

February 27, 2024

**MassDEP WPA Form 3
Notice of Intent Application**

Proposed Driveway Crossing for Single-
Family Home Build

Prepared for Patrick and Alicia Hutchinson
Parsonage Road, Plympton,
Massachusetts
Parcel 17-4-2A

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PROJECT DESCRIPTION

1.0 INTRODUCTION

This Wetland Protection Act Form 3 Notice of Intent (NOI) application has been prepared pursuant to the Wetlands Protection Act and associated Regulations (310 CMR 10.00) and the Town of Plympton Wetlands Protection Bylaw (Chapter 290, February 21, 2023). The applicant is requesting approval of delineated wetland boundaries and the proposed construction of a driveway within areas subject to regulation under the WPA and local Bylaw to facilitate access to a single family home site off Parsonage Road in Plympton, MA as further detailed below.

2.0 SITE DESCRIPTION

The property consists of an approximate 7.58 acre lot which is located off Parsonage Road in Plympton, MA. The site is identified as Parcel 17-4-2A by the Town of Plympton Assessor's Office and it is currently comprised of a forested lot with both upland and wetland habitats. The property is bordered by forested lots to the north and south, single-family homes and commercial properties to the east along Route 58 and vacant land along Parsonage Road to the west.

No portion of the site is located within Estimated Habitat of Rare Wildlife, Priority Habita of Rare Species or contains mapped Potential or Certified Vernal Pools as mapped by the Massachusetts Natural Heritage and Engendered Species Program (NHESP). Additionally, no portion of the site is located within a special flood hazard area (i.e., 100-year flood zone) as mapped by the Federal Emergency Management Agency [(FIRM 25023C0329J)(see Appendix B)]. The jurisdictional wetland resource areas that are protected under the WPA and the local Bylaw onsite includes Bordering Vegetated Wetland (BVW) (310 CMR 10.55) as detailed in Section 2.1 below.

2.1 Regulated Resources

Resource areas subject to protection under 310 CMR 10.00 and the local Bylaw within the site are limited to BVWs (310 CMR 10.55(2)). BVWs are defined as freshwater wetlands which border on creeks, rivers, streams, ponds, and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps, and bogs. BVWs are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants. The ground and surface water regime and the vegetational community which occur in each type of freshwater wetland are specified in M.G.L. c. 131, § 40. Any activity other than minor activities identified in 310 CMR 10.02(2)(b)2. proposed or undertaken within 100 feet (the Buffer Zone) of a BVW is subject to regulation under M.G.L. c. 131, § 40 and requires the filing of a NOI.

The site's BVW is located along Parsonage Road, cutting diagonally across the front of the parcel from northwest to southeast. The BVW extends to the other side of Parsonage Road via culvert and continues further to the northwest where it is cut off by Elm Street. The southeastern extension of the BVW meets up with the Winnetuxet River at the Winnetuxet Swimming Hole Conservation Area on Winnetuxet Road.

The site's BVW was initially delineated by Environmental Consulting & Restoration, LLC (ECR) on November 19, 2020. ECR then performed a review of the existing conditions on January 4, 2024, that was continued on February 3, 2024. The delineation details can be found in the associated Wetland Delineation Memo provided by ECR on January 24, 2024 (Revised on February 3, 2024) found in Appendix D.

Soils within the driveway crossing location are Norwell 49A along Parsonage Roads edge and Scituate 316B as the wetland turns to upland. Soil types were identified using the State's online data viewer, MassMapper, displaying the U.S. Department of Agriculture's (USDA) "soil outlines" layer that was updated in November of 2021 (see "U.S. Department of Agriculture – Soil Outlines" in Appendix B). The USDA identifies soils in the Norwell series as "very deep poorly drained soils formed in sandy deposits over lodgement till." The USDA identifies soils in the Scituate series as "moderately well drained soils formed in a loamy eolian influenced mantle of till underlain by sandy lodgement till."

3.0 PROPOSED ACTIVITIES

The purpose of this application is to authorize the following proposed activities:

Proposed Construction of a Residential Driveway: The proposed project at the site is limited to the construction of a residential driveway which will require a wetland crossing for access to an upland area for one single-family home development. The scope covered under this application is limited to the construction of the driveway as all portions of the single-family home development (clearing, grading and construction work) have been sited outside the 100-foot buffer zone to the BVW. The project is being proposed as a limited project under 310 CMR 10.53(e) construction of a limited driveway crossing for access to a single-family home. The following performance standards apply:

1. The proposed driveway is the minimum width acceptable by the planning board for access into the site.
 - a. The proposed driveway is 12 feet wide as needed for single vehicle access to the buildable upland. Per Town of Plympton Zoning Bylaw 300-6.4(B(3)) "Minimum Driveway Width".
2. Such roadway or driveway shall be constructed in a manner which does not restrict the flow of water.
 - a. The proposed project has been designed with culverts located within the driveway to maintain any upgradient drainage and hydrologic connections. This includes two, 12-inch diameter high density polyethylene (HDPE) culverts. The diameter and quantity of culverts selected is based on the assessment of the upgradient locations by Webby Engineering to ensure installation of the driveway will not restrict flow during storm events and periods of seasonal saturation.
3. Reasonable alternative means of access may include any previously or currently available alternatives such as realignment or reconfiguration of the project to conform to 310 CMR 10.54 through 10.58 or to otherwise minimize adverse impacts on resource areas.
 - a. The proposed crossing has been minimized to the extent practicable while remaining onsite. There are no other feasible means of access that would meet the Town of Plympton Planning Board requirements (300-5.8 for Retreat Lots). "This would require a minimum 40 feet wide at its frontage and throughout its length; and fee simple title to such access area shall be held in the same name as the owner of the retreat lot, not separate and distinct" as further discussed in Section 4.0 below.
4. The issuing authority may require the applicant to utilize access over an adjacent parcel of land currently or formerly owned by the applicant, or in which the applicant has, or can obtain, an ownership interest.
 - a. The applicant has put in considerable efforts to discuss options with neighboring lot owners to access the property through adjacent uplands. Unfortunately, the buyers have not been successful, as further detailed in Section 4.0 below - "*Alternative #1 Entrance from abutting property*".
5. The applicant shall design the roadway or driveway according to the minimum length and width acceptable to the Planning Board and shall present reasonable alternative means of access to the Board.
 - a. The driveway has been designed to the minimum length and width acceptable to the Planning Board. There are no other alternatives available. Access to the property via the legal 16-foot-wide easement off Main Street along the northern property boundary on the property of 312 Main Street, was confirmed to not be permanent access during discussions with the Zoning Enforcement Officer on the morning of February 14th, 2024, within the Zoning office at the Plympton Town Hall. The staff member mentioned that the easement was created to allow the power company access to the large plot of upland behind the properties off Main Street. They stated that the easement would not qualify as a means of permanent access due to a long-standing rule within the Town preventing the use of an easement, with the dimensions possessed by this one, for residential access.
6. The applicant shall provide replication of bordering vegetated wetlands and compensatory flood storage to the extent practicable.
 - a. The applicant is proposing replication at a ratio of 2:1. The proposed project will impact 2,800 square feet of BVW and the applicant is proposing 5,600 square feet of replication (see attached plans "Wetlands Crossing Site Plan"). The replication area shall consist of native plants as shown on in Table 1 below. All subsoil removed from the replication area will either be used as fill for the installation of the driveway or construction of the home.

Disturbance to BVW and the associated 100-foot buffer zone will be limited to the footprint of the driveway only, as shown in the plans titled "Wetlands Crossing Site Plan". For the construction of the driveway, the

applicant has proposed the use of various best management practices (BMPs) during installation of the wetland crossing, such as:

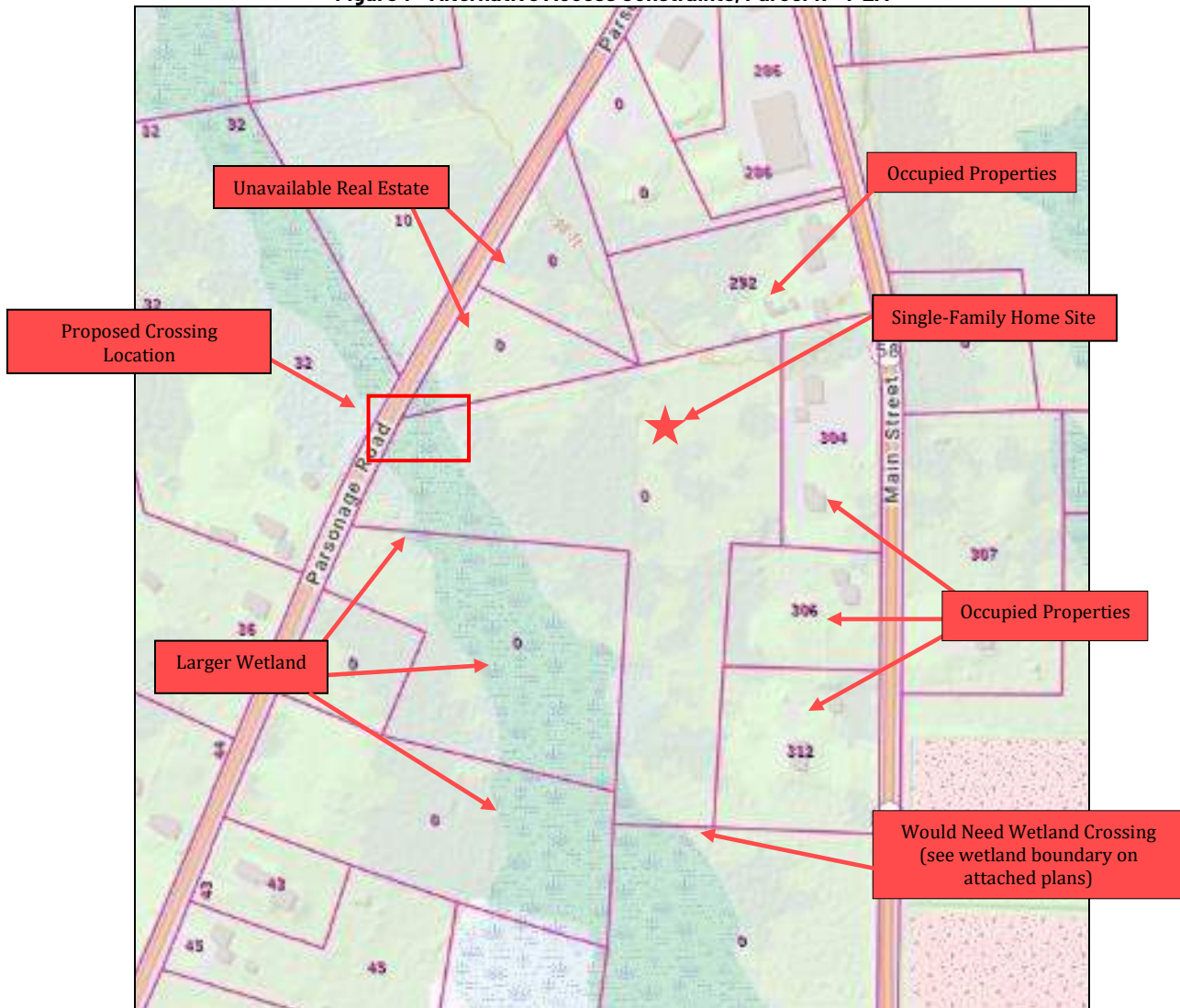
- The use of a rock construction entrance to minimize sediment tracking into the roadway as vehicles are leaving the site. This rock entrance will be refreshed as needed to ensure construction material does not leave the site. The roadway entrance will be swept free of debris daily.
- The installation and maintenance of soil erosion and sediment control devices before any work has commenced, such as the double layer of sediment and erosion controls devices (silt sock and silt fence) on each side of the proposed driveway (as shown in the plans titled "Wetlands Crossing Site Plan"), to trap and collect any sediment washing off the slopes of the driveway due to rainfall. These controls will be installed prior to any construction starting and will be maintained constantly as work is ongoing. Inspections on these controls will take place on a weekly basis, as well as within 24 hours of a rain event. Damaged controls will be removed and replaced as needed, and any construction driven sediment that is displaced within the wetland due to BMP failure will be removed by hand as soon as possible.
- The installation of two 12-inch diameter HDPE culverts to maintain hydrologic connections between both sides of the driveway within the wetland. This ensures the flow of water exiting the culvert beneath Parsonage Road is not impeded by the installation of the driveway.
- The proposed use of clean structural fill for the physical building of the driveway. This ensures the integrity of the driveway for years to come and will not compromise the surrounding area, as material will remain in place and stable.
- The use of hydroseed for rapid revegetation and regrowth along all disturbed soil areas. The rapid regrowth will act as yet another BMP initiated by the applicant to ensure sediment does not enter the surrounding wetland.
- Limited tree clearing. As shown in the plan titled "Wetlands Crossing Site Plan", tree clearing and site grading within the BVW and the associated 100-foot buffer zone will be limited to the driveway footprint. There will be no need for additional tree clearing or site grading within the 100-foot buffer zone. All single-family home construction activities and associated facilities (i.e. septic system) will remain well out of the 100-foot buffer zone. The lack of tree clearing and grading within the 100-foot buffer zone will act as an additional, larger, well established, and natural BMP to ensure wetlands remain clear of construction debris.
- The commitment to inspect and repair the wetland crossing until proper revegetation is achieved. Along with weekly and post-storm BMP inspections, the BMPs will remain in place and functioning for the entire duration of the project until the area is revegetated. BMPs will be properly removed and disposed of following the completion of the driveway construction.

These measures are expected to properly protect adjacent wetland locations during construction of the wetland crossing and facilitate permanent stabilization once the crossing has been completed.

4.0 ALTERNATIVE ANALYSIS

Avoidance of the wetland crossing was initially assessed via desktop and field reviews to explore potential access opportunities that prevented impacts to wetlands. Unfortunately, due to the extent of wetlands in the surrounding area, lack of available/reasonably affordable real estate that would provide access to the site, alternative access with less impacts to resources was determined to be unavailable as detailed below (see Figure 1).

Figure 1 – Alternative Access Constraints, Parcel 17-4-2A



Alternative #1 Entrance from abutting property: The applicant has approached the owner of the abutting property to the north along Parsonage Road multiple times to determine if a land purchase would be a viable option to allow for access to the property. Initial contact between the applicant and the property owner of the abutting forested lot to the north of the proposed driveway location was made by letter via USPS on May 4th, 2023. The abutting property owner's real estate agent then called the applicant on May 8th, 2023, stating the letter was received, but that the abutting property owner was only interested in selling the entire lot for the listed price of \$225,000. A second letter was sent via USPS to the abutting property owner on September 1st, 2023, to try and see if a land purchase would be possible as a last-ditch effort before a wetland crossing design was put in place. The applicant's attorney then handled negotiations between the applicant and the abutting property owner's real estate agent, as noted in the affidavit provided by the applicant's attorney below in Appendix E.

The adjacent wooded lot is understood to be a non-buildable lot due to failed Board of Health and Zoning Board requirements for a buildable residential property. This, on paper, would make the abutting property a perfect candidate as a place for upland driveway access. With the non-buildable factor in mind, the applicant has offered to purchase the full wooded lot from the property owner, but the abutting property owner maintained a price for the land that was unattainable despite multiple negotiation attempts.

The applicant also approached the abutting property owner looking to purchase only the minimal square footage required to gain access to the property outside of the wetland resource, within the buffer zone, on the northern side of the wetland. The abutting property owner was only interested in selling the entire property, not selling a small parcel containing the minimal square footage needed for buffer zone access. On December 4th, 2023, the applicant offered the abutting property owner \$1 per square foot of land on the southwestern most corner of the property (just north of where the proposed driveway crossing will be located), for between 8,000 and 10,000 square feet depending on what would be delineated in the field to show the minimal square footage required to get the driveway out of the BVW and into the buffer zone in order to completely minimize impacts to the BVW. This \$8,000-\$10,000 offer the applicant had made to the abutting property owner contained land that would've been comprised of mostly BVW resource as well as a 15-foot-wide area of buffer zone to allow for a driveway that would be 12 feet wide as needed for single vehicle access to the buildable upland, per Town of Plympton Zoning Bylaw 300-6.4(B(3)) "Minimum Driveway Width". The offer was not accepted by the abutting property owner, thus forcing the applicant to move forward with the driveway crossing within the BVW after months of trying to come to an agreement with the abutting property owner on price.

Alternative #2 Entrance from Easement: The lot possesses a 16-foot-wide easement off Main Street between the addresses of 306 Main Street and 312 Main Street. However, this easement does not qualify as a permanent access for a retreat lot due to the Zoning Bylaw 300-5.8(B) "The access area must be at least 40 feet wide at its frontage and throughout its length; and fee simple title to such access area shall be held in the same name as the owner of the retreat lot, not separate and distinct."

As stated in Section 3.0, performance standard number 5 above, confirmation of being unable to use the easement as permanent access was provided during discussions with the Zoning Enforcement Officer on the morning of February 14th, 2024, within the Zoning office at the Plympton Town Hall. The staff member mentioned that the easement was created to allow the power company access to the large plot of upland behind the properties off Main Street. They stated that the easement would not qualify as a means of permanent access due to a long-standing rule within the Town preventing the use of an easement, with the dimensions possessed by this one, for residential access.

Alternative #3 Bridging or Spanning of the Resource Area: Based on the length of the crossing (approximately 100 feet), the limited impacts (less than 5,000 square feet) and the number of units proposed for this Project (construction of a single-family home) spanning or bridging this wetland was deemed to not be practical. A span or bridge would double the cost of the project beyond the means of the applicant, as well as completely exceeding the value of building a home, making this option not a reasonable one.

Alternative #4 No build: Without access to the site, this site is rendered unbuildable and would prevent any and all use of the land. The 'No build' alternative would result in no changes to the Site's BVW and would allow the resource area to continue to exist without any disturbances. However, this action would result in a taking, eliminating otherwise legal access to the single-family home site and therefore preventing the applicant from building their home, thus not achieving the objective of the proposed Project.

Alternative #5 Preferred/proposed approach: This approach consists of filling an area of BVW to provide adequate and safe access to the upland portions of the parcel. The crossing location has been strategically sited at the narrowest portion of the BVW crossing which is also upgradient of the larger wetland complex. Crossing the wetland at this location minimizes segmentation of the wetland, reduces impacts to the resource area to the greatest extent possible and limits fill locations to the upgradient portion of the wetland, thus minimizing impacts to hydrology and flow patterns. To mitigate for the BVW impacts, the applicant is proposing wetland replication on site at a ratio of 2:1 which will result in an overall net increase of wetland resource areas within the affected BVW. This preferred option complies with the Zoning Bylaw 300-5.1 stating that a lot must contain a minimum frontage of 200 feet along the road that it is accessible from, where the lot contains nearly 225 feet of frontage along Parsonage Road.

Under the proposed action requested, the Site's BVW would be impacted within the limits of the proposed driveway crossing and the resource would be subject to localized wetland function loss as a permanent feature. To properly mitigate for this action, the applicant has proposed various minimization and mitigation measures as described below to reduce impacts from the Project to the greatest extent practicable.

5.0 MINIMIZATION

The wetland crossing location selected is absent of any rare habitat types, certified or potential vernal pools or estimated or priority habitats of rare species, therefore minimizing impacts to sensitive areas. The location selected for the wetland crossing is the narrowest portion of the feature within the Parsonage Road frontage, thereby reducing wetland impacts to the greatest extent possible. The proposed base width of the crossing has been minimized to smallest width possible that will still meet the Town of Plympton zoning code requirements for emergency vehicle access. This reduction in driveway width reduces wetland impacts to the minimum needed to meet local regulations.

The wetland crossing, and the 7.58-acre property as a whole, is outside of Outstanding Resource Waters jurisdiction, Areas of Critical Environmental Concern, as well as any and all BioMap Core Habitat areas as mapped by MassDEP MassMapper online data viewer (accessed February 20, 2024). The crossing will consist of clean, native rock and stone structural fill and possess gentle, 3:1 sloped sides down to the wetland. The sloped sides will be revegetated naturally, creating a natural sediment and erosion control for the length of the driveway. This, coupled with the two proposed HDPE culverts that will be installed at the surface of the wetland and extend throughout the width of the driveway, will allow for safe and easy migration for insects, amphibians, and reptiles that may be traversing within the wetland area, resulting in little to no change in pattern for the habitat users of this resource area.

6.0 MITIGATION

The proposed project will have limited impacts to BVW and the 100-foot Buffer Zone to BVW as access will be gained into the site by installing a 12-foot-wide driveway through the resource area. The project will be creating double the square footage of BVW that will be impacted to allow access to the property, as replication will consist of a 2:1 wetland replication area. This means, in theory, that the proposed driveway crossing is a benefit to the surrounding habitat as a whole and will not have an impact to water quality in the surrounding area. The increased BVW allows for a greater amount of filtration of water prior to its infiltration into the groundwater system. Though the area is not within a mapped floodplain area, the expansive BVW has a direct connection to the Winnetuxet River and as a result the creation of additional BVW will allow for an increase in stormwater/localized flood storage capacity. This wetland mitigation area will be planted with trees and shrubs native to the onsite wetland and a wetland conservation seed mix will be spread throughout the area to provide stabilization. Please refer to the proposed planting plan below for additional information.

Table 1: Proposed Planting Plan for Wetland Mitigation Area

Scientific Name	Common Name	H x W	OC Spacing	# of Individuals
<i>Vaccinium corymbosum</i>	Highbush blueberry	6' x 6'	8' OC	14
<i>Clethra alnifolia</i>	Sweetpepper bush	6' x 6'	8' OC	14
<i>Viburnum dentatum</i>	Arrowwood	6' x 6'	8' OC	10
<i>Lindera benzoin</i>	Spicebush	6' x 6'	8' OC	10
<i>Nyssa sylvatica</i>	Black Tupelo	40' x 30'	20' OC	4
<i>Acer rubrum</i>	Red maple	40' x 30'	20' OC	4
Total Plants Proposed				56
Total Area to be Planted				5,600 square feet

*the applicant is willing to cooperate with the commission if changes to the proposed planting plan are requested

**all additional areas not planted will be covered with a wetland conservation seed mix

***total individual species and quantities subject to nursery

Erosion controls consisting of silt fence and/or straw wattles will be installed at the limit of work prior to the start of work and maintained throughout the proposed project. In accordance with the performance standards found in 310 CMR 10.55(4)(B)(6), the replication plantings will be inspected prior to the issuance of the

Certificate of Compliance to ensure a 75% survival of all planted species. Replication plantings will be installed within the first growing season following driveway installation. All staging will be completed upland of the resource areas and caution will be taken to ensure construction byproducts do not enter the resource area. Any debris that enters the wetland will be removed by hand as soon as possible. Please see the Construction Sequence for the wetland replication process in Appendix C below.

7.0 PUBLIC BENEFIT

The proposed project will allow for an increase in tax revenue for the Town, as the applicant will be building a single-family home, paying annual taxes to the Town as a result. The average annual single-family tax bill in Plympton is \$8,082 according to the Plympton Board of Assessors. The applicant has also paid a total of nearly \$5,300 in filing fees to the Town for an entirely permissible project, meaning within one year of the proposed driveway crossing being installed, the applicant will have paid an estimated total of over \$13,000 directly to the Town of Plympton between filing fees and taxes.

The proposed wetland mitigation is anticipated to have a beneficial increase to wildlife habitat for insects, amphibians, reptiles, birds and mammals that utilized wetlands as a primary or secondary resource. As some habitat is being removed from the BVW due to the construction of the driveway, twice the amount of habitat is being introduced in interior forested areas that are free of human disturbances. The BVW habitat being removed due to the driveway crossing is of lower habitat value due to the associated fragmentation from the road, and the numerous human-related disturbances this location is subject to such as; wildlife vehicle collisions, exposure to noise disturbances and trash and debris from vehicle traffic, the discharge of chemicals from stormwater and snow/ice management operations and vegetation impacts from roadside mowing or herbicide application during DPW management operations. This should in theory increase the population of the various species that utilize the wetland habitat, as there is now more landscape for them to inhabit in locations free of human disturbances. Though a small consideration, the increased BVW will be located nearly 600 feet closer to the Winnetuxet River along the wetland corridor that stretches through this area. This closer proximity could make migration easier for species that would inhabit the newly created wetland.

The increased size in wetland square footage will also increase the overall wetland systems flood storage capacity. As storms become more intense over time due to climate change, the increased stormwater that will find its way into the wetland system at this location will be better handled by the wetland due to the increased square footage of wetland from the replication. At the same time, the hydrology of the wetland will not be inhibited by the installation of the driveway due to the two HDPE culverts that will be installed along the driveway. This means stormwater that enters the wetland from further up in the wetland system in the northwest will be able to meander through the remainder of the system on its way to the Winnetuxet River without restraint.

Increased wetland size will also allow for more efficient groundwater infiltration. The new footprint of the wetland as proposed through replication will let stormwater infiltrate a larger area, putting less of a burden on the surrounding landscape for handling stormwater, ensuring the water that does enter the system has a chance to be properly filtered prior to its release to the groundwater system. This in turn would not impact drinking water quality to wells in the surrounding area.

The construction of the proposed project leading to one single-family home would minimize the impacts to local wetland resources, as well as upland habitats which are also critical to numerous terrestrial species. Approving this proposed project means there are nearly 6 acres of land on this parcel alone, both wetland and upland, near the center of Town, that will continue to be conserved.

The applicant (Patrick Hutchinson) is also offering his services for vernal pool certifications on public lands throughout the Town. He is an Ecologist at BSC Group that specializes in Endangered Species and Wetland Science, conducting vernal pool surveys for various clients - public, private, and utilities throughout New England. Certifying vernal pools within the Town would inventory these critical ecosystems, further benefiting wetland health, water quality, and overall habitats for all animals that use vernal pools throughout Plympton.

8.0 CONCLUSION

To summarize, the applicant is proposing a permissible limited driveway crossing under State regulation 310 CMR 10.53(e) construction of a limited driveway crossing for access to a single-family home. The applicant has explored any and all viable options in order to find a direction that would allow for upland access to the site, and refrain from making minimal impacts to surrounding BVWs. Unfortunately, after nearly a year of planning, which consisted of discussions with engineers and ecologists, and many failed attempts at negotiating a deal with abutting property owners, the applicant has faced the reality that a wetland crossing is the only viable option in order to gain access to the nearly 6-acre large parcel of upland to build one single-family home.

The applicant has done all they can to provide the Commission with the most full and complete Notice of Intent application needed in order for a reasonable and sound decision to be made. It is believed that the applicant has demonstrated the proposed wetland crossing is limited in nature and all reasonable avoidance measures have been evaluated. Although determined that impacts cannot be avoided to access the property, the applicant has implemented minimization measures into the design of the Project to reduce wetland disturbances and has proposed multiple mitigation measures to properly compensate for all permanent wetland impacts such as:

- Choosing the proposed driveway location that results in the shortest wetland crossing distance possible;
- Limiting driveway widths to the minimum required under the Town of Plympton Zoning Bylaw 300-6.4(B(3)) "Minimum Driveway Width";
- Limiting wetland impacts to areas with low wetland functions and values (roadside wetland locations);
- The use of temporary and permanent best management practices and soil erosion controls;
- The installation of two HDPE culvert pipes to maintain hydrology between both sides of the wetland;
- Creation of wetlands at a 2:1 ratio (2,800 square feet fill, 5,600 square feet creation) bordering areas of high-quality wetlands free of human disturbance; and
- Activity on-site will be largely located outside of the 100-foot buffer zone to BVWs and will only consist of building one single-family home.

The applicant has provided the Commission with a full alternative analysis detailing the trials and tribulations associated with the other available access options. The applicant has identified why the driveway crossing would end up being a positive to the local ecosystem and drinking water supply, with scientific reasoning and evidence. The applicant has also offered their professional knowledge to the Town, stating the opportunity for the Town's public lands to have their vernal pools certified and documented.

We hope the Commission finds a positive ruling to the proposed project based on the above information in full.

Appendix A – Notice of Intent

*Notice of Intent
Parcel 17-4-2A
Plympton, MA*

**WPA Form 3 Notice of Intent
(Town of Plympton Wetland Protection Bylaw)**



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

Plympton

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>Parsonage Road</u>	<u>Plympton</u>	<u>02367</u>
a. Street Address	b. City/Town	c. Zip Code
<u>Latitude and Longitude:</u>	<u>41.94942</u>	<u>-70.81684</u>
	d. Latitude	e. Longitude
<u>17-4</u>	<u>2A</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Patrick and Alicia</u>	<u>Hutchinson</u>	
a. First Name	b. Last Name	
<u>c. Organization</u>		
<u>9 Thomas Blanchard Drive</u>		
d. Street Address		
<u>Plympton</u>	<u>MA</u>	<u>02367</u>
e. City/Town	f. State	g. Zip Code
<u>774-291-9348</u>	<u>heyhutchy@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>a. First Name</u>	<u>b. Last Name</u>	
<u>Team Garner Enterprises Corp</u>		
c. Organization		
<u>53 Pleasant Street</u>		
d. Street Address		
<u>Rockland</u>	<u>MA</u>	<u>02370</u>
e. City/Town	f. State	g. Zip Code
<u>774-259-0487</u>		
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

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

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

<u>\$500</u>	<u>\$237.50</u>	<u>\$262.50</u>
a. Total Fee Paid	b. State Fee Paid	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	
Plympton	
City/Town	

A. General Information (continued)

6. General Project Description:

Limited driveway crossing to proposed single-family home outside of buffer zone. 310 CMR 10.53(e)
(See Project Narrative)

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)

Limited driveway crossing to proposed single-family home outside of buffer zone. 310 CMR 10.53(e)

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:

Plymouth	
a. County	b. Certificate # (if registered land)
55024	129
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.



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

Plympton

City/Town

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

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	2800 1. square feet	5600 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> 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

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

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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. 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

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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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**

August 1, 2021
(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/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

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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 - Bourne to Rhode Island border, and the Cape & Islands:

North Shore - Plymouth 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:

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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

Plympton

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.

Wetland Crossing Site Plan (Sheets 1 & 2)

a. Plan Title

Webby Engineering Associates, Inc.

Richard DeBenedictis, PE

b. Prepared By

c. Signed and Stamped by

2/26/2024

1"=40'

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:

101

2/26/2024

2. Municipal Check Number

3. Check date

104

2/26/2024

4. State Check Number

5. Check date

Patrick

Hutchinson

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number



Plympton

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	2/21/2024
	2. Date
	
3. Signature of Property Owner (if different)	2-22-24
	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.

**Notice of Intent
Parcel 17-4-2A
Plympton, MA**

WPA and Bylaw Fee Transmittal Form



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:

Parsonage Road (Parcel 17-4-2A)	Plympton
a. Street Address	b. City/Town
_____	_____
c. Check number	d. Fee amount
_____	_____

2. Applicant Mailing Address:

Patrick and Alicia	Hutchinson	
a. First Name	b. Last Name	
_____	_____	
c. Organization	_____	
9 Thomas Blanchard Drive	_____	
d. Mailing Address	_____	
Plympton	MA	02367
e. City/Town	f. State	g. Zip Code
774-291-9348	heyhutchy@gmail.com	_____
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

_____	_____	
a. First Name	b. Last Name	
Team Garner Enterprises Corp	_____	
c. Organization	_____	
53 Pleasant Street	_____	
d. Mailing Address	_____	
Rockland	MA	02370
e. City/Town	f. State	g. Zip Code
774-259-0487	_____	_____
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
2(f)	1	\$500	\$500
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Local Bylaw Fees		\$5,000	

Step 5/Total Project Fee: \$500

Step 6/Fee Payments:

Total Project Fee:	\$500
State share of filing Fee:	\$237.50
City/Town share of filing Fee:	\$262.50
	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.)

*Notice of Intent
Parcel 17-4-2A
Plympton, MA*

**Certified Abutters List, Abutter Notification Letter &
Affidavit of Service**



TOWN OF PLYMPTON
5 Palmer Road
Plympton, MA 02367
T: 781.585.3227
assessor@plymptontown.org

Board of Assessors
Jocelyn A. Anderson
Ethan C. Stiles
Dean Jafferian

REQUEST FOR CERTIFIED ABUTTERS LIST

PARCEL MAP 17 BLOCK 4 LOT 2A

PROPERTY ADDRESS PARSONAGE ROAD

PROPERTY OWNER TEAM GARNER ENTERPRISES CORP
PATRICK & ALICIA

CONTACT PERSON HUTCHINSON TELEPHONE# (774) 291-9348

EMAIL ADDRESS HEYHUTCHY@GMAIL.COM

MAILING ADDRESS 9 THOMAS BLANCHARD DRIVE, PLYMPTON, MA 02367

SIGNATURE *Pat Dute* *Al Hutchison* DATE 2/20/2024

PAYMENT OF \$35.00 VIA CHECK FOR EACH PARCEL REQUESTED
PAYABLE TO "TOWN OF PLYMPTON"

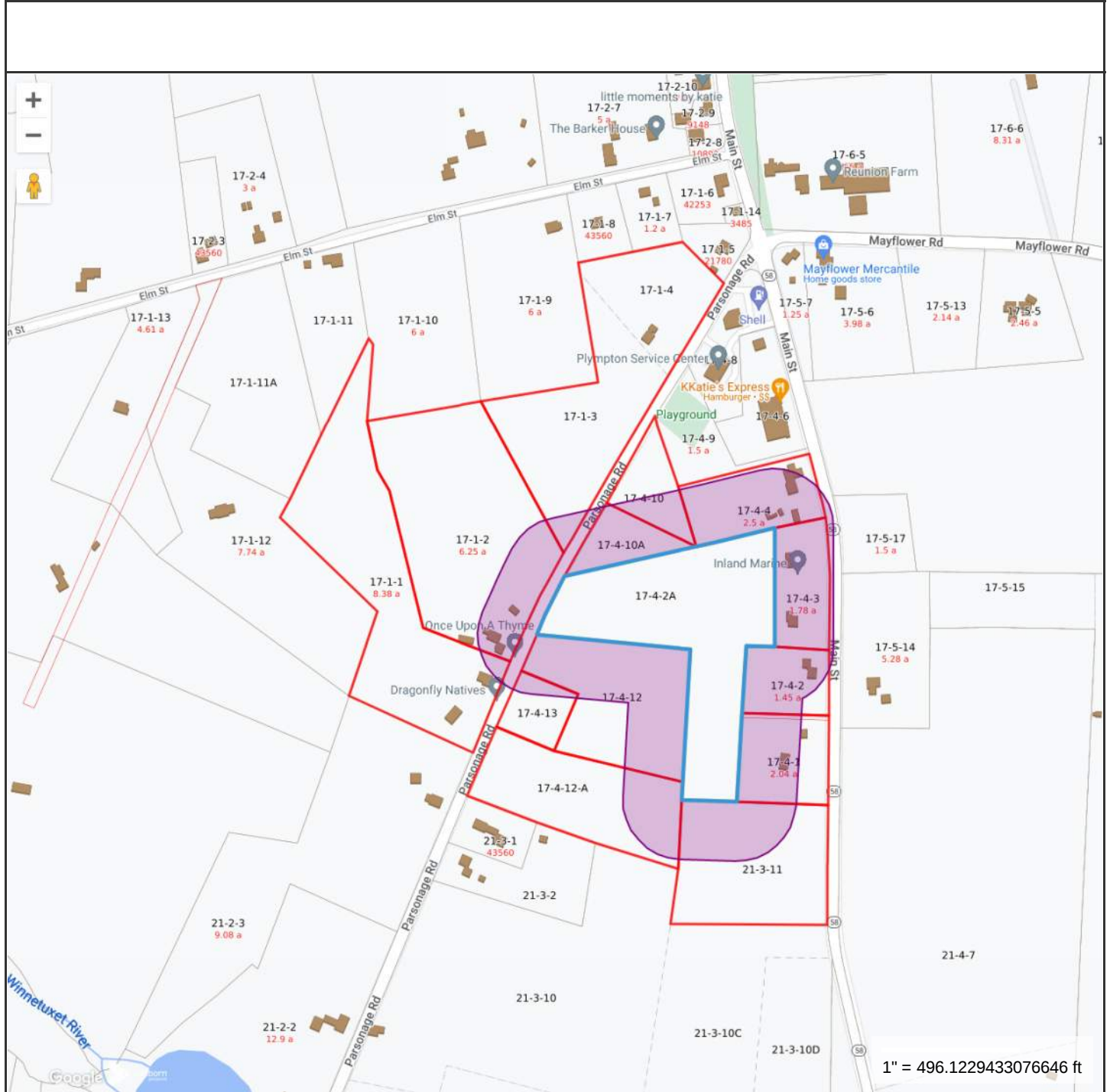
- | | |
|---|--|
| <input type="checkbox"/> 100'- Board of Selectmen | <input type="checkbox"/> 300'- Zoning Board of Appeals |
| <input checked="" type="checkbox"/> 200'- Conservation Commission | <input type="checkbox"/> 300'- Planning Board |
| <input checked="" type="checkbox"/> 200'- Wetlands Protection Bylaw | |

CERTIFIED LIST OF ABUTTERS

The attached abutters list has been prepared under MGL Chapter 40A§11 to certify that at the time of the last assessment for taxation made by the Town of Plympton, the names and addresses provided are the assessed abutting owners based on the distance noted above to the parcel of land requested above.

Allison Merry
Allison Merry, Administrative Assessor

2/22/24
Date



Property Information

Property ID 17_4_2_A
Location 0 MAIN ST
Owner TEAM GARNER ENTERPRISES CORP

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Plympton, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 1/1/2017
 Data updated 1/1/2017

Print map scale is approximate.
 Critical layout or measurement
 activities should not be done using
 this resource.

21_3_11_0
TRACEY APRIL
25 SONIA DR
MIDDLEBOROUGH, MA 02346

17_1_1_0
GENOVESI LAWRENCE
36 PARSONAGE RD
PLYMPTON, MA 02367

17_1_2_0
DETTERRMAN DAVID E
32 PARSONAGE RD.
PLYMPTON, MA 02367

17_1_3_0
SCOPA MICHAEL
10 PARSONAGE RD
PLYMPTON, MA 02367

17_4_1_0
SAARELA MARIAN V, TR
312 MAIN ST.
PLYMPTON, MA 02367

17_4_2_0
SHERMAN, PATRICIA M.
306 MAIN ST
PLYMPTON, MA 02367

17_4_3_0
LINCOLN SUSAN
P.O. BOX 27
PLYMPTON, MA 02367

17_4_4_0
HANNIGAN WILLIAM & SHERRI
292 MAIN ST
PLYMPTON, MA 02367

17_4_12_0
GENOVESI LAWRENCE
36 PARSONAGE RD
PLYMPTON, MA 02367

17_4_10_0
MATERA ANTHONY L, & VOPAT NEIL A, TTEE
P.O. BOX 49
PLYMPTON, MA 02367

17_4_10_A
MATERA ANTHONY L & VOPAT NEIL A, TTEE
P.O. BOX 49
PLYMPTON, MA 02367

17_4_12_A
O'SHEA MICHAEL J
43 PARSONAGE RD
PLYMPTON, MA 02367

17_4_13_0
GENOVESI LAWRENCE
36 PARSONAGE RD
PLYMPTON, MA 02367

**TOWN OF PLYMPTON
CERTIFIED ABUTTERS LIST**

PARCEL ID: 17-4-2-A

ID	Site Address	Owner Name	Co-Owner	Owner Address	City	State	Zip
21_3_11_0	0 MAIN ST	APRIL TRACEY	JARED TRACEY	25 SONIA DR	MIDDLEBOROUGH	MA	02346
17_1_1_0	36 PARSONAGE RD	LAWRENCE GENOVESI	GENEVIEVE GENOVESI	36 PARSONAGE RD	PLYMPTON	MA	02367
17_1_2_0	32 PARSONAGE RD	DAVID DETTERMAN	PATRICIA DETTERMAN	32 PARSONAGE RD.	PLYMPTON	MA	02367
17_1_3_0	10 PARSONAGE RD	MICHAEL SCOPA	LILLIAN GILPIN	10 PARSONAGE RD	PLYMPTON	MA	02367
(17-1-3 INCLUDES 17-1-4)							
17_4_1_0	312 MAIN ST	MARIAN V SAARELA, TR	SAARELA FAMILY TRUST	312 MAIN ST.	PLYMPTON	MA	02367
17_4_2_0	306 MAIN ST	PATRICIA SHERMAN		306 MAIN ST	PLYMPTON	MA	02367
17_4_3_0	304 MAIN ST	SUSAN LINCOLN	DANIEL WOOD	P.O. BOX 27	PLYMPTON	MA	02367
17_4_4_0	292 MAIN ST	WILLIAM & SHERRI HANNIGAN		292 MAIN ST	PLYMPTON	MA	02367
17_4_12_0	0 PARSONAGE RD	LAWRENCE GENOVESI	GENEVIEVE GENOVESI	36 PARSONAGE RD	PLYMPTON	MA	02367
17_4_10_0	0 PARSONAGE RD	ANTHONY L MATERA & NEIL A VOPAT, TTEE ELLIPSIS REALTY TRUST		P.O. BOX 49	PLYMPTON	MA	02367
17_4_10_A	0 PARSONAGE RD	ANTHONY L MATERA & NEIL A VOPAT, TTEE ELLIPSIS REALTY TRUST		P.O. BOX 49	PLYMPTON	MA	02367
17_4_12_A	0 PARSONAGE RD	MICHAEL O'SHEA	MELISSA ANDERSON	43 PARSONAGE RD	PLYMPTON	MA	02367
17_4_13_0	0 PARSONAGE RD	LAWRENCE GENOVESI	GENEVIEVE GENOVESI	36 PARSONAGE RD	PLYMPTON	MA	02367
Subject Property:							
17_4_2_A	0 MAIN ST	TEAM GARNER ENTERPRISES CORP		53 PLEASANT ST	ROCKLAND	MA	02370

**TOWN OF PLYMPTON
CERTIFIED ABUTTERS LIST**

PARCEL ID: 17-4-2-A

FEBRUARY 22, 2024

PREPARED FOR:
PATRICK / ALICIA HUTCHINSON

200'

February 27, 2024

CERTIFIED MAIL

Re: Notice of Intent
Parcel 17-4-2A
Plympton, MA 02367

Dear Abutter:

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.00), you are hereby notified by the Applicants, Patrick & Alicia Hutchinson, that a Notice of Intent (NOI) application to the Plympton Conservation Commission has been submitted to construct a driveway crossing within a Bordering Vegetated Wetland in order to construct a single-family home located on a parcel of land on Parsonage Road (Parcel 17-4-2A).

The NOI application and supporting information are available for review by the public at the Plympton Town Hall, 5 Palmer Road, Plympton, MA or via electronic mail request to heyhutchy@gmail.com. Notice of the public hearing, including its date, time, and place, will be published no less than five business days prior to the hearing in a newspaper of general circulation in Plympton. Information regarding the public hearing may also be obtained from the [Plympton Conservation Commission](#) or by visiting the Town of Plympton Conservation Commission website at town.plympton.ma.us/conservation-commission. Please do not hesitate to review the NOI application and supporting materials and/or attend the public hearing(s) should you have any questions or concerns about the proposed project.

Sincerely,

Patrick & Alicia Hutchinson

Enclosure

Affidavit of Service

Under the Massachusetts Wetlands Protection Act

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

Notification was submitted to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

Notice of Intent (NOI) application to the Plympton Conservation Commission has been submitted to construct a driveway crossing within a Bordering Vegetated Wetland in order to construct a single-family home located on a parcel of land on Parsonage Road (Parcel 17-4-2A) in Plympton, 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.

Patrick & Alicia
Hutchinson



February 27, 2024

Appendix B – Project Figures

USGS Site Locus Figure

USGS Site Locus Map



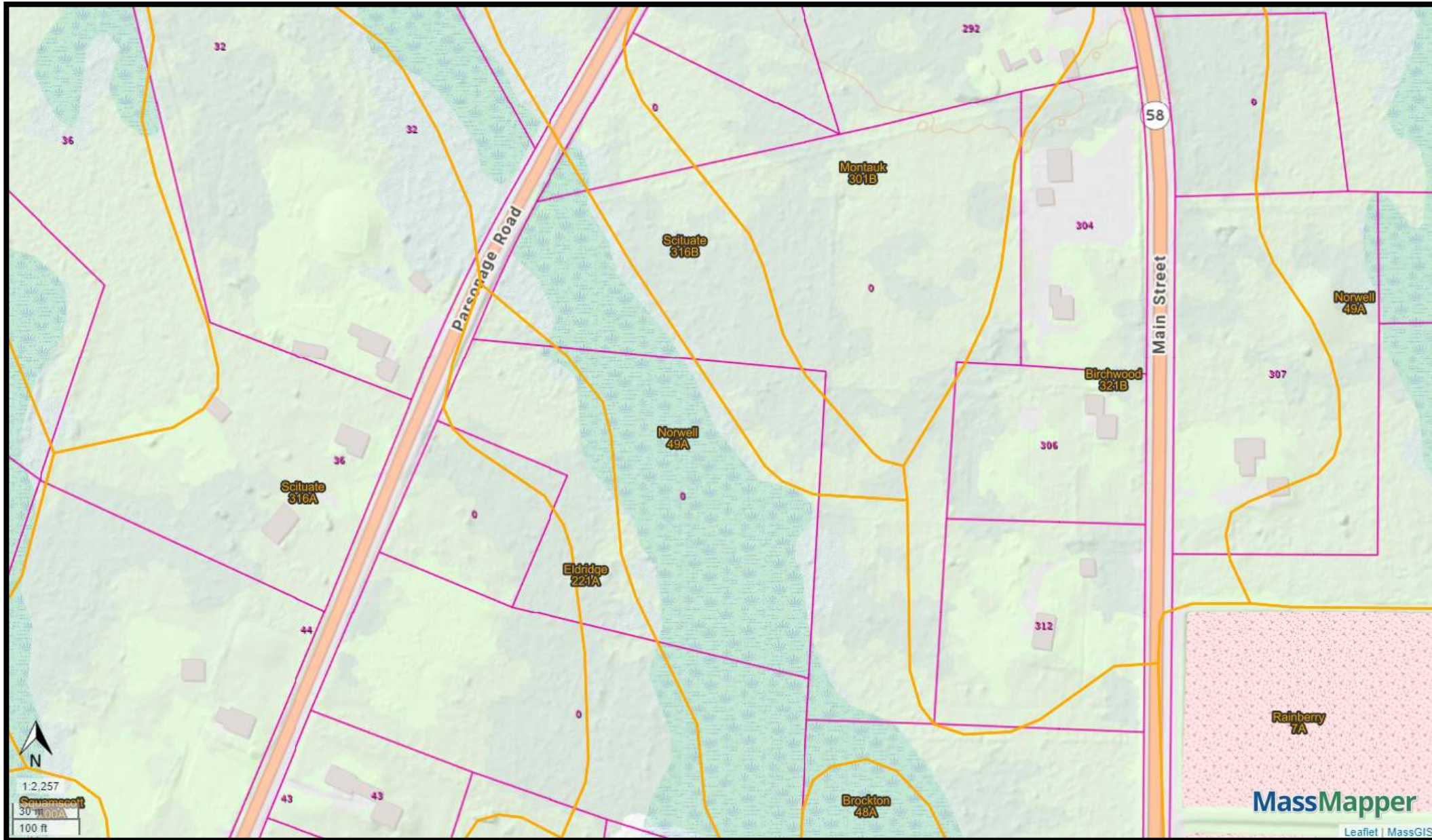
Property Tax Parcels
USGS Topographic Maps

MassDEP Wetland Resource Areas

*Notice of Intent
Parcel 17-4-2A
Plympton, MA*

U.S. Department of Agriculture – Soil Outlines

U.S. Department of Agriculture - Soil Outlines



Soils Outlines



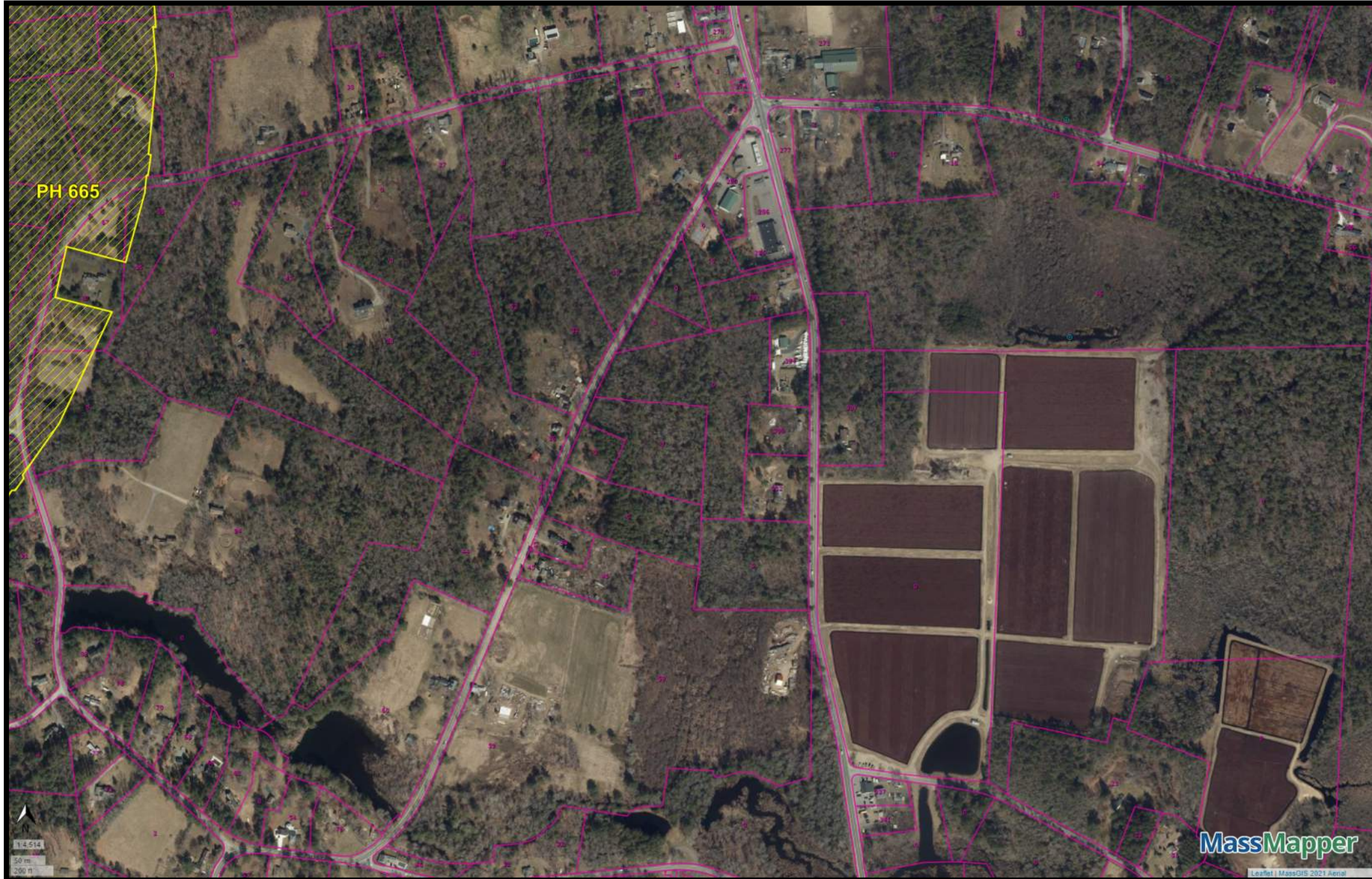
Property Tax Parcels

MassMapper

Leaflet | MassGIS

Natural Heritage and Endangered Species Locations

Natural Heritage and Endangered Species Locations



NHESP Priority Habitats of Rare Species



NHESP Estimated Habitats of Rare Wildlife



NHESP Certified Vernal Pools



Potential Vernal Pools



Property Tax Parcels

1:4,514

50 m

200 ft

MassMapper

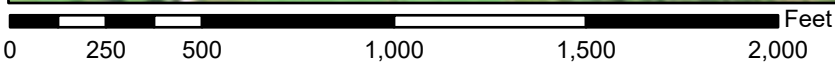
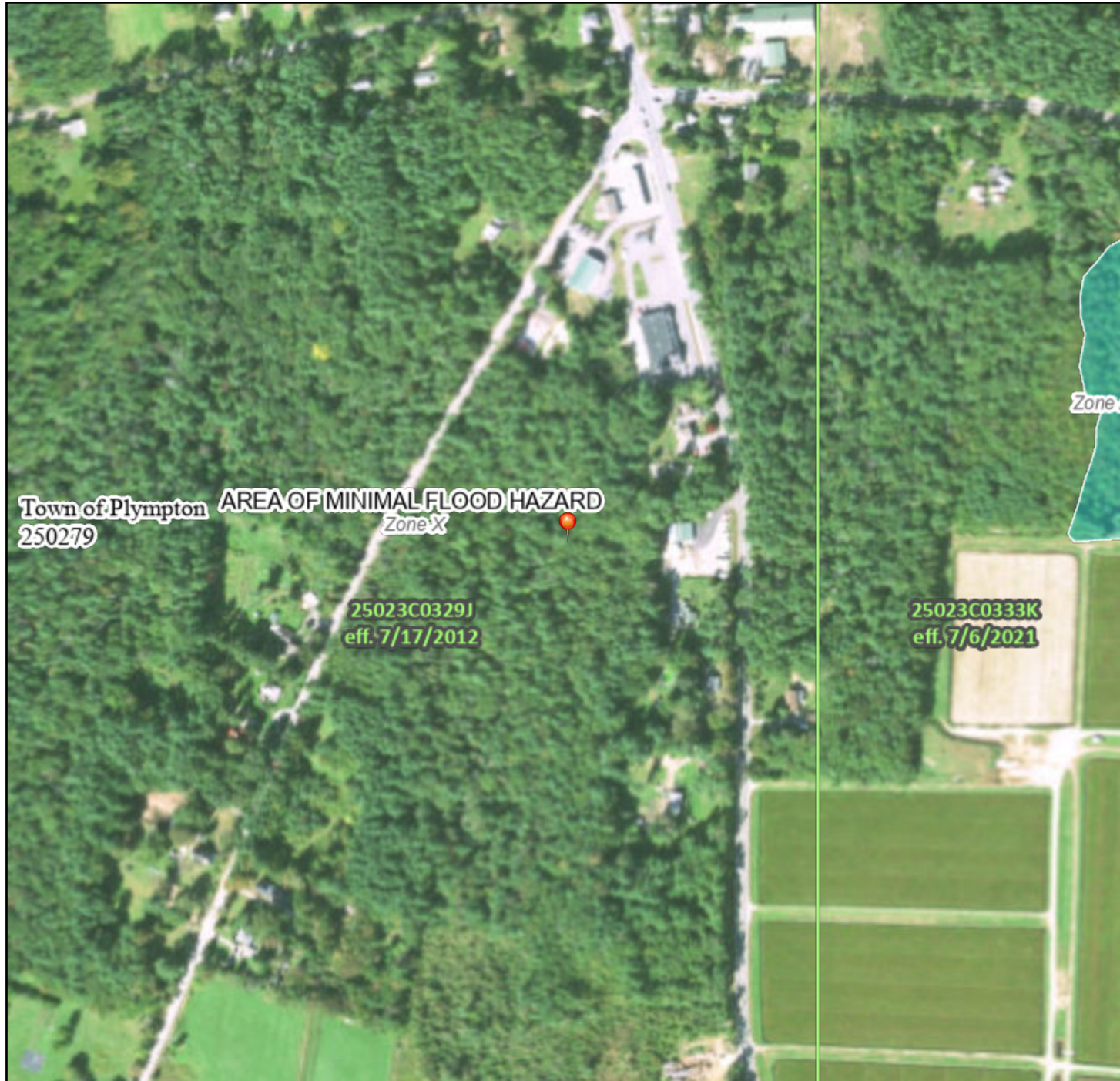
Leaflet | MassGIS 2021 Aerial

FEMA National Flood Hazard Layer

National Flood Hazard Layer FIRMMette



70°49'12"W 41°57'13"N



1:6,000

70°48'35"W 41°56'46"N

Basemap Imagery Source: USGS National Map 2023

Legend

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

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard <i>Zone D</i>
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance
		17.5 Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **2/20/2024 at 7:00 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 one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

BioMap Core Habitats

BioMap Core Habitats



- Property Tax Parcels
- BioMap Core Habitat Components: Forest Core
- BioMap Core Habitat Components: Vernal Pool Core
- BioMap Critical Natural Landscape Components: Wetland Core Buffer
- BioMap Core Habitat Components: Rare Species Core
- BioMap Core Habitat Components: Priority Natural Communities Core
- BioMap Core Habitat Components: Wetland Core
- BioMap Elements: Critical Natural Landscape

Appendix C – Project Site Plan

Wetland Replication Area: Construction Sequence

CONSTRUCTION SEQUENCE:

WETLAND REPLICATION

1. ALL SITE ACTIVITY IS TO BE COMPLETED UNDER THE SUPERVISION OF A WETLAND PROFESSIONAL.
2. PRIOR TO THE START OF CONSTRUCTION, THE WETLAND PROFESSIONAL WILL REVIEW WITH THE CONTRACTOR THE WETLAND LIMITS, LIMITS OF WORK AND ALL APPLICABLE PERMIT CONDITIONS.
3. NO SITE ACTIVITY WILL COMMENCE UNTIL THE NECESSARY EROSION CONTROLS ARE ONSITE AND AVAILABLE FOR INSTALLATION.
4. ALL LARGE TREES (>6-INCH DBH) IN THE REPLICATION AREA WILL REMAIN IN PLACE AND WILL BE FLAGGED PRIOR TO THE START OF CONSTRUCTION. NO EXCAVATION WORK WILL OCCUR WITHIN 6- FEET OF THE BASE OF EACH FLAGGED TREE TO PRESERVE THE TREES' ROOT SYSTEMS.
5. MECHANIZED EQUIPMENT WILL BEGIN REMOVING THE TOPSOIL FROM THE REPLICATION AREA, STARTING ALONG THE WETLAND BOUNDARY, WORKING BACK TOWARDS THE UPLAND LOCATIONS IN A UNIFORM FASHION, SUCH THAT TRAVEL AND SUBSEQUENT COMPACTION BY THE EQUIPMENT IS LIMITED TO THE EXTENT POSSIBLE.
6. ALL REMOVED TOPSOIL WILL BE STAGED WITHIN UPLANDS NEAR THE REPLICATION AREA FOR LATER USE DURING RESTORATION. THE DEPTH OF THE TOPSOIL REMOVED WILL BE RECORDED DURING EXCAVATIONS, SUCH THAT FINISH GRADE ELEVATIONS ACCOUNT FOR THE ADDITIONAL DISTRIBUTION OF SEGREGATED TOPSOIL MATERIAL. THE OPERATOR WILL THEN REMOVE APPROXIMATELY 12-INCHES +/- OF SUBSOIL MATERIAL SO THAT SURFACE CONTOURS ARE EXCAVATED TO A DEPTH THAT IS CONSISTENT WITH ADJACENT WETLAND LOCATIONS, LESS THE DEPTHS NEEDED FOR TOPSOIL REDISTRIBUTION. ALL EXCAVATED SUBSOIL WILL BE STAGED ONSITE IN UPLAND AREAS OR TRUCKED OFFSITE FOR PROPER REUSE OR DISPOSAL. ANY NATIVE LOGS, ROCKS, OR WOODY DEBRIS ENCOUNTERED IN THE REPLICATION AREA WILL BE TEMPORARILY STAGED FOR LATER USE DURING RESTORATION.
7. FOLLOWING THE REMOVAL OF SUBSOIL DOWN TO THE PROPER ELEVATIONS, ALL PREVIOUSLY REMOVED TOPSOIL WILL BE EVENLY REDISTRIBUTED TO THE WETLAND REPLICATION AREA, ENSURING THE TRANSITION ZONE AND FINAL SURFACE GRADES BETWEEN THE WETLAND REPLICATION AREA AND THE ADJACENT WETLAND COMMUNITY ARE NATURAL IN APPEARANCE, SUCH THAT PROPER SITE HYDROLOGY IS ACHIEVED AND CREATED AREAS DO NOT LEAD TO THE DRAINING OF THE ADJACENT WETLAND OR RESULT IN UNNATURAL AREAS OF PONDING. ANY REMOVED LOGS, ROCKS, OR WOODY DEBRIS WILL THEN BE REINSTALLED WITHIN THE CREATED WETLAND REPLICATION AREA.
8. THE PLYMPTON CONSERVATION AGENT WILL BE CONTACTED FOLLOWING THE COMPLETION WETLAND REPLICATION WORK AND GIVEN AN OPPORTUNITY TO INSPECT THE SITE TO ENSURE THE WETLAND REPLICATION AREA IS SATISFACTORY, AND NO ADDITIONAL SITE WORK IS REQUIRED. NO SEEDING OR PLANTING OF THE WETLAND AREAS WILL OCCUR UNTIL SITE CONDITIONS ARE DEEMED ACCEPTABLE BY THE PLYMPTON CONSERVATION AGENT.
9. FOLLOWING INSPECTION AND AUTHORIZATION BY THE PLYMPTON CONSERVATION AGENT, THE REPLICATION AREA WILL BE PLANTED AND SEEDED AS DESCRIBED ON THE ASSOCIATED PLANTING AND SEEDING SCHEDULE
10. SEEDED AND PLANTED LOCATIONS WILL THEN BE TOPPED WITH A COVER OF CERTIFIED WEED-FREE STRAW MULCH TO RETAIN MOISTURE AND PROVIDE AN EROSION CONTROL COVER UNTIL SITE STABILIZATION OCCURS.
11. IMPACTS TO SURFACE LOCATIONS WITHIN THE 25-FOOT NO DISTURBANCE AREAS WILL BE RESTORED WITH HAND TOOLS OR EQUIPMENT PRIOR TO THE OPERATOR DEMOBILIZING FROM THE SITE. AS SIMILAR TO THE SEEDBED PREPARATIONS PERFORMED IN THE WETLAND AREAS, SURFACE LOCATIONS IN THE 25-FOOT NO DISTURBANCE WILL BE DE-COMPACTED AND SCARIFIED WITH THE TEETH ON THE BUCKET OF THE EQUIPMENT AND THE AREA WILL BE PLANTED AND SEEDED AS DESCRIBED ON THE ASSOCIATED PLANTING AND SEEDING SCHEDULE
12. FOLLOWING THE COMPLETION OF RESTORATION AND REPLICATION WORK, NOTIFICATION WILL BE PROVIDED TO THE PLYMPTON CONSERVATION AGENT AND A SUMMARY REPORT OF ALL WORK COMPLETED WILL BE PROVIDED TO THE PLYMPTON CONSERVATION COMMISSION.

Appendix D – Wetland Delineation Memo

ECR

Environmental Consulting & Restoration, LLC



WETLAND DELINEATION MEMO

TO: Webby Engineering Associates
FROM: Brad Holmes
DATE: January 24, 2024 (Revision Date: February 3, 2024)
RE: Off Parsonage Road, Plympton

Per your request, Environmental Consulting & Restoration, LLC (ECR) performed a review of the existing conditions at the undeveloped parcel of land located off Parsonage Road in Plympton (the Site) on January 4, 2024, and continued on February 3, 2024. The purpose of the review was to re-delineate the limit of wetland resource areas at the site, which ECR previously delineated as a larger project on November 19, 2020. The site consists of an undeveloped, forested lot located to the east of Parsonage Road.

Wetland resource areas are located on and near the site. ECR placed Bordering Vegetated Wetland (BVW) flags (pink & black striped ribbons) along the landward limits of the following vegetated wetlands:

- BVW #A1 to #A6 – Wetland along the shoulder of Parsonage Road
- BVW #A100 to #A111 – Wetland on the east side of the roadway drainage swale
- BVW #B1 to #B22 – Wetland in the northeastern portion of the site abutting the large upland area that extends to the north and east.
- BVW #B100 to #B105 – Wetland along the southeastern side of the site that connects to flag #B1 to extend the line to the property line.

The vegetated wetlands were delineated following the methodology established by the Massachusetts Department of Environmental Protection (DEP) regulations found at 310 CMR 10.55 pertaining to the delineation of Bordering Vegetated Wetlands. The delineation was performed by analyzing vegetation, hydrology within 12 inches of the surface, and soil conditions within 20 inches of the surface. The wetland contains hydric soils, saturated soils, and dominant wetland indicator plants.

As a result of ECR's wetland delineation at the site, ECR is able to confirm that the site contains the following wetland resource areas and areas of Conservation Commission jurisdiction:

- Bordering Vegetated Wetlands
- 100-foot Buffer Zone to BVW

Also, a review of the MassMapper database reveals the following:

1. The site is not located within Estimated/Priority Habitat for Rare Species according to the Massachusetts Natural Heritage & Endangered Species Program (MaNHESP).
2. The site does not contain Certified Vernal Pools according to the MaNHESP.
3. The site does not contain a U.S.G.S. mapped stream.
4. The site does not contain areas mapped as Land Subject to Flooding (FEMA flood zones).
5. The site is not located within an Area of Critical Environmental Concern.

Upon review of this wetland delineation memo, please contact me at (617) 529 – 3792 or brad@ecrwetlands.com with any questions or requests for additional information.

ECR

Environmental Consulting & Restoration, LLC

Thank you,
Brad Holmes, PWS
Manager



**Appendix E – Attorney’s Affidavit: “RE: Vacant Land –
Parsonage Rd., Plympton”**

MacKenzie, J. Long, Esq.

THE LAW OFFICE OF MACKENZIE J. LONG, LLC
519 American Legion Hwy., STE 1,
Westport, MA 02790
www.MJLongLaw.com
508-938-6002

MACK@MJLONGLAW.COM
DIRECT (508)-938-6025

February 20, 2024

Patrick Hutchinson
9 Thomas Blanchard Dr.,
Plympton, MA 02367

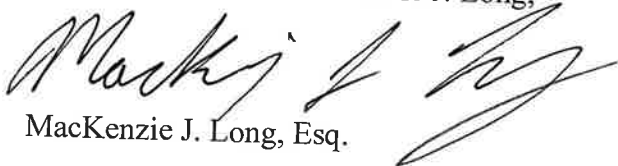
RE: Vacant Land – Parsonage Rd., Plympton

To Whom it May Concern,

Between the dates of September 8, 2023 and December 6, 2023, correspondence occurred between real estate broker Jean Cohen and I regarding a parcel of land known as Plympton Assessors Map 17-4 Lots 10 and 10A that Jean had listed for sale. These lots directly abut the parcel of land currently held under Purchase and Sales agreement between my client Patrick Hutchinson and the seller Team Garner, LLC (“Garner Lot”).

After numerous phone calls, zoom meetings, and emails back and forth we were unable to come to an agreement for my client to purchase the land that Jean had listed for her clients. Both my client and I worked diligently to come up with various alternatives in order to secure access to the upland portion of the “Garner Lot” over the land listed by Jean. Unfortunately our efforts were in vain and we were unable to reach an agreement to purchase the land. It is for this reason that my client is now seeking approval from the Town of Plympton Conservation Commission to create an access driveway across the Wetland that divides the westerly portion of the, “Garner Lot”. If more information is necessary or there are any questions concerning any of the above please do not hesitate to contact me at my office.

Sincerely,
The Law Office of MacKenzie J. Long,


MacKenzie J. Long, Esq.