

MATTHEW S. MARRO ENVIRONMENTAL CONSULTING

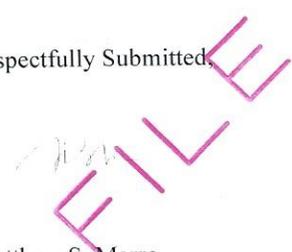
45 Lisa Drive
Leominster, Ma
Phone (978) 314-7858
Fax (888) 435-5999
www.marro-consulting.com

A Notice of Intent

43 Old Bedford Road
Harold and Susan Shaw

For the addition of an attached garage.

Respectfully Submitted,



Matthew S. Marro,
Consulting Agent/Principal
Cc: File



WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Concord

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):

43 Old Bedford Road

a. Street Address

Concord

b. City/Town

01742

c. Zip Code

Latitude and Longitude:

d. Latitude

e. Longitude

Map 4186

f. Assessors Map/Plat Number

parcel 3

g. Parcel /Lot Number

2. Applicant:

Susan

a. First Name

Shaw

b. Last Name

c. Organization

43 Old Bedford Road

d. Street Address

Concord

e. City/Town

MA

f. State

01742

g. Zip Code

978-930-7541

h. Phone Number

i. Fax Number

j. Email Address

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

Same

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):

Matthew

a. First Name

Marro

b. Last Name

Matthew S. Marro Environmental Consulting MSMEC

c. Company

45 Lisa Drive

d. Street Address

Leominster

e. City/Town

MA

f. State

01453

g. Zip Code

978-314-7858

h. Phone Number

775-521-7083

i. Fax Number

msmarro@msn.com & irene@marro-consulting.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



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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A. General Information (continued)

6. General Project Description:

Development of an addition to a single family home within the buffer zone of an intermittent stream. Erosion protection as noted on plans will be utilized. Stream status although listed as perennial on USGS mapping, applicant encloses 4 days worth of picture showing the stream bed dry.

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

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

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

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

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(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:

Middlesex South

a. County

12858

c. Book

b. Certificate # (if registered land)

188

d. Page Number

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

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

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



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

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

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

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

4. Proposed alteration of the Riverfront Area:

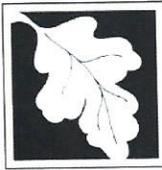
N/A a. total square feet N/A b. square feet within 100 ft. N/A c. square feet between 100 ft. and 200 ft.

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.



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

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



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MassDEP File Number _____

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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

2019 Mass GIS _____

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/nhesp/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/nhesp/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.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
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C. Other Applicable Standards and Requirements (cont'd)

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

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 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.

Notice of Intent Plan for Harold and Susan Shaw

a. Plan Title

Rose Land Survey

Rose Mary Chaulke

b. Prepared By

c. Signed and Stamped by

10/14/19

1"=20'

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:

2. Municipal Check Number

3. Check date

4. State Check Number

5. Check date

Matthew

Marro

6. Payor name on check: First Name

7. Payor name on check: Last Name



 MassDEP File Number

 Document Transaction Number

Concord

 City/Town

F. Signatures and Submittal Requirements

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

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

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

For Conservation Commission:

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

For MassDEP:

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

Other:

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

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

Town of Concord- Natural Resources

Waiver Request Requirement Information

Date: 11/12/19___ Applicant/Owner: _Harold and Susan Shaw_____

Map/Lot: _4186-3___ Project Address: __43 Old Bedford Road_____

In order request a waiver, the following provides a guidance for required information (attach additional text, plans, photos or graphics if needed):

Project purpose and need: ___The project is the addition of an attached garage to a single family home within the buffer zone_____

What specific action(s) is the Waiver being asked for? _____

A portion of the addition is within the 50 foot zone as defined by wetland policy

How is the action(s) in the public interest, necessary to avoid a taking, necessary to prevent a safety hazard or water dependent? As the home was built in 1974, it is a preexisting structure and as such, is close to the 50 foot zone. The addition has been maximally placed in consideration of the 50 foot zone, the zoning regulations and logistics of the existing house

How is the action(s) consistent with the intent and purpose of the Bylaw? _____

As the single family home is a structure pre dating the policy, the garage has been placed in a position and dimension that maximizes its placement away from the zone as much as possible.

Existing and proposed site conditions (ie, impervious, lawn & disturbed areas) (square feet; show on plan): Existing condition is a grassed lawn and existing driveway. There will be no change to the landscape between the proposed structure and the resource area.

Existing and proposed distances of land uses from wetland resource areas (show on plan):

___A corner of the garage comes within 41 feet of the edge of wetland._____

Analysis of less environmentally damaging practicable alternative: _____

_____Structure has been optimally placed. Less than 10% of the structure is within the 50 foot zone._____

Proposed short term and long term protection of wetland resource areas: _____

Erosion protection is placed for construction. Looming and seeding disturbed areas shall re-establish remaining lawn _____

Is the site in a Zone I, II or III (groundwater) area:

___no_____

Are there critical, unique or sensitive resource areas in the area (ie, NHESP mapped habitat, vernal pools, unusual wetland types, cold water fisheries, outstanding resource waters, Core Habitat, Conservation land, etc); show on plan:

___no_____

Other factors for consideration: _____

Signature: _____ **Project:** _____ 43 Old Bedford Road _____

MATTHEW S. MARRO ENVIRONMENTAL CONSULTING

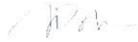
45 Lisa Drive
Leominster, Ma
Phone (978) 314-7858
Fax (888) 435-5999
www.marro-consulting.com

Narrative for Notice of Intent- 43 Old Bedford Road, Concord, Ma 01472

The proposal calls for the addition to a single family home of an attached garage. The garage is within the buffer zone of a wetland bordering an intermittent stream. The wetland resource will be protected during construction by the placement of erosion control barriers outlined and detailed on the plans accompanying this Notice of Intent.

Post Construction will have the remaining lawn re-established. The driveway currently between the proposed garage and the resource area is not going to be altered.

Respectfully Submitted,



Matthew S. Marro,
Consulting Agent/Principal
Cc: File

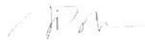
MATTHEW S. MARRO ENVIRONMENTAL CONSULTING

45 Lisa Drive
Leominster, Ma
Phone (978) 314-7858
Fax (888) 435-5999
www.marro-consulting.com

Certification:

I, Matthew S. Marro, certify the pictures enclosed with this notice of intent is the stream bed at 43 Old Bedford Road, Concord, MA. The photos were taken between the dates of October 13 through the 17th of 2019. The photos are in order from commencing from 10/13 and completing at 10/17/19

Respectfully Submitted,

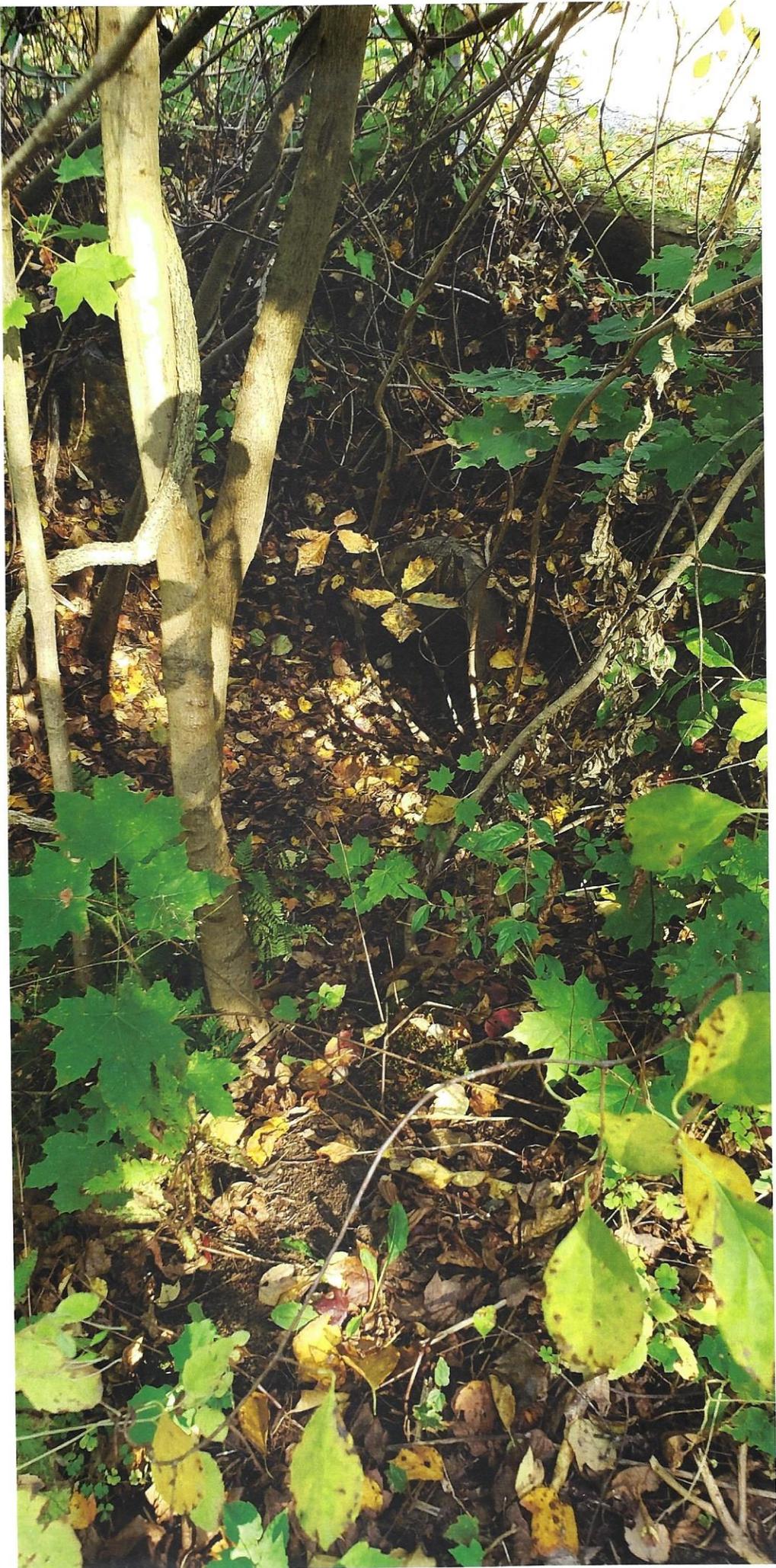


Matthew S. Marro,
Consulting Agent/Principal
Cc: File









Notification to Abutters Under the Massachusetts Wetlands Protection Act and the Concord Wetlands Bylaw

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and Article 43 of the 2009 Annual Town Meeting, you are hereby notified of the following:

Applicant's Name: Susan Shaw

The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of Concord seeking permission to remove, fill, dredge, or alter an area subject to protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40) and the Concord Wetlands Bylaw.

Address where activity is proposed: 43 Old Bedford Road

Brief description of proposed project: The proposal is for the additon of an attached garage to the existing home.

The Notice of Intent and project plans may be examined at the office of the Division of Natural Resources located at 141 Keyes Road. Office hours are 8:30 a.m. – 4:30 p.m. Monday through Friday. Materials may also be viewed on the Natural Resources Commission's webpage under Current Meeting Documents at <https://concordma.gov/2254/Current-Meeting-Documents>. You may also call 978-318-3285 for more information or to obtain copies of the Notice of Intent.

A public hearing will be held on to be determined at 141 Keyes Road. You may call the Division of Natural Resources at 978-318-3285 for more information or to confirm that this hearing has not been rescheduled.

Commission meetings begin at 7:00 p.m. unless otherwise posted. Although we do not assign specific times for hearings, you may want to call in advance to obtain an estimate of when this application will be heard. Notice of this public hearing will also be published at least five (5) days in advance of the meeting in the Concord Journal and posted in the Town House not less than forty-eight (48) hours in advance of the meeting.

You may also contact the Department of Environmental Protection, Northeast Region, at (978) 694-3200.

a PDF verison is available by emailing: irene@marro-consulting.com. you may also call Matt Marro at 978-314-7858 with any questions you may have.