

Applicant:
18 Libby Avenue LLC
7 Grey Lane
Lynnfield, MA 01940

Request for Determination of Applicability Application

Filed Under the Massachusetts Wetlands Protection Act
and Reading Wetlands Protection Bylaw

Proposed Garage Demolition
18 Libby Avenue
Reading, Massachusetts

February 2023



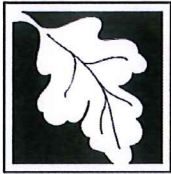
603 Salem Street
Wakefield, MA 01880
Tel: (781) 246-2800
Fax: (781) 246-7596

Nantucket, MA 02554
Tel: (508) 228-7909

**TABLE OF CONTENTS
REQUEST FOR DETERMINATION
OF APPLICABILITY
#18 LIBBY AVENUE
READING, MASSACHUSETTS**

February 7, 2023

| <u>Identifying Number / Letter</u> | <u>Title / Date</u> |
|------------------------------------|--|
| SECTION A | WPA Form 1- Request for Determination of Applicability – Proposed Garage Demolition, #18 Libby Avenue, Reading, MA (including USGS Vicinity Map, Certified List of Abutters, Abutter Notification letter, and Affidavit of Service). |
| SECTION B | Project Narrative, Garage Demolition Reading, MA; Hayes Engineering, Inc.; 18 Libby Avenue, including 2021 MassMapper Aerial Photograph and Site Photographs by Hayes Engineering, Inc. Dated February 7, 2023. |
| PLAN | Topographic Plan, Reading, Mass, #18 Libby Avenue.; Scale: 1"=10'; Date: February 1, 2023. |



WPA Form 1- Request for Determination of Applicability

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

AND READING GENERAL WETLANDS PROTECTION BYLAW

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.



1. Applicant:

| | | |
|---------------------------------|----------------------------|----------|
| 18 Libby Ave LLC c/o John Burns | chathamandgrey@gmail.com | |
| Name | E-Mail Address | |
| 9 Grey Lane | | |
| Mailing Address | | |
| Lynnfield | MA | 01940 |
| City/Town | State | Zip Code |
| (617) 596-1946 | N/A | |
| Phone Number | Fax Number (if applicable) | |

2. Representative (if any):

| | | |
|-------------------------|----------------------------|----------|
| Hayes Engineering, Inc. | | |
| Firm | | |
| Elizabeth Wallis | lwallis@hayeseng.com | |
| Contact Name | E-Mail Address | |
| 603 Salem Street | | |
| Mailing Address | | |
| Wakefield | MA | 01880 |
| City/Town | State | Zip Code |
| (781)246-2800 | (781)246-7596 | |
| Phone Number | Fax Number (if applicable) | |

B. Determinations

1. I request the Reading Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Reading
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



WPA Form 1- Request for Determination of Applicability

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

C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

| | |
|---------------------------|-------------------|
| 18 Libby Avenue | Reading |
| Street Address | City/Town |
| 23 | 174 |
| Assessors Map/Plat Number | Parcel/Lot Number |

b. Area Description (use additional paper, if necessary):

Area as shown on the accompanying plan.

c. Plan and/or Map Reference(s):

| | |
|---|---------|
| Topographic Plan in Reading, Mass., 18 Libby Avenue | 1/27/23 |
| Title | Date |
| by Hayes Engineering, Inc.; 1"=10' | |
| Title | Date |
| | |
| Title | Date |

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

Refer to the attached document titled "Project Narrative, Proposed Garage Demolition, #18 Libby Avenue, Reading, Massachusetts" dated January 27, 2023.



WPA Form 1- Request for Determination of Applicability

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

C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

Minor buffer zone activities not subject to MA WPA regulation - 310 CMR 10.02(2)(b)

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



WPA Form 1- Request for Determination of Applicability

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

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Same as applicant.

Name

Mailing Address

City/Town

State

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

Date

2/4/2023

Signature of Representative (if any)

Date

Elizabeth Wallis, Hayes Engineering, Inc. 2/7/23

**PROJECT NARRATIVE
PROPOSED GARAGE DEMOLITION
#18 LIBBY AVENUE
READING, MASSACHUSETTS**

February 7, 2023

EXISTING CONDITIONS

The site locus consists of a 9,735± s.f. fully developed residential lot containing a single-family house, detached garage, paved driveway, shed, perimeter fences, and grassed yard. The lot is bounded by the street and adjacent residential houses. The boundary of a wetland located at the end of A Street and on the adjacent properties at #13A A Street and #224 Salem Street was estimated to be within 70± feet of the property line based on wetland locations shown on the Town of Reading GIS mapping, thereby placing the northwestern lot corner within the outer buffer zone. To supplement the Reading GIS information, Hayes Engineering, Inc.'s Wetland Scientist obtained owner permission to enter the property at #13A A Street to conduct an estimate of wetland boundary distances with a tape measure and obtain photographs. The resulting visual estimate conducted on that property placed the wetland boundary approximately 20 - 25 feet downgradient from the Reading GIS wetland line. Permission was also obtained from the owner of #232 Salem Street to enter that property for a brief visual estimate of the wetland boundaries in the vicinity of that property.

Existing features and the estimated extent of the wetland boundaries are shown on the accompanying February 2023 Hayes Engineering, Inc. (HEI) plan titled "Topographic Plan in Reading, Mass, 18 Libby Avenue." and attached January 2023 site photographs.

PROJECT DESCRIPTION

The overall project consists of lot redevelopment, including razing existing structures and constructing an 1,898± s.f. house with garage and associated regrading and reconfiguration or relocation of the driveway as shown on the above-referenced plan. While the lot is predominantly located within upland areas, the estimated wetland line does place the detached garage, shed and adjacent features within the outer buffer zone.

Proposed work within the estimated 70-100-foot buffer zone will consist of garage and shed structure demolition, regrading, fence replacement as needed), and landscaping activities. A very small amount of house construction may also occur within the 98'-100' buffer zone. Once all demolition, regrading, and construction work has been completed within the buffer zone area, the disturbed areas will be planted with 6 wildlife-friendly shrubs and otherwise landscaped for soil stabilization and increased aesthetics. Location and type of plantings are shown on the accompanying plan. The existing mown grass yard and shrubs landscaping located beyond the buffer zone is anticipated to be retained as part of lot redevelopment.

Demolition and construction debris will be placed within a construction waste container to be transported off site for proper disposal. The lot does not have much topographic change and so there is little chance of significant erosion or sedimentation resulting from the work. The existing chain link and vinyl fencing will restrict construction activities to the lot. The contractor may install

construction or fabric fencing along the chain link fence line to further protect adjacent properties from any dust resulting from the activities.

Any work proposed within 100 feet of an isolated wetland resource area is subject to regulation under the Town of Reading Wetlands General Bylaw (section 7.1) and Wetlands Rules and Regulations. The following paragraphs provide details relative to project compliance with these regulations.

READING BYLAW COMPLIANCE

Performance Standards for Resource Areas– Section 3

Zone of Natural Vegetation (ZNV)– Section 3.D.

25-foot Zone of Natural Vegetation

All project activities will be located outside of the 25-foot ZNV, thus meeting this performance standard.

35' No-Build Zone

The house structure is located outside of the estimated 35' No-Build Zone, thus meeting this performance standard.

Side Slope Grades – Section 3.I.

Proposed grading shown on the plan conforms to the 3:1 slope requirement.

Erosion Control – Section 3.L.

Erosion and sedimentation control procedures will be implemented during project activities. Procedures include stabilizing bare soil with loam and seed or other landscaping and installing silt sacks or other such devices within nearby catch basin grates to capture any washed sediments from the project.

Stormwater Runoff– Section 3.N.

Work within the buffer zone and other portions of the overall work area will result in structure removal and landscaping, thus promoting new opportunities for stormwater infiltration.

AFFIDAVIT OF SERVICE

Under the Reading General Wetlands Protection Bylaw (Section 7.1)
(to be submitted to the
the Conservation Commission when filing
a Request for Determination of Applicability)

I, Elizabeth Wallis, hereby certify under the pains and penalties of perjury that on _____ I gave notification to abutters in compliance with the Reading Wetlands Protection Bylaw, and the **DEP Guide to Abutter Notification** dated April 8, 1994, in connection with the following matter:

Garage Demolition.

A Request for Determination of Applicability application has been filed under the Reading General Wetlands Protection Bylaw by 18 Libby Avenue LLC with the Reading Conservation Commission on 2/7/23 for property located at #18 Libby Avenue, Reading, MA, (Assessor Map , Lot 174).

The form of the notification, and a list of the abutters to whom it was given and their addresses are attached to this Affidavit of Service.

Elizabeth Wallis Hayes Engineering, Inc. 2/7/23
Name - Signature Date



Patriot Properties

Readina

Abutters List

01/31/2023

4:02:15PM

Filter Used: DataProperty.AccountNumber in
(4775,4788,4768,4791,4790,5922,4778,4757,4777,4776,4789,5918,4796,4795,4698,4780,4797,4697,5920,4760,4759,4783,5914,4774,4800,4794,4798,4758,4784,4792,4762,4761..

18 LIBBY AVE ABUTTERS LIST

Reading Abutters List

| ParcelID | Location | Owner | Co-Owner | Mailing Address | City | State | Zip |
|-------------------|------------------|------------------------------|--------------------------|---------------------|-------------|-------|-------|
| 023.0-0000-0089.0 | 224 SALEM ST | HUTCHINS JENNIFER L | | 224 SALEM ST | READING | MA | 01867 |
| 023.0-0000-0090.0 | 218 SALEM ST | JWARCHAN MANINDRA | YONJAN CHAYAN | 218 SALEM ST | READING | MA | 01867 |
| 023.0-0000-0150.0 | 7 CANTERBURY DR | SANTARPIO PAULA TRUSTEE | PAULA SANTARPIO TRUST | 7 CANTERBURY DRIVE | READING | MA | 01867 |
| 023.0-0000-0151.0 | 9 CANTERBURY DR | DOKA GEORGIANNA ETAL (LE) | ZANNI MARIANNA ETAL | 9 CANTERBURY DR | READING | MA | 01867 |
| 023.0-0000-0152.0 | 11 CANTERBURY DR | PETTOROSSO MICHAEL | DANIANNE PETTOROSSO | 11 CANTERBURY DR | READING | MA | 01867 |
| 023.0-0000-0153.0 | 17 CANTERBURY DR | SURETTE CHARLES T TRUSTEE | EDWARD J SURETTE IRREV | 17 CANTERBURY DR | READING | MA | 01867 |
| 023.0-0000-0154.0 | 21 CANTERBURY DR | IOSUA MARILYN R. | IOSUA RICHARD S. | 21 CANTERBURY DR | READING | MA | 01867 |
| 023.0-0000-0155.0 | 25 CANTERBURY DR | MURPHY TIMOTHY W | MARION E MURPHY | 25 CANTERBURY DRIVE | READING | MA | 01867 |
| 023.0-0000-0156.0 | 29 CANTERBURY DR | OTOOLE BRIAN C | OTOOLE ALISON R | 29 CANTERBURY DRIVE | READING | MA | 01867 |
| 023.0-0000-0161.0 | 38 CANTERBURY DR | SZUGZDA FRANK W | C/O JANICE C NIGRO TRUST | ONE INN ST | NEWBURYPORT | MA | 01950 |
| 023.0-0000-0162.0 | 34 CANTERBURY DR | WEAVER RICHARD J | AMY D WEAVER | 34 CANTERBURY DR | READING | MA | 01867 |
| 023.0-0000-0163.0 | 30 CANTERBURY DR | COLE RILEY | | 30 CANTERBURY DR | READING | MA | 01867 |
| 023.0-0000-0164.0 | 26 CANTERBURY DR | BARRY CHRISTOPHER M | PAMELA A BARRY | 26 CANTERBURY DR | READING | MA | 01867 |
| 023.0-0000-0165.0 | 26 CANTERBURY DR | BARRY CHRISTOPHER M | PAMELA A BARRY | 26 CANTERBURY DR | READING | MA | 01867 |
| 023.0-0000-0166.0 | 20 CANTERBURY DR | DEGIROLAMO GIUSEPPE | MARIA DEGIROLAMO | 20 CANTERBURY DR | READING | MA | 01867 |
| 023.0-0000-0167.0 | 16 CANTERBURY DR | LANZONI FRED | | 16 CANTERBURY DR | READING | MA | 01867 |
| 023.0-0000-0168.0 | 10 CANTERBURY DR | WELLS DAVID L | BARBARA A WELLS | 10 CANTERBURY DRIVE | READING | MA | 01867 |
| 023.0-0000-0169.0 | 3 LIBBY AVE | CASHMAN MICHAEL J ETAL TRSTT | CASHMAN FAMILY REV TRU | 3 LIBBY AVENUE | READING | MA | 01867 |
| 023.0-0000-0170.0 | 7 LIBBY AVE | HE LIU ERIC | | 10 ACROPOLIS CIRCLE | ANDOVER | MA | 01810 |
| 023.0-0000-0171.0 | 15 LIBBY AVE | HAASE CRAIG K | JOYCE A HAASE | 15 LIBBY AVE | READING | MA | 01867 |
| 023.0-0000-0172.0 | 23 LIBBY AVE | SAMPSON NICHOLAS S | SAMPSON AMY M TE | 23 LIBBY AVENUE | READING | MA | 01867 |
| 023.0-0000-0173.0 | 25 LIBBY AVE | PAOLINO JAMES F | PAOLINO JAQUELINE A TE | 25 LIBBY AVE | READING | MA | 01867 |
| 023.0-0000-0174.0 | 18 LIBBY AVE | LIBBY AVE LLC | | 7 GREY LANE | LYNNFIELD | MA | 01940 |
| 023.0-0000-0175.0 | 12 LIBBY AVE | TRIONFI LAWRENCE P | ROBIN M TRIONFI | 12 LIBBY AVE | READING | MA | 01867 |
| 023.0-0000-0176.0 | 6 LIBBY AVE | PINEAU JOHN L LE ETAL | PINEAU LORETTA P LE | 6 LIBBY AVE | READING | MA | 01867 |
| 023.0-0000-0177.0 | 236 SALEM ST | COLPITTS JOAN L | | 236 SALEM ST | READING | MA | 01867 |
| 023.0-0000-0178.0 | 246 SALEM ST | MAHONEY KIMBERLY T | | 246 SALEM ST | READING | MA | 01867 |
| 023.0-0000-0181.0 | 20 A ST | WASHABAUGH THEODORE | WASHABAUGH OEMKE ELIZ | 20 A ST | READING | MA | 01867 |
| 023.0-0000-0182.0 | 16 A ST | FRENZO NICHOLAS A ETAL | FRENZO FAMILY IRREV TRI | 16 A STREET | READING | MA | 01867 |
| 023.0-0000-0183.0 | 20 A ST WEST | FRENZO NICHOLAS A ETAL | FRENZO FAMILY IRREV TRU | 16 A ST | READING | MA | 01867 |
| 023.0-0000-0184.0 | 10 A ST | MORAN ROBERT J | DAWN M MORAN | 10 A ST | READING | MA | 01867 |
| 023.0-0000-0185.0 | 4 A ST | MARROCCO ROBERT M | MARROCCO MARY ANN | 12A STREET | READING | MA | 01867 |
| 023.0-0000-0186.0 | 15 A ST | ARSENAULT ANN MARIE | | 15 A ST | READING | MA | 01867 |
| 023.0-0000-0187.0 | 32 LIBBY AVE | FALLON DENNIS P | DONNA L FALLON | 32 LIBBY AVE | READING | MA | 01867 |
| 023.0-0000-0188.0 | 29 LIBBY AVE | GRAY DAVID E | PATRICIA L GRAY | 29 LIBBY AVENUE | READING | MA | 01867 |
| 023.0-0000-0189.0 | 31 LIBBY AVE | TAWADROS NANCY S | | 31 LIBBY AVE | READING | MA | 01867 |
| 023.0-0000-0190.0 | 33 A ST | PEARSON THOMAS ETAL TRUSTE | PEARSON FAMILY TRUST | 33 A STREET | READING | MA | 01867 |
| 023.0-0000-0191.0 | 35 A ST | VACCARI WILLIAM J | MELISSA VACCARI | 35 A ST | READING | MA | 01867 |
| 023.0-0000-0192.0 | 232 SALEM ST | VONER CHARLES E | LINDA M VONER | 232 SALEM ST | READING | MA | 01867 |
| 023.0-0000-0193.0 | 13 A ST | MERCURIO SALVATORE | MERCURIO KAITLYN | 13 A STREET | READING | MA | 01867 |
| 029.0-0000-0016.0 | 42 LIBBY AVE | DICICCO JOSEPH C | DICICCO NATASHA A | 42 LIBBY AVE | READING | MA | 01867 |
| 029.0-0000-0020.0 | 42 A ST | HARTSOUGH KYLE D | LEBORGNE ANNE U TE | 42 A STREET | READING | MA | 01867 |
| 029.0-0000-0021.0 | 34 A ST EAST | RYAN GREGORY K | ANDREA RYAN | 34 A ST EAST | READING | MA | 01867 |
| 029.0-0000-0022.0 | 37 LIBBY AVE | SHERWOOD ROBERT | SHERWOOD CHRISTINE TE | 37 LIBBY AVE | READING | MA | 01867 |

Reading Abutters List

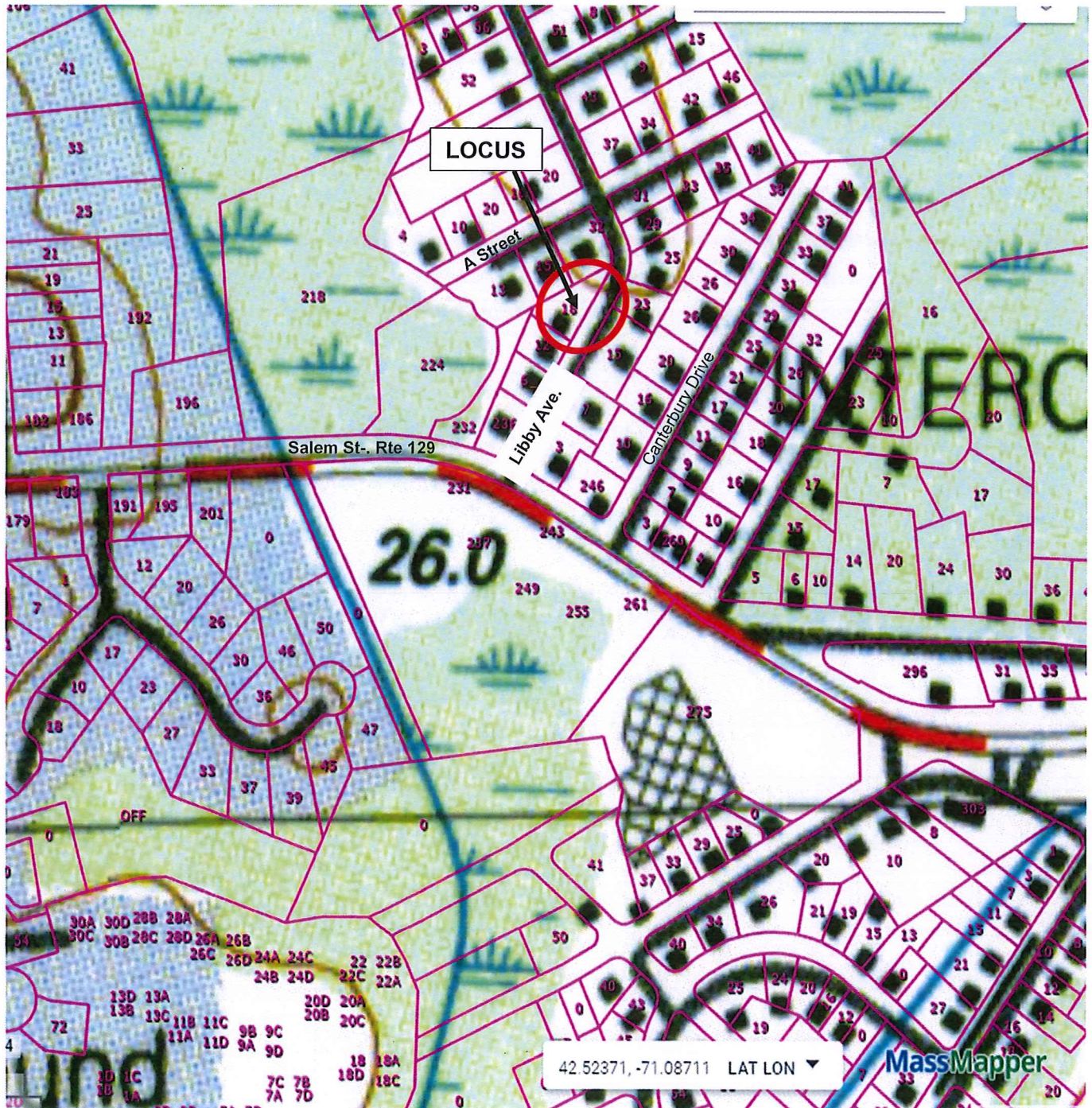
| ParcelID | Location | Owner | Co-Owner | Mailing Address | City | State | Zip |
|-------------------|--------------|-----------------|------------------|-----------------|---------|-------|-------|
| 029.0-0000-0023.0 | 43 LIBBY AVE | MANEY KAREN | | 43 LIBBY AVE | READING | MA | 01867 |
| 029.0-0000-0024.0 | 9 B ST | SOLAR MAX ISAAC | SOLAR EMILY ROSE | 9B ST | READING | MA | 01867 |

End of Report

HAYES ENGINEERING, INC.
CIVIL ENGINEERING &
LAND SURVEYORS



603 SALEM STREET
WAKEFIELD, MA 01880
(781) 246-2800



UNITED STATES GEOLOGICAL SURVEY MAP
25K MASSGIS QUADRANGLE
(Map Source: MassGIS "MassMapper" Online Mapping)

LOCUS MAP
18 LIBBY AVENUE
READING, MASSACHUSETTS











