



MANCHESTER-BY-THE-SEA

CONSERVATION COMMISSION • TOWN HALL
Manchester-by-the-Sea, Massachusetts 01944-1399
Telephone (978) 526-4397 FAX (978) 526-2001

7 June 2021

Geoff Engler
Strategic Land Ventures, LLC
257 Hillside Avenue
Needham, MA 02494

Re: Order of Resource Area Delineation for 0 School Street (Shingle Hill), Manchester, MA, DEP
File #039-0834

Dear Mr. Engler:

Enclosed is the Order of Resource Area Delineation for 0 School Street which was approved by the Manchester Conservation Commission on 5/25/21. The Order is valid for three years and confirms only those wetland resource areas that were requested in the application and specified in this Order.

Please let me know if you have any questions or if I can be of further assistance.

Sincerely,

Chris Bertoni
Manchester Conservation Administrator

cc: Carlton Quinn, Allen & Major Associates, Inc., 100 Commerce Way, Suite 5, Woburn, MA 01801
/file

/ Filed eDEP #1285507

Manchester Conservation Commission

0 School Street (Shingle Hill) Order of Resource Area Delineation Findings (DEP File #039-0834)

Massachusetts Wetlands Protection Act M.G.L. C. 131 §40 ONLY as requested by Applicant

DEP File:	#39-0834
Applicant/Owner	Geoff Engler / Andrew Brown SLV School Street, LLC / NA 257 Hillside Avenue / 16 Crooked Lane Needham, MA 02494 / Manchester, MA 01944
Location	0 School Street Map: 43 Lot: 16
ANRAD Summary	Request to confirm delineations of Bordering Vegetated Wetlands, Isolated Land Subject to Flooding, Mean Annual High Water for a Perennial Stream with bankfull conditions, and Riverfront Area Resource.
Plans and Documents	<ul style="list-style-type: none">• “Abbreviated Notice of Resource Area Delineation (ANRAD) Application”; prepared for SLV School Street, LLC by Allen & Major Associates, Inc; dated 9/25/21, inclusive of sections 1.0, 2.0, 3.0, 4.0, excluding section 5.0 (stamped plans have been revised).• “Review of Abbreviated Notice of Resource Area Delineation (ANRAD), 0 School Street”; prepared for the Town of Manchester-by-the-Sea Conservation Commission [MCC] by DeRosa Environmental Consulting, Inc, Michael DeRosa, Principal; dated 1/12/2021, inclusive.• Memo to Chris Bertoni & MCC re: Supplemental Information ANRAD Review DEP File # 039-0834 0 School Street; from Michael DeRosa dated 2/16/21.• Letter to Manchester Conservation Commission re: Response to Peer Review Reports for ANRAD...DEP File #39-0834; from Daniel Wells, Goddard Consulting, LLC; dated 2/19/21.• Letter to Chris Bertoni, Conservation Administrator re: MassDEP File # 39-0834 ANRAD Request for WPA Review Only, from Carlton Quin, Allen & Major Associates, Inc; dated 2/22/21.• Letter to MCC re: Supplemental Response to Peer Review Reports for ANRAD, School Street, DEP File #39-0834 from Daniel Wells, Goddard Consulting, LLC; dated 4/26/21.• “Vernal Pool Survey Report, 0 School Street, Manchester MA DEP file #39-0834” submitted to MCC; prepared for Geoff Engler, SLV School Street, LLC; by Daniel Wells, Goddard Consulting, LLC; dated 4/26/21, inclusive.• Letter to Chris Bertoni & MCC re: Review of Abbreviated Notice of Resource Area Delineation (ANRAD) Submittal: Summary of Findings & Vernal Pool Assessment; from Michael DeRosa, DeRosa Environmental Consulting, Inc, dated 5/14/2021• “Existing Conditions Plan”; prepared for SLV School Street, LLC by Allen & Major Associates, Inc.; last revised date 5/27/21; signed and stamped by Norman L. Lipsitz, PLS on 5/27/21; scale 1” = 50’; 2 sheets – V-101, V-102.

Findings under the Wetlands Protection Act (WPA) only per request by Applicant

1. As requested by the applicant to review boundaries only under the Wetlands Protection Act, the Manchester Conservation Commission (MCC) approves the boundaries of the following wetland resource areas:

Bordering Vegetated Wetlands (BVW):

- BVW Wetland Flags A0 through A72
- BVW Wetland Flags AA1 through AA8
- BVW Wetland Flags D1 through D19
- BVW Wetland Flags E1 through E11 (offsite)
- BVW Wetland Flags F1 through F10 (offsite)

Isolated Land Subject to Flooding (ILSF):

- ILSF Wetland Flags B1 through B14 connect to B25 through B32

Mean Annual High Water (MAHW) for a Perennial Stream (Sawmill Brook)

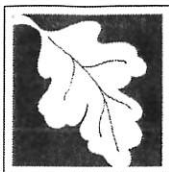
- MAHW Wetland Flags R1 through R21 (offsite)
- MAHW Wetland Flags R101 through R121 (offsite)
- MAHW Wetland Flags R-201 through R216 (offsite)
- Riverfront Area Resource

2. The MCC acknowledges that there may be other jurisdictional wetland resource areas present on the site or offsite on abutting properties that the Commission was not asked to verify. For this reason, the Commission reserves the right to review any future proposals for work on site to determine if there is a resource area or portion thereof not verified in this ORAD that may trigger the Commission's jurisdiction, either under the Wetlands Protection Act or Manchester's General Wetlands Bylaw.
3. The MCC acknowledges an existing mapped potential vernal pool is located in flagged wetland "B" as noted in The Goddard Consulting memo to Allen & Major, Inc. dated 11/27/19; shown in Figure 1, "Potential and Certified Vernal Pools near property" of the Goddard Consulting memo to SLV School Street, LLC dated 8/25/20; and as shown on the approved "Existing Conditions" site plan (V-102), revised date 4/27/21.
4. MCC acknowledges that BioMap 2 Core Habitat and Critical Natural Landscape are located to the northwest, northeast and east of the property (shown on Figures 3 & 4 of the ANRAD Application dated 9/25/20).
5. The MCC acknowledges that the Applicant determined (through the Applicant's wetlands consultant) that, "...three wetland areas within the site contain the necessary "biological" and "physical" criteria for certification as vernal pools..." as described in document Vernal Pool Survey Report, 4/26/21.
6. The MCC acknowledges that in addition to certifiable vernal pools on site, the Applicant's wetland consultant found two "...offsite wetland areas contained the necessary biological criteria for certification (> 5 spotted salamander egg masses) but lacked, in the opinion of the Applicant's wetland consultant, the required physical criteria ("D-series Marsh" and "F-series Marsh") because, in the opinion of the Applicant's wetland consultant, they are directly connected to Sawmill Brook, a perennial stream; however, it is the opinion of the MCC that these areas function as significant vernal pool habitat given the large number of egg masses present and that these areas should be reviewed formally by the NHESP regarding their ability to be certified on or before the filing of a Notice of Intent for any proposed project or work within the jurisdiction of the MCC.
7. Although the Abbreviated Notice of Resource Area Delineation request did not include the verification of vernal pools onsite, the Applicant agreed to additional data collection during appropriate breeding season. It is the MCC's opinion, based on findings by the Applicant's wetland consultant, confirmation by MCC's peer review consultant, as well as NHESP mapping (PH 1799 & PH 1805), and the ANRAD filing, that there are vernal pools both onsite and offsite and that vernal pool habitat is protected under the Manchester General Wetland Bylaw whether or not the vernal pools are certified. For this reason, the MCC shall require that the

property be reassessed for vernal pool habitat prior to submitting a Notice of Intent application or a Building Permit application.

8. The MCC acknowledges that the Applicant requested the ANRAD/ORAD be reviewed solely under the State Wetlands Protection Act and not under the Manchester General Wetland Bylaw.

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Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
**Request for Departmental Action Fee
Transmittal Form**

DEP File Number:

039-0834

Provided by DEP

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

A. Request Information

1. Location of Project

a. Street Address

b. City/Town, Zip

c. Check number

d. Fee amount

2. 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)

3. Applicant (as shown on Determination of Applicability (Form 2), Order of Resource Area Delineation (Form 4B), Order of Conditions (Form 5), Restoration Order of Conditions (Form 5A), or Notice of Non-Significance (Form 6)):

Name

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

4. DEP File Number:

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



B. Instructions

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

- ☐ Superseding Order of Conditions – Fee: \$120.00 (single family house projects) or \$245 (all other projects)
- ☐ Superseding Determination of Applicability – Fee: \$120
- ☐ Superseding Order of Resource Area Delineation – Fee: \$120

Send this form and check or money order, 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

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

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

Provided by MassDEP:

039-0834

MassDEP File Number

1285507

eDEP Transaction Number

Manchester

City/Town

Recording Information

Prior to commencement of work, this Order of Resource Area Delineation must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Resource Area Delineation. The recording information on this page shall be submitted to the Conservation Commission listed below.

Manchester

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Conservation Commission

Please be advised that the Order of Resource Area Delineation for the Project at:

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

For:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Resource Area Delineation issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant