



**TOWN OF NORWELL  
CONSERVATION COMMISSION**

P.O. Box 295 345 Main Street  
Norwell, MA 02061-0295  
(781) 659 - 8022

September 16, 2015

Peter Shea  
Norwell Community Housing Trust  
P.O. Box 295 / 345 Main Street  
Norwell, MA 02061

**RE: 40 River Street ); Order of Resource Area Delineation  
(SE52-1086)**

Dear Ms. Shea,

Enclosed please find the original Order of Resource Area Delineation (ORAD) for the property located at 40 River Street in Norwell (Map 21A, Block 58, Lot 64). This document represents a confirmation of your wetlands delineation as depicted on the approved plan.

**This ORAD is valid for three (3) years from the "Date of Issuance" found on Page 1 of the Order of Resource Area Delineation.** Please note that the Conservation Office is not responsible for notifying you when your Orders are nearing the expiration date.

If you have any questions please do not hesitate to call Monday through Friday at 781-659-8022 or you may contact me by e-mail at [ahardy@townofnorwell.net](mailto:ahardy@townofnorwell.net).

Sincerely,

Nancy Hemingway  
Conservation Agent  
Town of Norwell

CC: DEP, Southeast Region- Wetlands and Waterways  
Steve Ivas, Ivas Environmental

Delivery: Correspondence and Order of Resource Area Delineation issued to Selectmen's Office (Peter Morin, Town Administrator) via hand delivery and via regular mail, hand- delivery or email to all other recipients.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area  
Delineation**

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

Provided by MassDEP;

SE52-1086

MassDEP File Number

eDEP Transaction Number

Norwell

City/Town

**A. General Information**

From: Norwell Conservation Commission  
1. Conservation Commission

2. This Issuance is for (check one):

- a. ☒ Order of Resource Area Delineation  
b. ☐ Amended Order of Resource Area Delineation

3. Applicant:

Peter Shea  
a. First Name b. Last Name  
Norwell Community Housing Trust  
c. Organization  
345 Main Street  
d. Mailing Address  
Norwell MA 02061  
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

Town of Norwell   
a. First Name b. Last Name  
(Same)  
c. Organization  
  
d. Mailing Address  
    
e. City/Town f. State g. Zip Code

5. Project Location:

40 River Street Norwell 02061  
a. Street Address b. City/Town c. Zip Code  
Map 21A Bl. 58, Lot 64  
d. Assessors Map/Plat Number e. Parcel/Lot Number  
Latitude and Longitude (in degrees, minutes, seconds):  
       
f. Latitude g. Longitude

6. Dates: 8/27/15 9/15/15 9/17/15  
a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance

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

Existing Conditions Plan/40 River Street(Merrill Assoc/Shane Brenner, P.E.) Rev. 8/25/15  
a. Title b. Date  
Locus Map, USGS, GISand site photos Aug/Sept 2015  
c. Title d. Date



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**B. Order of Delineation**

1. The Conservation Commission has determined the following (check whichever is applicable):

a. ☒ **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

1. ☒ Bordering Vegetated Wetlands

2. ☒ Other resource area(s), specifically:

a. Intermittent stream channel in part only as shown on the submitted plan.

b. ☐ **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

1. ☐ Bordering Vegetated Wetlands

2. ☐ Other resource area(s), specifically:

a.

c. ☒ **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. ☐ Bordering Vegetated Wetlands

2. ☒ Other resource area(s), specifically:

Portions of two stream channels between River St and the stream channel shown.

BLSF,

3. ☐ The boundaries were determined to be inaccurate because:

They were not shown on the site plan or evaluated. As they fall within BVW they may or may not have an effect on future projects.



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**C. Findings**

The area between the lower parking area and flags A 15 and A 16 along the line of trees that had been part of the Norwell Tree Nursery and are within maintained lawn since the 1970s or earlier are likely land subject to inundation as defined in the local bylaw Section 2A, and in the regulations Section 3(3). These areas are not subject to the WPA. There is clearly surface hydrology. The tree layer contains sugar maple (facu). Some roots are adventitious closer to the wetland and small pockets of what is likely sphagnum moss are evident across the back lawn adjacent to the tree line. The hydrology in this area is recommended to be addressed in any future filing, as failure to appropriately treat, and control this significant water source (that flows across the parking in 2 places, would likely have an impact on the adjacent BVW.

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

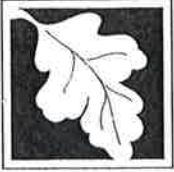
This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

**D. Appeals**

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 4B – Order of Resource Area  
Delineation**

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

Provided by MassDEP:

SE52-1086

MassDEP File Number

eDEP Transaction Number

Norwell

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**E. Signatures**

September 15, 2015

Date of Issuance

6  
1. Number of Signers

Please indicate the number of members who will sign this form.

*[Signature]*

Signature of Conservation Commission Member

*[Signature]*

Signature of Conservation Commission Member

*[Signature]*

Signature of Conservation Commission Member

*[Signature]*

Signature of Conservation Commission Member

*[Signature]*

Signature of Conservation Commission Member

*[Signature]*

Signature of Conservation Commission Member

*[Signature]*

Signature of Conservation Commission Member

**This Order is valid for three years from the date of issuance.**

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on \_\_\_\_\_ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. ☒ By hand delivery on

3. ☐ By certified mail, return receipt requested on

a. Date

*[Signature]*, Town of Norwell  
9/16/15

a. Date



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**Request for Departmental Action Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

## A. Request Information

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



1. Person or party making request (if appropriate, name the citizen group's representative):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

Project Location

Mailing Address

City/Town

State

Zip Code

2. Applicant (as shown on Notice of Intent (Form 3), Abbreviated Notice of Resource Area Delineation (Form 4A); or Request for Determination of Applicability (Form 1)):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

3. DEP File Number:

## B. Instructions

1. When the Departmental action request is for (check one):

- ☐ Superseding Order of Conditions  
☐ Superseding Determination of Applicability  
☐ Superseding Order of Resource Area Delineation

Send this form and check or money order for \$120.00 (single family house projects) or \$245.00 (all other projects), payable to the *Commonwealth of Massachusetts* to:

Department of Environmental Protection  
Box 4062  
Boston, MA 02211



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**Request for Departmental Action Fee Transmittal Form**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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**B. Instructions (cont.)**

2. On a separate sheet attached to this form, state clearly and concisely the objections to the Determination or Order which is being appealed. To the extent that the Determination or Order is based on a municipal bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.
3. Send a **copy** of this form and a **copy** of the check or money order with the Request for a Superseding Determination or Order by certified mail or hand delivery to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).
4. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.