

EAST-SOUTHEAST, LLC

J. Thaddeus Eldredge, P.L.S.

Surveying, Geomatics Engineering and Mapping

1038 Main Street ° Chatham, Massachusetts 02633

41°41'14.73425" N 69°58'24.87695" W -10.019 M

LETTER OF TRANSMITTAL

To: Town of Chatham
Conservation Commission

From: J. Thaddeus Eldredge, PLS

Date: October 9, 2018

Subject: **94 Uncle Albert's Drive**
ULAD Investment, LLC, Owner/Applicant

Enclosed please find two (2) copies of the following:

- Notice of Intent Form** - *(form revised 06/28/2016)*;
- Pool Design (Sheets 1-3 of 3)** prepared by East-SouthEast, LLC, dated October 3, 2018.
- Exhibits**
 - **U.S.G.S. Map;**
 - **Assessors Map;**
 - **DEM Wetlands Map;**
 - **Massachusetts Natural Heritage Atlas, Estimated Habitats of Rare Wildlife and Certified Vernal Pools;**
 - **July 16, 2014 Flood Zone Map;**
- Copy of **Notice of Public Hearing / "Notification to abutters"**;
- Certified abutters list;**
- Site Access Authorization;**
- Copy of **U.S. Postal Service Certified Mail Receipts for Notification of all abutters;**
- Copy of Determination of Applicability issued on November 10, 2014 for 82 Uncle Albert's Drive;

- Copy of Wetland Report dated December 10, 2015 for 82 Uncle Albert's Drive;
- Copy of the check made payable to the Commonwealth of Massachusetts in the amount of **\$42.50** for DEP **filing fee**;
- Check made payable to the Town of Chatham in the amount of **\$137.50** for the town portion of DEP **filing fee (\$67.50)**; the local **filing fee (\$50.00)**; and **advertising (\$20.00)**; and
- Chatham **Checklist**.

Also please find twelve (12) copies of the following:

- Copy of this **Letter of Transmittal** which includes **Directions** to the site;
- Chatham **Checklist**;
- Pool Design (Sheets 1-3 of 3)** prepared by East-SouthEast, LLC, dated October 3, 2018.
- 2014 Flood map** with locus.

DIRECTIONS

From: 261 George Ryder Road, Chatham, MA 02633
 To: 94 Uncle Albert's Drive, Chatham, MA 02633

- Head southwest on George Ryder Rd toward Old Colony Rail Trail 0.5 mi
- Turn left onto Main St 0.9 mi
- Turn right onto Uncle Alberts Dr 0.3 mi

PROJECT NARRATIVE

Reference Documents

DEP SE 10-2200: Construction of a **path**, Issued June 11, 2008, recorded in Deed Book 23,064, Page 306, Amendment Issued May 6, 2009, recorded in Deed Book 23,850, Page 317, Certificate of Compliance Issued September 3, 2009, recorded in Deed Book 24,014, Page 86.

DEP SE 10-2396: Construction of the **dwelling**, Approved March 5, 2008, recorded in Deed Book 22,741, Page 248, amended February 11, 2009, recorded in Deed Book

23,446, Page 316, Certificate of Compliance issued August 17, 2011, recorded in Deed Book 25,655, Page 234.

PATH EASEMENTS: **Easements** for the path from the adjacent property over the subject property are recorded in Deed Book 23,794, Page 336, Deed Book 23,989, Page 50.

DEP SE 10-2774: A **Voluntary Land Management Plan** implemented and maintained by Wilkinson Ecological Design, Issued January 26, 2012, recorded in Deed Book 26,048, Page 270.

DEP SE 10-2854: Installation of a **Shared, Seasonal Catwalk**, Issued date was not included on the order, the Public Hearing was closed June 5, 2013, recorded in Deed Book 27,580, Page 182.

Resource Areas:

Salt Marsh & Land Under the Ocean: The southern extent of the property terminates at a salt marsh bordering on Oyster Pond. There is a shared catwalk located over the marsh and the area was restored under a voluntary land management plan.

Land Subject to Coastal Storm Flowage: The lower portion of the property is below the flood plain. Within this area are two permitted paths that merge to one and a storage rack for kayaks and the seasonal catwalk. The area was restored under the voluntary land management plan.

Coastal Bank: The terminal edge of the flood plain intersects a slope that exceeds 10:1 and is less than 4:1 that constitutes a coastal bank under the local bylaw. Both permitted paths traverse over the bank but the slope is minimal enough for these to be stable.

Intermittent Stream and Bordering Vegetated Wetland: These resource areas are on the neighboring property. Although the stream is depicted as a blue line on the USGS, it was determined to be intermittent by the Chatham Conservation Commission in a Negative Determination of Applicability issued November 10, 2014. The BVW to the intermittent stream was last delineated by Peggy Fantozzi in December of 2015. The Site Inspection Report has been included with this filing. These resource areas were restored under the voluntary land management plan.

Inner AURA: The “50’ No-Disturb Zone” is minimally disturbed. Most of the area was restored under the voluntary land management plan. The two permitted paths traverse the buffer. On the subject property, there is landscaping and lawn located adjacent to the dwelling. These incursions into the NDZ were permitted when the dwelling was permitted.

Outer AURA: A portion of the outer AURA was restored under the voluntary land management plan. The remainder of the outer AURA was developed under the above referenced permit with lawn, irrigation, patio, dwelling, mechanicals (air conditioning), outdoor shower, landscaping and driveway.

The remainder of the property is developed. The septic system will soon be abandoned for connection to the municipal sewer.

Proposal

The applicants desire a pool and they have considered their options.

There are no suitable locations outside of Conservation Jurisdiction to site a pool that meets the requisite zoning and health setbacks. There is room within the outer AURA to site a pool that does meet the zoning and health setbacks.

The lawn is a coveted play area for the applicants’ grandchildren. The applicants would prefer that their grandchildren play on a lawn instead of the meadow and there are no other flat lawn areas on the property. Proposing the pool over the lawn and leveling the area where the pool is proposed was considered, but it was discounted as the regrading was considered more substantial of a project.

The proposed pool will require little regrading of the slope. An outwardly facing wall will be constructed on the southerly side of the pool much like the recently permitted and constructed pool next door. Either a fence 48” in height or a wall 48” in height or a combination of the two is required for the pool code. The proposed fence commences at the points where the wall is less than 48” in height and continues to the building.

The proposed wall will be poured or block. The patio adjacent to the pool will be dry-laid.

WORK PROTOCOL

1. Site Preparation

- The proposed siltation barrier will be installed. It shall remain in place, replaced or maintained until the soils on the site are stabilized with vegetation.
- A silt sock or similar shall be installed in the catch basin in the driveway and shall remain in place until the silt fencing is removed.
- The site will be accessed from the driveway.
- Plates or mats shall be placed over the lawn to minimize the impacts resulting from heavy machinery.

2. Excavation

- The loam layer shall be removed and stockpiled separately from the other materials with the intention of reusing the loam for restoration.
- The excavated soil shall be stockpiled within the lawn area, driveway, or transported off site.
- Machinery when not in use for an extended period of time shall be parked within the driveway or removed from the site.
- Loose soils exposed for more than two weeks shall be seeded with perennial rye.
- Construction materials shall be stockpiled in the garage, driveway or lawn.

3. Construction

- All work shall be confined within the limits of work / siltation barrier.
- Excess concrete/gunite shall be disposed of offsite.
- Paint brushes and other tools shall be cleaned offsite.
- The pool filtration pipeline shall be trenched within the lawn.
- The pool filtration equipment shall be installed outside of the 50' buffer.
- The ground on the water side of the pool will be restored with the loam from the site.
- The ground on the landward side of the pool will be regraded with 6" of loam and seeded.
- Native grasses and flowers will be planted immediately to stabilize the soils.
- The pool and patio will be finished and the pool fence will be installed.
- The site will be inspected for debris.

4. Final

- Pool water shall come from off site.
- Pool water is to be disposed of offsite.

- The siltation barrier and silt sock shall be removed.
- The plantings shall be maintained for three growing seasons.

MITIGATION

The mitigation is to be discussed at the hearing. In the past, the Commission has accepted previously performed voluntary land management as suitable mitigation for future projects. Obviously, if the area was overrun with invasive plant species, the mitigation proposed for this project would likely be the restoration of the area. That being presented, the applicants are interested in augmenting the common boundary with the neighbor to the southeast of the pool to provide privacy from the neighbor.

At a minimum, the area within the limits of work shall be restored to the same condition as exists today.

Copy: DEP, Southeast Regional Office



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

Chatham

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):

94 Uncle Albert's Drive
a. Street Address

Chatham
b. City/Town

02633
c. Zip Code

Latitude and Longitude:
12E
f. Assessors Map/Plat Number

d. Latitude
1

e. Longitude

g. Parcel /Lot Number

2. Applicant:

John
a. First Name

O'Neil
b. Last Name

ULAD INVESTMENT, LLC
c. Organization

580 Washington Street # 402
d. Street Address

Wellesley
e. City/Town

MA
f. State

02482
g. Zip Code

h. Phone Number i. Fax Number j. Email Address

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

a. First Name b. Last Name

c. Organization

d. Street Address

e. City/Town f. State g. Zip Code

h. Phone Number i. Fax Number j. Email address

4. Representative (if any):

J. Thaddeus
a. First Name

Eldredge
b. Last Name

East-SouthEast, LLC
c. Company

1038 Main Street
d. Street Address

Chatham
e. City/Town

MA
f. State

02633
g. Zip Code

508-945-3965
h. Phone Number

508-945-5885
i. Fax Number

office@ese-llc.com
j. Email address

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

\$110.00
a. Total Fee Paid

\$42.50
b. State Fee Paid

\$67.50
c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Construction of a pool with requisite fence.

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:

Barnstable

a. County

25655

c. Book

b. Certificate # (if registered land)

237

d. Page Number

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

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

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



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

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

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

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



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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. <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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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



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C. Other Applicable Standards and Requirements

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

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

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

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

- August 1, 2017
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.



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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
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
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.



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Online Users:
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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.



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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.

Pool Design (Sheets 1-3 of 3)

a. Plan Title

East-SouthEast, LLC

J. Thaddeus Eldregde, PLS

b. Prepared By

c. Signed and Stamped by

October 3, 2018

1"=50'

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:

1260

2. Municipal Check Number

October 9, 2018

3. Check date

1261

4. State Check Number

October 9, 2018

5. Check date

East-SouthEast, LLC

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
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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
 JOHN J. O'NEIL, III AS MANAGER OF ULAD INVESTMENT LLC	10/9/18
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:

94 Uncle Albert's Drive	Chatham
a. Street Address	b. City/Town
1261	\$42.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

John	O'Neil	
a. First Name	b. Last Name	
ULAD INVESTMENT, LLC		
c. Organization		
580 Washington Street # 402		
d. Mailing Address		
Wellesley	MA	02482
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

_____	_____	
a. First Name	b. Last Name	

c. Organization		

d. Mailing Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email Address

B. Fees

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

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

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

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

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

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

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

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



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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 1 - construction of a pool	1	\$110.00	\$110.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee:			\$110.00
Step 6/Fee Payments:			
Total Project Fee:			\$110.00
			a. Total Fee from Step 5
State share of filing Fee:			\$42.50
			b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:			\$67.50
			c. 1/2 Total Fee plus \$12.50

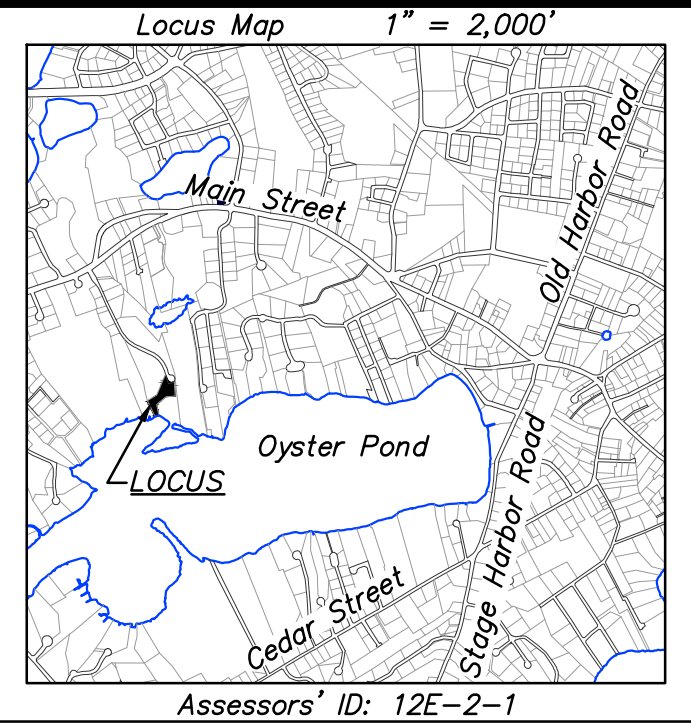
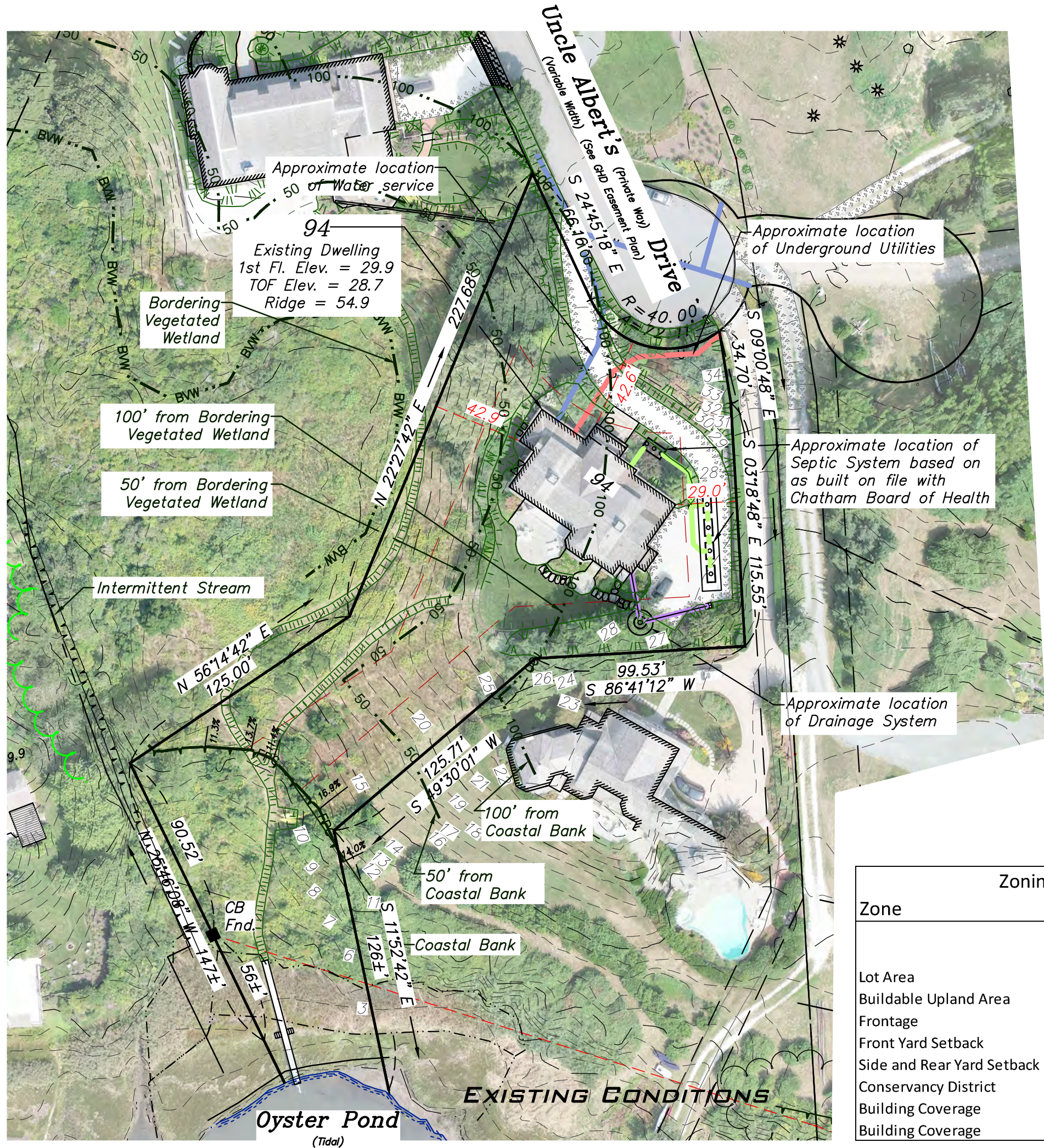
C. Submittal Requirements

- 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.)

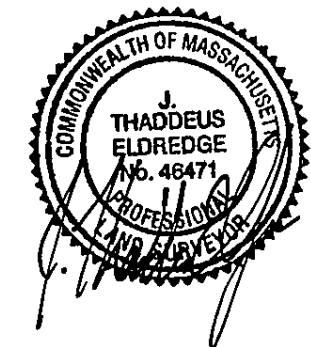


POOL DESIGN

94 Uncle Albert's Drive, Chatham, Massachusetts
October 3, 2018

OWNER OF RECORD:
ULAD Investment, LLC
Deed Book 25,655, Page 237
Plan Book 599, Page 70

Description of Revision	Date



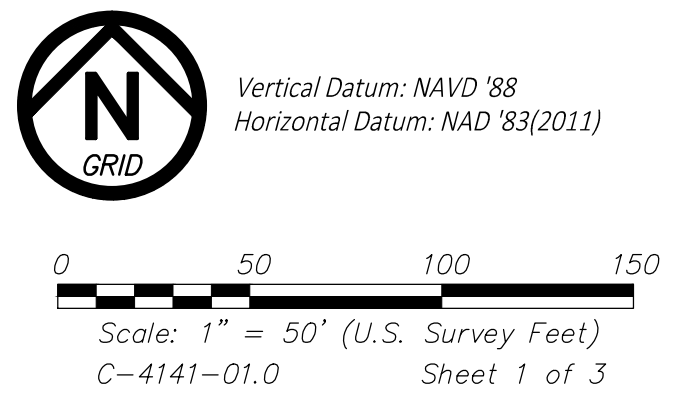
JOHN O'NEIL

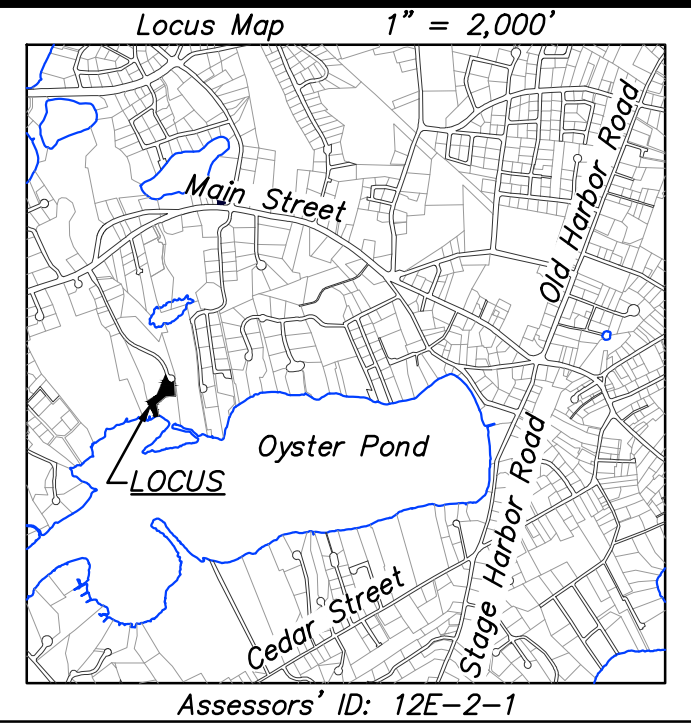
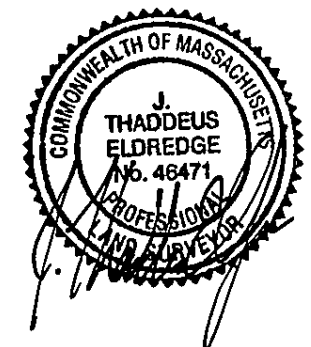
EAST-SOUTHEAST, LLC

www.ese-llc.com ° office@ese-llc.com
1038 Main Street, Chatham, MA 02633
(508) 945-3965 ° Fax.: (508) 945-5885

Zoning Compliance Table

Zone	R-40 (Residential)		
	Existing	Required/ Permitted	Proposed
Lot Area	44,400 S.F.±	40,000 S.F.±	44,400 S.F.±
Buildable Upland Area	33,760 S.F.±	20,000 S.F.±	33,760 S.F.±
Frontage	138.27 Ft.	150 Ft.	138.27 Ft.
Front Yard Setback	42.6 Ft.	40 Ft.	42.6 Ft.
Side and Rear Yard Setback	29.0 Ft.	25 Ft.	25.5 Ft.
Conservancy District	170 Ft.±	50 Ft.	85 Ft.±
Building Coverage	9.8%	10%	9.8%
Building Coverage	3,300 S.F.±	3,376 S.F.±	3,300 S.F.±





AREAS

94 Uncle Albert's Drive, Chatham, Massachusetts
October 3, 2018

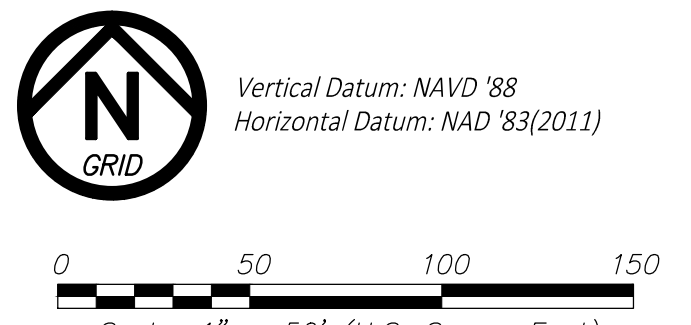
OWNER OF RECORD:
ULAD Investment, LLC
Deed Book 25,655, Page 237
Plan Book 599, Page 70

Description of Revision	Date

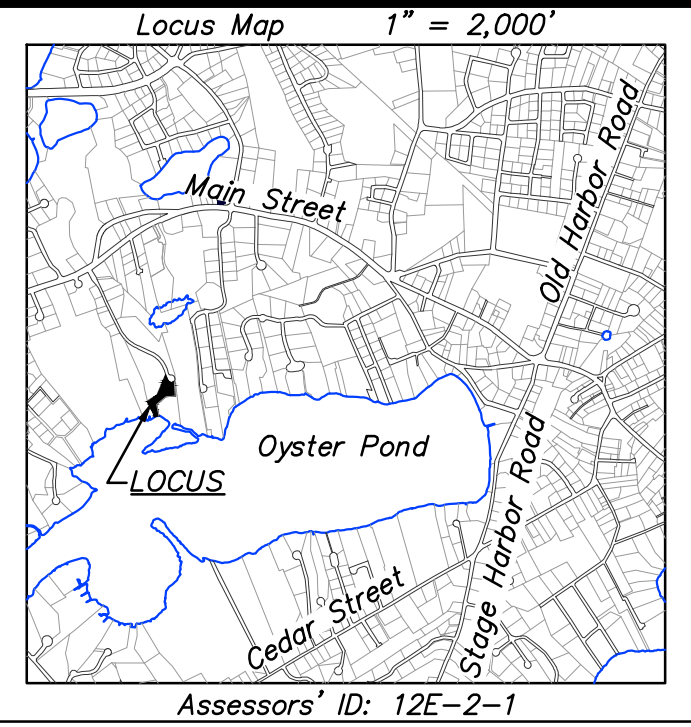
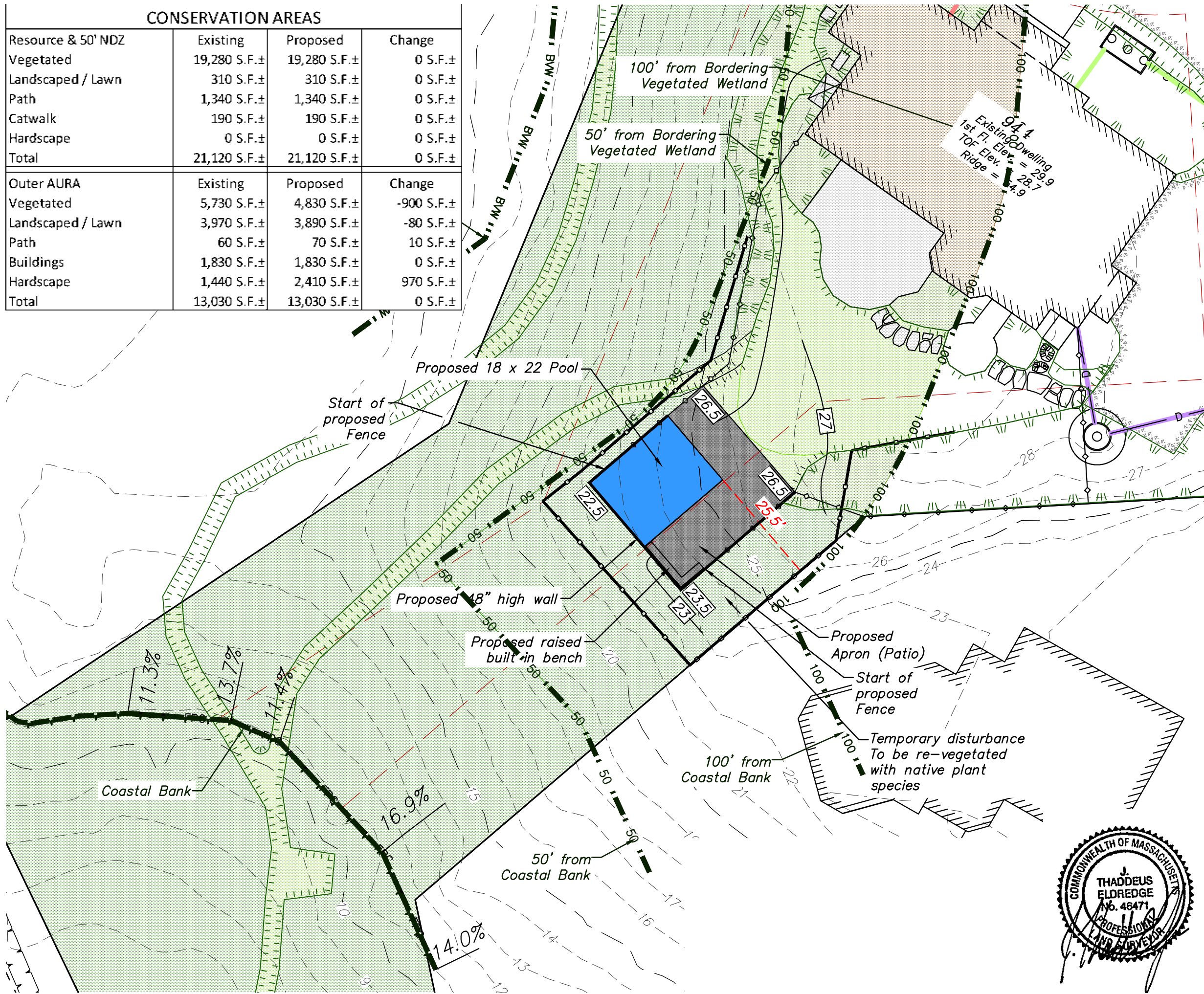
JOHN O'NEIL

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www.ese-llc.com ° office@ese-llc.com
1038 Main Street, Chatham, MA 02633
(508) 945-3965 ° Fax.: (508) 945-5885



CONSERVATION AREAS			
Resource & 50' NDZ	Existing	Proposed	Change
Vegetated	19,280 S.F.±	19,280 S.F.±	0 S.F.±
Landscaped / Lawn	310 S.F.±	310 S.F.±	0 S.F.±
Path	1,340 S.F.±	1,340 S.F.±	0 S.F.±
Catwalk	190 S.F.±	190 S.F.±	0 S.F.±
Hardscape	0 S.F.±	0 S.F.±	0 S.F.±
Total	21,120 S.F.±	21,120 S.F.±	0 S.F.±
Outer AURA			
Resource & 50' NDZ	Existing	Proposed	Change
Vegetated	5,730 S.F.±	4,830 S.F.±	-900 S.F.±
Landscaped / Lawn	3,970 S.F.±	3,890 S.F.±	-80 S.F.±
Path	60 S.F.±	70 S.F.±	10 S.F.±
Buildings	1,830 S.F.±	1,830 S.F.±	0 S.F.±
Hardscape	1,440 S.F.±	2,410 S.F.±	970 S.F.±
Total	13,030 S.F.±	13,030 S.F.±	0 S.F.±



POOL LAYOUT

94 Uncle Albert's Drive, Chatham, Massachusetts
October 3, 2018

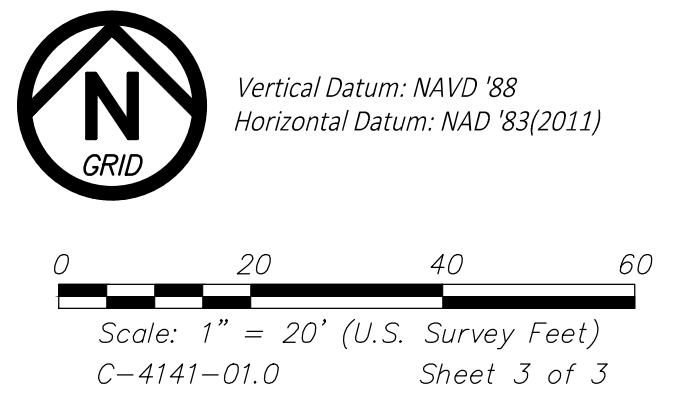
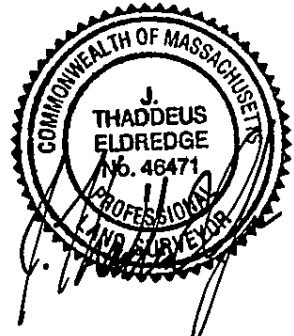
OWNER OF RECORD:
ULAD Investment, LLC
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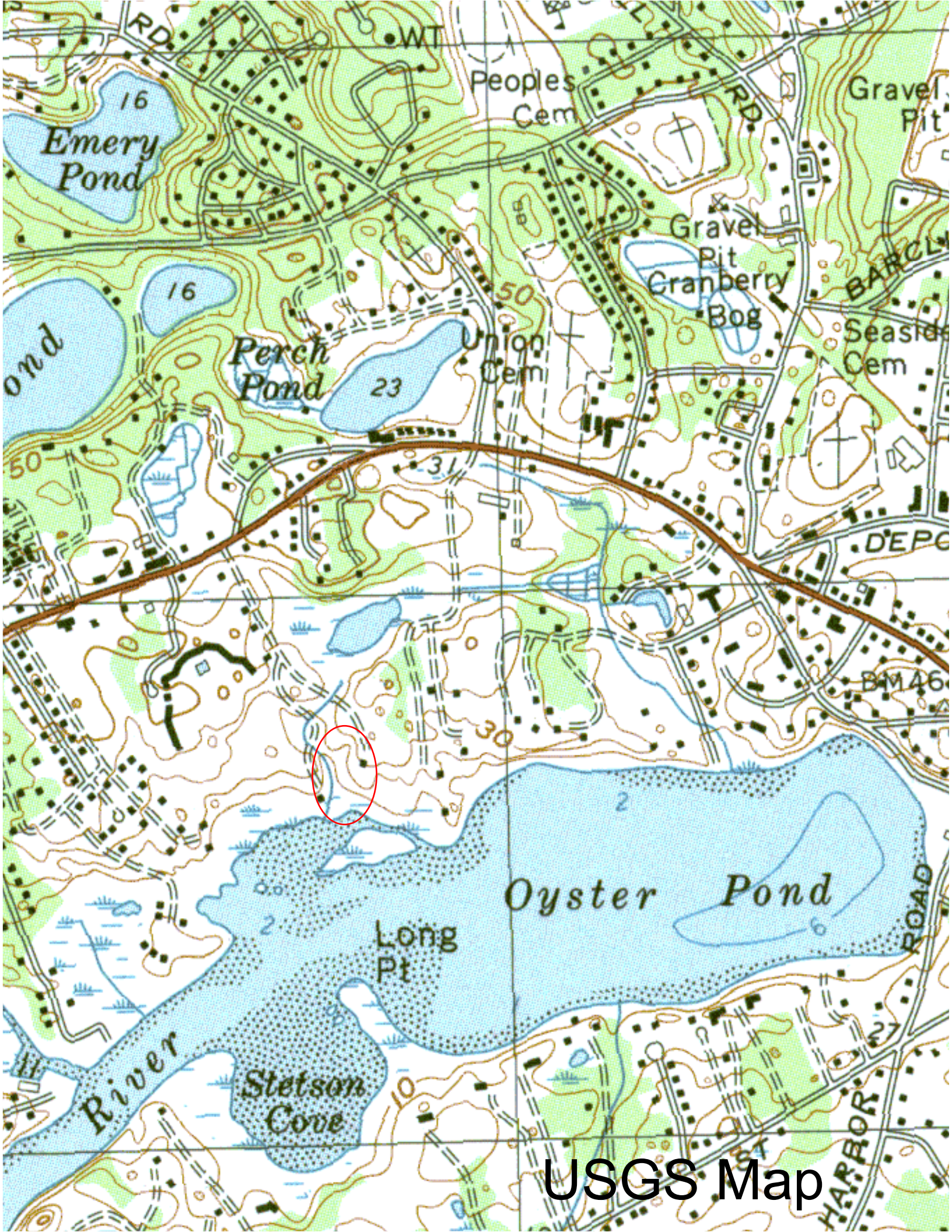
Description of Revision	Date

JOHN O'NEIL

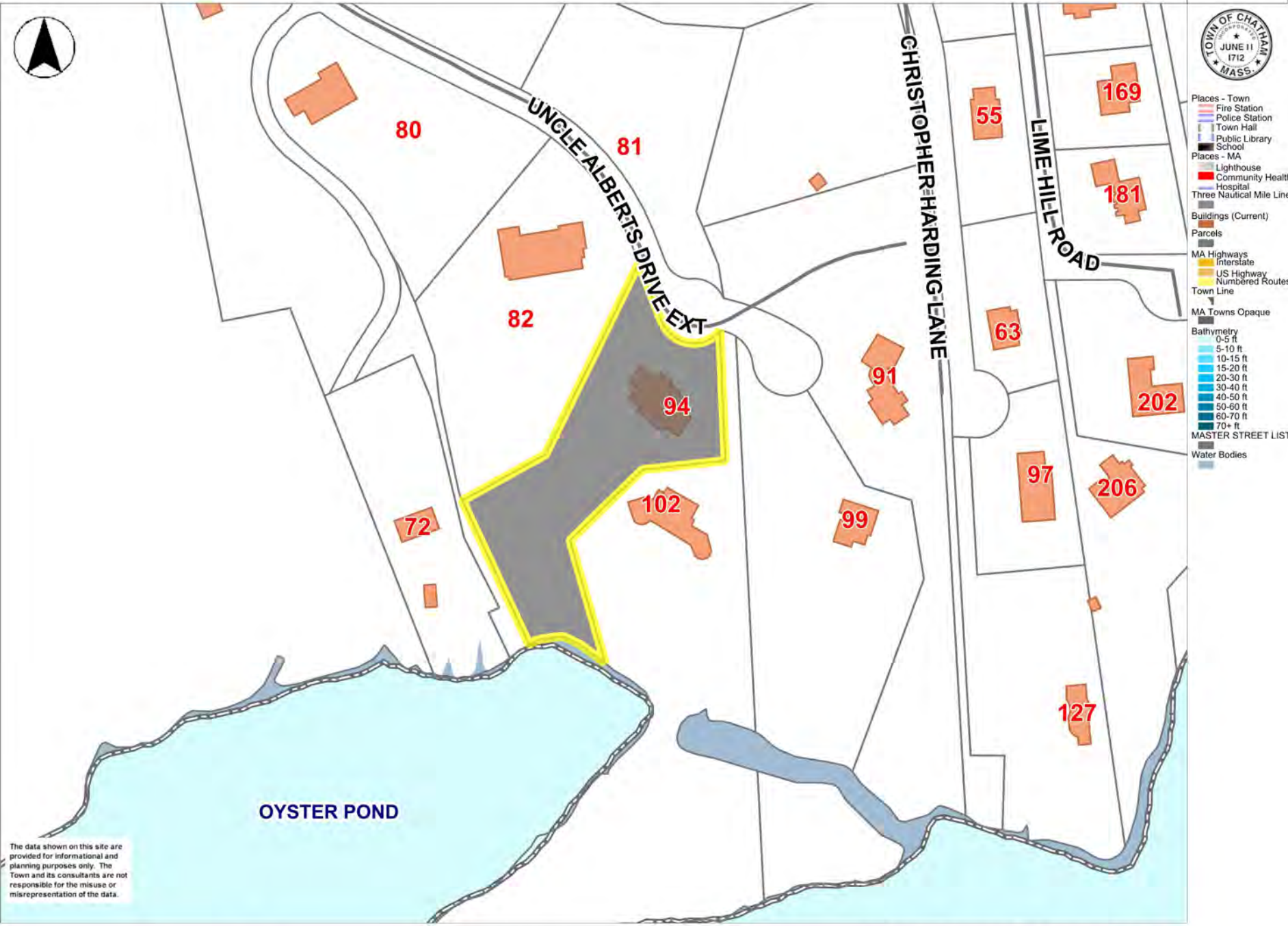
EAST-SOUTHEAST, LLC

www.eselc.com ° office@eselc.com
1038 Main Street, Chatham, MA 02633
(508) 945-3965 ° Fax.: (508) 945-5885





USGS Map



- Places - Town
 - Fire Station
 - Police Station
 - Town Hall
 - Public Library
 - School
- Places - MA
 - Lighthouse
 - Community Health C
 - Hospital
- Three Nautical Mile Line
- Buildings (Current)
- Parcels
- MA Highways
 - Interstate
 - US Highway
 - Numbered Routes
- Town Line
- MA Towns Opaque
- Bathymetry
 - 0-5 ft
 - 5-10 ft
 - 10-15 ft
 - 15-20 ft
 - 20-30 ft
 - 30-40 ft
 - 40-50 ft
 - 50-60 ft
 - 60-70 ft
 - 70+ ft
- MASTER STREET LIST D
- Water Bodies

The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

0 200 400 ft

Printed on 09/24/2018 at 11:19 AM

Chatham MapsOnline



SS
109

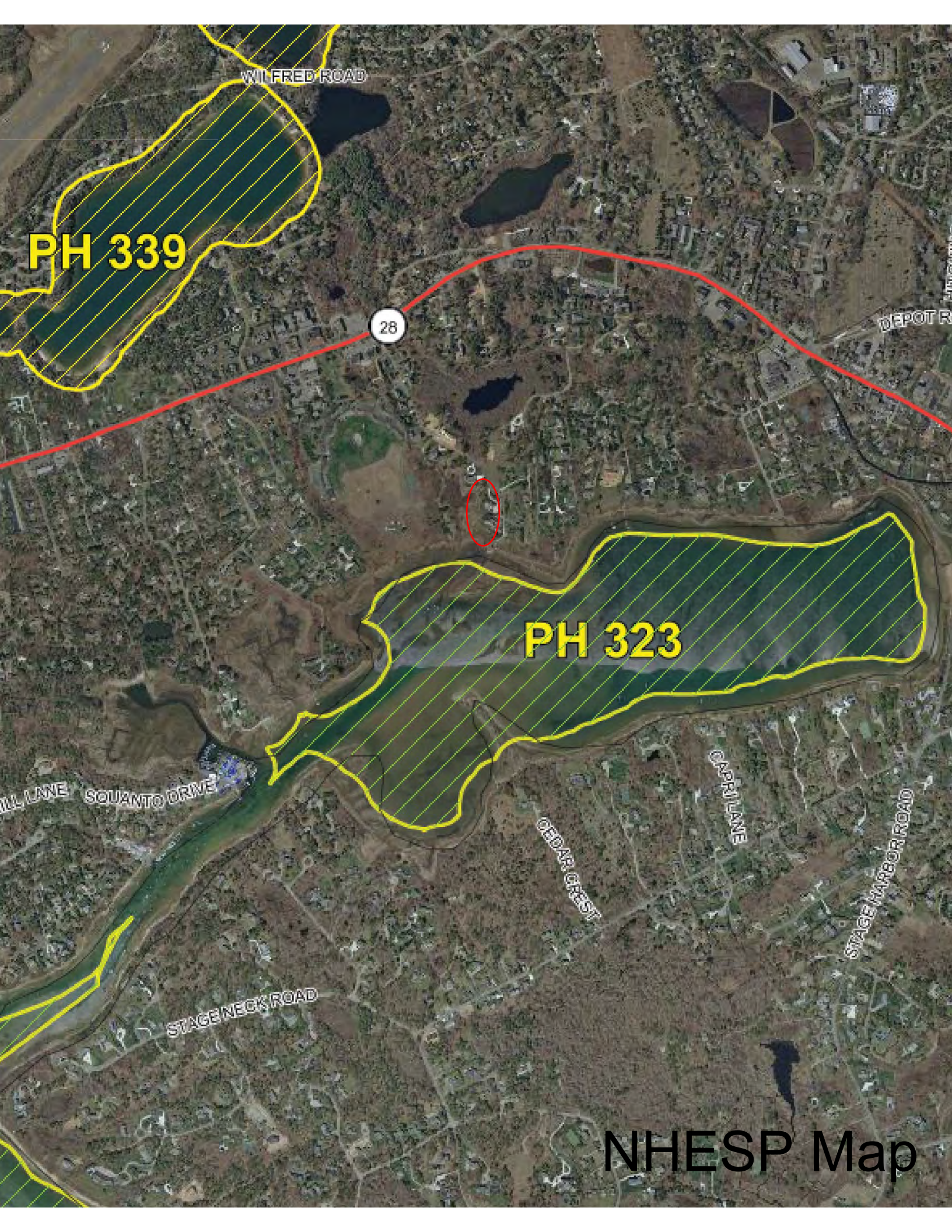
161

S 108R

164

OYSTER POND

DEM Map



WILFRED ROAD

PH 339

28

DEPOT R

PH 323

WILL LANE SQUANTO DRIVE

CEDAR CREEK

EMPIRE LANE

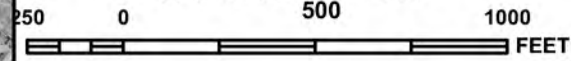
STAGE HARBOR ROAD

STAGE NECK ROAD

NHESP Map



MAP SCALE 1" = 500'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0636J

FIRM
FLOOD INSURANCE RATE MAP
BARNSTABLE COUNTY,
MASSACHUSETTS
(ALL JURISDICTIONS)

PANEL 636 OF 875
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
CHATHAM, TOWN OF	250004	0636	J

-NOTE-
 THIS MAP INCLUDES BOUNDARIES OF THE COASTAL BARRIER RESOURCES SYSTEM ESTABLISHED UNDER THE COASTAL BARRIER RESOURCES ACT OF 1982 AND/OR SUBSEQUENT ENABLING LEGISLATION.

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



MAP NUMBER
25001C0636J
EFFECTIVE DATE
JULY 16, 2014

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

EAST-SOUTHEAST, LLC

J. Thaddeus Eldredge, P.L.S.

Surveying, Geomatics Engineering and Mapping

1038 Main Street ° Chatham, Massachusetts 02633

41°41'14.73425" N 69°58'24.87695" W -10.019 M

Notice of Public Hearing

To:

John R. Richards
P.O. Box 205
West Chatham, MA 02669-0205

Sanford M. and Marjorie B. Smoot
18 Holmes Road
Lexington, MA 02420

Penny Realty Trust
C/O Peter Bovenzi
P.O. Box 788
Leominster, MA 01453-0788

John A. and Bonnie J. Roussel 1998 Trust
John A. and Bonnie J. Roussel, Trustees
9290 E. Thompson Peak Pkwy Unit #215
Scottsdale, AZ 85255

Andrew G. and Suzanne McMaster
58 Maywood Road
Darien, CT 06820

Michael Boudens
46 Somerset Road
West Newton, MA 02465

From: Marija S. Eldredge

Date: October 9, 2018

Subject: 94 Uncle Albert's Drive; Assessor Map 12E, Parcel 1
ULAD Investment, LLC, Owner/Applicant

The Chatham Conservation Commission will be holding a public hearing at the **Town Annex, 261 George Ryder Road** on **Wednesday, October 24, 2018 at or after 4:00pm** on the application of ULAD Investment, LLC to construct a pool with requisite fence.

Enclosed please find a copy of the plan for your review.

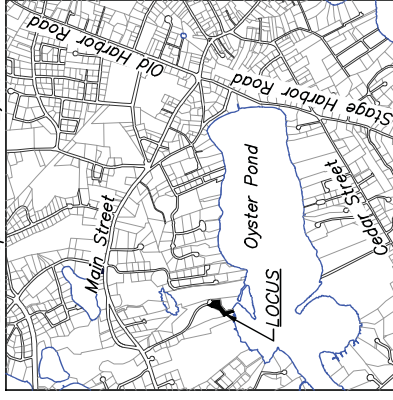
The details of the project will be presented at the hearing and comment may be offered to the Conservation Commission either by attending this hearing or sending a letter to the Commission. The plan and application describing the project are on file with the Conservation Commission at 261 George Ryder Road. You may contact the Commission with any questions at 508-945-5164. The application can also be found online at www.e-se-llc.com.

Copy: Chatham Conservation Commission
DEP

Y:\Clients\O'Neil, John 4141\Conservation Commission\Notice of Intent 2018-10-09\03 Notice of Public Hearing.docx

508-945-3965; Fax 508-945-5885; www.ESE-LLC.com; email: office@ESE-LLC.com

Locus Map 1" = 2,000'



Assessors' ID: 12E-2-1

POOL LAYOUT

94 Uncle Albert's Drive, Chatham, Massachusetts
October 3, 2018

OWNER OF RECORD:
ULAD Investment, LLC
Deed Book 25,655, Page 237
Plan Book 599, Page 70

Description of Revision	Date

JOHN O'NEIL

EAST-SOUTHEAST, LLC

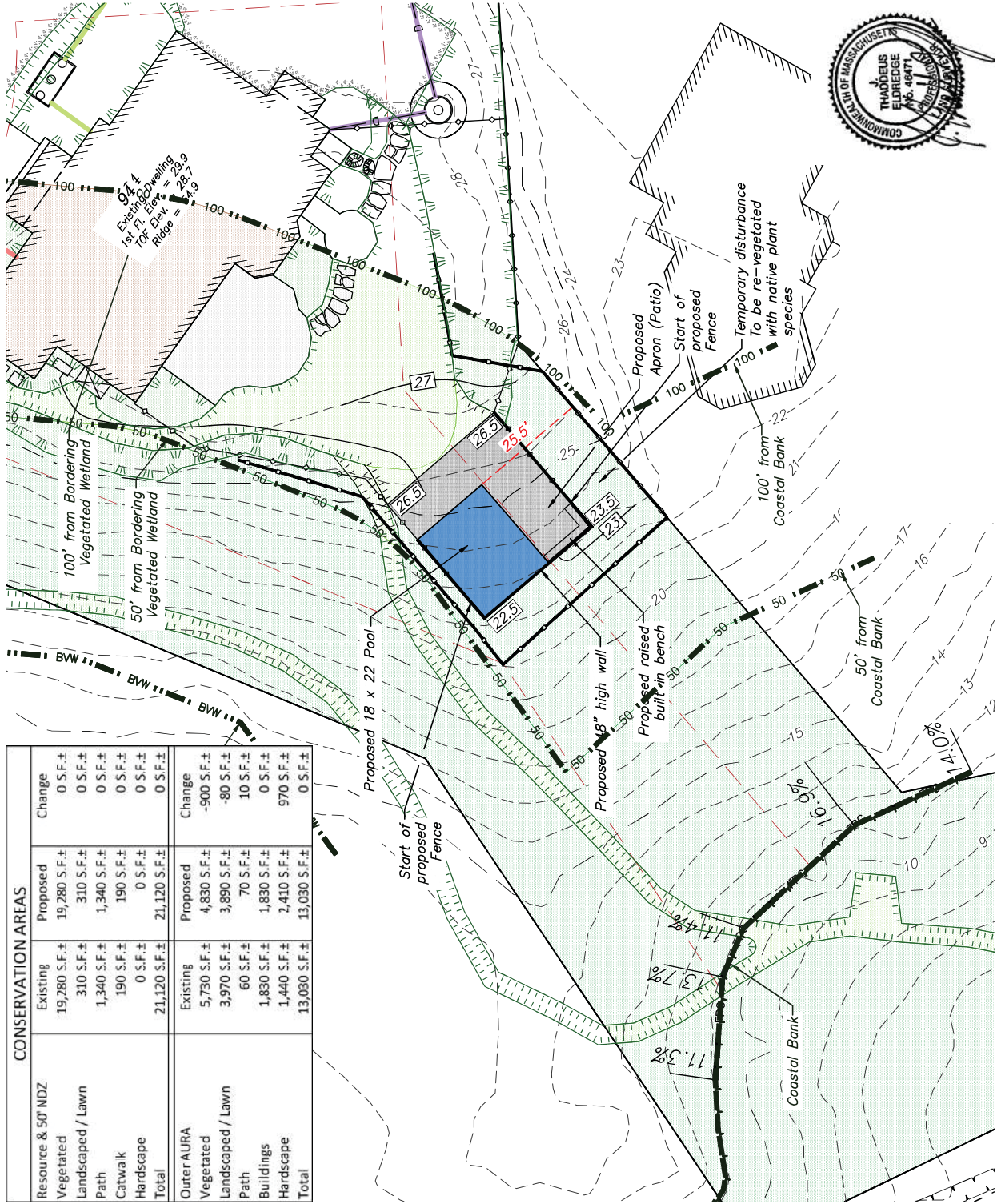
www.ese-llc.com • office@ese-llc.com
1038 Main Street, Chatham, MA 02633
(508) 945-9965 • Fax: (508) 945-5885



Vertical Datum: NAVD 88
Horizontal Datum: MAD '83(2011)

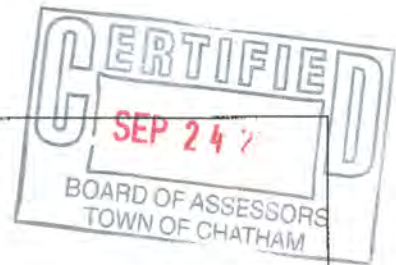


Scale: 1" = 20' (U.S. Survey Feet)
C-4141-01.0 Sheet 3 of 3



CONSERVATION AREAS			
Resource & 50' NDZ	Existing	Proposed	Change
Vegetated	19,280 S.F.±	19,280 S.F.±	0 S.F.±
Landscaped / Lawn	310 S.F.±	310 S.F.±	0 S.F.±
Path	1,340 S.F.±	1,340 S.F.±	0 S.F.±
Catwalk	190 S.F.±	190 S.F.±	0 S.F.±
Hardscape	0 S.F.±	0 S.F.±	0 S.F.±
Total	21,120 S.F.±	21,120 S.F.±	0 S.F.±
Outer AURA	Existing	Proposed	Change
Vegetated	5,730 S.F.±	4,830 S.F.±	-900 S.F.±
Landscaped / Lawn	3,970 S.F.±	3,890 S.F.±	-80 S.F.±
Path	60 S.F.±	70 S.F.±	10 S.F.±
Buildings	1,830 S.F.±	1,830 S.F.±	0 S.F.±
Hardscape	1,440 S.F.±	2,410 S.F.±	970 S.F.±
Total	13,030 S.F.±	13,030 S.F.±	0 S.F.±

REQUEST FOR ABUTTERS' LIST



DATE REQUESTED September 24, 2018

LOCATION OF **SUBJECT** PROPERTY 94 Uncle Albert's Drive

REQUEST FOR ABUTTERS WITHIN **HOW MANY** FEET OF SUBJECT PROPERTY 100'



PURPOSE FOR ABUTTERS' LIST Conservation Commission

NAME OF PERSON(S) REQUESTING ABUTTERS' LIST Marija S. Eldredge
PLEASE PRINT

SIGNATURE _____

TELEPHONE NUMBER 508 945-3965

508 945-3550

FOR ASSESSORS' USE ONLY

ABUTTERS' LIST COMPLETED BY: Melanie Taylor

DATE COMPLETED 9-24-2018

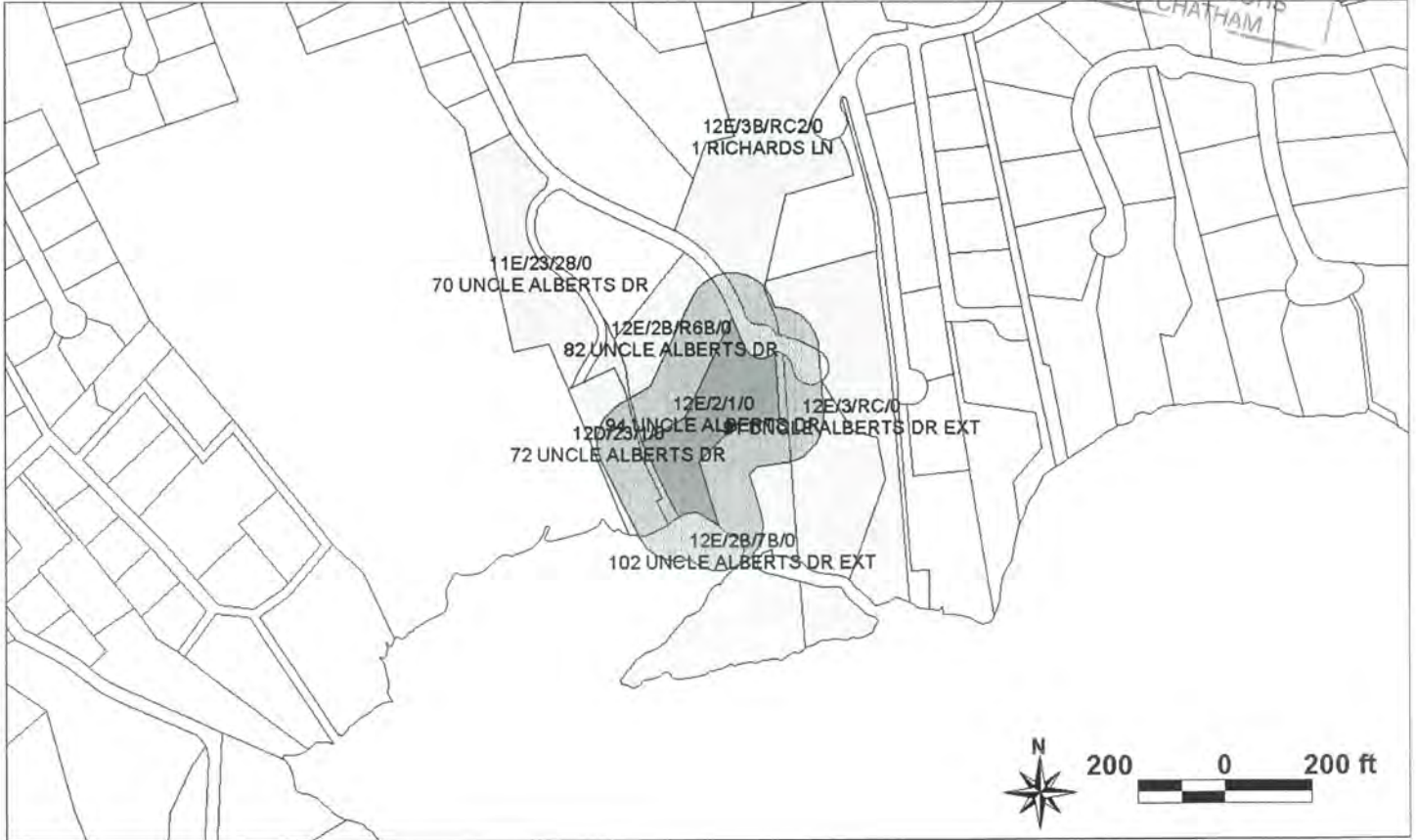
PARCEL ID OF SUBJECT PROPERTY 125 - 2 - 1-0



TOWN OF CHATHAM, MA
 BOARD OF ASSESSORS
 549 MAIN STREET CHATHAM MA 02633



Abutters List Within 100 feet of Parcel 12E/2/1/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
622	11E-23-28-0-R	SMOOT SANFORD M & MARJORIE B	70 UNCLE ALBERTS DR	18 HOLMES RD	LEXINGTON	MA	02420
1096	12D-23-1-0-R	PENNY REALTY TRUST C/O PETER BOVENZI	72 UNCLE ALBERTS DR	PO BOX 788	LEOMINSTER	MA	01453-0788
1120	12E-2-1-0-R	ULAD INVESTMENT LLC	94 UNCLE ALBERTS DR	c/o J ONEIL 580 WASHINGTON ST #402	WELLESLEY	MA	02482
1141	12E-3-RC-0-R	RICHARDS JOHN R	91 UNCLE ALBERTS DR EXT	PO BOX 205	W CHATHAM	MA	02669-0205
8372	12E-2B-7B-0-R	JOHN A & BONNIE J ROUSSEL 1998 TRUS1 JOHN A & BONNIE J ROUSSEL TRUSTEES	102 UNCLE ALBERTS DR EXT	9290 E THOMPSON PEAK PKWY UNIT #215	SCOTTSDALE	AZ	85255
8368	12E-2B-R6B-0-R	MCMASTER ANDREW G JR & SUZANNE	82 UNCLE ALBERTS DR	58 MAYWOOD RD	DARIEN	CT	06820
8209	12E-3B-RC2-0-R	BOUDENS MICHAEL	1 RICHARDS LN	46 SOMERSET RD	WEST NEWTON	MA	02465

11E-23-28-0-R

SMOOT SANFORD M & MARJORIE B
18 HOLMES RD
LEXINGTON, MA 02420

12D-23-1-0-R

PENNY REALTY TRUST
C/O PETER BOVENZI
PO BOX 788
LEOMINSTER, MA 01453-0788

12E-2-1-0-R

ULAD INVESTMENT LLC
c/o J ONEIL
580 WASHINGTON ST #402
WELLESLEY, MA 02482

12E-3-RC-0-R

RICHARDS JOHN R
PO BOX 205
W CHATHAM, MA 02669-0205

12E-2B-7B-0-R

JOHN A & BONNIE J ROUSSEL 1998 TRUST
JOHN A & BONNIE J ROUSSEL TRUSTEES
9290 E THOMPSON PEAK PKWY
UNIT #215
SCOTTSDALE, AZ 85255

12E-2B-R6B-0-R

MCMASTER ANDREW G JR & SUZANNE
58 MAYWOOD RD
DARIEN, CT 06820

12E-3B-RC2-0-R

BOUDENS MICHAEL
46 SOMERSET RD
WEST NEWTON, MA 02465





TOWN OF CHATHAM
Conservation Commission

SITE ACCESS AUTHORIZATION

Date: October 9, 2018
Project: Pool Construction
Location: 94 Uncle Albert's Drive
Property Owner: ULAD Investment, LLC

We hereby authorize the individual members of the Chatham Conservation Commission and its agents to enter upon the referenced property for the purpose of gathering information regarding the application filed with the Commission pursuant to the Wetlands Protection Act (MGL Ch 131, s. 40) and/or the Chatham Wetlands Protection Bylaw (Chapter 272).

Additionally, if an Order of Conditions is issued for the project, we grant permission for Commission members and the Commission's agents to enter the above referenced property for the purpose of inspecting for compliance with the Order of Conditions. This site access authorization is valid until a Certificate of Compliance is issued by the Conservation Commission.

Authorized Signature:  Date: October 9, 2018

Please Print: AS MANAGER OF ULAD INVESTMENT LLC

(If other than owner, please state whether tenant, agent or other)

EAST-SOUTHEAST, LLC

J. Thaddeus Eldredge, P.L.S.

*Surveying, Geomatics Engineering and Mapping
1038 Main Street • Chatham, Massachusetts 02633
41°41'14.73425" N 69°58'24.87695" W -10.019 M
508-945-3965tel; 508-945-5885 fax; office@ese-llc.com*

7016 0360 0001 6613 7676

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee \$3.45 0633 70

Extra Services & Fees (check box, add fee to postage)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage \$3.95

10/09/2018

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Postage \$0.50

Total Postage \$3.95

10/09/2018

Penny Realty Trust
C/O Peter Bovenzi
P.O. Box 788
Leominster, MA 01453-0788

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage \$3.95

10/09/2018

Sanford M. and Marjorie B. Smoot
18 Holmes Road
Lexington, MA 02420

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7016 0360 0001 6613 7685

**U.S. Postal Service™
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Domestic Mail Only

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OFFICIAL USE

Certified Mail Fee \$3.45 0633 70

Extra Services & Fees (check box, add fee to postage)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$2.63

Total Postage \$6.08

10/09/2018

Massachusetts Department of Environmental Protection
20 Riverside Drive
Lakeville, MA 02347

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee \$3.45 0633 70

Extra Services & Fees (check box, add fee to postage)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage and Fees \$3.95

10/09/2018

John A. and Bonnie J. Roussel 1998 Trust
John A. and Bonnie J. Roussel, Trustees
9290 E. Thompson Peak Pkwy Unit #215
Scottsdale, AZ 85255

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT**
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee \$3.45 0633 70

Extra Services & Fees (check box, add fee to postage)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage \$3.95

10/09/2018

John R. Richards
P.O. Box 205
West Chatham, MA 02669-0205

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

**U.S. Postal Service™
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Postage \$0.50

Total Postage \$3.95

10/09/2018

Michael Boudens
46 Somerset Road
West Newton, MA 02465

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage \$3.95

10/09/2018

Andrew G. and Suzanne McMaster
58 Maywood Road
Darien, CT 06820

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 2 – Determination of Applicability

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

A. General Information

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



From:

Chatham
Conservation Commission

To: Applicant

Andrew G & Suzanne McMaster

Name

58 Maywood Road

Mailing Address

Darien

City/Town

CT

State

06820

Zip Code

Property Owner (if different from applicant):

Name

Mailing Address

City/Town

State

Zip Code

1. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Request/Determination; signed SiteAccessAuthorizationForm, Locus MAPs

Title

Date

Stream Analysis with field notes and photos attached

Sept 29, 2014

Title

Date

Abutter list, copy of abutter letter; proof of abutter notification; Legal Ad

Title

Date

2. Date Request Filed:

August 6, 2013

B. Determination

Pursuant to the authority of M.G.L. c. 131, § 40, the Conservation Commission considered your Request for Determination of Applicability, with its supporting documentation, and made the following Determination.

Project Description (if applicable):

Determination whether a stream is intermittent or perennial

Project Location:

82 Uncle Albert's Drive

Street Address

12E

Assessors Map/Plat Number

Chatham

City/Town

R6B

Parcel/Lot Number



WPA Form 2 – Determination of Applicability

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

B. Determination (cont.)

The following Determination(s) is/are applicable to the proposed site and/or project relative to the Wetlands Protection Act and regulations:

Positive Determination

Note: No work within the jurisdiction of the Wetlands Protection Act may proceed until a final Order of Conditions (issued following submittal of a Notice of Intent or Abbreviated Notice of Intent) has been received from the issuing authority (i.e., Conservation Commission or the Department of Environmental Protection).

1. The area described on the referenced plan(s) is an area subject to protection under the Act. Removing, filling, dredging, or altering of the area requires the filing of a Notice of Intent.
- 2a. The boundary delineations of the following resource areas described on the referenced plan(s) are confirmed as accurate. Therefore, the resource area boundaries confirmed in this Determination are binding as to all decisions rendered pursuant to the Wetlands Protection Act and its regulations regarding such boundaries for as long as this Determination is valid.
- _____
- _____
- _____

- 2b. The boundaries of resource areas listed below are not confirmed by this Determination, regardless of whether such boundaries are contained on the plans attached to this Determination or to the Request for Determination.

Stream is intermittent

3. The work described on referenced plan(s) and document(s) is within an area subject to protection under the Act and will remove, fill, dredge, or alter that area. Therefore, said work requires the filing of a Notice of Intent.
4. The work described on referenced plan(s) and document(s) is within the Buffer Zone and will alter an Area subject to protection under the Act. Therefore, said work requires the filing of a Notice of Intent.
5. The area and/or work described on referenced plan(s) and document(s) is subject to review and approval by:

Chatham

Name of Municipality

Pursuant to the following municipal wetland ordinance or bylaw:

Chatham Wetlands Protection Bylaw

Name

Ch 272

Ordinance or Bylaw Citation



WPA Form 2 – Determination of Applicability

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

B. Determination (cont.)

6. The following area and/or work, if any, is subject to a municipal ordinance or bylaw but not subject to the Massachusetts Wetlands Protection Act:
-
-

7. If a Notice of Intent is filed for the work in the Riverfront Area described on referenced plan(s) and document(s), which includes all or part of the work described in the Request, the applicant must consider the following alternatives. (Refer to the wetland regulations at 10.58(4)c. for more information about the scope of alternatives requirements):

- Alternatives limited to the lot on which the project is located.
- Alternatives limited to the lot on which the project is located, the subdivided lots, and any adjacent lots formerly or presently owned by the same owner.
- Alternatives limited to the original parcel on which the project is located, the subdivided parcels, any adjacent parcels, and any other land which can reasonably be obtained within the municipality.
- Alternatives extend to any sites which can reasonably be obtained within the appropriate region of the state.

Negative Determination

Note: No further action under the Wetlands Protection Act is required by the applicant. However, if the Department is requested to issue a Superseding Determination of Applicability, work may not proceed on this project unless the Department fails to act on such request within 35 days of the date the request is post-marked for certified mail or hand delivered to the Department. Work may then proceed at the owner's risk only upon notice to the Department and to the Conservation Commission. Requirements for requests for Superseding Determinations are listed at the end of this document.

1. The area described in the Request is not an area subject to protection under the Act or the Buffer Zone.
2. The work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
3. The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions (if any).
-
-

4. The work described in the Request is not within an Area subject to protection under the Act (including the Buffer Zone). Therefore, said work does not require the filing of a Notice of Intent, unless and until said work alters an Area subject to protection under the Act.



WPA Form 2 – Determination of Applicability

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

B. Determination (cont.)

5. The area described in the Request is subject to protection under the Act. Since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required:

Exempt Activity (site applicable statutory/regulatory provisions)

6. The area and/or work described in the Request is not subject to review and approval by:

Chatham

Name of Municipality

Pursuant to a municipal wetlands ordinance or bylaw.

Chatham Wetlands Protection Bylaw

Name

Chapter 272

Ordinance or Bylaw Citation

C. Authorization

This Determination is issued to the applicant and delivered as follows:

- by hand delivery on _____ by certified mail, return receipt requested on _____

Date


November 10, 2014

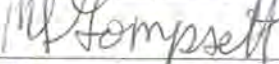
Date

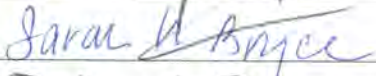
This Determination is valid for **three years** from the date of issuance (except Determinations for Vegetation Management Plans which are valid for the duration of the Plan). This Determination does not relieve the applicant from complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.


This Determination must be signed by a majority of the Conservation Commission. A copy must be sent to the appropriate DEP Regional Office (see Attachment) and the property owner (if different from the applicant).

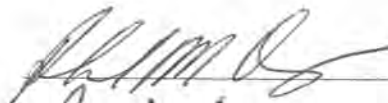
Signatures:

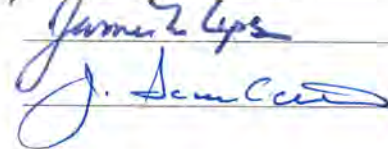












November 10, 2014

Date

Peggy Fantozzi

Land Use Permitting

6 Crown Grand Drive

Dennis, Massachusetts 02638

508-737-9039

prfp3@aol.com

SITE INSPECTION REPORT

82 Uncle Alberts Drive

On December 10, 2015 I inspected #82 Uncle Alberts Drive in Chatham, Massachusetts for the purpose of identifying the bordering vegetated wetland on the site. Based on the inspection I observed a large freshwater wetland (bvW) dominated by shrub swamp vegetation that transitioned into a wet meadow/freshwater marsh. Much of the buffer zone appeared to have been planted with facultative shrubs and grassland species. The areas landward of this planted/alterd buffer zone consisted of landscaped lawn area to a residential dwelling. The bvW was characterized by significant variation in herbaceous materials dominated by cat tail, goldenrod, wool grass, soft rush and sedge, etc. and shrub species including highbush blueberry, swamp azalea, etc.

Twenty-eight wetland flags were placed in the field. Attached to this report are DEP wetland delineation forms keyed to the flagged wetland, site photos, and sketch of delineated wetland line superimposed on Google earth aerial photo.

12/10/15
82 Uncle Alberts Dr.

Shrub Swamp



Beginning of shrub swamp/
freshwater marsh
transition area



Freshwater Marsh



DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

Applicant: _____ Prepared By: PRE Project Location: 82 Uncle Alberts Drive DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I. Vegetation Observation Plot Number: _____ Transect Number: BVW #27 Date of Delineation: 12/10/15

A. Sample Layer and Plant Species (by common/scientific name)	B. Percent cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Cattail (<i>Typha angustifolia</i>)	38.	31	Y	OBL*
Soft Rush (<i>Juncus effusus</i>)	10.5	9	N	FACW+*
Golden Reed (<i>Solidago sempervirens</i>)	63.	52	Y	FACW*
Wool Grass (<i>Scirpus cyperinus</i>)	10.5	9	N	FACW+*

* Use an asterisk to mark wetland indicator plants. plant species listed in the Wetlands Protection Act (MGL c.131, s.40), plants in the genus Sphagnum, plants listed as FAC+, FACW, FACW+, or OBL+, or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion:

Number of dominant wetland indicator plants: 2 Number of dominant non-wetland plants: 0
 Is the number of dominant wetland plants equal or greater to the number of dominant non-wetland plants? Yes: X No: _____

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Form

Applicant: _____ Prepared By: PEF Project Location: 83 Uncle Alberts Drive DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- Method other than dominance test used (attach additional information)

Section I. Vegetation Observation Plot Number: _____ Transect Number: BVW #17 Date of Delineation: _____

A. Sample Layer and Plant Species (by common/scientific name)	B. Percent cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
<u>SHRUB</u> high bush blueberry (<i>Vaccinium corymbosum</i>)	63	67	Y	FACW*
Swamp azalea (<i>Rhododendron viscosum</i>)	20.5	22	Y	OBL*
Common briar (<i>Smilax rotundifolia</i>)	10.5	11	N	FAC*
<u>HERBACEOUS</u> sedge (<i>Carex stricta</i>)	10.5	50	Y	OBL*
MOSS	10.5	50	Y	OBL*
<u>TREE</u> oak (sapling)	20.5		Y	Upl

* Use an asterisk to mark wetland indicator plants, plant species listed in the Wetlands Protection Act (MGL c.131, s.40), plants in the genus Sphagnum, plants listed as FAC+, FACW+, FACW, FACW+, or OBL+, or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk

Vegetation conclusion:
 Number of dominant wetland indicator plants: 4 Number of dominant non-wetland plants: 1
 Is the number of dominant wetland plants equal or greater to the number of dominant non-wetland plants? Yes: NO:

McMaster

Write a description for your map.

Legend



Google earth

© 2015 Google

100 ft



APPROXIMATE VEGETATED WETLAND FIELD DELINEATION

EAST-SOUTHEAST, LLC

1038 MAIN STREET
CHATHAM, MA 02633
www.esel-llc.com

CAPE COD 5 PO Box 10
Orleans, MA 02653
capecodfive.com
53-7107/2113

10/9/2018

PAY TO THE ORDER OF Town of Chatham Conservation Commission

\$ **137.50

One Hundred Thirty-Seven and 50/100*****

DOLLARS

Town of Chatham Conservation Commission
261 George Ryder Road
Chatham, MA 02633



Marisa Ulisukobay Ogryay
AUTHORIZED SIGNATURE

MEMO

94 Uncle Albert's Drive

⑈00 1 260⑈ ⑆ 2 1 1 3 7 1 0 7 8 ⑆ 8 3 2 4 4 3 8 8 3 ⑈

EAST-SOUTHEAST, LLC

1260

Town of Chatham Conservation Commission

10/9/2018

town share of filing fee
locate filing fee
advertising fee

67.50
50.00
20.00

01 ESE-LLC -3883 bo 94 Uncle Albert's Drive

137.50

EAST-SOUTHEAST, LLC

1260

Town of Chatham Conservation Commission

10/9/2018

town share of filing fee
locate filing fee
advertising fee

67.50
50.00
20.00

01 ESE-LLC -3883 bo 94 Uncle Albert's Drive

137.50



1261

EAST-SOUTHEAST, LLC

1038 MAIN STREET
CHATHAM, MA 02633
www.ese-llc.com

CAPE 5 PO Box 10
COD Orleans, MA 02653
capecodfive.com
53-7107/2113

10/9/2018

PAY TO THE ORDER OF Commonwealth of Massachusetts

\$ **42.50

DOLLARS

Forty-Two and 50/100*****

Commonwealth of Massachusetts



Maryja Mironowicz-Carpus
AUTHORIZED SIGNATURE

MEMO

94 Uncle Albert's Drive

⑈00 126 1⑈ ⑆2 1 1 3 7 1 0 7 8⑆ 83 2443883⑈

EAST-SOUTHEAST, LLC

1261

Commonwealth of Massachusetts

10/9/2018

state share of filing fee

42.50

01 ESE-LLC -3883 bo 94 Uncle Albert's Drive

42.50

EAST-SOUTHEAST, LLC

1261

Commonwealth of Massachusetts

10/9/2018

state share of filing fee

42.50

01 ESE-LLC -3883 bo 94 Uncle Albert's Drive

42.50



Security features. Details on back.

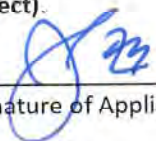


TOWN OF CHATHAM
CONSERVATION COMMISSION
NOI / ANOI CHECKLIST

PROJECT ADDRESS: 94 Uncle Albert's Drive

APPLICANT: ULAD Investment, LLC

I certify that the following documentation has been provided to the Chatham Conservation Commission and the required tasks have been completed as **checked or marked NA (if not applicable to the project)**.

 John J. O'NEIL, III 10/9/18
Signature of Applicant or Authorized Representative / Date

- ✓ Two (2) **complete** copies of the NOI (WPA3) or the Abbreviated NOI (WPA4) with signatures of the applicant(s), property owner(s) & representative filing the application with supporting documentation including plans, fee transmittal form with copies of the checks
 - ✓ One (1) original Site Access Authorization form – signed by the property owner(s) – in lieu of actual form, a letter of permission to enter onto the property is acceptable
 - ✓ One (1) copy of the **Assessor certified** list of abutters within 100 feet of the parcel(s)'s boundaries where the work is being proposed
 - ✓ One (1) copy of the Assessors map showing the abutters parcels and project locus
 - ✓ One (1) copy of the abutter notification – you may use the form letter provided
 - ✓ Receipts or photocopy of receipts verifying mailing to abutters at the time of filing [**NOTE: submission of green cards is no longer required**]
 - ✓ One (1) copy of an 8½ " by 11" copy of the USGS quadrangle showing project locus
- NA Date-stamped mailing receipt as proof of mailing to MA DFW NHESP and/or MA DMF
- NA Copy of filing sent to NHESP under MESA
- NA Copy of ENF application; copy of MEPA comments to date; copy of Secretary's decision
- NA Copy of recorded Chapter 91 license and license plans

NA Proof of zoning compliance from a credible source or copy of application filed with the Zoning Board of Appeals

NA Drainage calculations & DEP stormwater check list unless project is exempt

- ✓ Project will be clearly staked/marked in the field at least 10 days before the hearing date – including limit of work; edge of resource area; 50ft and 100 ft delineations from edge of resource area; identification of the project (e.g.) building corners, retaining walls, etc.; property boundaries. **STAKES MUST BE LABELED. Any TREES over 2” in diameter to be removed must be flagged and labeled.**
- ✓ **Twelve (12) collated packets**, unless directed otherwise by staff, (bound without the use of plastic binding or covers) -containing at a MINIMUM a copy of the checklist; site plans / landscape plans (no reduced copies); and the following informational materials listed below, including other pertinent supporting documentation the Commissioners should consider as part of the record:
 - ✓ Written directions to the site; entrance to property is marked with a visible flag or sign
 - ✓ Written **Alternatives Analysis** (if work is within a resource area / riverfront or within the 50 foot No Disturb Zone)
 - ✓ **2014 Flood map** with locus
 - ✓ If BVW or vegetated wetland on site, field **wetland delineation forms** within the last three years, including soil descriptions and comments on wetland hydrology from a credible source
- ✓ **Project narrative** includes:
 - A list of all resource areas and detailed description of the project including all components (A/C pads, outdoor showers, subsurface irrigation, etc.);
 - How the project will meet all performance standards of the resource areas pertaining to both the state and local wetlands statutes;
 - A work protocol (including access, method of erosion control, etc);
 - Description of proposed mitigation;
 - A list of the required local permits (e.g.) Planning Board review, special permit from Zoning Board of Appeals, etc. and copy of decision or hearing date if known;
 - A list of other permits in hand or permits required (e.g.) Chapter 91, Water Quality Cert, MEPA review, Army Corps, MESA determination, etc.;
 - Copy of existing Chapter 91 license and license plans;
 - Photos of existing conditions - (required for view pruning projects - see view pruning guidelines)

✓ **Plans – plan requirements:**

- Locus map
 - To a scale of 10:1 up to 40:1 (feet : inches)
 - Engineered site plan in **NAVD88 datum**: Chapter 91 license plan in MLW datum
 - Paper size - NO LARGER than 24" x 18"
 - Plans are to scale - NO REDUCED copies unless approved by the Agent; **illegible copies will not be accepted**
 - All property lines pertinent to the project and easements
 - Show and label all the delineation of the wetland resource areas (delineated within the last three years) that affect the parcel and label the 50 ft and 100 ft delineation (the Adjacent Upland Resource Area) from the most landward wetland resource area; include **Pleasant Bay ACEC (100 ft from the 10 ft contour NGVD29 and 100 ft from the edge of delineated wetlands for any wetland that is hydrologically connected to Pleasant Bay); NOTE: All wetlands, regardless of size are regulated under the Chatham Wetlands Protection Bylaw)**
 - 100 year Coastal Flood Zone locations according to the most recent 2009 maps provided by FEMA (FIRMS), noting map referenced
 - Existing buildings and other property features such as hardscape, stairways & flagpoles with proposed changes overlaid
 - Limit of work & erosion control locations
 - Distance of the project components from property lines
 - Location of all project proposals, including mitigation areas
 - Existing grades; proposed grades
 - Show MHW & MLW, with a statement in the narrative detailing how the elevations were determined
 - **Stamped & signed by MA registered professional**
 - In the case of docks/piers, catwalks or other water dependent structures: cross-section of dock, depth profile, seasonal storage location, plank spacing Provide square footage calculations; **depending on the project, further detail may be warranted and requested**
- ✓ Mitigation proposed; square footage of native plantings if applicable (see plan)

NA Include list identifying additional plans & documents submitted

NOTE: **Requests to amend existing Orders of Conditions** must first be reviewed by the Agent / Commission prior to a formal filing and notification of abutters. If time is a factor, the applicant may simply file a new Notice of Intent or Abbreviated Notice of Intent.

The following information should be addressed in the project narrative.

SQUARE FOOTAGE CALCULATIONS

Within Resource Area and/or 50ft No Disturb Zone	Existing Square Coverage	Proposed Square Coverage	Net Increase / Decrease
Developed Area			
(A) Buildings (sheds, dwellings, decks, etc.)	190/0	190/0	0/0
(B) Hardscape (pools, walkways, driveway, etc.)	1,340/0	1,340/0	0/0
Within 50ft – 100ft Adjacent Upland Resource Area	Existing Square Coverage	Proposed Square Coverage	Net Increase / Decrease
Developed Area			
(A) Buildings (sheds, dwellings, decks, etc.)	1,830	1,830	0
(B) Hardscape (pools, walkways, driveway, etc.)	1,500/1,440	2,470/2,410	970//970

* 1st number includes grass path and removable catwalks, both marginally qualify for these areas