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 Rachel Broadhurst, will approve a standard Order of Conditions.

Thank you for your consideration of this Notice of Intent.

Respectfully Submitted,





Matthew S. Marro, Consulting
Agent/PrincipalCc: File
Client file
Mass DEP

EXHIBITS AND WPA FORM 3



June 28, 2023

Wetlands_Alaska

-  Estuarine and Marine Deepwater
-  Estuarine and Marine Wetland

-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond

-  Lake
-  Other
-  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.

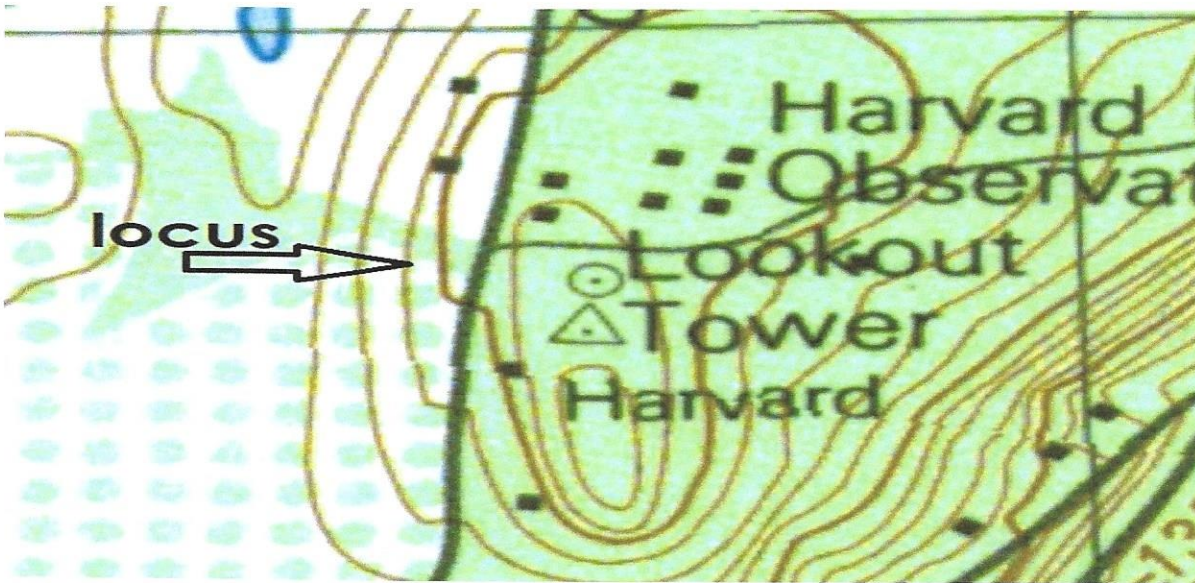
National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

41 Pinnacle Road

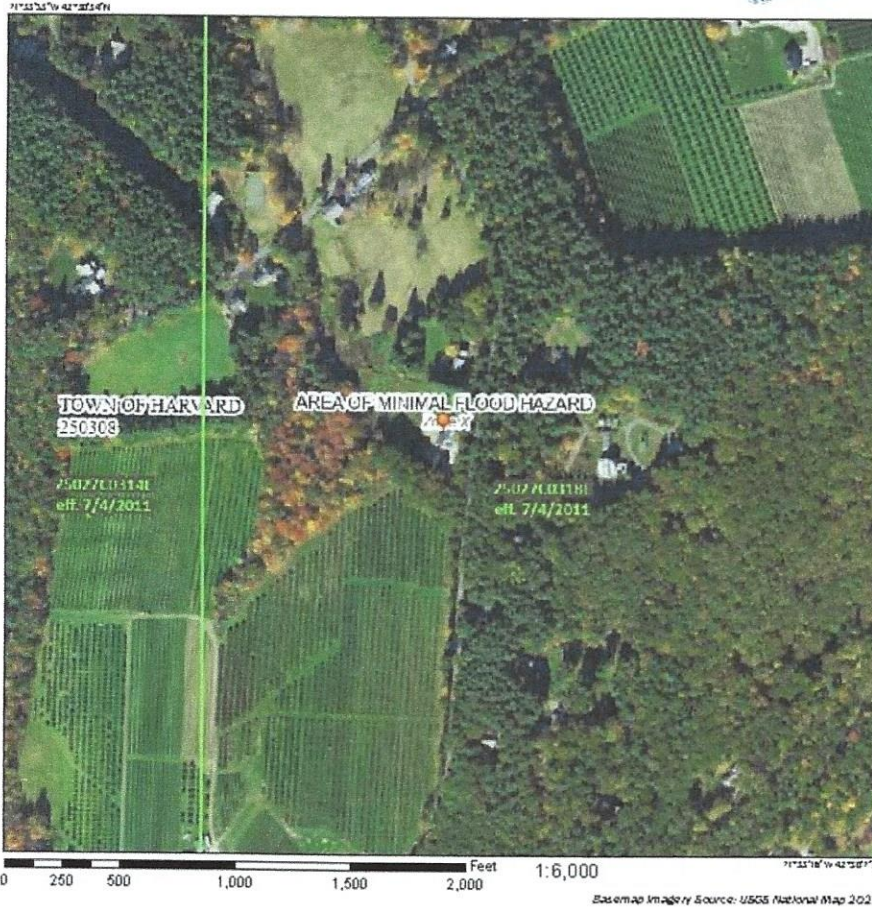


- Q3 Flood Zones (from Paper FIRMs, where NFHL Unavailable)
 - A
 - AE
 - AE Floodway
 - AH
 - A0
 - D
 - VE
 - Area Not Included
 - X500
- Potential Vernal Pools
- NHESP Priority Habitats of Rare Species
- NHESP Natural Communities
- NHESP Estimated Habitats of Rare Wildlife
- NHESP Certified Vernal Pools
- Areas of Critical Environmental Concern ACECs Transparent Green
- Areas of Critical Environmental Concern ACECs
- Property Tax Parcels

USGS LOCUS & FEMA FIRMETTE



National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FISH PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, X, or Z
	With BFE or Depth Zone A, X, or Z
	Regulatory Highway
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 1
	Future Conditions 1% Annual Chance Flood Hazard Zone 1
	Area with Reduced Flood Risk due to Levee, See Maps, Zone 1
	Area with Flood Risk due to Levee, Zone 0
OTHER AREAS	Area of Minimal Flood Hazard Zone 1
	Effective USMS
GENERAL STRUCTURES	Area of Unimproved Road Hazard Zone 0
	Channel, Outfall, or Storm Sewer Levee, Dike, or Retention Wall
OTHER FEATURES	One's Section with 1% Annual Chance
	Water Surface Boundary
	Coastal Tractaco
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary
	Coastal Tractaco Boundary
Profile Baseline	
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 geographic location.

This map complies with FEMA's standards for the use of digital flood maps of a 1:6,000 scale 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 7/28/2023 at 7:59 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 image is void if the user enters the following map elements on the map: Base map imagery, flood area labels, legend, scale bar, map overview, compass, north arrow, FIRM panel number, and FIRM effective date. Map images for unmapped and unimproved areas cannot be used for regulatory purposes.

WPA FORM 3



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):

41 Pinnacle Road
 a. Street Address
 Harvard
 b. City/Town
 01776
 c. Zip Code
 Latitude and Longitude:
 42.50577
 d. Latitude
 71.56062
 e. Longitude
 18
 f. Assessors Map/Plat Number
 65
 g. Parcel /Lot Number

2. Applicant:

Rachel
 a. First Name
 Broadhurst
 b. Last Name
 c. Organization
 41 Pinnacle Road
 d. Street Address
 Harvard
 e. City/Town
 MA
 f. State
 01776
 g. Zip Code
 (781) 540-9032
 h. Phone Number
 i. Fax Number
 rbroadhurst@familylawfoundation.org
 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):

110.00
 a. Total Fee Paid
 42.50
 b. State Fee Paid
 67.50
 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 checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> Other | |

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

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

2. Limited Project Type

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

8. Property recorded at the Registry of Deeds for:

Middlesex

a. County

54867

c. Book

b. Certificate # (if registered land)

0250

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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	500 restoration 1. square feet _____	500 restoration 2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____ 3. cubic yards dredged _____	2. square feet _____

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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. Riverfront Area
1. Name of Waterway (if available) - **specify coastal or inland** _____
2. Width of Riverfront Area (check one):
- 25 ft. - Designated Densely Developed Areas only
 - 100 ft. - New agricultural projects only
 - 200 ft. - All other projects
3. Total area of Riverfront Area on the site of the proposed project: _____ 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? 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.

- 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

June 2023
MassGIS

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/mas-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:

North Shore - Hull to New Hampshire border:

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

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: 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 [BWW] 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.

Proposed Plot of land

a. Plan Title

Summit Suveying

b. Prepared By

6.2.23

d. Final Revision Date

Charles Brennan

c. Signed and Stamped by

40

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

2. Date

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:

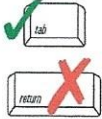
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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:

41 Pinnacle Road Westford
 a. Street Address b. City/Town

42.50
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Rachel Broadhurst
 a. First Name b. Last Name

c. Organization
 41 Pinnacle Road
 d. Mailing Address

Harvard MA 01776
 e. City/Town f. State g. Zip Code

(508) 523-0689 geraldrgagne@gmail.com
 h. Phone Number i. Fax Number 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 building addition	1	110	110
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Step 5/Total Project Fee: _____

Step 6/Fee Payments:

Total Project Fee:	110.00
State share of filing Fee:	42.50
City/Town share of filing Fee:	67.50

a. Total Fee from Step 5
 b. 1/2 Total Fee less \$12.50
 c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

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

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

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

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

Assessor Record



41 PINNACLE RD

Town of Harvard, MA

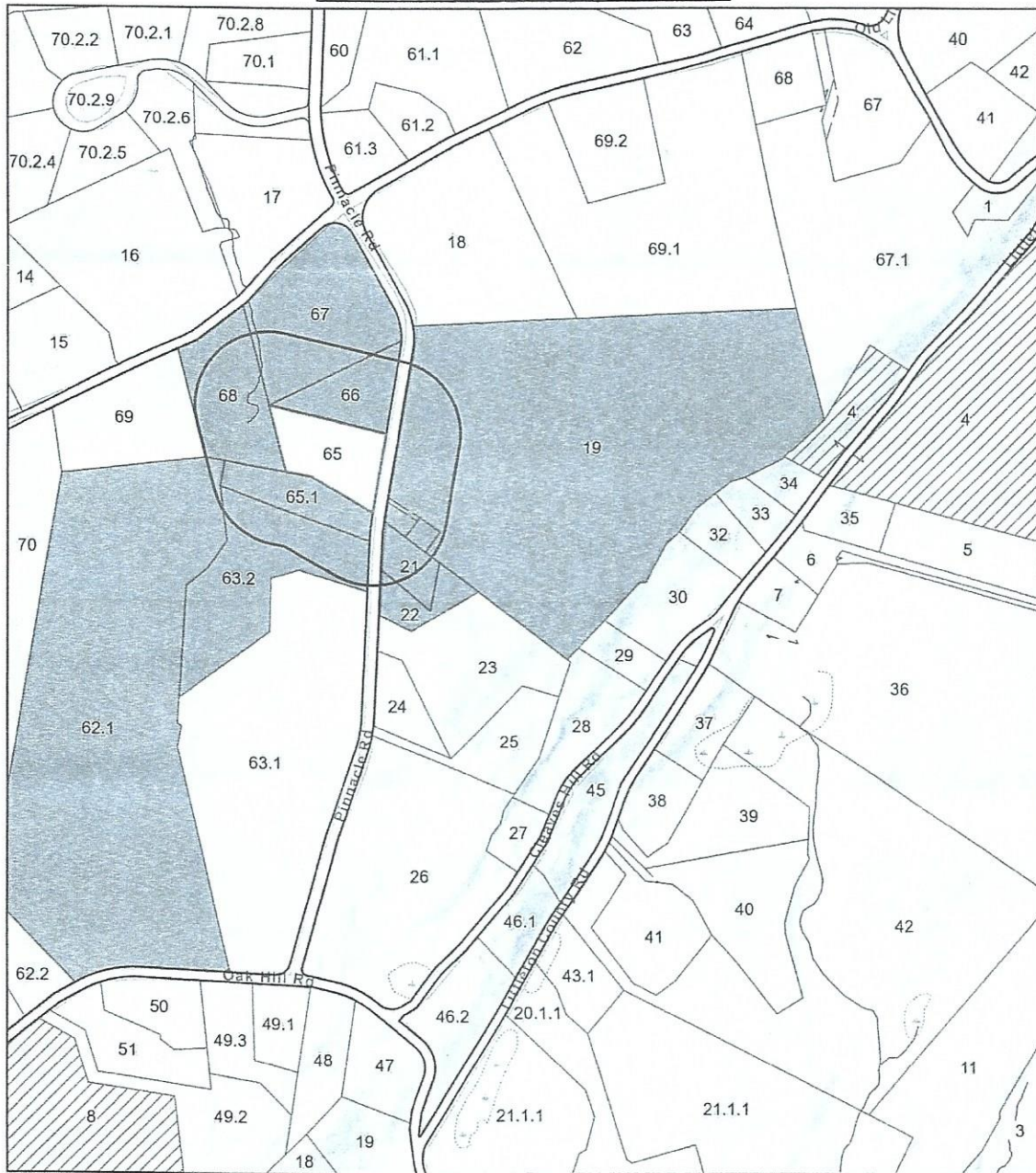
1 inch = 752 Feet



www.cai-tech.com

November 3, 2022

0 752 1504 2256



Data shown on this map 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 map.



300 feet Abutters List Report

Harvard, MA
November 03, 2022

Subject Property:

Parcel Number: 018-065-000-000
CAMA Number: 018-065-000-000
Property Address: 41 PINNACLE RD

Mailing Address: SPITZ, RACHEL
41 PINNACLE RD
HARVARD, MA 01451

Abutters:

Parcel Number: 018-019-000-000
CAMA Number: 018-019-000-000
Property Address: 40 PINNACLE RD

Mailing Address: PRESIDENT & FELLOWS OF HARVARD
COLLEGE
1350 MASS AV
CAMBRIDGE, MA 02138

Parcel Number: 018-020-000-000
CAMA Number: 018-020-000-000
Property Address: PINNACLE RD

Mailing Address: MASS, COMMONWEALTH OF
200 PORTLAND ST
BOSTON, MA 02204

Parcel Number: 018-021-000-000
CAMA Number: 018-021-000-000
Property Address: PINNACLE RD

Mailing Address: MINASSIAN, ARAM S
642 MOODY ST, STE 1
WALTHAM, MA 02453

Parcel Number: 018-022-000-000
CAMA Number: 018-022-000-000
Property Address: 32 PINNACLE RD

Mailing Address: DALEO, ROXANNE E
32 PINNACLE RD
HARVARD, MA 01451

Parcel Number: 018-062-001-000
CAMA Number: 018-062-001-000
Property Address: 115 OAK HILL RD

Mailing Address: CARLSON ORCHARDS INC
PO BOX 359
HARVARD, MA 01451

Parcel Number: 018-062-001-000
CAMA Number: 018-062-001-00T
Property Address: OAK HILL RD

Mailing Address: AT&T - NREA
FLOOR 12, EAST TOWER 575 MOROSGO
DRIVE
ATLANTA, GA 30324

Parcel Number: 018-063-002-000
CAMA Number: 018-063-002-000
Property Address: PINNACLE RD

Mailing Address: CARLSON ORCHARDS INC
115 OAK HILL RD
HARVARD, MA 01451

Parcel Number: 018-065-001-000
CAMA Number: 018-065-001-000
Property Address: PINNACLE RD

Mailing Address: CARLSON ORCHARDS INC
115 OAK HILL RD
HARVARD, MA 01451

Parcel Number: 018-066-000-000
CAMA Number: 018-066-000-000
Property Address: 49 PINNACLE RD

Mailing Address: CULMONE, ANTHONY
49 PINNACLE RD
HARVARD, MA 01451

Parcel Number: 018-067-000-000
CAMA Number: 018-067-000-000
Property Address: 140 OLD LITTLETON RD

Mailing Address: LATHAM, VIRGINIA T, TTE VIRGINIA T
LATHAM
140 OLD LITTLETON RD
HARVARD, MA 01451



www.cai-tech.com

11/3/2022

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Page 1 of 2

Abutters List Report - Harvard, MA



300 feet Abutters List Report

Harvard, MA
November 03, 2022

Parcel Number: 018-068-000-000
CAMA Number: 018-068-000-000
Property Address: 134 OLD LITTLETON RD

Mailing Address: BILODEAU, SEAN P & DIANDRA
134 OLD LITTLETON RD
HARVARD, MA 01451

Parcel Number: 018-020-000-000
CAMA Number: 018-1020-000-000
Property Address: 38 PINNACLE RD

Mailing Address: VERIZON WIRELESS
ATTN: REAL ESTATE - TAX PO BOX 2549
ADDISON, TX 75001



www.cai-tech.com

11/3/2022

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Page 2 of 2

Abutters List Report - Harvard, MA

SITE PLAN OF 41 Pinnacle Rd

TOWN OF HARVARD LOCAL WETLANDS FILING FORMS

FORM B
NOTIFICATION TO ABUTTERS
MASSACHUSETTS WETLAND PROTECTION ACT
AND HARVARD WETLANDS PROTECTION BYLAW

DATE: July 27, 2023

Certified Mail # _____
or Date of Hand Delivery _____

TO: _____
(abutter) (address)

FROM: Rachel Broadhurst 41 Pinnacle Road (consultant 978-314-7858)
(applicant) (address) (Telephone No.)

RE: Property identified on Harvard Assessors Map # 18 Parcel 65
The address of the lot where the activity is proposed is:
41 Pinnacle 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:

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 twenty-one (21) days upon receipt of the complete application. Notice of this public hearing will be given at least five (5) days prior to the hearing, in a local newspaper, as well as appear on the Town of Harvard website at www.harvard.ma.us.

Plans for this project and a copy of the application are on file with the Land Use Board Office. Copies may be 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

NOTE: A PDF COPY IS AVAILABLE BY EMAILING IRENE@MARRO-CONSULTING.COM

FORM C

REQUEST FOR WAIVER

HARVARD WETLANDS PROTECTION BYLAW

Date: July 27, 2023

To: Harvard Conservation Commission

From: Rachel Broadhurst
(name of petitioner)

41 Pinnacle Road
(address of petitioner)

RE: Harvard Wetlands Rules and Regulations

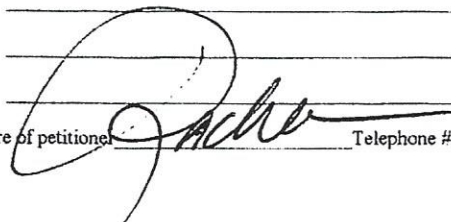
Request for Waiver

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:

147-12

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

To allow for planting within a wetland resource area
to re-establish a canopy

Signature of petitioner:  Telephone # 781-540 9032

FORM D
PERMISSION FOR ACCESS

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

From: _____

Pursuant to §147-6.D. or §147-11.D. 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:  Date 7/26/23
Owner or Authorized Applicant from Form A part C

FORM E

PERMISSION TO BILL APPLICANT DIRECTLY FOR LEGAL NOTICE

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

FROM: Rachel Broadhurst
41 Pinnacle Road
Harvard, MA

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

Signed:


Owner or Authorized Applicant from Form A part C

FORM F

Wetland filing fees calculation worksheet for work in resource areas

	Fee	Total
<u>Notice of Intent Fees</u>		
1) <i>Single family</i>		
Septic Repair or Upgrade (Enter Fee & Skip to Total Fee)	\$200.00	_____
New Construction or alteration involving 500sf or less of total construction	\$300.00	300.00
New Construction or alteration involving 501sf to 1499sf of total construction	\$600.00	_____
New Construction or alteration involving 1500 sf or more of total construction	\$900.00	_____
2) <i>Subdivision/mini Subdivision</i>		
Roads and Utilities only	\$1,500.00	_____
Multifamily/Condominium Structures construction	\$1,500.00	_____
3) <i>Commercial or Industrial Projects</i>	\$1,500.00	_____
<u>Additional charges under a Notice of Intent for disturbance within the buffer zone</u>		
1) Disturbance within the buffer zone	_____ sf	x 0.25 = _____
2) Confirmation delineated wetland line	_____ linear ft	x 0.50 = _____
3) Alteration or replication of wetlands	_____ sf	x 1.00 = _____
TOTAL FILING FEE		_____
Fee doubled if Notice of Intent is filed after work began or an Enforcement Order was issued		300.00
<u>Other fees</u>		
Request for an amendment to an Order of Conditions	\$200.00	_____
Request for an extension to an Order of Conditions	\$125.00	_____
Request for a reissued Certificate of Compliance	\$100.00	_____
Request for an Emergency Certificate of Compliance	\$200.00	_____
Request for an Emergency Certification Form	\$200.00	_____
Request for Certificate of Compliance with Expired OOC or Partial Certificate of Compliance	\$125.00	_____
Request for Determination of Applicability (RDA)	\$100.00	_____
Abbreviated Notice of Resource Area Delineation (ANRAD) (Minimum \$100.00, Maximum \$1,500.00)	_____ linear ft	x \$1.50= _____
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).		
TOTAL FEE PAYABLE TO THE TOWN OF HARVARD		300.00

RECORD OWNER:

RACHEL SPITZ
41 PINNACLE ROAD
HARVARD, MA 01451

NO. 134 OLD LITTLETON ROAD
N/F
SEAN & DIANDRA BILODEAU
DEED BOOK 61790 PAGE 76
PLAN BOOK 236 PLAN 10

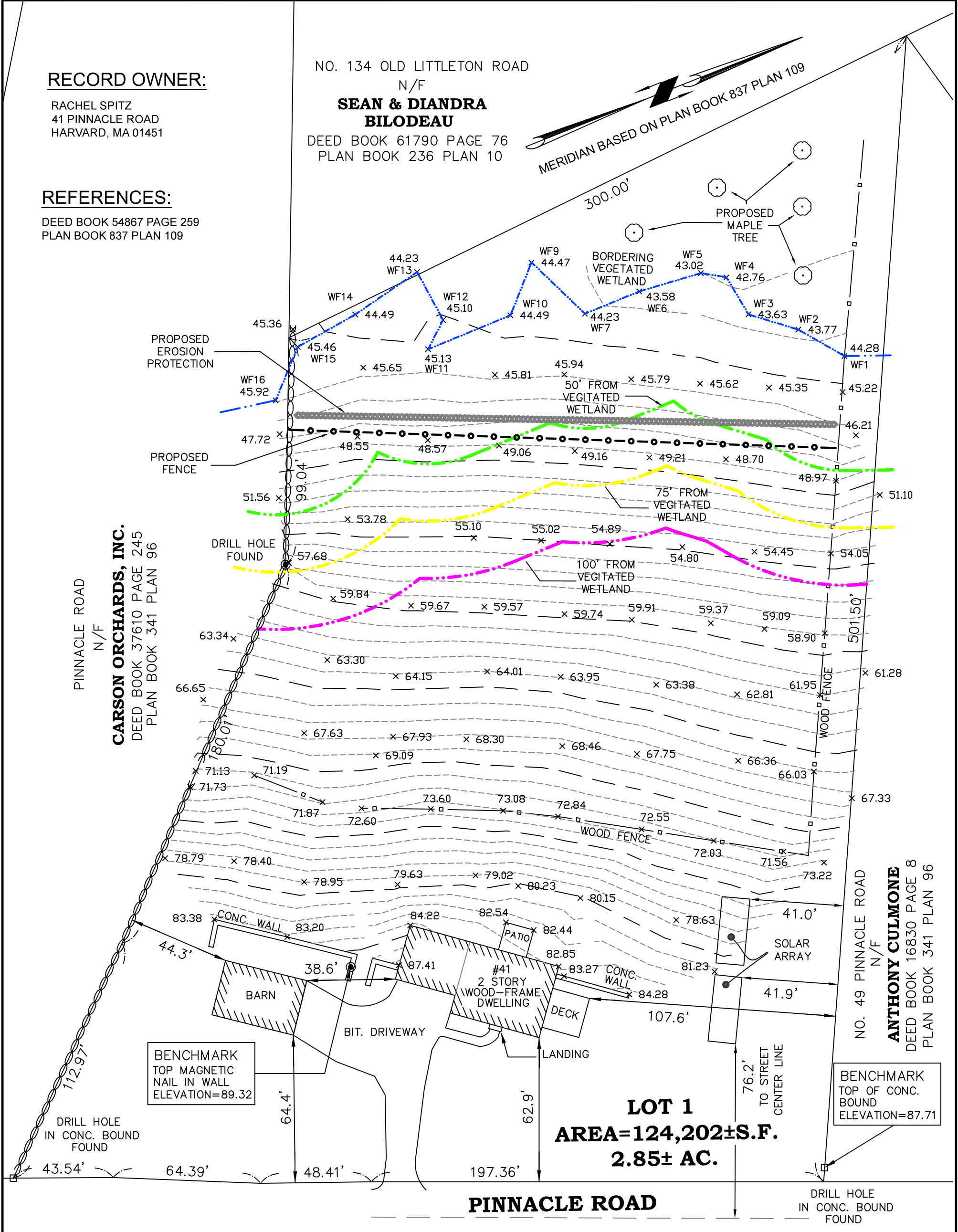
300.00'
MERIDIAN BASED ON PLAN BOOK 837 PLAN 109

REFERENCES:

DEED BOOK 54867 PAGE 259
PLAN BOOK 837 PLAN 109

PINNACLE ROAD
N/F
CARSON ORCHARDS, INC.
DEED BOOK 37610 PAGE 245
PLAN BOOK 341 PLAN 96

NO. 49 PINNACLE ROAD
N/F
ANTHONY CULMONE
DEED BOOK 16830 PAGE 8
PLAN BOOK 341 PLAN 96

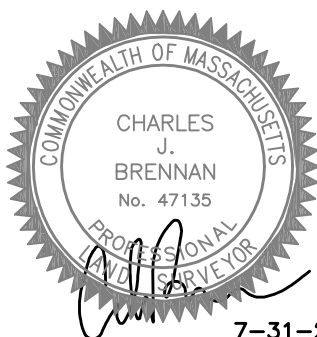


LOT 1
AREA=124,202±S.F.
2.85± AC.

PINNACLE ROAD

NOTES:

- 1.) THIS PLAN WAS PREPARED FROM AN INSTRUMENT SURVEY PERFORMED IN OCTOBER OF 2022.
- 2.) SUBSURFACE UTILITIES WERE NOT INCLUDED AS PART OF THIS SURVEY.
- 3.) A TITLE EXAMINATION WAS NOT PROVIDED FOR THIS SURVEY. AS SUCH OTHER MATTERS OF RECORD MAY EXIST AND NOT BE SHOWN HEREON.
- 4.) VERTICAL DATUM: ASSUMED.
- 5.) WETLANDS DELINEATED BY OTHERS.



7-31-23

TOPOGRAPHIC PLAN OF LAND
IN
HARVARD, MA

AT 41 PINNACLE ROAD
PREPARED FOR

RACHEL BROADHURST
BY
SUMMIT SURVEYING INC.

285 LITTLETON ROAD, SUITE 2, WESTFORD, MA
TEL. 978-692-7109 WWW.SUMMITSURVEYINGINC.COM
OCTOBER 26, 2022 22-0147
REV: 50' & 75' WETLAND BUFFER LINE BY: CJB DATE: 6-20-23
EROSION PROTECTION, FENCE AND TREES BY: CJB DATE: 7-31-23

