

Notice of Intent Application

July 9, 2019
revised July 12, 2019

Subject Property

329-331 Savin Hill Avenue
Dorchester, Massachusetts

Applicant and Property Owner

Shamrock, LLC
1910 Centre Street
West Roxbury, MA 02132

LEC Environmental Consultants, Inc.

100 Grove Street
Suite 302
Worcester, MA 01605
508-753-3077
508-753-3177 fax

www.lecenvironmental.com



July 9, 2019 (revised July 12, 2019)

Federal Express

Boston Conservation Commission
Mayor’s Office of Environment, Energy and Open Space
Boston City Hall, Room 709
Boston, MA 02201

**Re: After-the-Fact Notice of Intent Application
Driveway and Parking Area
329-331 Savin Hill Avenue
Dorchester, Massachusetts**

[LEC File #: DCT\19-232.04]

Dear Members of the Conservation Commission:

On behalf of the Applicant and Property Owner, Shamrock, LLC, LEC Environmental Consultants, Inc., (LEC) is submitting an after-the-fact Notice of Intent Application with the Boston Conservation Commission for construction of a driveway and parking area for a two-family dwelling located at 329-331 Savin Hill Avenue in the Dorchester section of Boston, Massachusetts. A portion of the activities is located within Land Subject to Coastal Storm Flowage.

LEC was retained to identify Wetland Resource Areas protectable under the *Massachusetts Wetlands Protection Act* (M.G.L. c. 131, s. 40, *Act*) and its implementing Regulations (310 CMR 10.00, *Act Regulations*) and to prepare this NOI Application. Project details are provided on the attached site plan, entitled *Site Plan of Land, 329-331 Savin Hill Avenue, Dorchester, MA*, dated June 17, 2019, prepared by Boston Survey, Inc.

Enclosed please find a check made payable to the City of Boston in the amount of Fifty Dollars (\$50.00) for the purpose of filing this Application under State/Local guidelines. A check payable to the Commonwealth of Massachusetts in the amount of Forty Two Dollars and Fifty Cents (\$42.50) has been sent to the DEP Lox Box.

It is our understanding that the Conservation Commission will legally post the NOI Application and required public hearing so as to appear on the Conservation Commission’s July 24, 2019 agenda. It is our further understanding that the legal notice fee is billed to the Applicant. Pursuant to the Act, abutters within 100-feet will be notified that this NOI has been filed with the Boston Conservation Commission.

LEC Environmental Consultants, Inc.

www.lecenvironmental.com

12 Resnik Road
Suite 1
Plymouth, MA 02360
508-746-9491
508-746-9492 (Fax)

PLYMOUTH, MA

380 Lowell Street
Suite 101
Wakefield, MA 01880
781-245-2500
781-245-6677 (Fax)

WAKEFIELD, MA

100 Grove Street
Suite 302
Worcester, MA 01605
508-753-3077
508-753-3177 (Fax)

WORCESTER, MA

P. O. Box 590
Rindge, NH 03461
603-899-6726
603-899-6726 (Fax)

RINDGE, NH



Thank you for your consideration of this Application. We look forward to meeting with you at the July 24, 2019 Public Hearing. Should you have any questions, please contact me in our Worcester office at 508-753-3077 or at akendall@lecenvironmental.com.

Sincerely,

LEC Environmental Consultants, Inc.

A handwritten signature in black ink that reads "Andrea Kendall". The signature is written in a cursive style.

Andrea Kendall

Senior Environmental Scientist

cc: DEP, Northeast Region
Diane Capodilupo, Manager, Shamrock LLC

alk: projects\19-232.04\NOI Report.doc

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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

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
Boston
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A. General Information (continued)

6. General Project Description:

This after-the-fact Notice of Intent Application is for the construction of a driveway and parking area for a two-family residential dwelling located at 329-331 Savin Hill Avenue in the Dorchester section of Boston, Massachusetts. Located in part within Land Subject to Coastal Storm Flowage (Zone AE (EL 11 feet)), the driveway and parking area is constructed at existing grades and results in de-minimus changes to surface elevations.

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 **Two-Family Home**

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:

Suffolk

a. County

58911

c. Book

b. Certificate # (if registered land)

13

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. Riverfront Area
- Name of Waterway (if available) - **specify coastal or inland**
 - 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.

<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	_____	
	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
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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 checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	1,240±	

	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.	
	_____	_____
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		



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a. number of new stream crossings

b. number of replacement stream crossings

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**

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

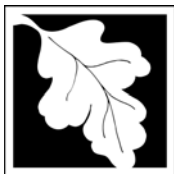
2. Assessor's Map or right-of-way plan of site

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)

* 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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- (b) Photographs representative of the site

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
836 South Rodney French Blvd.
New Bedford, MA 02744
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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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



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to the boundaries of each affected resource area.

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.

Site Plan of Land, 329-331 Savin Hill Avenue, Dorchester, MA

a. Plan Title

Boston Survey, Inc.

George C. Collins, PLS

b. Prepared By

c. Signed and Stamped by

June 17, 2019

1"=10'

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:

4550

2. Municipal Check Number

7/3/10

3. Check date

4549

4. State Check Number

7/3/19

5. Check date

Peter A. & Diane L.

6. Payor name on check: First Name

Capodilupo

7. Payor name on check: Last Name



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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.

Diane Capodilupo

7/3/2019

1. Signature of Applicant Diane Capodilupo, Shamrock, LLC

2. Date

3. Signature of Property Owner (if different)

4. Date

Andrea Kendall

7/3/2019

5. Signature of Representative (if any) Andrea Kendall, LEC Environmental Consultants, Inc.

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:

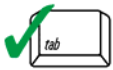
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.



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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:

329-331 Savin Hill Avenue Boston
 a. Street Address b. City/Town
4549 \$42.50
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Diane Capodilupo
 a. First Name b. Last Name
Shamrock, LLC
 c. Organization
1910 Centre Street
 d. Mailing Address
West Roxbury MA 02132
 e. City/Town f. State g. Zip Code
617-323-3670 diane@dianecap.com
 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).



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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat 1(a) single family house lot	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:			\$50.00 (per BCC)
			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.)

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

I, Sharon A. Sullivan, on behalf of Shamrock, LLC, hereby certify under the pains and penalties of perjury that on July 10, 2019 I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and 310 CMR 10.05 (4) (a) in connection with the following matter:

A Notice of Intent Application filed under the Massachusetts Wetlands Protection Act by LEC Environmental Consultants, Inc. on behalf of the Applicant, Shamrock, LLC, with the City of Boston Conservation Commission on July 10, 2019 for property located at 329-331 Savin Hill Avenue (Assessor's Parcel ID: 1302377000) in Boston, Massachusetts.

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

Sharon A. Sullivan
Sharon A. Sullivan
Permitting Technician

7/10/2019
Date



July 10, 2019

CERTIFIED MAIL

«Name»

«Address»

«City», «State» «Zip»

**Re: Notice of Intent Application
329-331 Savin Hill Avenue
Assessor's Parcel ID: 1302377000
Boston, Massachusetts**

[LEC File #: DCT\19-232.04]

Dear Abutter:

On behalf of the Applicant, Shamrock, LLC, LEC Environmental Consultants, Inc. (LEC) has filed an after-the-fact Notice of Intent Application with the Boston Conservation Commission for construction of a driveway and parking area at the above-referenced property. The activity is located, in part, within Land Subject to Coastal Storm Flowage.

The Notice of Intent Application and accompanying plans are available for review by the public at the Boston Conservation Commission. The Public Hearing will be held at the Boston City Hall, 1 City Hall Square, Piemonte Room, 5th Floor on July 24, 2019 beginning at 6:00 p.m., in accordance with the provisions of the *Massachusetts Wetlands Protection Act* (M.G.L. Ch. 131, s. 40, as amended) and its implementing Regulations (310 CMR 10.00). Further information regarding this application will be published at least five (5) days in advance in *The Boston Herald*. Notice of the Public Hearing will also be posted at the Boston City Hall at least 48 hours in advance. Confirmation of hearing date, time and agenda may be found at <https://boston.gov/public-notices>.

Please do not hesitate to review the materials and/or attend the public hearing should you have questions or concerns about the proposed project.

Sincerely,

LEC Environmental Consultants, Inc.

Andrea Kendall
Senior Environmental Scientist

LEC Environmental Consultants, Inc.

www.lecenvironmental.com

12 Resnik Road
Suite 1
Plymouth, MA 02360
508-746-9491
508-746-9492 (Fax)

PLYMOUTH, MA

380 Lowell Street
Suite 101
Wakefield, MA 01880
781-245-2500
781-245-6677 (Fax)

WAKEFIELD, MA

100 Grove Street
Suite 302
Worcester, MA 01605
508-753-3077
508-753-3177 (Fax)

WORCESTER, MA

P. O. Box 590
Rindge, NH 03461
603-899-6726
603-899-6726 (Fax)

RINDGE, NH

Notification to Abutters Under the Massachusetts Wetlands Protection Act

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following:

- A. The name of the Applicant is Shamrock, LLC, 1910 Centre Street, West Roxbury, MA 02132.
- B. The Applicant has filed a Notice of Intent Application with the Conservation Commission for the municipality of Boston, Massachusetts seeking permission to remove, fill, dredge or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
- C. The activity is proposed on a lot located at 329-331 Savin Hill Avenue (Assessor's Parcel ID: 1302377000), Boston, Massachusetts.
- D. Copies of the Notice of Intent Application may be examined by contacting the Boston Conservation Commission at (617) 635-3850.

For more information, call: LEC Environmental Consultants, Inc. (the applicant's representative) at (781) 245-2500.

- E. Copies of the Notice of Intent Application may be obtained from LEC Environmental Consultants, Inc. (the applicant's representative) by calling (781) 245-2500 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. A fee may be charged for each copy requested.
- F. Information regarding the public hearing may be obtained from the Boston Conservation Commission (the regulatory agency) by calling (617) 635-3850 or at <https://boston.gov/public-notice>.

NOTE: Notice of the Public Hearing, including its date, time, and place, will be published at least five (5) days in advance in The Boston Herald.

NOTE: Notice of the public hearing will also be posted at the Boston City Hall not less than 48 hours in advance.

NOTE: You also may contact the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call:

Northeast Region: 978-694-3200

1302364055 WM T MORRISSEY BL
COMMWLTH OF MASS
WM T MORRISSEY BLVD
DORCHESTER, MA 02125

1302376000 325 327 SAVIN HILL AV
DZENGELEWSKI CAROL
325 SAVIN HILL AVE
DORCHESTER, MA 02125

1302378000 333 335 SAVIN HILL AV
333-335 SAVIN HILL AVENUE
1 PARK LANE #728
BOSTON, MA 02110

1302379000 337 339 SAVIN HILL AV
RIZZO REVOCABLE TRUST
337 SAVIN HILL AVE
DORCHESTER, MA 02125

1302380000 1 - 3 DAVITT ST
1-3 DAVITT STREET
136 GREEN ST
ASHLAND, MA 01721

1302380002 1 3 DAVITT ST #1
BURKE EDWARD WILLIAM
1 3 DAVITT ST #1
DORCHESTER, MA 02125

1302380004 1 3 DAVITT ST #2
MULHOLLAND MATTHEW
1 3 DAVITT STREET #2
DORCHESTER, MA 02125

1302381000 5 7 DAVITT ST
KOUSHAN ALI R
5 DAVITT ST
DORCHESTER, MA 02125

1302574000 346 SAVIN HILL AV
FLAHERTY ANN M
346 SAVIN HILL AV
DORCHESTER, MA 02125

1302575000 336 SAVIN HILL AV
THOMAS GERRY E
336 SAVIN HILL AVE
DORCHESTER, MA 02125

1302576000 334 SAVIN HILL AV
KUZIA CHESTER W JR ETAL
334 SAVIN HILL AVE
DORCHESTER, MA 02125

1302577000 332 SAVIN HILL AV
CARTHAS BRIAN C
3 MOUNT WASHINGTON PL UNIT 1
BOSTON, MA 02127

1302578000 SAVIN HILL AV
139 FREEPORT STREET LLC
45 BRAINTREE HILL PK STE #40
BRAINTREE, MA 02184

1302579000 328 SAVIN HILL AV
328 SAVIN HILL AVENUE
45 BRAINTREE PK STE 402
BRAINTREE, MA 02184

1302579002 328 SAVIN HILL AV #328
TANERY ANN
328 SAVIN HILL AVE #328
DORCHESTER, MA 02125

1302579004 328 SAVIN HILL AV #328A
BOYSON BRIAN A
328 SAVIN HILL AVE #328A
DORCHESTER, MA 02125

1302579006 328 SAVIN HILL AV #328B
SHEPARD DARYL
328 SAVIN HILL AVE #328B
DORCHESTER, MA 02125

1302580000 324 SAVIN HILL AV
MAGUIRE JOSEPH T JR TS
47 GRAYMORE RD
WALTHAM, MA 02451



Notice of Intent Application

329-331 Savin Hill Avenue
Assessor's Parcel ID: 1302377000
Dorchester, Massachusetts

July 9, 2019

1. Introduction

On behalf of the Applicant and Property Owner, Shamrock, LLC, LEC Environmental Consultants, Inc., (LEC) is filing the enclosed after-the-fact Notice of Intent (NOI) Application with the Boston Conservation Commission for construction of a driveway and parking area located at 329-331 Savin Hill Avenue in Dorchester, Massachusetts. The proposed activity is located in part within Land Subject to Coastal Storm Flowage, an area protectable under the *Massachusetts Wetlands Protection Act* (M.G.L. c. 131, s. 40, *Act*) and its implementing *Regulations* (310 CMR 10.00, *Act Regulations*). The current extent of the driveway and parking area is depicted on the *Site Plan of Land*, dated June 17, 2019, prepared by Boston Survey, Inc. (*Plans*, Appendix C).

2. General Site Description

The 5,491± square foot property is located within a residential neighborhood bound by Interstate 93 to the west, William T. Morrissey Boulevard and Dorchester Bay to the east, Malibu Beach/Dorchester Shores Reservation to the south, and Savin Hill Cove to the north/northeast. Multi-family residential development associated with Savin Hill Avenue occurs south, east, and west of the site, while open space containing forested and scrub-shrub uplands and coastal wetlands occur north of the site (Figures 1 and 3, Appendix A).

The property contains a 1,170± square-foot two-family dwelling situated within the southern portion of the site, accessed via a paved driveway extending from Savin Hill Avenue. The dwelling and site appurtenances are surrounded by lawn, and site topography descends northerly from Savin Hill Avenue (El 17± feet) to the rear yard (El 8± feet). Prior to the Fall of 2018 construction activities, the paved driveway extended 17± feet from the edge of sidewalk north to the southwesterly house corner (Site Photographs, Appendix B). The lower edge of the driveway was bound by bumper stops, and lawn extended along the side and rear yard. Stormwater runoff from the driveway, existing walkway, and other impervious surfaces sheet flowed to the adjacent lawn area.

According to the regional Natural Resources Conservation Service (NRCS) soil survey, soils mapped at the site include Charlton-Hollis-Urban land complex, 3 to 15 percent slopes.

The site is not located within an Area of Critical Environmental Concern (ACEC), and according to DEP, the site is not located in an area designated as an Outstanding Resource Water or a contributor to a public water supply.

2.1 **Natural Heritage and Endangered Species Program Designation**

According to the 14th edition of the *Massachusetts Natural Heritage Atlas* (effective August 1, 2017) published by the Natural Heritage & Endangered Species Program (NHESP) and the MassGIS data layer, the property is not mapped within Priority Habitats of Rare Species or Estimated Habitats for Rare Wildlife protectable under the *Massachusetts Endangered Species Act* (MGL c. 131 §. 23). In addition, no Potential or Certified Vernal Pools are mapped on or adjacent to the site (Appendix A, Figure 3).

3. **Wetland Resource Areas**

Wetland Resource Areas associated with the subject property includes Land Subject to Coastal Storm Flowage.

Land Subject to Coastal Storm Flowage (LSCSF)

Land Subject to Coastal Storm Flowage (LSCSF) means land subject to any inundation caused by coastal storms up to and including that caused by the 100-year storm, surge of record or storm of record, whichever is greater. [310 CMR 10.04].

According to the March 16, 2016 *Federal Emergency Management Agency Flood Insurance Rate Map (FEMA FIRM)* for Suffolk County, Massachusetts (Community Panel Number 25025C0083J), the northern portion of the property is contained within the Zone AE *Base flood elevations determined* (Appendix A, Figure 2) and designated as LSCSF. The Zone AE (el. 11) extends south to the rear of the dwelling and includes lawn and recently extended paved driveway and parking area. The remainder of the property, including the dwelling, is located within Zone X (Unshaded) – *Areas determined to be outside the 0.2% Annual Chance Floodplain*.

4. **Driveway and Parking Area**

An asphalt driveway and 4- to 5-car parking area was constructed during the Fall of 2018 (end of October/beginning of November) in order to provide reliable parking for tenants.

On street parking is limited in this densely populated residential neighborhood of multi-family homes. On street parking is further limited since parking is restricted to one side of the street. The work replaced the existing 17± foot long driveway, an existing walkway, and a portion of the lawn area with new asphalt pavement. As installed, the pavement extends from the edge of sidewalk to the northerly property boundary and easterly behind the dwelling. The existing pavement, bumper stops, concrete walkway/stairs/side entry, grass, loam, and unsuitable base was removed and compacted gravel was added, as needed, to establish a stable sub base. Asphalt was spread on top of the base and compacted. Approximately 1,240 square feet of pavement is located within LSCSF.

Since the *Act* and *Act Regulations* do not provide performance standards for work conducted within LSCSF, no specific design considerations are required for the driveway expansion. However, it is important to note that de-minimus changes to surface elevations have occurred, and the project has not changed how ponding occurs, the way storm surges recede, or how flooding occurs.

As a residential lot with a single house structure, the project is exempt from the Stormwater Management Standards. Runoff from the driveway/parking area (site-wide, impervious surface increased by roughly 1,685sf) will sheet flow north and/or east to on site vegetated buffers where runoff will largely infiltrate. It is also important to note that in this coastal setting the Stormwater Management Standards does not require mitigation of peak flow discharge rates.

5. Summary

On behalf of the Applicant, Shamrock, LLC, LEC Environmental Consultants, Inc., is filing this after-the-fact Notice of Intent (NOI) Application with the Boston Conservation Commission for the construction of a driveway and parking area at the two-family dwelling located at 329-331 Savin Hill Avenue in Dorchester, Massachusetts.

The project will not have an adverse effect on the interests and values pertinent to the Statutes and Regulations. Accordingly, the Applicant respectfully requests that the Commission issue an Order of Conditions approving the project in accordance with the *Massachusetts Wetlands Protection Act* (M.G.L., c.131, s.40) and its implementing Regulations (310 CMR 10.00).

Massachusetts Wetlands Protection Act (M.G.L. c. 131, §. 40), www.state.ma.us/dep

Massachusetts Wetlands Protection Act Regulations (310 CMR 10.00),
www.state.ma.us/dep

Massachusetts Natural Heritage Atlas, 14th Edition, 2017. Natural Heritage & Endangered Species Program, Massachusetts Division of Fisheries & Wildlife, Route 135, Westborough, MA 01581,
http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

Massachusetts Department of Environmental Protection, Division of Wetlands and Waterways 1995. *Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act, A Handbook*. 89 pp.

National Flood Insurance Program, Federal Emergency Management Agency Flood Insurance Rate Map, City of Boston, Massachusetts, Suffolk County, March 16, 2016 (Community Panel Number 25025C0083J).

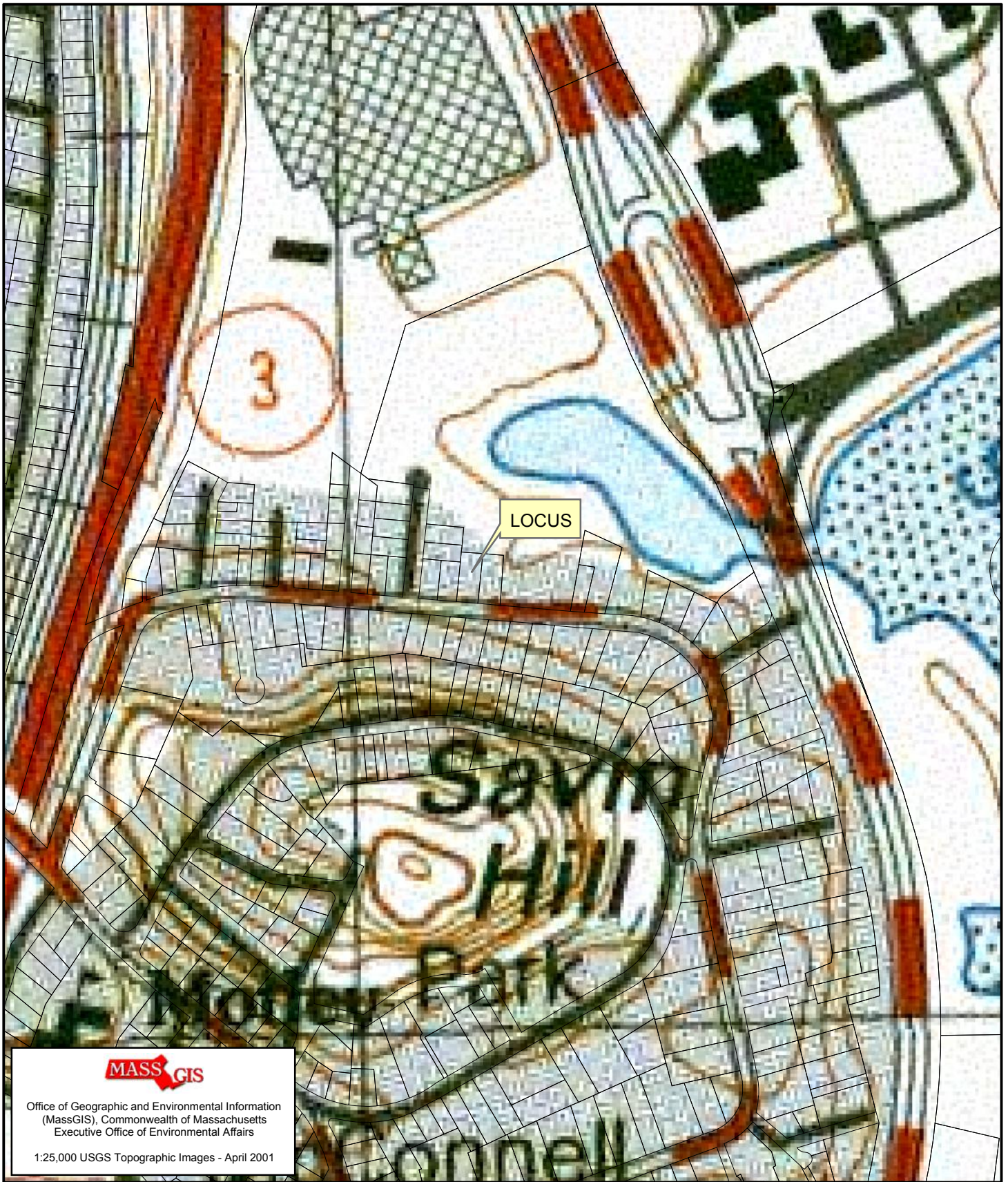
Appendix A

Locus Maps

Figure 1: USGS Topographic Quadrangle

Figure 2: FEMA Flood Insurance Rate Map

Figure 3: MassGIS Orthophoto & NHESP Estimated Habitat Map



LEC

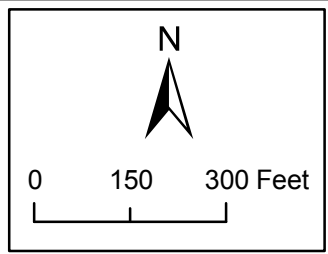
Environmental Consultants, Inc.

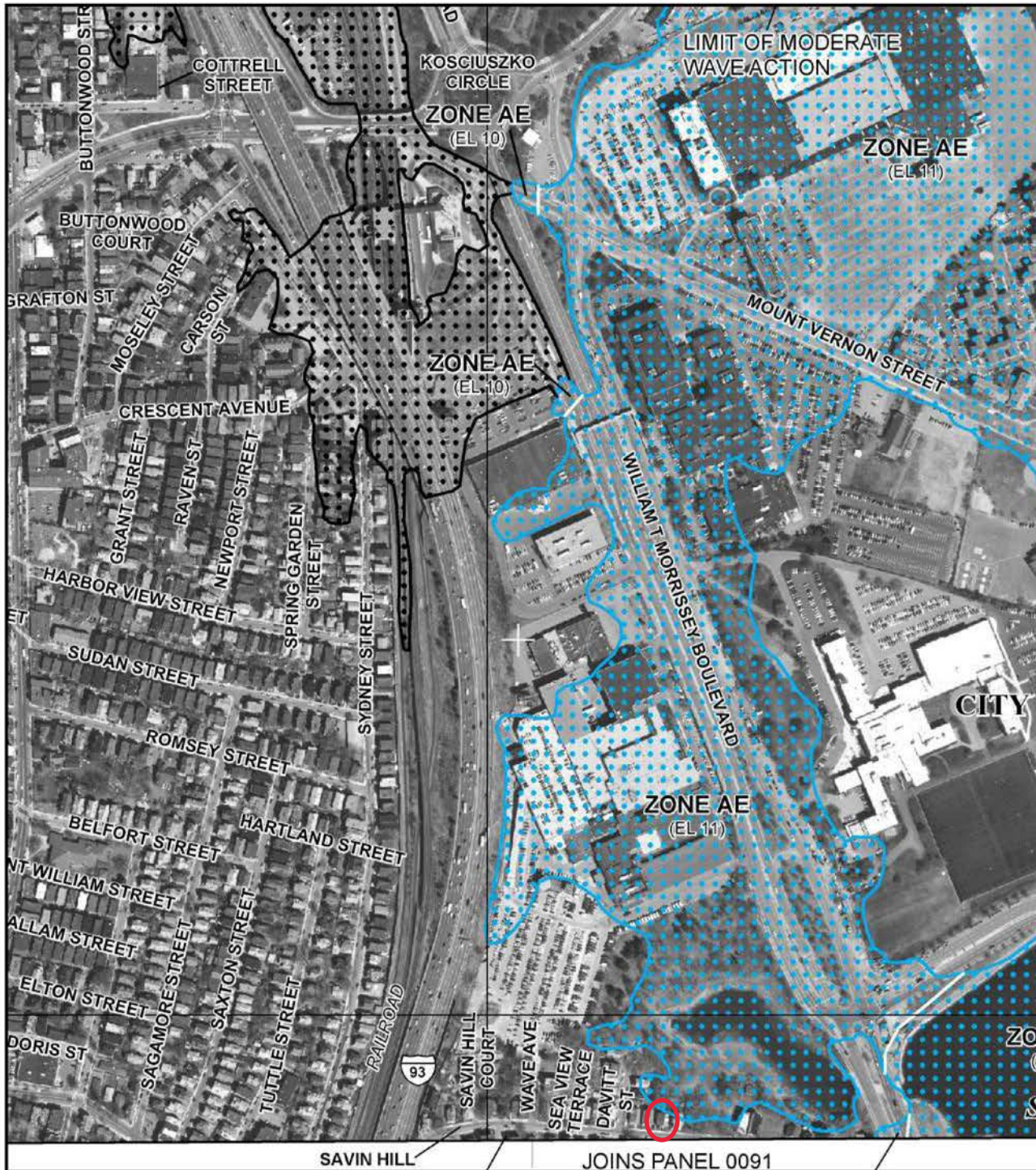
Wakefield, MA
781.245.2500

www.lecenvironmental.com

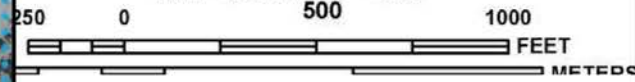
Figure 1: USGS Topographic Map
329-331 Savin Hill Avenue
Dorchester, MA

July 3, 2019





MAP SCALE 1" = 500'



PANEL 0083J

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

PANEL 83 OF 176
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
BOSTON, CITY OF	250286	0083	J

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
25025C0083J
MAP REVISED
MARCH 16, 2016

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

Figure 2: FEMA Flood Insurance Rate Map

LEGEND



SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.



FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.



OTHER FLOOD AREAS

- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.



OTHER AREAS

- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.



COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS



OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- Base Flood Elevation line and value; elevation in feet*
- Base Flood Elevation value where uniform within zone; elevation in feet*

* Referenced to the North American Vertical Datum of 1988 (NAVD 88)

- Cross section line
- Transect line
- Geographic coordinates referenced to the North American Datum of 1983 (NAD 83)
- 1000-meter Universal Transverse Mercator grid, zone 19
- 5000-foot grid : Massachusetts State Plane coordinate system, mainland zone (FIPZONE 2001), Lambert Conformal Conic
- Bench mark (see explanation in Notes to Users section of this FIRM panel)
- River Mile

MAP REPOSITORIES

Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE
FLOOD INSURANCE RATE MAP
September 25, 2009

EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL

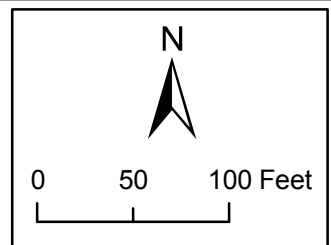


Environmental Consultants, Inc.
Wakefield, MA
781.245.2500

www.lecenvironmental.com

Figure 3: MassGIS Orthophoto & NHESP Map
329-331 Savin Hill Avenue
Dorchester, MA

July 3, 2019



Appendix B

Site Photographs



Photo 1. View of driveway before extension. Driveway extended approximately 17 feet from the sidewalk to the house corner.

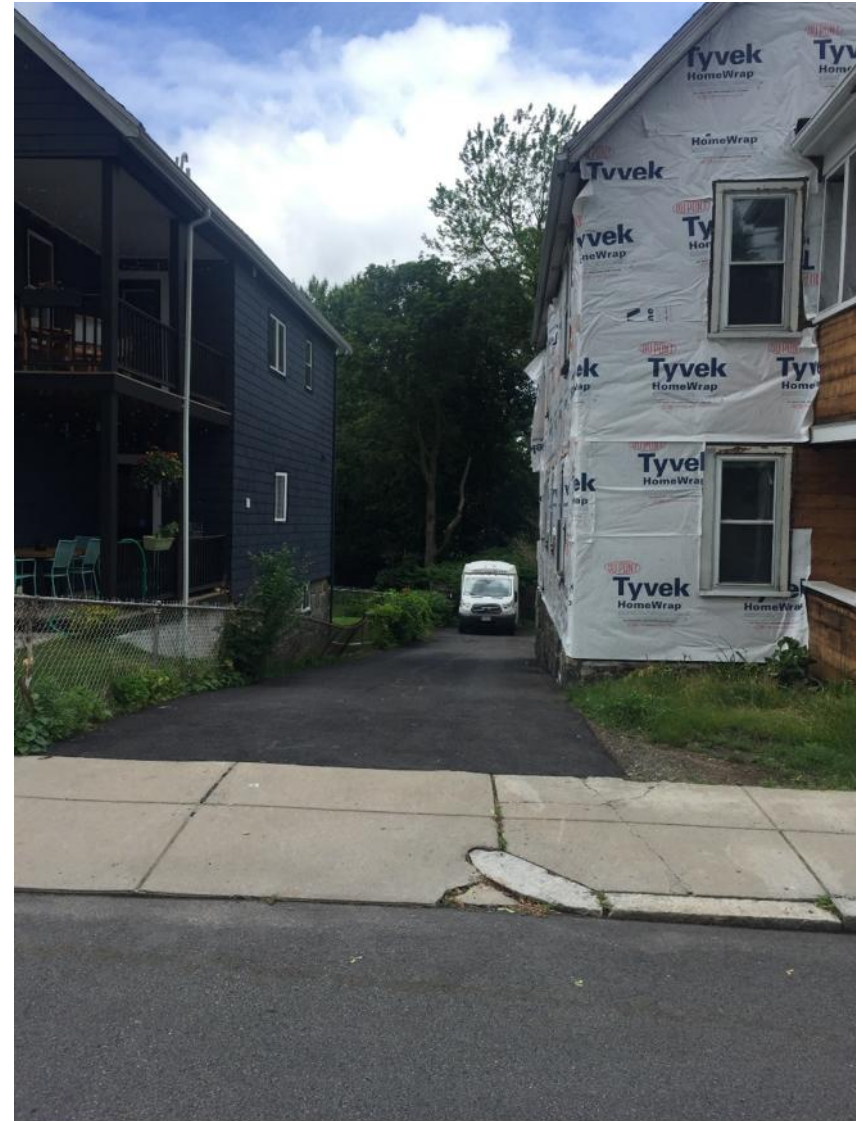


Photo 2. View of driveway after extension.



Photo 3. View of driveway extending along side and rear yard.



Photo 4. View of driveway extending along side and rear yard.



Photo 5. View of driveway extending along rear yard.



Photo 6. View of driveway in rear yard. Driveway installed at existing grade.



Photo 7. View of driveway in side yard. Driveway installed at existing grade.



Photo 8. View of driveway in rear yard. Driveway installed at existing grade.

Appendix C

Site Plan of Land, 329-331 Savin Hill Avenue, Dorchester, MA,
dated June 17, 2019, prepared Boston Survey, Inc.

I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND ON THE DATE OF OCTOBER 31, 2018 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

I CERTIFY THAT THE BUILDING SHOWN ON THIS PLAN LIES IN FLOOD ZONE: X
 MAP NUMBER: 25025C0083J
 EFFECTIVE DATE: 03/16/2016
 AND DOES NOT LIE IN A SPECIAL FLOOD HAZARD ZONE (100 YEAR FLOOD PLAIN) AS DESIGNATED BY THE FLOOD INSURANCE RATE MAPS (FIRM) CREATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

I CERTIFY THAT THE PROPERTY LINES SHOWN ARE LINES DIVIDING EXISTING OWNERSHIP AND THE LINES OF STREETS AND WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

PREPARED FOR:
 OWNER OF RECORD:
 SHANROCK, LLC
 1910 CENTRE STREET
 WEST ROXBURY, MA 02132

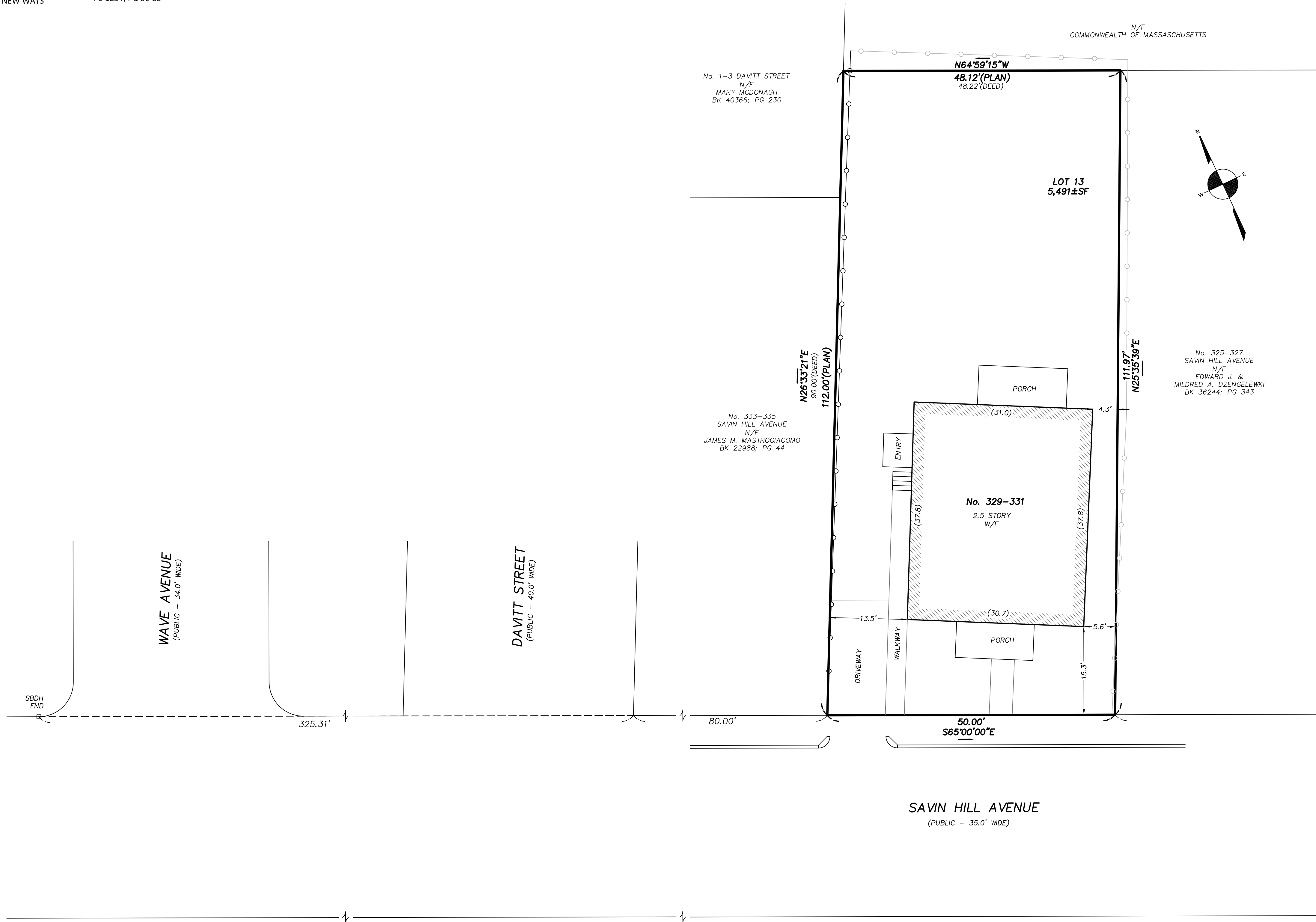
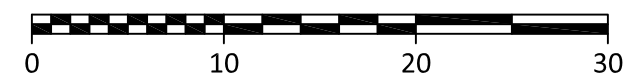
REFERENCES:
 DEED: BK 58911; PG 13
 PLAN: BK 2059; PG 289
 BK 11179; PG 275
 BK 2008; PG 76

CITY OF BOSTON ENGINEERING RECORDS:
 L-3917 DAVITT STREET
 FB 836; PG 129-130
 FB 1250; PG 8-9
 FB 1254; PG 30-33

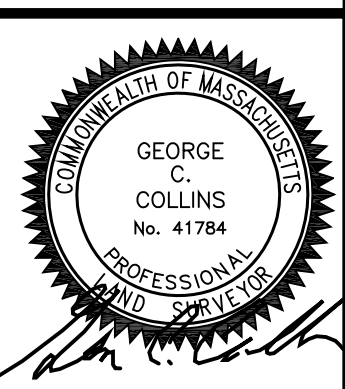
SITE PLAN OF LAND

LOCATED AT
329-331 SAVIN HILL AVENUE
DORCHESTER, MA

DATE: NOVEMBER 2, 2018 SCALE: 1.0 INCH = 10.0 FEET



FIELD:	JJH, MO
DRAFT:	NPP, RAP
CHECK:	GCC
DATE:	11/02/18
JOB #	18-00764



I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND ON THE DATE OF OCTOBER 31, 2018 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

I CERTIFY THAT THE BUILDING SHOWN ON THIS PLAN LIES IN FLOOD ZONE: X
 MAP NUMBER: 25025C0083J
 EFFECTIVE DATE: 03/16/2016
 AND DOES NOT LIE IN A SPECIAL FLOOD HAZARD ZONE (100 YEAR FLOOD PLAIN) AS DESIGNATED BY THE FLOOD INSURANCE RATE MAPS (FIRM) CREATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

I CERTIFY THAT THE PROPERTY LINES SHOWN ARE LINES DIVIDING EXISTING OWNERSHIP AND THE LINES OF STREETS AND WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

DATUM
 THE ELEVATIONS SHOWN ON THIS PLAN ARE RELATIVE TO NAVD88 AND WERE DETERMINED FROM A GPS OBSERVATION.

PREPARED FOR:
 OWNER OF RECORD:
 SHANROCK, LLC
 1910 CENTRE STREET
 WEST ROXBURY, MA 02132

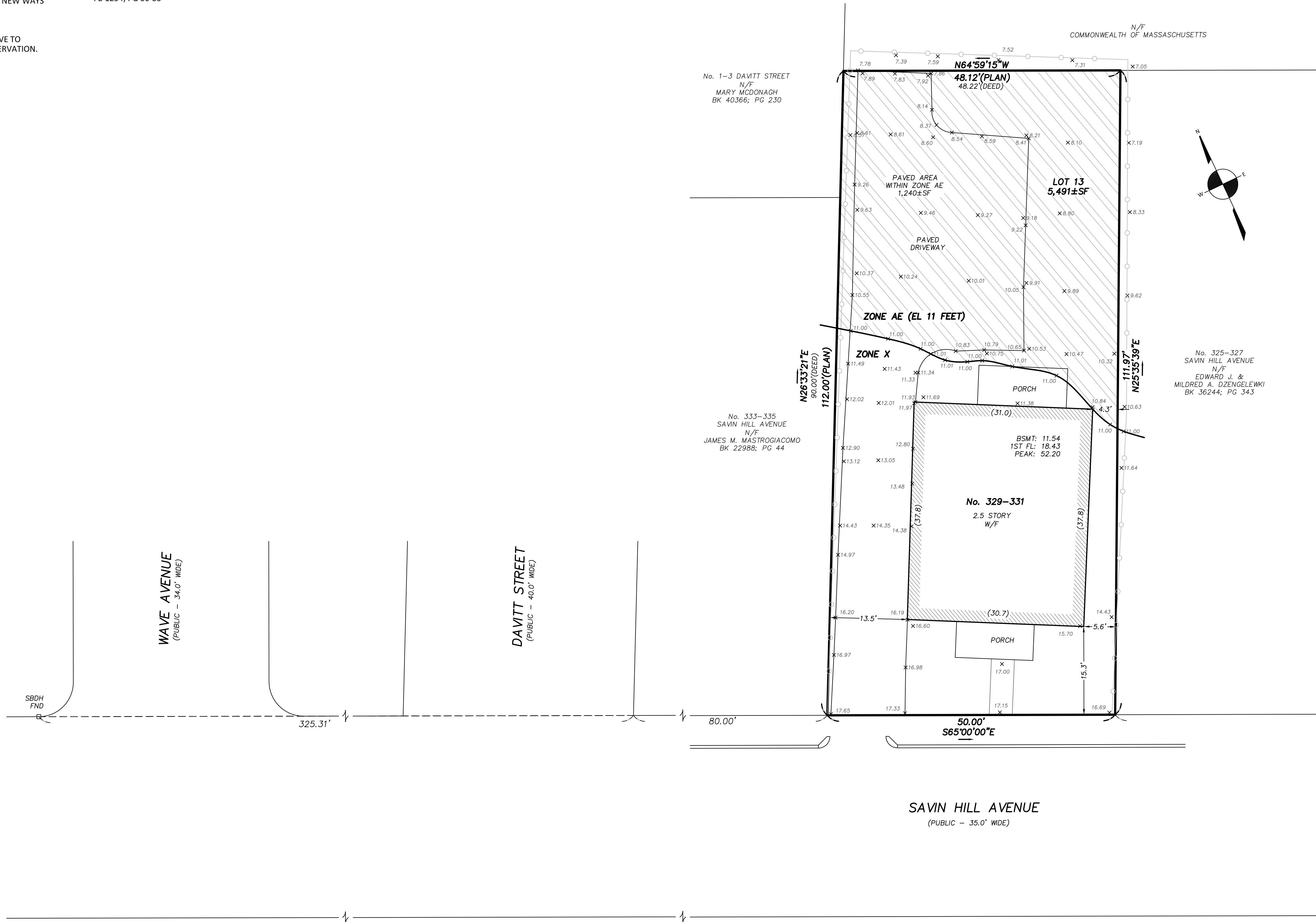
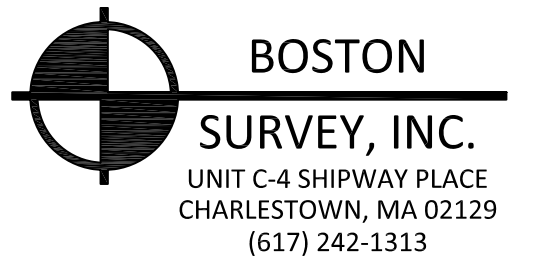
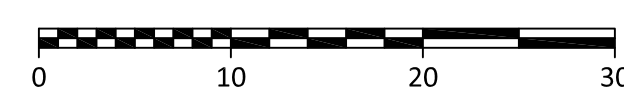
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 PLAN: BK 2059; PG 289
 BK 11179; PG 275
 BK 2008; PG 76

CITY OF BOSTON ENGINEERING RECORDS:
 L-3917 DAVITT STREET
 FB 836; PG 129-130
 FB 1250; PG 8-9
 FB 1254; PG 30-33

SITE PLAN OF LAND

LOCATED AT
329-331 SAVIN HILL AVENUE
DORCHESTER, MA

DATE: JUNE 17, 2019 SCALE: 1.0 INCH = 10.0 FEET



FIELD:	JJH, MO
DRAFT:	NPP, RAP
CHECK:	GCC
DATE:	06/17/19
JOB #	18-00764

