

ECR



Environmental Consulting & Restoration, LLC

*Specializing in Wetland and Coastal Resource Area Delineation & Permitting*

**NOTICE OF INTENT**

**28 Walnut Terrace**

SUBMITTED TO

**Avon Conservation Commission**

**August 2020**

APPLICANT

**John & Abigail Barry  
28 Walnut Terrace  
Avon, MA 02322**

REPRESENTATIVE

**Environmental Consulting & Restoration, LLC  
P.O. Box 4012  
Plymouth, MA 02361  
(617) 529-3792**

# ECR

Environmental Consulting & Restoration, LLC



August 27, 2020

Town of Avon  
Conservation Commission  
65 East Main Street  
Avon, MA 02322

**RE: Notice of Intent, Proposed Construction of a Garage, 28 Walnut Terrace, Avon**

Dear Members of the Conservation Commission:

Please accept this Notice of Intent application for the proposed construction of a detached garage and extension of a paved driveway located at 28 Walnut Terrace in Avon (the Site). The Town of Avon Assessors Department references the site as Parcel ID#C5-3-36. Portions of the proposed project occurs within the 100-foot buffer zone to Bordering Vegetated Wetlands. Prior to the start of work, erosion controls will be installed in order to protect wetland resource areas. This application is being submitted in accordance with the Massachusetts Wetlands Protection Act and the Town of Avon Wetlands Protection Bylaw.

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: Department of Environmental Protection, SERO, 20 Riverside Drive, Lakeville, MA  
02347

John & Abigail Barry, 28 Walnut Terrace, Avon, MA 02322

**NOTICE OF INTENT**  
**TABLE OF CONTENTS**

<b><u>Item</u></b>	<b><u>Attachment</u></b>
Notice of Intent Form	1
Copy of the Filing Fees	2
Project Narrative	3
USGS Site Locus Map	4
FEMA Map	5
Massachusetts Natural Heritage & Endangered Species Map	6
Abutter Information	7
Site Plan	8



# 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

Avon  
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):

28 Walnut Terrace

a. Street Address

Avon

b. City/Town

02322

c. Zip Code

Latitude and Longitude:

42° 5'29.53"N

d. Latitude

70°49'43.11"W

e. Longitude

Parcel ID# C5-3-36

f. Assessors Map/Plat Number

g. Parcel /Lot Number

2. Applicant:

John and Abigail

a. First Name

Barry

b. Last Name

c. Organization

28 Walnut Terrace

d. Street Address

Avon

e. City/Town

MA

f. State

02322

g. Zip Code

h. Phone Number

i. Fax Number

Abigail.Barry@computershare.com

j. Email Address

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

Same as above

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Brad

a. First Name

Holmes

b. Last Name

Environmental Consulting & Restoration, LLC

c. Company

PO Box 4012

d. Street Address

Plymouth

e. City/Town

MA

f. State

02361

g. Zip Code

617-529-3792

h. Phone Number

i. Fax Number

brad@ecrwetlands.com

j. Email address

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

\$220.00

a. Total Fee Paid

\$97.50

b. State Fee Paid

\$122.50

c. City/Town Fee Paid



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

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## A. General Information (continued)

6. General Project Description:

The proposed project consists of the construction of a garage with an extension to the existing paved driveway within the 100 foot buffer zone to wetland resource areas. Please refer to the Project Narrative attached for more information.

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

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

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

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

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Norfolk

a. County

35614

c. Book

b. Certificate # (if registered land)

531

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.



WPA Form 3 - Notice of Intent

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

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

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

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Bank, Bordering Vegetated Wetland, and Land Under Waterbodies and Waterways.

Table with 3 columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Bordering Land Subject to Flooding and Isolated Land Subject to Flooding.

- f. Riverfront Area
1. Name of Waterway (if available) - specify coastal or inland
2. Width of Riverfront Area (check one):
- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

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

4. Proposed alteration of the Riverfront Area:
a. total square feet
b. square feet within 100 ft.
c. square feet between 100 ft. and 200 ft.

- 5. Has an alternatives analysis been done and is it attached to this NOI? Yes No
6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete Section B.2.f. above.



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

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

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

Resource Area, Size of Proposed Alteration, Proposed Replacement (if any)
a. Designated Port Areas
b. Land Under the Ocean
c. Barrier Beach
d. Coastal Beaches
e. Coastal Dunes
f. Coastal Banks
g. Rocky Intertidal Shores
h. Salt Marshes
i. Land Under Salt Ponds
j. Land Containing Shellfish
k. Fish Runs
l. Land Subject to Coastal Storm Flowage
4. Restoration/Enhancement
5. Project Involves Stream Crossings



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## C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Notice of Intent – Required Actions (310 CMR 10.11).

### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

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

MassGIS Oliver  
viewer

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

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 <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.





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MassDEP File Number

Document Transaction Number

Avon  
City/Town

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

- (c)  MESA filing fee (fee information available at [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/ mesa/ mesa\\_fee\\_schedule.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_fee_schedule.htm)). 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, [http://www.mass.gov/dfwele/dfw/nhosp/regulatory\\_review/ mesa/ mesa\\_exemptions.htm](http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_exemptions.htm); the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
2.  Separate MESA review ongoing. a. NHESP Tracking # \_\_\_\_\_ b. Date submitted to NHESP \_\_\_\_\_
3.  Separate MESA review completed. Include copy of NHESP “no Take” determination or valid Conservation & Management Permit with approved plan.

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

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

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

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
1213 Purchase Street – 3rd Floor  
New Bedford, MA 02740-6694  
Email: [DMF.EnvReview-South@state.ma.us](mailto:DMF.EnvReview-South@state.ma.us)

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [DMF.EnvReview-North@state.ma.us](mailto:DMF.EnvReview-North@state.ma.us)

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.



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

## 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.



# WPA Form 3 – Notice of Intent

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## D. Additional Information (cont'd)

3.  Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4.  List the titles and dates for all plans and other materials submitted with this NOI.

**Permit Plan**

a. Plan Title

James E. McGrath, PLS

b. Prepared By

August 5, 2020

d. Final Revision Date

c. Signed and Stamped by

1" = 20'

e. Scale

f. Additional Plan or Document Title

g. Date

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

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

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

8.  Attach NOI Wetland Fee Transmittal Form

9.  Attach Stormwater Report, if needed.

## E. Fees

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

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

136

2. Municipal Check Number

8/20/2020

3. Check date

137

4. State Check Number

8/20/2020

5. Check date

Abigail & John

6. Payor name on check: First Name

Barry

7. Payor name on check: Last Name



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Avon
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## F. Signatures and Submittal Requirements

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

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

<i>Abigail E Barry</i>	08/20/2020
1. Signature of Applicant	2. Date
3. Signature of Property Owner (if different)	4. Date
5. Signature of Representative (if any)	6. Date

### For Conservation Commission:

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

### For MassDEP:

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

### Other:

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

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



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

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**A. Applicant Information**

1. Location of Project:

28 Walnut Terrace Avon  
 a. Street Address b. City/Town  
 \_\_\_\_\_  
 c. Check number d. Fee amount

2. Applicant Mailing Address:

John and Abigail Barry  
 a. First Name b. Last Name  
 \_\_\_\_\_  
 c. Organization  
28 Walnut Terr  
 d. Mailing Address  
Avon MA 02322  
 e. City/Town f. State g. Zip Code  
 \_\_\_\_\_  
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

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

**B. Fees**

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

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

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

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

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

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

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

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



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

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat. 1a) Construction of a Garage	1	\$110.00	\$110.00
Cat 1a) Driveway extension	1	\$110.00	\$110.00
Avon Bylaw Fee		\$50.00	
<b>Step 5/Total Project Fee:</b>			\$220.00

**Step 6/Fee Payments:**

Total Project Fee:	\$220.00
State share of filing Fee:	\$97.50
City/Town share of filling Fee:	\$122.50
	a. Total Fee from Step 5
	b. 1/2 Total Fee <b>less</b> \$12.50
	c. 1/2 Total Fee <b>plus</b> \$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.)

ABIGAIL BARRY  
JOHN A BARRY  
28 WALNUT TERRACE  
AVON, MA 02322

136

53-7310/2113  
04

8/20/2020  
Date

Pay to the Order of Town of Avon \$ 172.50/yr  
One Hundred Seventy Two and 50/100 Dollars

Photo Safe Deposit®  
Details on back



888.828.1690 • www.ibankcanton.com

For \_\_\_\_\_ Abigail Barry MP

⑆ 211373102⑆ 43 030360⑆ 0136

ABIGAIL BARRY  
JOHN A BARRY  
28 WALNUT TERRACE  
AVON, MA 02322

137

53-7310/2113  
04

8/20/2020  
Date

Pay to the Order of Commonwealth of Massachusetts \$ 97.50/yr  
Ninety Seven and 50/100 Dollars

Photo Safe Deposit®  
Details on back



888.828.1690 • www.ibankcanton.com

For \_\_\_\_\_ Abigail Barry MP

⑆ 211373102⑆ 43 030360⑆ 0137

## **PROJECT DESCRIPTION**

### **1. Introduction**

The purpose of this project is the construction of a garage with an extension to the existing driveway at 28 Walnut Terrace in Avon (the Site). The Town of Avon Assessors Department references the site as Parcel ID #C5-3-36. The proposed work occurs within the 100-foot buffer zone to Bordering Vegetated Wetlands. Prior to the start of work, erosion controls will be installed in order to protect wetland resource areas. This application is being submitted in accordance with the Massachusetts Wetlands Protection Act and the Town of Avon Wetlands Protection Bylaw.

### **2. Site Description**

The site consists of a single-family home with a paved driveway, maintained lawn, landscaped areas, etc. The site is located along the east side of Walnut Terrace and is bordered by single family homes on either side and forested woodlands to the northeast. Environmental Consulting & Restoration, LLC (ECR) performed a wetland delineation at the site on July 27, 2020 and located the landward limit of a Bordering Vegetated Wetland (BVW) on and near the site. BVW flags (pink and black striped ribbon) were hung along the landward limit of the wetland system in accordance with the requirements for BVW delineation per the Massachusetts Department of Environmental Protection Regulations found at 310 CMR 10.55. As a result of the field work and review of available environmental databases, ECR is able to confirm that the site contains the following wetland resource areas and areas of Conservation Commission jurisdiction:

- Bordering Vegetated Wetlands (BVW)
- 100-foot buffer zone to BVW

#### Notes:

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

### **3. Proposed Activities**

The purpose of this application is to authorize the construction of a detached garage with access driveway and associated grading, relandscaping, etc. Portions of the proposed project occur within the 100-foot buffer zone to BVW. The proposed project will involve the following activities:

- Installation of Erosion Controls – Prior to the start of work an erosion control line (siltsock, strawwattle, or alternative) will be installed along the proposed limit of work to protect the downgradient BVW.
- Proposed Garage and Driveway – The construction of garage and driveway would occur after installation of the erosion controls. The location of the garage and driveway occurs within the existing maintained lawn and landscaped areas in the back yard. Grading to restore the yard profile will occur after the construction of the garage and in preparation for the driveway.
- Landscape Activities - All disturbed areas surrounding the proposed garage and driveway will be restored and stabilized as lawn and/or landscape beds. All landscape plant materials proposed within the 100-foot buffer zone at the site will consist of native plant species. ECR recommends using a grass seed mix with a high content of tall fescues, which requires less irrigation and fertilization needs.

### **4. Summary**

Erosion and sediment control measures will be implemented and maintained throughout the duration of the construction process to prevent the conveyance of sedimentation into environmentally sensitive areas.



**Notice of Intent  
28 Walnut Terrace, Avon**

Disturbed areas will be stabilized upon the completion of work, and in the event that intense rainfall is expected, reinforcing control measures will be installed as needed to protect all wetland resource areas. Stockpiling of soils, if any, shall be located beyond the 50-foot buffer zone and surrounded by the erosion controls as necessary. Erosion control measures shall remain in place and be maintained until such time that a Certificate of Compliance has been issued by the Avon Conservation Commission, stating that the project has been constructed in accordance with the conditions set forth in the Order of Conditions.

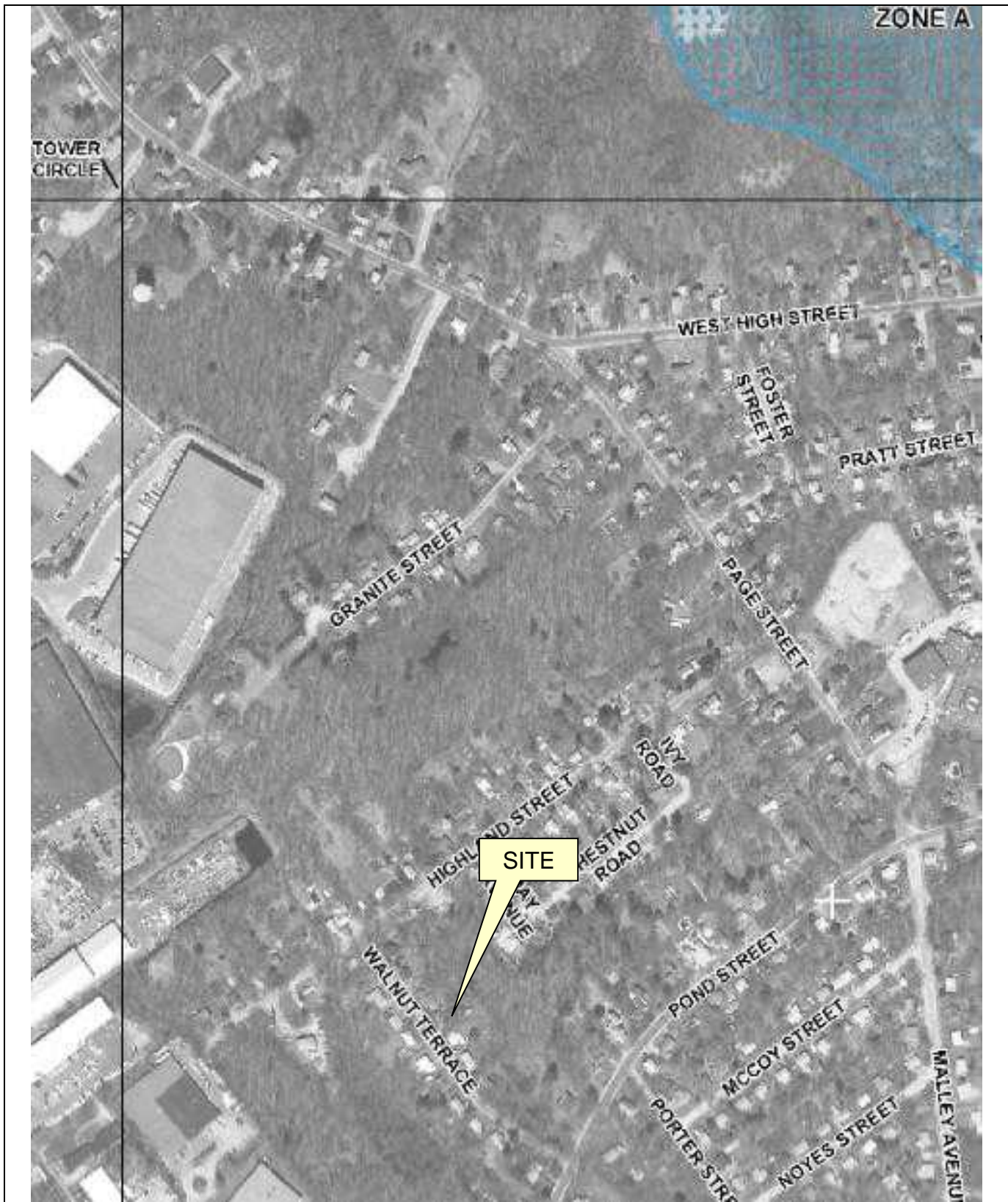


**USGS SITE LOCUS MAP**  
**28 Walnut Terrace**  
**Avon, Massachusetts**

Source: MassGIS Oliver Viewer







**FEMA FIRM**  
**28 Walnut Terrace**  
**Avon, Massachusetts**



Source: FEMA Map 25021C0218E 07/17/2012





**Priority Habitats of Rare Species, Estimated Habitat of Rare Wildlife  
& Certified Vernal Pools Map  
28 Walnut Terrace  
Avon, Massachusetts**

Source: MassGIS Oliver Viewer





300' CERTIFIED ABUTTERS LIST  
28 WALNUT TERRACE  
AVON, MA

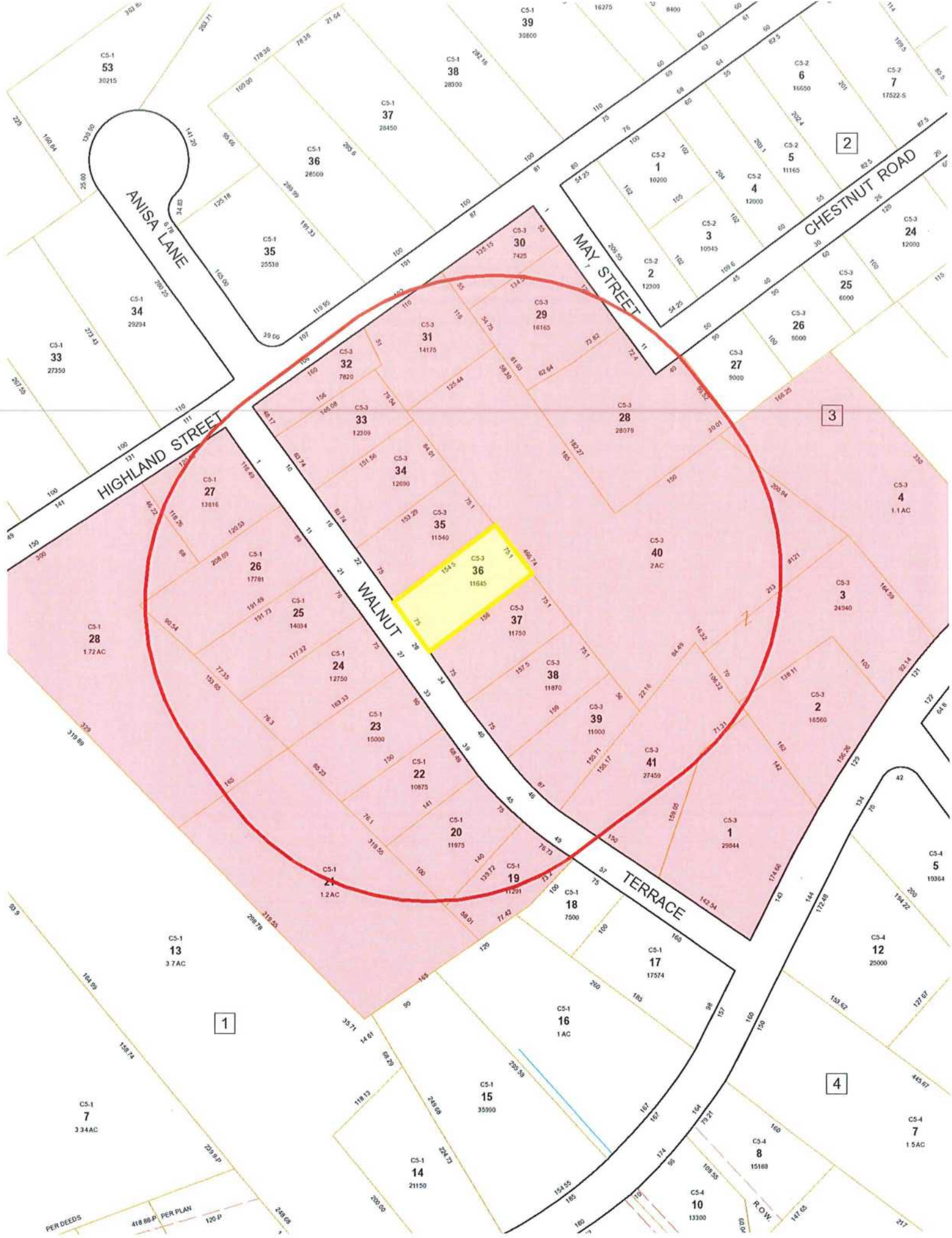
FOR:  
JOHN BARRY AND ABIGAIL BARRY  
C5-3-36

Board of Assessors

*Paul J. Sullivan*  
Certified Copy

45 of 7/31/20

Map	Block	Lot	Location	Owners Name	Mailing Address	City	St Zip
C5	1	19	49 Walnut Terrace	McCarthy, Rose M.	49 Walnut Terrace	Avon	MA 02322
C5	1	20	45 Walnut Terrace	Francois, Dieula	45 Walnut Terrace	Avon	MA 02322
C5	1	21	Rear Walnut Terrace	Highland Realty Trust	152 Highland St.	Avon	MA 02322
C5	1	22	39 Walnut Terrace	The 21st Century Trust, Christopher Morosas, Tr.	PO Box 1433	Westboro	MA 01581
C5	1	23	33 Walnut Terrace	Kiernan, Brian J.	33 Walnut Terrace	Avon	MA 02322
C5	1	24	27 Walnut Terrace	Panek, Elaine L.	27 Walnut Terrace	Avon	MA 02322
C5	1	25	21 Walnut Terrace	Stewart, Linda M.	21 Walnut Terrace	Avon	MA 02322
C5	1	26	11 Walnut Terrace	Bell, Clarence W. & Bell, Clara T.	11 Walnut Terrace	Avon	MA 02322
C5	1	27	1 Walnut Terrace	Walnut Realty Trust	152 Highland St.	Avon	MA 02322
C5	1	28	152 Highland St.	Highland Realty Trust	152 Highland St.	Avon	MA 02322
C5	3	1	143 Pond St.	Lynch, Dianne P. & Lynch, Edward T.	143 Pond St.	Avon	MA 02322
C5	3	2	129 Pond St.	Julius, Jack O. & Julius, Ruth A.	479 Central St.	E. Bridgewater	MA 02333
C5	3	28	11 May Ave.	Mottau, Robert E. & Mottau, Kate E.	11 May Ave.	Avon	MA 02322
C5	3	29	7 May Ave.	Strathdee, Kerin	7 May Ave.	Avon	MA 02322
C5	3	3	121 Pond St.	Padon, Thomas J. & Mitchell, Miranda	121 Pond St.	Avon	MA 02322
C5	3	30	1 May Ave.	Anderson, Ralph E. & Anderson, Sheila L.	1 May Ave.	Avon	MA 02322
C5	3	31	102 Highland St.	CIT Bank, NA	888 East Walnut St.	Pasadena	CA 91101
C5	3	32	106 Highland St.	Karas, Gregory	106 Highland St.	Avon	MA 02322
C5	3	33	10 Walnut Terrace	Le, Thau Thanh & Le, Nancy	10 Walnut Terrace	Avon	MA 02322
C5	3	34	16 Walnut Terrace	Morris, Debra A.	16 Walnut Terrace	Avon	MA 02322
C5	3	35	22 Walnut Terrace	Whiffin, John T. & Whiffin, Patricia	22 Walnut Terrace	Avon	MA 02322
C5	3	37	34 Walnut Terrace	Connor, Robert & Connor, Deborah, L.E.	34 Walnut Terrace	Avon	MA 02322
C5	3	38	40 Walnut Terrace	Stenstrom, Donna M.	40 Walnut Terrace	Avon	MA 02322
C5	3	39	46 Walnut Terrace	Villareyna, Nelson J.	46 Walnut Terrace	Avon	MA 02322
C5	3	4	115 Pond St.	Aspect Realty Group LLC	9 Pequot Way	Canton	MA 02021
C5	3	41	Walnut Terrace	Slocum, William J., Jr.	69 Turnpike St.	Canton	MA 02021



ANISA LANE

HIGHLAND STREET

WALNUT

MAY STREET

TERRACE

CHESTNUT ROAD

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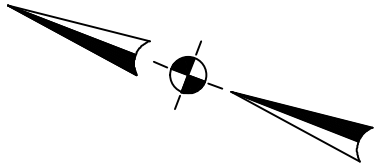
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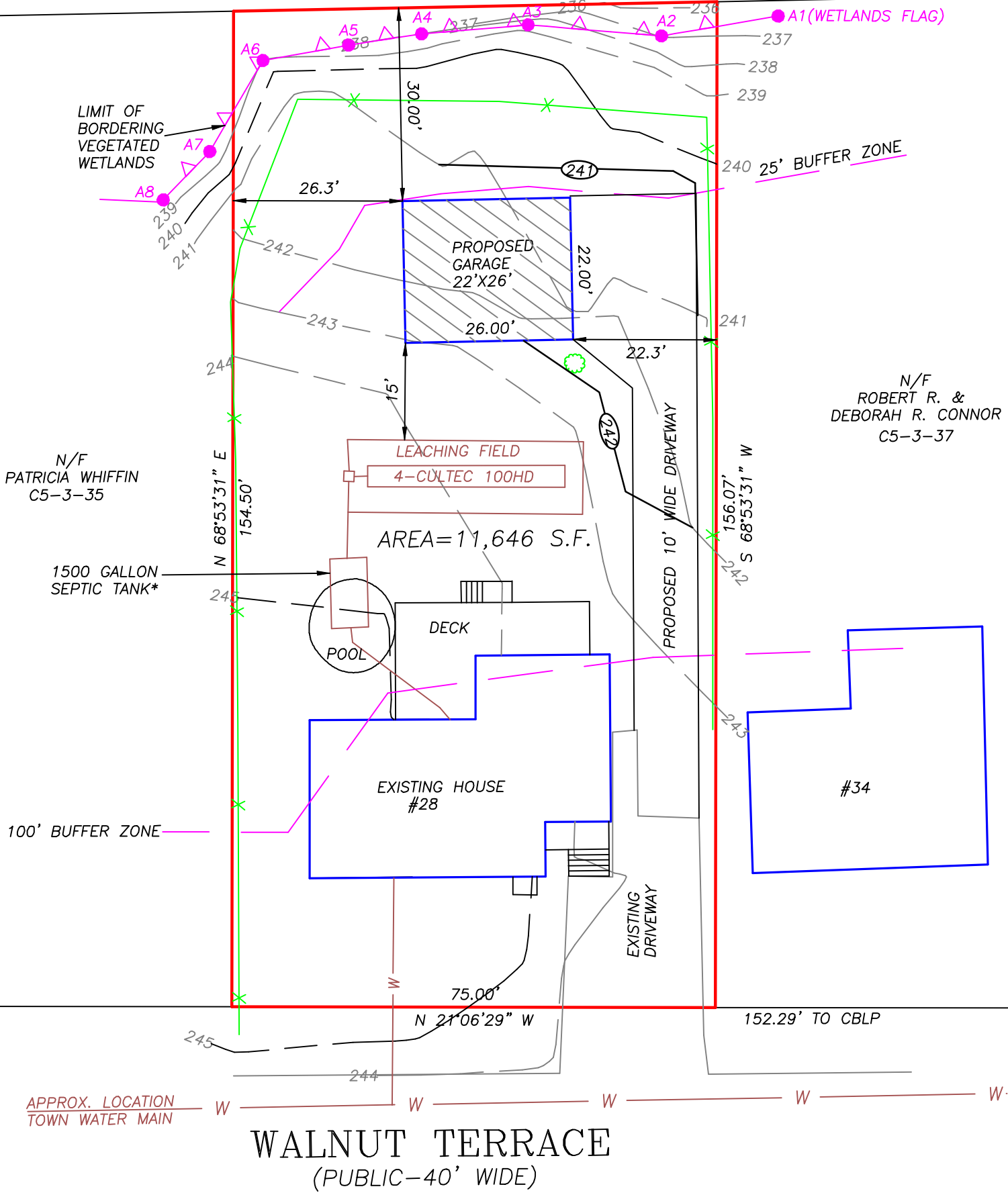
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N/F  
JOSEPH & LYNN DELVECHIO  
C5-3-40

S 22°18'27" E  
75.02'



N/F  
PATRICIA WHIFFIN  
C5-3-35

N/F  
ROBERT R. &  
DEBORAH R. CONNOR  
C5-3-37

1500 GALLON  
SEPTIC TANK\*

LEACHING FIELD  
4-CULTEC 100HD  
AREA=11,646 S.F.

POOL  
DECK  
EXISTING HOUSE  
#28

#34

100' BUFFER ZONE

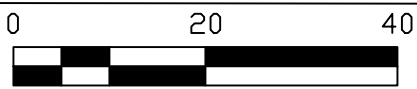
PROPOSED 10' WIDE DRIVEWAY

EXISTING DRIVEWAY

APPROX. LOCATION  
TOWN WATER MAIN

WALNUT TERRACE  
(PUBLIC-40' WIDE)

BENCHMARK:  
NAIL IN POLE #4  
ELEV=244.28(NGVD)



PREPARED BY:  
JAMES E. MCGRATH, PLS  
1734 COMMERCIAL STREET  
WEYMOUTH, MA 02189  
781-929-6255

I HEREBY CERTIFY THAT THE EXISTING  
STRUCTURES SHOWN ON THIS PLAN WERE  
LOCATED BY AN INSTRUMENT SURVEY AND  
ARE LOCATED ON THE GROUND AS SHOWN  
HEREIN AND ARE NOT IN A FEMA FLOOD HAZARD AREA.

**PERMIT PLAN**  
**#28 WALNUT TERRACE**  
**AVON, MA**  
**PARCEL ID: C5-3-36**  
OWNER: JOHN & ABIGAIL BARRY

NOTES:

1. DEED BOOK 35614, PAGE 531
2. PLAN BOOK 188, PAGE 822
3. SEPTIC DATA FROM 6/27/11 AS-BUILT BY CURLEY & HANSEN SURVEYORS, 160 POND STREET, AVON, MA

SCALE: 1"= 20'  
DATE: AUGUST 5, 2020  
ZONING DISTRICT: RESIDENCE A