

SCHNEIDER, DAVIGNON & LEONE, INC.

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS

N. DOUGLAS SCHNEIDER, P.E., P.L.S.
MATTHEW C. LEONE, P.L.S.



DAVID M. DAVIGNON, P.E.
JAY MCKINNON, E.I.T.

December 8, 2021

Town of Rochester
Conservation Commission
37 Marion Road
Rochester, MA 02770

Attn: Chairman Christopher Gerrior

Re: Notice of Intent Application

Project Type: Proposed Development of a Residential Lot
Applicant: Clapp Nominee Trust
Site Address: Clapp Road
ANR Lot #2-3
Formerly Portion of Lot #3, #2B & #2 on Assessors Map #30

Dear Mr. Chairman & Commission Members,

Schneider, Davignon & Leone, Inc., acting as agent for the Clapp Nominee Trust hereby submits the enclosed information for the purposes of scheduling a Public Hearing.

Specifically, please find the following materials enclosed:

- \$387.50 NOI Application Fee
- \$200.00 X-tra NOI Fee
- \$35.00 Legal Ad Fee
- Notice of Intent Application
- Sewage Disposal System – Site Plan

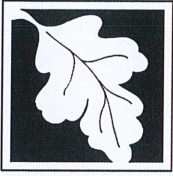
If you have any questions or need additional information please call me at (508) 758-7866 (ext. 203).

Sincerely,

Schneider, Davignon & Leone, Inc.

David M. Davignon, P.E.

cc: DEP- SE Regional Office (via Electronic Transmission & Regular Mail)
William Clapp
File 3298



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:

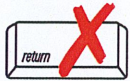
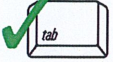
MassDEP File Number

Document Transaction Number

Rochester

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):

Clapp Road
a. Street Address

Rochester
b. City/Town

02770
c. Zip Code

Latitude and Longitude:
N41-44'-34.92"
d. Latitude

W70-49'-30.08"
e. Longitude

30
f. Assessors Map/Plat Number

Formerly Portion of 3, 2B & 2
g. Parcel /Lot Number

2. Applicant:

a. First Name
Clapp Nominee Trust

b. Last Name

c. Organization

c/o: William D. Clapp, P.O. Box 67

d. Street Address

Rochester
e. City/Town

MA
f. State

02770-0067
g. Zip Code

(774) 404-0221
h. Phone Number

i. Fax Number

bkc92198@verizon.net
j. Email Address

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

same as applicant

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):

David M.
a. First Name

Davignon, P.E.
b. Last Name

Schneider, Davignon, & Leone, Inc.
c. Company

P.O. Box 480, 1 County Road
d. Street Address

Mattapoissett
e. City/Town

MA
f. State

02739
g. Zip Code

(508)758-7866
h. Phone Number

(508)758-6493
i. Fax Number

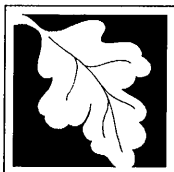
dsquared3368@yahoo.com
j. Email address

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

\$750.00 + \$200.00
a. Total Fee Paid

\$362.50
b. State Fee Paid

\$387.50 + \$200.00
c. City/Town Fee Paid



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MassDEP File Number

Document Transaction Number

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A. General Information (continued)

6. General Project Description:

Proposed Single Family Dwelling - See Attached Project Narrative

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

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> Other | |

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

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

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 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

14744

c. Book

b. Certificate # (if registered land)

340

d. Page Number

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

- Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

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



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

MassDEP File Number _____

Document Transaction Number _____

Rochester

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	n/a 1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	n/a 1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	n/a 1. square feet n/a 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	n/a 1. square feet	2. square feet
e. <input type="checkbox"/> Isolated Land Subject to Flooding	n/a 3. cubic feet of flood storage lost	4. cubic feet replaced
	n/a 1. square feet	
f. <input checked="" type="checkbox"/> Riverfront Area	n/a 2. cubic feet of flood storage lost	3. cubic feet replaced
	Sherman Brook 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: 211,978
square feet

4. Proposed alteration of the Riverfront Area:

4,933 a. total square feet 0 b. square feet within 100 ft. 4,933 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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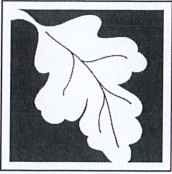
City/Town _____

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

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	n/a 1. square feet n/a 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	n/a 1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	n/a 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	n/a 1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	n/a 1. square feet	
h. <input type="checkbox"/> Salt Marshes	n/a 1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	n/a 1. square feet n/a 2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	n/a 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	
	n/a 1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	n/a 1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	n/a a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	n/a a. number of new stream crossings	b. number of replacement stream crossings



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

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Document Transaction Number

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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

2021-15th Edition

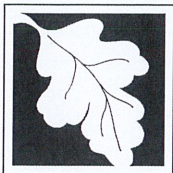
b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

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



Massachusetts Department of Environmental Protection
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Document Transaction Number

Rochester

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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). 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; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
2. Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____
3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. Not applicable – project is in inland resource area only b. Yes No

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

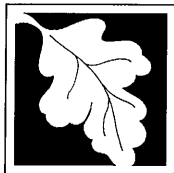
South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: DMF.EnvReview-South@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

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.



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

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

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, §
- a. Yes No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
- b. No. Check why the project is exempt:
1. Single-family house
 2. Emergency road repair
 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

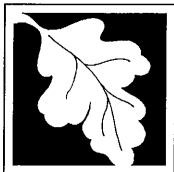
D. Additional Information

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

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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Rochester

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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.

Sewage Disposal System - Site Plan (3 sheets)

a. Plan Title

Schneider, Davignon, & Leone Inc.

David M Davignon, P.E

b. Prepared By

c. Signed and Stamped by

n/a

1" = 20'

d. Final Revision Date

e. Scale

see exhibits listed in project narrative

December 8, 2021

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:

3621, 3622

2. Municipal Check Number

12-06-21

3. Check date

3620

4. State Check Number

12-06-21

5. Check date

William D., Lisa L.

6. Payor name on check: First Name

Clapp

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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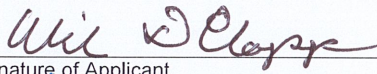
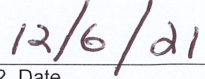
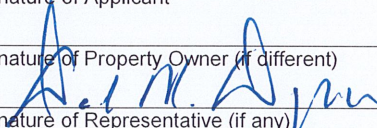
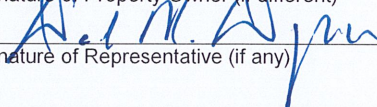
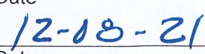
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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F. Signatures and Submittal Requirements

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

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

	
1. Signature of Applicant	2. Date
	
3. Signature of Property Owner (if different)	4. Date
	
5. Signature of Representative (if any)	6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

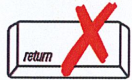
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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



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

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



A. Applicant Information

1. Location of Project:

<u>Clapp Road</u>	<u>Rochester</u>
a. Street Address	b. City/Town
<u>3620</u>	<u>\$362.50</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>Clapp Nominee Trust</u>	<u></u>	
a. First Name	b. Last Name	
c. Organization		
<u>c/o: William D. Clapp, P.O. Box 67</u>		
d. Mailing Address		
<u>Rochester</u>	<u>MA</u>	<u>02770-0067</u>
e. City/Town	f. State	g. Zip Code
<u>(774) 404-0221</u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

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

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
Category 2 a. - Construction of a Single Family House	1	\$500 x 1.5	\$750.00

Step 5/Total Project Fee: \$750.00 + \$200.00

Step 6/Fee Payments:

Total Project Fee:	<u>\$750.00 + \$200.00</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$362.50</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filling Fee:	<u>\$387.50 + \$200.00</u>
	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.)

WILLIAM D. CLAPP
LISA L. CLAPP
P.O. BOX 67
ROCHESTER, MA 02770

3620

53-13/110 MA
26736

Dec 6, 2021
Date

Pay To The Order Of COMMONWEALTH OF MASS | \$ 362 ⁵⁰/₁₀₀

Three hundred, sixty two dollars +
Fifty cents



Bank of America

ACH R/T 011000138

For (DEP) LOT 2-3 W.D. Clapp NP

⑆0⑆1⑆000⑆138⑆ 0000⑆1455⑆1648⑆ 3620

Harland Clarke

WILLIAM D. CLAPP
LISA L. CLAPP
P.O. BOX 67
ROCHESTER, MA 02770

3621

53-13/110 MA
26736

Dec 6, 2021
Date

Pay To The Order Of TOWN OF ROCHESTER | \$ 387 ⁵⁰/₁₀₀

Three hundred, eighty seven
Dollars + FIFTY CENTS



Bank of America

ACH R/T 011000138

For LOT 2-3 W.D. Clapp NP

⑆0⑆1⑆000⑆138⑆ 0000⑆1455⑆1648⑆ 3621

Harland Clarke

WILLIAM D. CLAPP
LISA L. CLAPP
P.O. BOX 67
ROCHESTER, MA 02770

3622

53-13/110 MA
26736

Dec 6, 2021
Date

Pay To The Order Of TOWN OF ROCHESTER | \$ 200 ⁰⁰/₁₀₀

Two hundred dollars + no cents



Bank of America

ACH R/T 011000138

For CON COM LOT 2-3 W.D. Clapp NP

⑆0⑆1⑆000⑆138⑆ 0000⑆1455⑆1648⑆ 3622

Harland Clarke

WILLIAM D. CLAPP
LISA L. CLAPP
P.O. BOX 67
ROCHESTER, MA 02770

3623

53-13/110 MA
26736

Dec 6, 2021
Date

Pay To The Order Of WANDERER | \$ 35 ⁰⁰/₁₀₀

Thirty - five dollars + no
cents



Bank of America

ACH R/T 011000138

For 2-3 LOT W.D. Clapp NP

⑆0⑆1⑆000⑆138⑆ 0000⑆1455⑆1648⑆ 3623

SCHNEIDER, DAVIGNON & LEONE, INC.

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS

N. DOUGLAS SCHNEIDER, P.E., P.L.S.
MATTHEW C. LEONE, P.L.S.



DAVID M. DAVIGNON, P.E.
JAY MCKINNON, E.I.T.

December 8, 2021

Re: Project Narrative - Notice of Intent

Applicant: Clapp Nominee Trust

Site Address: Clapp Road

ANR Lot #2-3

Project Purpose:

The purpose of the project is to develop a vacant residential property with the proposed construction of a single family dwelling.

Site Description:

The subject property is vacant and contains a lot area of 5.96 Acres. It was created as Lot #2-3 on an ANR Plan dated 5-19-21 (see attached). The site is wooded and bordered northerly by Clapp Road and easterly, westerly and southerly by residential properties.

Wetland Resource Areas:

The easterly, southerly and westerly portions of the site contains Bordering Vegetated Wetland (BVW) which borders a perennial stream called Sherman Brook. The limits of the Mean Annual High Water Line for the stream together with the BVW was flagged by LEC Environmental Consultants, Inc. Portions of the proposed work falls within the 100 ft. Buffer Zone of the BVW and within the 200 ft. Riverfront Boundary of the stream.

Proposed Work:

The Applicant proposes to develop the property with the construction of a 2-story 4-bedroom single family dwelling. The dwelling will be constructed with a walk-out basement and drive-under garage to minimize the fill along the southerly and easterly sides. The house will be constructed with a covered porch on its front, an elevated (1st floor) deck at the southwesterly corner and a patio along the walkout side.

The Applicant proposes to construct a 20'x40' in-ground swimming pool with an associated perimeter patio in the rear yard.

Roof runoff will be directed into a chamber groundwater recharge system located along the westerly side of the house per the details provided on sheet no. 3.

The proposed house will be serviced by an onsite well and septic system. The well will be located in the rear of the house to create proper separation from the septic system. The septic system which will consist of a 1,500 gallon septic tank and chamber leaching area will be located in the front yard of the house.

The driveway will be constructed with gravel and will obtain access from Clapp Road thru two easements of abutting properties in an effort to avoid the Riverfront Boundary.

Electric, telephone and cable will be installed as overhead wires via the installation of utility poles as depicted on the plan. Underground conduits will be installed from the last utility pole to the house.

The project requires the placement of fill primarily in the front of the house for the construction of the septic system.

Finally a utility shed is proposed at the rear near the limits of clearing.

It should be noted that the project provides the 25 ft. No Activity Zone as required by the Wetland By-Law and proposes 2'-3' boulders or evergreen trees to be placed 20' on center, a split rail fence of any other acceptable method as approved by the Conservation Commission - as a permanent barrier for the future protection of the wetland.

SCHNEIDER, DAVIGNON & LEONE, INC.

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS

Prior to construction erosion control consisting of a siltation fence and straw wattles shall be installed and inspected by the Conservation Commission prior to continuation of site work. Upon completion of work all disturbed areas shall be stabilized with loam and seed.

Work Within WPA Jurisdiction:

The proposed house, porch, deck, in-ground swimming pool, shed and septic system will be located within the 100 ft. Buffer Zone but outside the 200' Riverfront Boundary. The 25 ft. No Activity Zone is proposed throughout the project.

The construction of a majority of the driveway and the installation of a majority of the utilities will occur outside of the 100 ft. Buffer Zone and 200 ft. Riverfront Boundary.

Riverfront Boundary:

The subject property was a part of a large tract of land owned by the Clapp Family since 1973 which contained a house constructed circa 1962. Although the subject property pre-dates the Riverfront Regulations by decades it was most recently divided for development (see attached ANR Plan). The 2-lots of said division which have land which falls within the Riverfront Area are depicted as Lots #2-2 and #2-3. The site layout for Lot #2-2 was designed to avoid any disturbance to the R.A.

Lot #2-3 contains 5.96 acres of total lot area, of which 211,978 sq. ft. (4.87 acres) is within the Riverfront Area. 310 CMR 10.58 (4) 3. (d) allows alteration of 5,000 sq. ft. or 10% of the R.A. (in this case = 21,198 sq. ft.) to be altered provided that:

- a. A minimum of 100 ft. of undisturbed vegetation is provided.
The project proposes 166 ft. of undisturbed vegetation.
- b. Stormwater is managed in accordance with Mass-DEP Stormwater Regulations
Single family home sites are exempt, however groundwater recharge is proposed of roof runoff
- c. Proposed work does not impair the capacity of the R.A. to provide important wildlife habitat functions.
The project as proposed will not impair the capacity of the R.A. as the project proposes alteration of only 2.35% (4.76 acres) leaving a significant amount of vegetation.
- d. Proposed work shall not impair groundwater or surface water quality by incorporating erosion and sedimentation controls.
The project incorporates erosion control measures throughout.

Alternative Analysis:

The soil conditions in the location of the septic system are extremely conducive for the installation of a soil absorption leaching area (<2 MPI Percolation Rates). The site access from Clapp Road has been creatively accomplished to avoid the jurisdiction of the WPA. However, the subject lot has a limited area with which to build the actual house - due to the surrounding Riverfront Area and BVW system resulting in the two attached Alternatives A and B. Per 310 CMR 10.58 (4) 3. - Alternative A attempts to balance adverse impacts to both the R.A. and the BVW System by proposing the house 62' from the edge of the BVW. Alternative B would result in no disturbance to the R.A. but would result in the house being located only 31' from the edge of the BVW.

Attachments are enclosed as follows:

- 100 Ft. Abutters List
- DEP Abutter Notification Form
- Copy of Deed
- Riverfront Alternative Analysis A and B
- Figure 1: U.S.G.S. Quadrangle
- Figure 2: Estimated Habitat Map
- Figure 3: Assessors Map #30
- Figure 4: F.I.R.M. 25023C0552J
- Figure 5: 8.5"x 11" hi-lited copy of 5-19-21 ANR Plan
- Sewage Disposal System - Site Plan

SCHNEIDER, DAVIGNON & LEONE, INC.

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS

N. DOUGLAS SCHNEIDER, P.E., P.L.S.
MATTHEW C. LEONE, P.L.S.



DAVID M. DAVIGNON, P.E.
JAY MCKINNON, E.I.T.

December 3, 2021

100 Ft. Abutter's List
To Accompany A
Notice of Intent
Prepared For
William D. Clapp
Site Location: Clapp Road
ANR Lot #2-3 on 5-21-21 Plan
(Formerly Portion of Lots #2A & #3 on Map #29)

<u>Map No.</u>	<u>Lot No.</u>	<u>Owner's Name & Mailing Address</u>
29	7, 7D	William D. & Lisa L. Clapp P.O. Box 67 Rochester, MA 02770-0067
29	7C, 9	Fruit D'Or Real Estate USA Corp. 4 Old Forge Drive Carver, MA 02330
30	2	Mark & Sandra M. Sollauer 80 Mendell Road Rochester, MA 02770
30	2E	M & K Realty Services 10 Parsons Walk Raynham, MA 02767
30	3	Kristopher P. Fortin & Lauren M. Cooper 52 Clapp Road Rochester, MA 02770
30A	25D	Daniel J. & Linda J. Ferreira 8 Nathaniels Drive Rochester, MA 02770-2023
30A	41	Raymond M. & Bonnie L. Borthwick 28 Nathaniels Drive Rochester, MA 02770-2023
30A	42	Steven L. & June M. Robbins 18 Nathaniels Drive Rochester, MA 02770

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act and the
Rochester Wetlands Protection Bylaw**

*(this form must be completed and copies sent by certified mail
to all abutters within 100 feet of the site of the project)*

In accordance with the Massachusetts General Laws Chapter 131, Section 40 (the Wetlands Protection Act) and the Rochester Wetlands Protection Bylaw (Section XV), you are hereby notified of the following:

1. The applicant's name is The Clapp Nominee Trust.
2. The applicant has filed the following application with the Rochester Conservation Commission:
 - A Notice of Intent, seeking permission to alter an area subject to protection under the Wetlands Protection Act and/or the Bylaw.
 - A request to amend an existing Order of Conditions.
 - A Notice of Resource Area Delineation, seeking to determine the extent of areas subject to protection under the Wetlands Protection Act and/or Bylaw.
3. The address or location of the site where the activity or delineation is proposed is: Clapp Road, ANR Lot #2-3 and Assessors Map #30, Formerly Portion of Lots #3, #2B and #2.
4. The proposed work includes The proposed construction of a single family dwelling, and driveway, the installation of a septic system, a well and utilities together with associated filling and grading. Portions of the work will be performed within the 100 ft. Buffer Zone of a Bordering Vegetated Wetland and within the 200 ft. Riverfront Boundary of Sherman Brook.
5. Copies of the above application may be examined at the Rochester Conservation Commission office, located at the Town Hall Annex, 37 Marion Road, Rochester, between 8:30 a.m. and 5:00 p.m., Monday through Thursday, and between 8:30 a.m. and 1:00 p.m. on Fridays. Copies may be obtained at the office for a fee or from the applicant.
6. Information regarding the date, time, and place of the public hearing may be obtained:
 - a. By calling the Rochester Conservation Commission Office at 508-763-5421, x3 between 8:30 a.m. and 4:00 p.m., Monday through Thursday, and between 8:30 a.m. and 1:00 p.m. on Fridays or
 - b. from the applicant or the applicant's representative, or
 - c. by looking on the Rochester Conservation Commission website the Friday before the meeting at www.rochestermaconservation.com.
7. For additional information, please contact the Rochester Conservation Commission at 508-763-5421 ext. 3 or the applicant/applicant's representative whose name is Dave Davignon, P.E. at Schneider, Davignon & Leone, Inc. at (508) 758-7866.

PLEASE NOTE:

1. Notice of the public hearing including its date, time, and place will be published at least five business days in advance in the Wanderer and will be posted at the Rochester Town Hall not less than 48 hours in advance.

Received & Recorded
PLYMOUTH COUNTY
REGISTRY OF DEEDS
28 OCT 1996 03:44PM
JOHN D. RIORDAN
REGISTER
Bk 14744 Pg 340

QUITCLAIM DEED

We, Raymond W. Clapp and Alice D. Clapp
of 52 Clapp Road, Rochester, Plymouth County, Massachusetts
being married, in full consideration of LOVE AND AFFECTION

grant to Raymond W. Clapp and Alice D. Clapp, husband and wife, of 52 Clapp Road, Rochester, MA, for life with full power to mortgage, sell, convey or otherwise encumber the life estate and remainder, with remainder to Raymond W. Clapp and Alice D. Clapp of 52 Clapp Road, Rochester, MA, Trustees of the Clapp Nominee Trust dated October ~~14~~, 1996, to be recorded herewith,

with quitclaim covenants

(Description and encumbrances, if any)

PARCEL ONE

the land in Rochester, County of Plymouth, Commonwealth of Massachusetts, shown on "Plan of land in Rochester, Mass., surveyed for Earl Clapp, Scale 1" equals 80', April 25, 1960, Corse and Tibbetts, Engnrs & Surveyors, Rochester, Mass.", bounded and described as follows:

Beginning at a stake in the southerly line of Clapp Road, thence

South 23 degrees 15' 20" West by land now or formerly of Earl Howard Clapp two hundred fifty and no/100 (250.00) feet to a stake; thence

South 66 degrees 44' 10" East by land now or formerly of Earl Howard Clapp four hundred eighteen and 10/100 (418.10) feet to a stake, and on the same course sixty-four and 50/100 (64.50) feet to a stake, and on the same course ten and no/100 (10.00) feet, more or less, to the center of the brook, thence beginning again at the first mentioned stake, thence

South 66 degrees 44' East by the said Clapp Road one hundred thirty-one and 95/100 (131.95) feet to a stake; thence

South 65 degrees 35' 20" East by the said Road two hundred eighteen and 26/100 (218.26) feet to a stake; thence

South 64 degrees 17' 40" East by the said Road one hundred seventy-four and 89/100 (174.89) feet to a stake; thence

South 58 degrees 14' East by the said Road one hundred seventy and 59/100 (170.59) feet to a stake, and on the same course ten and 00/100 (10.00) feet, more or less, to the center of the brook; and thence

Southwesterly by the brook to the end of the second described line.

Containing 3.37 acres, more or less.

FOR OUR TITLE, see deed from Earl Howard Clapp, dated October 8, 1960 and recorded in Plymouth County Registry of Deeds in Book 2832, Page 359.

PARCEL TWO

the land in Rochester, County of Plymouth, Commonwealth of Massachusetts, situated Southerly of Clapp Road, bounded and described as follows:

Beginning at a stake situated South 23° 15' 20" West Two hundred fifty and no/100 (250.0) feet from the Southwesterly line of Clapp Road, said stake being the most Westerly corner of a parcel of land shown as "3.37 acres more or less" on a plan entitled "Plan of Land in Rochester, Mass. Surveyed for Earl Clapp, Scale 1" = 80', April 25, 1960" recorded with Plymouth County Registry of Deeds, Book 2832, Page 359;

thence running South 23° 15' 20" by land now or formerly of Earl Clapp Four hundred and no/100 (400.0) feet more or less to the center of Spring Brook;

thence beginning again at the first mentioned stake;

Property address: 52 Clapp Road
Rochester, MA

The language in the margin is not a part of this conveyance. Its accuracy has not been verified.

thence South 66° 44' 10" East by said parcel shown as "3.37 acres more or less", Four hundred eighteen and 10/100 (418.10) feet to a stake and on the same course Sixty-four and 50/100 (64.50) feet to a stake, and on the same course Ten and no/100 (10.0) feet more or less to the center of the Brook as shown on said plan;

thence Southwesterly by said center line of said brook about Five hundred sixty and no/100 (560.0) feet more or less to a turn in the brook;

thence Westerly by the center line of said brook until it intersects the first described line.

Containing approximately 3 1/2 acres, more or less.

Together with all rights, privileges and easements connected therewith and subject to restrictions and easements of record and any building and zoning law requirements which may be in force and applicable.

FOR OUR TITLE, see deed from Earl Howard Clapp, dated February 26, 1973 and recorded in Plymouth County Registry of Deeds in Book 3866, Page 755.

PARCELS ONE AND TWO SUBJECT to the provisions of a Declaration of Homestead dated October 16, 1995, filed in said Registry of Deeds in Book 13914, Page 299.

TITLE NOT EXAMINED

WITNESS our hands and seals this 14 day of October, 1996.

Kathryn L. Caudrean
Witness to both

Raymond W. Clapp
Raymond W. Clapp

Alice D. Clapp
Alice D. Clapp

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss. New Bedford

October 14, 1996

Then personally appeared the above-named Raymond W. Clapp and Alice D. Clapp and acknowledged the foregoing instrument to be their free act and deed before me,

Richard C. Marshall
Richard C. Marshall
Notary Public
My Commission Expires: 7/01/99

← END OF INSTRUMENT →