

ECR

Environmental Consulting & Restoration, LLC



November 21, 2023

Town of Plympton
Conservation Commission
5 Palmer Road
Plympton, MA 02367

RE : 0 Maple Street, Plympton DEP File #SE 266-0229

Dear Members of the Conservation Commission:

On behalf of the applicant and in collaboration with Webby Engineering, Environmental Consulting and Restoration, LLC (ECR) is pleased to submit additional information to accompany the Notice of Intent (NOI) submitted for the proposed project at 0 Maple Street in Plympton (the site). This additional information has been provided to address the questions & comments raised by Brian Vasa, Conservation, Agent, in an email dated November 8, 2023. The additional information being provided today includes the following:

1. Waiver Request, dated 11/16/23
2. Revised Mitigation Schematic, dated 11/16/23
3. Revised Plan Set, dated 11/10/23 (2 sheets)

As requested, 5 paper copies of the revised plan set and 2 copies of the remaining material will be mailed to the Conservation Office.

If you have any questions or require additional information, please contact me at (617) 529-3792.

Sincerely,
Environmental Consulting & Restoration, LLC

Brad Holmes, PWS, MCA
Manager

CC: Webby Engineering
Paul D'Angelo III
Attorney Adam Brodsky



Environmental Consulting & Restoration, LLC



November 16, 2023

Town of Plympton
Conservation Commission
5 Palmer Road
Plympton, MA 02367-0239

**RE: Request for a Waiver, 0 Maple Street, Plympton, MA
DEP File #SE266-0229**

Dear Members of the Conservation Commission:

Please accept this Request for a Waiver regarding the proposed new single-family home project located at 0 Maple Street in Plympton, MA (the site). This request is being filed to accompany the Notice of Intent filed with the Plympton Conservation Commission for the proposed project at the site. The proposed project includes the construction of a new single-family home with associated driveway and other appurtenances. Portions of the proposed project are located within the buffer zone to wetland resource areas as identified in the Plympton Wetland Bylaw and Town of Plympton Wetlands Bylaw Regulations. Specifically, the proposed driveway is located within the 100-foot Buffer Zone to a Potential Vernal Pool, within the 50-foot Buffer Zone to Vegetated Wetlands and the 50-foot buffer zone to BLSF. The activities within these areas require a Waiver.

In accordance with Article III of the Plympton Wetland Regulations, to the applicant requests a Waiver from the following performance standards:

§12. C. (2) Notwithstanding §12C(1), no activity or work that will result in altering the vernal pool or land within the one-hundred-foot buffer zone of any vernal pool, whether or not such lands are within or abut an estimated (rare species) habitat area as designated on the most current map prepared by the Massachusetts Natural Heritage & Endangered Species Program, or Core Habitat or Critical Natural Landscape as designated on BioMap2, or Core Habitat or Critical Natural Landscape as designated on BioMap2, shall be permitted by the Conservation Commission. The Commission may grant a waiver of this performance standard as provided in §21.

§16. C. (1) No activity or work, other than the maintenance of an already existing structure, which will result in the building within or upon, removing, filling, or altering of a vegetated wetland, or land within 50 feet of any vegetated wetland (the fifty-foot inner buffer zone), whether or not such lands are within or abut an estimated (rare species) habitat area as designated on the most current map prepared by the Massachusetts Natural Heritage & Endangered Species Program, or Core Habitat or Critical Natural Landscape as designated on BioMap2, shall be permitted by the Conservation Commission.

§18. C. (1) No activity or work, other than the maintenance of an already existing structure, which will result in the building within or upon, removing, filling, or altering of land subject to flooding, or land within 50 feet of any land subject to flooding (the fifty-



foot inner buffer zone), whether or not such lands are within or abut an estimated (rare species) habitat area as designated on the most current map prepared by the Massachusetts Natural Heritage & Endangered Species Program, or Core Habitat or Critical Natural Landscape as designated on BioMap, shall be permitted by the Conservation Commission. The Commission may grant a waiver of this performance standard as provided in §21.

§19. C. (1) Except as authorized by the Commission, no activity subject to regulation under the Bylaw or these regulations shall be permitted within the Inner fifty-foot buffer zone. Nothing herein shall preclude the maintenance of an existing structure located within the No Touch Zone or No Alteration Zone.

§19. C. (2) Inner fifty-foot buffer zone for undisturbed lands.

(a) Undisturbed land is land determined by the Conservation Commission to be of a predominantly natural character or to have been altered after May 14, 2008, without a permit for work from the Commission or an Order of Conditions under the Wetlands Protection Act.

(b) No alterations are permitted within the inner 50-foot buffer zone, whether or not such lands are within or abut an estimated (rare species) habitat area as designated on the most current map prepared by the Massachusetts Natural Heritage & Endangered Species Program, or Core Habitat or Critical Natural Landscape as designated on BioMap.

(c) Prohibited alterations include, but are not limited to, grading, landscaping, clearing or cutting of vegetation, filling excavating, and construction of roads or structures.

(d) The Commission may grant a waiver of this performance standard as provided in §21.

§19. C. (4) Vernal pool buffer zone. The Conservation Commission shall not permit any alteration within the entire one-hundred-foot buffer zone of a vernal pool, whether or not such lands are within or abut an estimated (rare species) habitat area as designated on the most current map prepared by the Massachusetts Natural Heritage & Endangered Species Program, or Core Habitat or Critical Natural Landscape as designated on BioMap2, unless the Commission grants a waiver under the provisions of §21, and if granted, such waiver shall have the same conditions and performance standards identified above for the inner fifty-foot no-disturbance zone for undisturbed lands, as provided above.

As noted above, this waiver is being submitted to allow for the work within the 100-foot Buffer Zone to a Potential Vernal Pool, the 50-foot Buffer Zone to Vegetated Wetlands and the 50-foot Buffer Zone to Land Subject to Flooding. The project has been designed in this manner because this is the only route to access the upland within the northern portion of the site. There is an existing cart path from Maple Street that extends into the northern portion of the site. The cart path is well defined and provides a clear path to the northern portion of the property. By utilizing the existing cart path and maintaining a pervious driveway, the design minimizes the overall impact of the project to the site. Additionally, mitigation measures during construction will include erosion controls to prevent any sedimentation into the resource areas as well as prevent any disturbance beyond the established work limits.



In order to satisfy the applicant's burden of proof to demonstrate compliance with the above performance, the applicant provides below 1) an analysis of the effects on the Plympton Bylaw values as related to the proposed project, 2) a description of alternatives that were considered, and 3) a description of the benefit to the public that is achieved through the proposed project.

1. Bylaw Values:

- a. Public or Private Water Supplies – No adverse effect because the proposed project is not located within a public water supply watershed or within the immediate vicinity of any public water wells.
- b. Groundwater Supply – No adverse effect because this is a buffer zone only project and there is no work proposed within the vegetated wetlands that have a direct interaction with the groundwater supply.
- c. Flood Control – No adverse effects because the proposed project will not alter Land Subject to Flooding nor will it alter the vegetated wetlands. Vegetated Wetland flood holding capacities will remain the same.
- d. Erosion and Sedimentation Control – No adverse effect because erosion controls are proposed to be installed prior to work and maintained throughout the duration of the project until the site has been fully stabilized. ECR has provided a Construction Methodology to ensure no adverse effect and define the limits of work.
- e. Storm Damage Prevention – No adverse effect because the proposed project is not located within Land Subject to Coastal Storm Flowage, nor does it alter the land in a significant way that would lead to impacts from wind or stormwater on abutting properties.
- f. Water Quality - No adverse effect because this is a buffer zone only project and it does not include any proposed discharges into wetlands/waterways.
- g. Prevention and Control of Pollution - No adverse effect because this is a buffer zone only project and it does not include any proposed discharges into wetlands/waterways.
- h. Fisheries, Wildlife Habitat, Rare Species Habitat and Rare Plant and Animal Species - No adverse effects to fisheries because there is no work proposed within or near a freshwater or saltwater fishery. The proposed work will be reviewed by NHESP and the applicant shall abide by any conditions set forth by the program.
- i. Agriculture and Aquaculture values that are important to the community – No adverse impacts because the proposed project does not include agriculture or aquaculture activities, nor does it utilize land that would be suitable for these activities.

2. Alternatives:

- a. Build a shorter access driveway through a portion of the wetland as opposed to utilizing the existing cart path. This alternative will shorten the overall length of the proposed driveway; however, it will cause significantly more impacts to the wetland resource areas, associated buffer zones and undisturbed portions of the site.



- b. Access the site through a shared driveway/easement from the property to the west. This alternative would be beneficial in the sense that there will be a shorter length of driveway required, however that length of driveway will require more impacts to undisturbed portions of the buffer zone.
 - c. Apply for a land donation tax credit, however this will result in a significant financial loss for the property owner.
 - d. Apply for the Chapter 40B Housing program, which includes the applicant's ability to override local zoning and wetlands bylaws in order to provide affordable housing to community members. This option is not preferred by the applicant and regarding wetland protection would be less suitable as there would be less oversight the by Plympton Conservation Commission.
 - e. There are no practicable alternatives to the proposed project.
3. The proposed single-family home construction project will benefit the residents of Plympton by providing additional taxes dollars. We expect the Town will collect higher taxes from the property owner on a developed plot. For many cities and towns, property taxes are the largest funding source for teachers, police, firefighters, public works like trash pick-up, and many other local resources and services.

The applicant and design team have considered the multiple site constraints while designing this project and have avoided, minimized and mitigated potential impacts to the site as best as possible. It is my professional opinion based on my education, training and familiarity with the site that a Waiver from the performance standards noted above is warranted for this particular project as there are no reasonable conditions or alternatives that would allow the proposed activity to proceed in compliance with the Town of Plympton Wetland Regulations. Additionally, as designed the proposed project protects all wetland resource areas on and near the site and will not adversely affect the ability of the buffer zone to protect the wetland values under the Plympton Wetlands Bylaw and Wetlands Regulations. If you have any questions or require additional information, please contact me at (617) 529-3792.

Sincerely,
Environmental Consulting & Restoration, LLC

Brad Holmes, PWS, MCA
Manager

CC: Webby Engineering Associates, Inc.
Applicant
Attorney Adam J. Brodsky

JANUARY 10, 2022
(SERIES A1-A30)

PARCEL ID
7-2-14 & 7-2-29
306 ACRES (710,310 S.F.)
9,075± S.F. OF CONTIGUOUS UPLANDS)

THE EXISTING CARTPATH SHALL BE USED AS
ACCESS DRIVEWAY WIDENED FROM 9'± TO
12'. CONTRACTOR SHALL REGRADE & CUT
BACK VEGETATION AS NECESSARY.
(SEE CARTPATH DETAIL PLAN ON THIS SHEET)

PROPOSED MITIGATION SCHEMATIC

0 Maple Street, Plympton




Date: Nov. 16, 2023

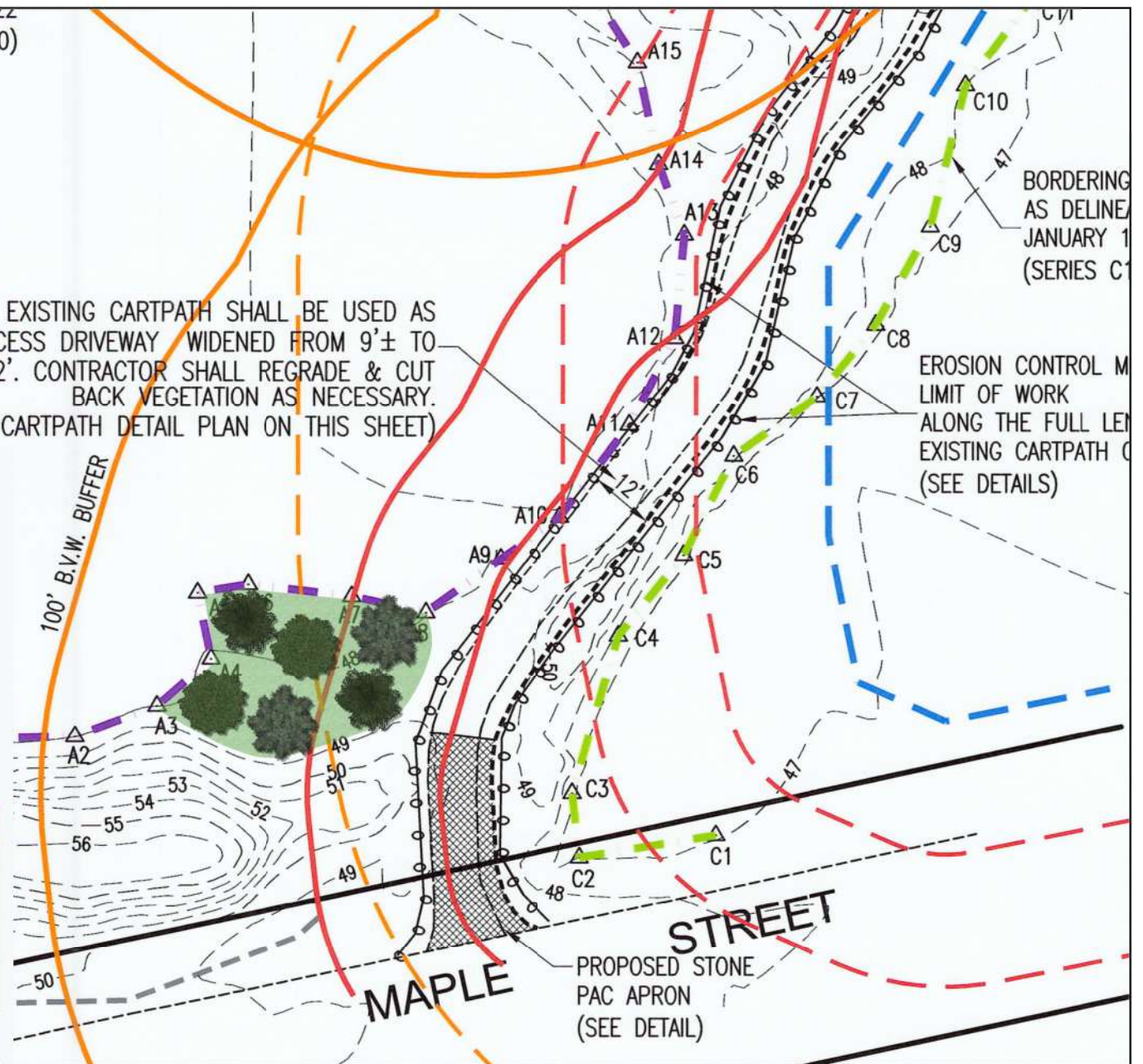
Planting details overlaid by ECR onto site plan prepared by Webby Engineering.

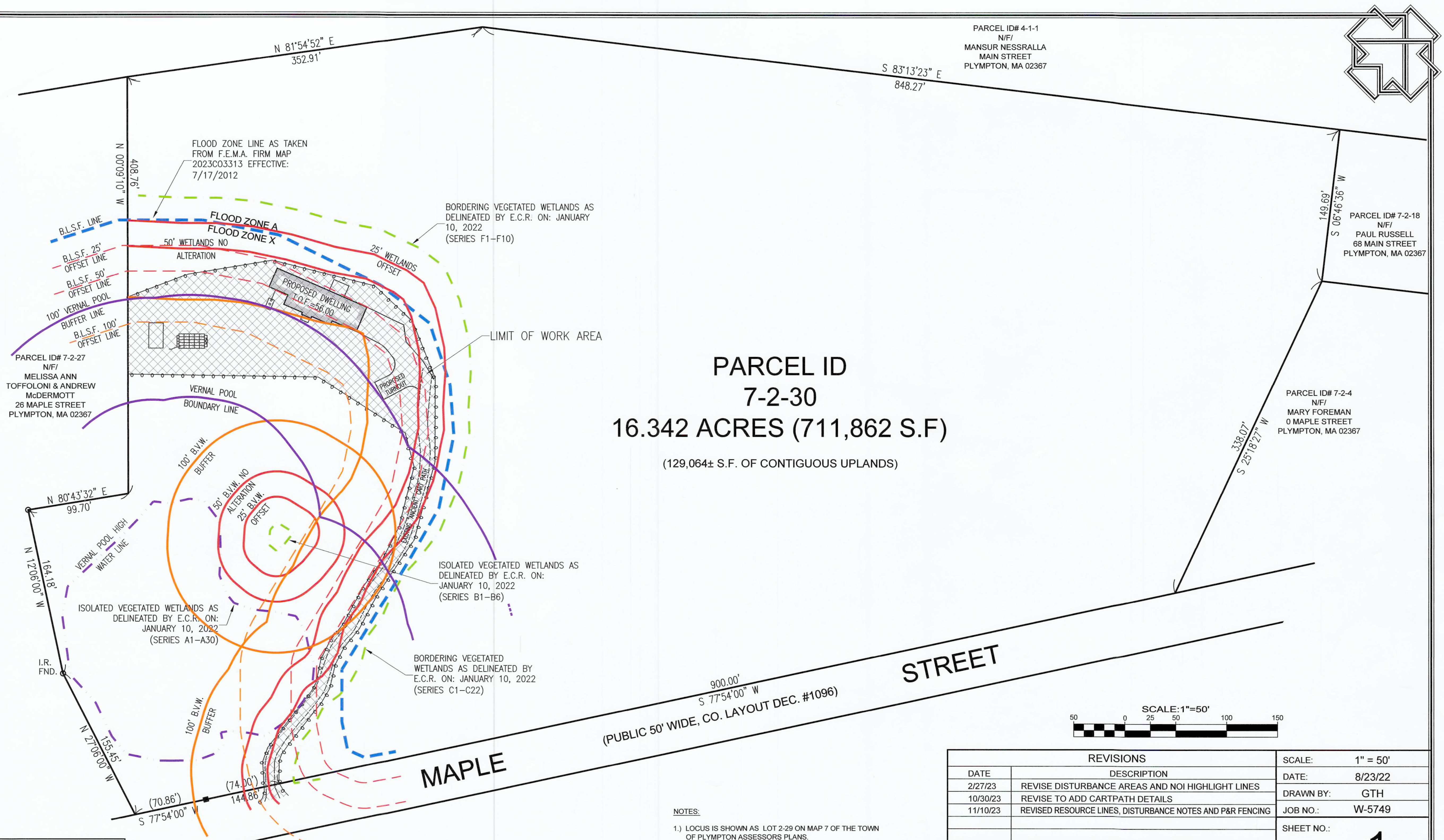
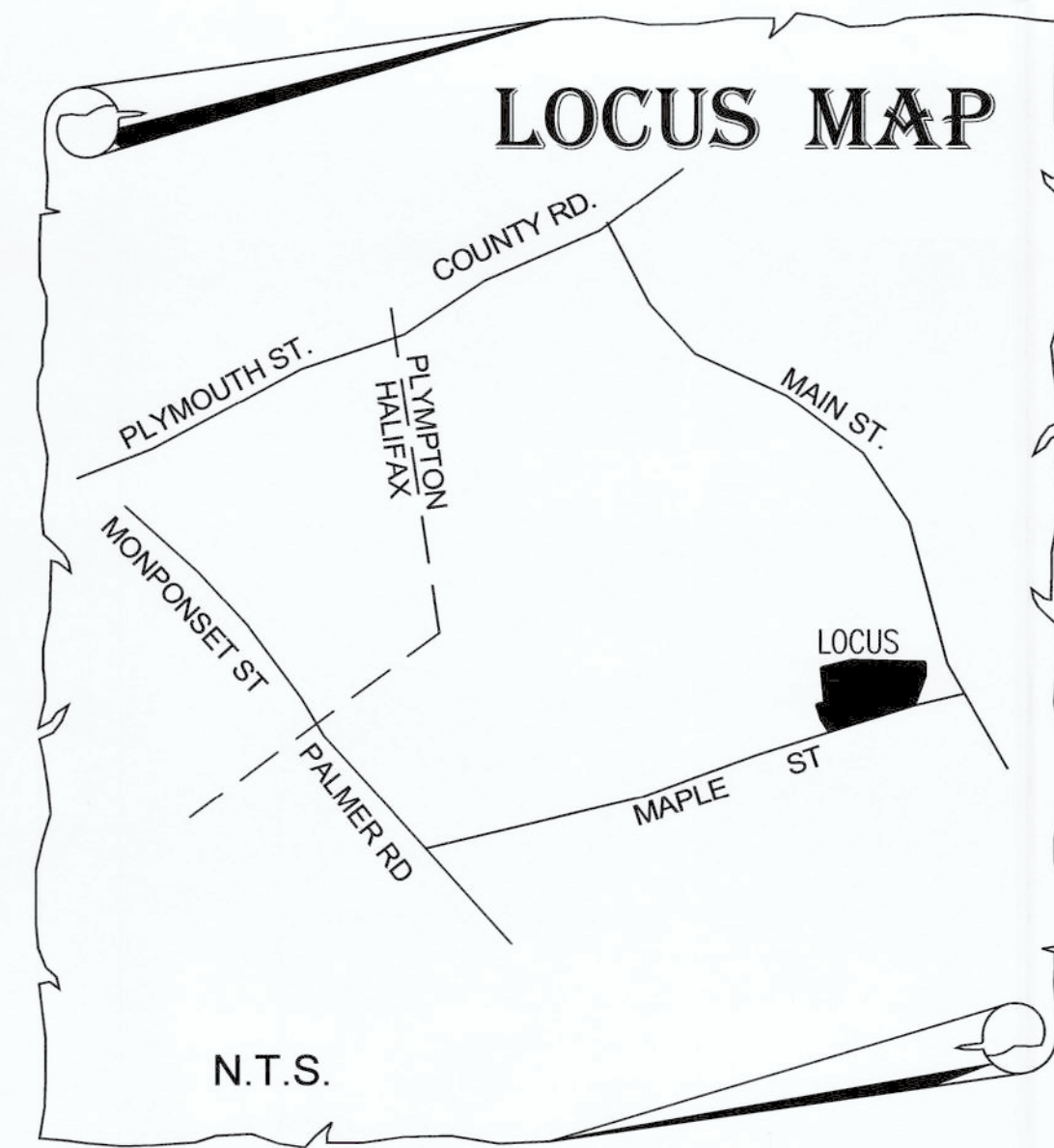
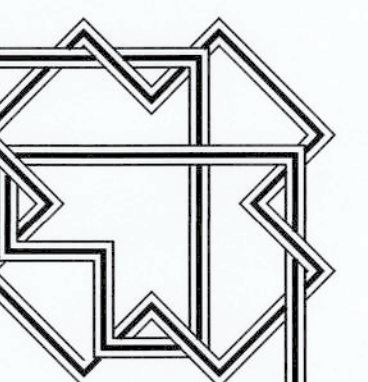
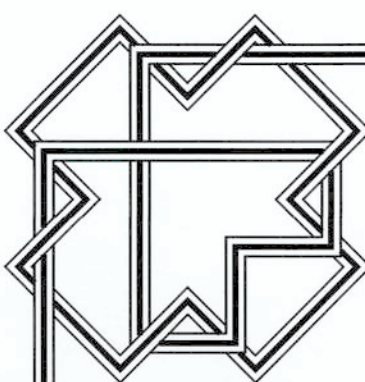
Notes:

- 1.) This mitigation plan has been prepared to replace the trees proposed to be removed associated with the proposed project. A total of 6 existing trees are proposed to be removed as part of the proposed driveway.
- 2.) Trees are proposed to be replaced at a 1:1 ratio and will be the same species as those removed, with the exception of American Beech that has been severely impacted recently by Beech Leaf Disease (BLD) and Beech Bark Disease (BBD).
- 3.) The planting area is adjacent to the driveway and is currently minimally vegetated. The planting area is within an upland portion of the site suitable for the replacement species. The planting area is approx. 1,200 sq. ft. and immediately abuts the vernal pool.
- 4.) A total of 6 trees are proposed to be planted. The trees shall be hand planted and spaced 15 feet on center. The trees shall be planted to a depth to match their root flare within a hole that is 1.5 times the width of the rootball. The trees shall be backfilled with existing soils.
- 5.) Upon the completion of planting, the root zones of each new tree shall be covered with natural wood chips.

Plant Legend

Symbol	Qty	Common	Botanical	Size
	2	Black Oak	Quercus velutina	5-6 ft.
	2	Eastern White Pine	Pinus Strubus	5-6 ft.
	2	White Oak	Quercus Alba	5-6 ft.





PARCEL ID
7-2-30
16.342 ACRES (711,862 S.F.)
(129,064± S.F. OF CONTIGUOUS UPLANDS)

RESOURCE BUFFER ZONE DISTURBANCE AREAS	
BORDERING VEGETATED WETLANDS	
PROPOSED WORK WITHIN 25' NO TOUCH ZONE	- 3,670± S.F.
PROPOSED WORK WITHIN 25' NO TOUCH AND 50' NO ALTERATION ZONES	- 3,550± S.F.
PROPOSED WORK WITHIN 50' NO ALTERATION AND 100' OFFSET LINE	- 16,500± S.F.
VERNAL POOL	
PROPOSED WORK WITHIN VERNAL POOL BOUNDARY	- 3,720± S.F.
PROPOSED WORK WITHIN VERNAL POOL BOUNDARY & VERNAL POOL 100' BUFFER	- 17,735± S.F.

LEGEND

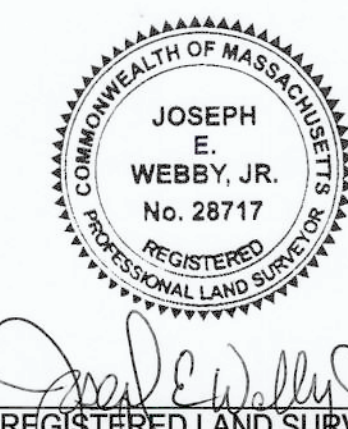
EXISTING 1' CONTOUR	49	49
EXISTING 5' CONTOUR	50	50
EXISTING TREELINE		
EXISTING BORDERING VEGETATED WETLANDS LINE (BVW)		
EXISTING UTILITY POLE	U.P.	—○—
EXISTING FENCE LINE		
CONCRETE BOUND	CB	■
PROPOSED EROSION CONTROL LINE		
PROPOSED CONTOUR LINE		
PROPOSED EDGE DRIVEWAY		
PROPOSED SPOT GRADE		

PROPOSED CONSTRUCTION METHODOLOGY

- COORDINATE WITH SURVEY CREW TO STAKE OUT PROJECT LIMITS AND PROPOSED EROSION CONTROL LINES.
- INSTALL EROSION CONTROL BARRIERS TO ESTABLISH THE LIMIT OF WORK AS SHOWN ON THE PLAN. CONTACT CONSERVATION AGENT FOR AN INSPECTION OF THE EROSION CONTROLS BEFORE THE START OF SITE ACTIVITIES.
- CONSTRUCT TEMPORARY CONSTRUCTION EXIT AT THE PROPOSED DRIVEWAY LOCATION. THIS TASK WILL INCLUDE ONGOING MAINTENANCE OF THE ACCESS APRON TO INCLUDE SWEEPING THE ADJACENT ROADWAY ABUTTING THE ACCESS APRON AT THE END OF EACH WORKDAY.
- DISCHARGE FROM DEWATERING OF EXCAVATIONS SHALL NOT BE DIRECTLY DIVERTED INTO ANY WETLANDS OR EXISTING STORM DRAINS WITHOUT PRETREATMENT VIA SETTLING BASINS. PROVIDE TEMPORARY CONTAINMENT AREAS OF STRAWBALES AND WASHED CRUSHED STONE, TO CONTAIN AND SETTLE SILT FROM DEWATERING OPERATIONS, IF NECESSARY. STANDARD CONSTRUCTION PRACTICES SHALL BE FOLLOWED.
- CLEAR THE VEGETATION FROM THE PROPOSED PROJECT FOOTPRINTS. INCLUDED IN THE TASK IS GRUBBING OF THE STUMPS WITHIN THE LIMIT OF WORK.
- ROUGH GRADE THE PROJECT AREA TO INCLUDE EXCAVATION FOR THE FOUNDATION.
- INSTALL THE FORMS AND POUR THE CONCRETE FOUNDATION.
- INSTALL THE SEPTIC SYSTEM COMPONENTS AND UTILITY CONNECTIONS.
- CREATE THE GENERAL LIMITS OF THE DRIVEWAY AND PARKING AREA.
- UPON COMPLETION OF THE FOUNDATION AND SEPTIC SYSTEM INSTALLATION, REMOVE SOIL STOCKPILES FROM THE SITE AND FINISH GRADING AROUND THE HOUSE, YARD AREA, ETC. IF THE TIMING ALLOWS, LOAM AND SEED ALL EXPOSED SURFACES, MINUS THE DRIVEWAY AND PARKING AREA, TO STABILIZE SOILS.
- COMPLETE CONSTRUCTION OF THE DRIVEWAY.
- FINALIZE YARD CONSTRUCTION TO INCLUDE LANDSCAPE PLANTINGS USING NATIVE PLANT MATERIALS.
- PREPARE AND SUBMIT A REQUEST FOR PARTIAL CERTIFICATE OF COMPLIANCE WITH ASBUILT PLAN TO THE CONSERVATION COMMISSION. A REQUEST FOR A FULL CERTIFICATE OF COMPLIANCE WILL BE SUBMITTED AFTER CONFIRMATION OF AT LEAST 2 FULL GROWING SEASONS FOLLOWING COMPLETION OF THE PROPOSED MITIGATION PROJECT.
- REMOVE EROSION CONTROL DEVICES AFTER CONFIRMATION FROM THE CONSERVATION COMMISSION IS GRANTED.

NOTES:

- LOCUS IS SHOWN AS LOT 2-29 ON MAP 7 OF THE TOWN OF PLYMPTON ASSESSORS PLANS.
- LOT SIZE: 4.50 ACRES
- ZONING: AGRICULTURAL - RESIDENTIAL
- THE TOTAL AREA OF PROPOSED WETLANDS DISTURBANCE FOR THE WETLAND CROSSING IS 1,300± S.F.
- THE TOTAL AREA OF PROPOSED WETLAND REPLICATION IS 2,000± S.F. (SEE REPLICATION PLAN BY OTHERS)



11/10/23
DATE

REVISIONS		SCALE: 1" = 50'
DATE	DESCRIPTION	DATE: 8/23/22
2/27/23	REVISE DISTURBANCE AREAS AND NOI HIGHLIGHT LINES	DRAWN BY: GTH
10/30/23	REVISE TO ADD CARTPATH DETAILS	JOB NO.: W-5749
11/10/23	REVISED RESOURCE LINES, DISTURBANCE NOTES AND P&R FENCING	SHEET NO.: 1
		OF 2 SHEETS

' CONSERVATION SITE PLAN '
AT
MAPLE STREET
IN
PLYMPTON, MASSACHUSETTS
PREPARED FOR
PAUL D'ANGELO III
WEBBY ENGINEERING ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
180 COUNTY ROAD, PLYMPTON MA. 02367
Tel.: (781)-585-1164

