# **Notice of Intent Application**

Wetlands Protection Act and Hamilton Wetlands By-law

32 Day Avenue Hamilton, MA

April 2025



# Wetlands & Land Management, Inc.

Danvers, MA 01923 978-777-0004 Telephone

April 1, 2025

Bethany Barstow Hamilton Conservation Commission PO Box 429 Hamilton, MA 01936

RE:

Notice of Intent Application 32 Day Avenue, Hamilton Map 47, Lots 6 & 7

Dear Ms. Barstow and Conservation Commission Members:

This Notice of Intent application is to construct a new deck off the rear of the home. Normally, a deck extending into maintained lawn is one of the exempt activities under the Wetlands Protection Act Regulations at 310 CMR 10.02(2)b)2. In this situation, a portion of the deck is closer than 50 feet to the flagged wetlands, thus the project does not qualify for the exemption. Being less than 50 feet, the project requires a waiver from your By-law no build zone. Appropriate mitigation is provided in support of the waiver request.

The project site is located at 32 Day Avenue. The applicants are relatively new owners of the property. Some on the Commission may recall, I presented a Request for Determination of Applicability to install a septic system upgrade at the property in 2022, around the time of sale of the property. The Commission issued a Negative Determination and the septic system upgrade has been installed in the front yard.

#### Site Description

The project site is an existing residential house lot with a 3-bedroom home. The property is actually two lots, co-owned by the applicants. Parcel Map 47 lot 7 has the home at 32 Day Avenue. The adjacent, vacant lot is Map 47, lot 6. Collectively, the property is developed with the home, short drive off Day Avenue with lawn area around the home. Lot 7 is fully maintained. A portion of lot 6 is encumbered by the wetlands and vegetated buffer zone to the wetlands, with the remainder being an extension of he maintained lawn.

#### Wetland Resources at the Site

The wetlands were re-marked Wetlands & Land Management, Inc. in March 2025. There is a vegetated cattail marsh wetland to the rear of the property. The wetland boundary behind the home however cuts across the low-lying portion of the maintained rear yard. The boundary in this area was determined on the basis of hydric soils

The delineation starts with flag A1 in the grass area behind the house. The initial flags A1 through A6 cut across a portion of the mowed lawn in the rear yard of the house. Beyond A6, the boundary entered into more "natural" vegetation beyond the mowed grass. My delineation for

this project ended with flag A11 where the wetland boundary was well beyond the footprint of the home. The wetlands will eventually extend to the east side of the property where a culvert enters the property from the other side of Day Avenue. A channelized watercourse can be seen at this culvert.

#### No Riverfront Area

The USGS map for this area shows a thin blue line or an intermittent stream on the property. Pursuant to the regulations at 310 CMR 10.58, I further evaluated the watercourse using the USGS *StreamStat* on-line stream evaluation tool. The evaluation print-out is included with this report.

The resultant evaluation calculates that the contributing watershed to this section of stream is 0.08 square miles and the residual flow in the 99th percentile flow duration is less than 0.01 cubic feet per second.

Regulations at 310 CMR 10.58 establish a threshold of requiring a watershed more than one half square mile in area and residual stream flow being at least 0.01 cfs in order to presume the stream is perennial. The StreamStat evaluation fails on both parameters. Accordingly, the watercourse is presumed to be intermittent and there is no riverfront area associated with this seasonal stream.

#### Bordering Land Subject to Flooding

The FEMA map shows a Zone A bordering land subject to flooding extending across the rear of the property. There is no base flood elevation established for this Zone A.

The limit of the FEMA Zone A is scaled onto the plan from the current FEMA map.

#### Rare Species and Certified Vernal Pools

The MassMapper Natural Heritage data layer indicates the property is not within estimated habitat of rare wetlands wildlife, nor is there Priority Habitat of threatened or endangered species. There are no certified vernal pools on this property.

#### Proposed Work

The Notice of Intent application is for installation of a new deck off the rear of the home. The deck is a modest sized feature connecting to and extending only 12 feet from the rear of the home. The deck extends out over maintained lawn and does not require for any vegetation to be removed.

Furthermore, other than cutting out a four inch by four-inch piece of turf grass, the deck footings do not require any ground disturbance or excavation. The contractor will use the diamond pier post support. A total of 6 to 10 of these support points will be needed for the deck and the steps.

The support system works by driving four opposing stabilization rods through the concrete post support and into the soil below. The rods are driven at an angle and crisscross each other rod, thereby providing resistance and support for the wooden deck posts. The rods are driven by a hand-held pneumatic or electric hammer.

Once the supports are set, the rest of the project is limited to above ground carpentry work. Minor carpentry is required at the rear of the home to convert a triple window to a new door opening. Demolition of the existing rear door stoop is also eliminated and the proposed deck steps down to grade will extend over the existing steps, thus eliminating the need for demolition.

The builder will collect all scraps and refuse at the end of each day. Even though there is no excavation, the plans show a proposed straw wattle erosion control to clearly establish the limit of work.

There is no work occurring within the FEMA Zone A.

Request for Waiver

The deck is partially in and partially beyond the 50-foot no build zone. Roughly 147 square feet of the proposed deck and steps occur within the 50-foot no build zone. This work is unavoidable given the location of the home in proximity to the hydric soil line across the rear yard. The deck has to connect to a logical point along the house, i.e. not through a bathroom wall or through the garage or a bedroom. Furthermore, there is no location along the rear of the home to situate this modest feature and be completely out of the no build zone.

The feature has been minimized to respect the 50-foot no build zone as much as possible. The builder is using the no-dig footing system to avoid ground disruption in the no build zone.

The owners will install buffer zone mitigation in the rear yard to support this waiver request. The owner will convert a minimum of 225 square feet of existing lawn area and re-vegetate the area with native shrubs. This provides a mitigation ratio of at least 1.5:1 for the area of no build zone encroachment.

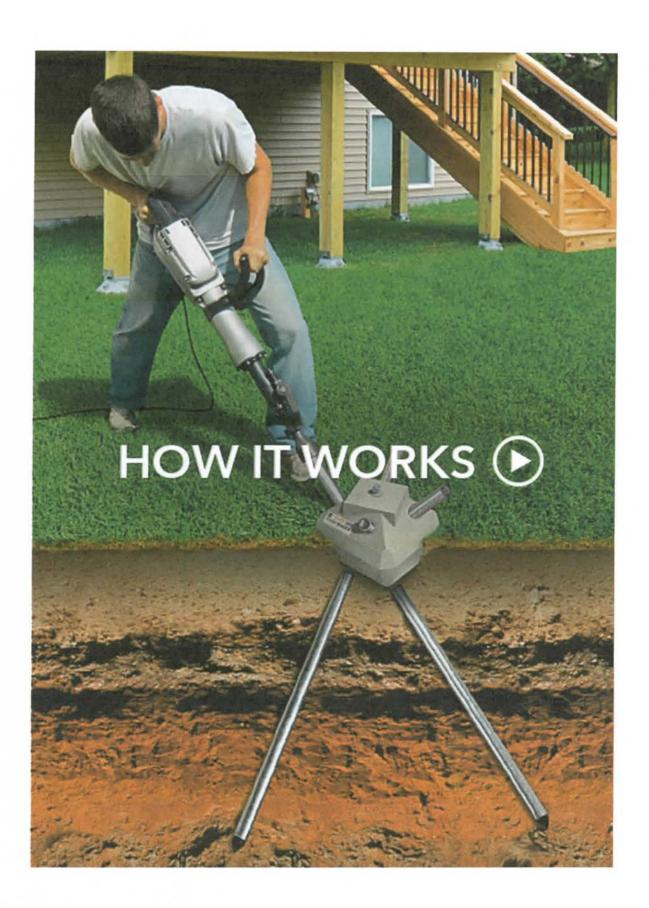
Would you please schedule this matter for your April 23, 2025 meeting? I will attend to present the project and answer any questions.

Sincerely,

Wetlands and Land Management, Inc.

William Manuell

William J. Manuell Wetland Scientist





# StreamStats Report

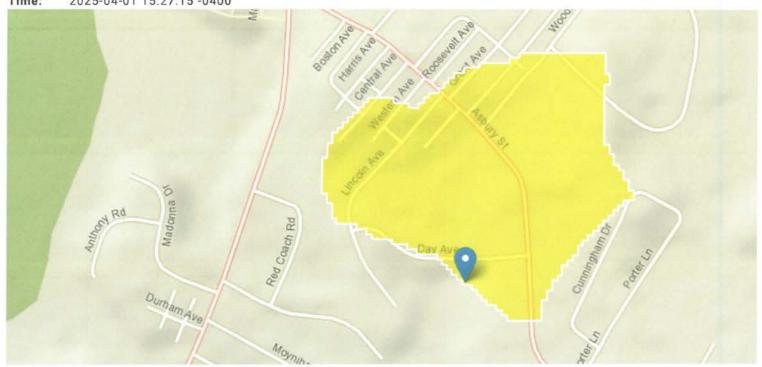
Region ID:

MA

Workspace ID: MA20250401192652056000

Clicked Point (Latitude, Longitude): 42.61859, -70.88026

Time: 2025-04-01 15:27:15 -0400



Collapse All

## > Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
BSLDEM250	Mean basin slope computed from 1:250K DEM	0	percent
DRFTPERSTR	Area of stratified drift per unit of stream length	0.56	square mile per mile
DRNAREA	Area that drains to a point on a stream	0.0805	square miles
MAREGION	Region of Massachusetts 0 for Eastern 1 for Western	0	dimensionless

#### > Flow-Duration Statistics

## Flow-Duration Statistics Parameters [Statewide Low Flow WRIR00 4135]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
BSLDEM250	Mean Basin Slope from 250K DEM	0	percent	0.32	24.6
DRFTPERSTR	Stratified Drift per Stream Length	0.56	square mile per mile	0	1.29
DRNAREA	Drainage Area FAIL	0.0805	square miles	1.61	149

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
MAREGION	Massachusetts Region	0	dimensionless	0	1

Flow-Duration Statistics Disclaimers [Statewide Low Flow WRIR00 4135]

One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors,

#### Flow-Duration Statistics Flow Report [Statewide Low Flow WRIR00 4135]

Statistic	Value	Unit
50 Percent Duration	0.0731	ft^3/s
60 Percent Duration	0.0515	ft^3/s
70 Percent Duration	0.0353	ft^3/s
75 Percent Duration	0.028	ft^3/s
80 Percent Duration	0	ft^3/s
85 Percent Duration	0	ft^3/s
90 Percent Duration	0	ft^3/s
95 Percent Duration	0	ft^3/s
98 Percent Duration	0	ft^3/s
99 Percent Duration	FAIL (0)	ft^3/s

Flow-Duration Statistics Citations

Ries, K.G., III,2000, Methods for estimating low-flow statistics for Massachusetts streams: U.S. Geological Survey Water Resources Investigations Report 00-4135, 81 p. (http://pubs.usgs.gov/wri/wri004135/)

USGS Data Disclaimer: Unless otherwise stated, all data, metadata and related materials are considered to satisfy the quality standards relative to the purpose for which the data were collected. Although these data and associated metadata have been reviewed for accuracy and completeness and approved for release by the U.S. Geological Survey (USGS), no warranty expressed or implied is made regarding the display or utility of the data for other purposes, nor on all computer systems, nor shall the act of distribution constitute any such warranty.

USGS Software Disclaimer: This software has been approved for release by the U.S. Geological Survey (USGS). Although the software has been subjected to rigorous review, the USGS reserves the right to update the software as needed pursuant to further analysis and review. No warranty, expressed or implied, is made by the USGS or the U.S. Government as to the functionality of the software and related material nor shall the fact of release constitute any such warranty. Furthermore, the software is released on condition that neither the USGS nor the U.S. Government shall be held liable for any damages resulting from its authorized or unauthorized use.

USGS Product Names Disclaimer: Any use of trade, firm, or product names is for descriptive purposes only and does not imply endorsement by the U.S. Government.

Application Version: 4.28.0

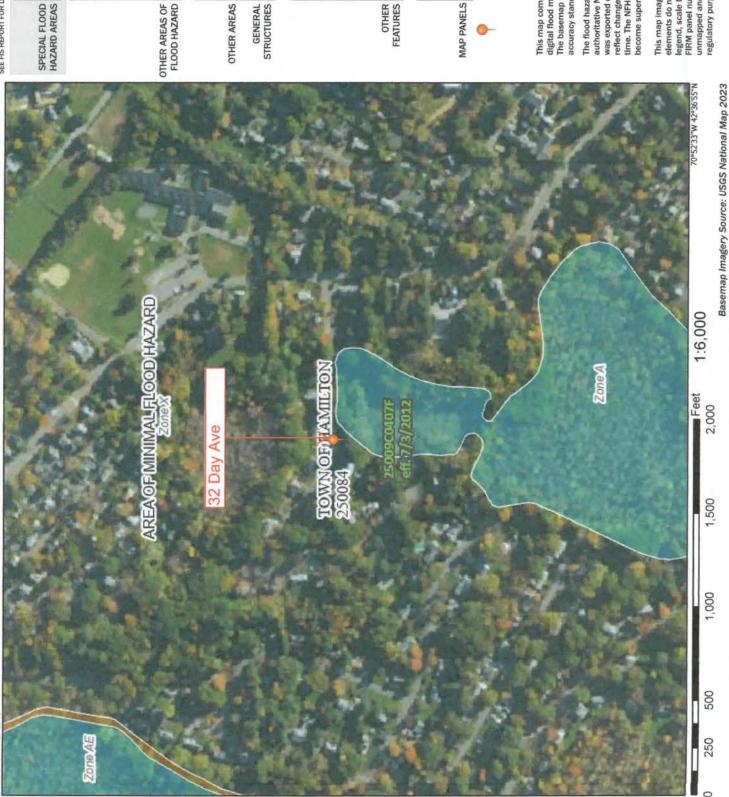
StreamStats Services Version: 1.2.22

NSS Services Version: 2.2.1

# Locus Map Source: United States Geological Survey Asbury Grove land 19.8 32 Day Avenue Cutler Sch Patton Winthrop Libr adaca Fire A) M Wetlands & Land Management, Inc. 100 Conifer Hill Drive - #516 Danvers, MA 01923 978-777-0004

# National Flood Hazard Layer FIRMette





# Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

With BFE or Depth Zone AE, AO, AH, VE, AI Without Base Flood Elevation (BFE) Regulatory Floodway

0.2% Annual Chance Flood Hazard, Areas depth less than one foot or with drainage of 1% annual chance flood with average areas of less than one square mile zone.

Area with Reduced Flood Risk due to Future Conditions 1% Annual Chance Flood Hazard Zone X Levee, See Notes, Zone X

Area with Flood Risk due to Levee Zone D

NO SCREEN Area of Minimal Flood Hazard Zone X

Area of Undetermined Flood Hazard Zone D **Effective LOMRs** 

Channel, Culvert, or Storm Sewer

GENERAL ---- Channel, Culvert, or Storn STRUCTURES | 1111111 Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance

Base Flood Elevation Line (BFE) Water Surface Elevation Coastal Transect --- \$13 moore

Jurisdiction Boundary Limit of Study

Coastal Transect Baseline Profile Baseline

> OTHER FEATURES

Hydrographic Feature

Digital Data Available

No Digital Data Available

Unmapped

MAP PANELS

point selected by the user and does not represent an authoritative property location. The pin displayed on the map is an approximate

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap

authoritative NFHL web services provided by FEMA. This map reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or The flood hazard information is derived directly from the at 9:00 PM and does not become superseded by new data over time. was exported on 3/25/

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for





# 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** 

Hamilton City/Town

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





Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

#### General Information

Project Location (Note:			A 145
32 Day Avenue a. Street Address		Hamilton	01936
a. Street Address		b. City/Town	c. Zip Code
Latitude and Longitude:		42.61889 d. Latitude	-70.88108 e. Longitude
47		Lots 7 and 6	o. Longitudo
f. Assessors Map/Plat Number		g. Parcel /Lot Num	ber
Applicant:			
Maurice and Jill		Twomey	
a. First Name		b. Last Name	
c. Organization			
32 Day Avenue			
d. Street Address			
Hamilton		MA	01936
e. City/Town		f. State	g. Zip Code
978-621-1391			omey@yahoo.com>
h. Phone Number	. Fax Number	j. Email Address	
Property owner (required	if different from applic	ant):   Check	if more than one owner
Alan		Minsky	
a. First Name		b. Last Name	
Additional owner listed or	n deed		
c. Organization			
32 Day Avenue			
d. Street Address			
Hamilton		MA	01936
e. City/Town		f. State	g. Zip Code
978-621-1391			omey@yahoo.com>
h. Phone Number i	. Fax Number	j. Email address	
Representative (if any):			
William		Manuell	
a. First Name		b. Last Name	
Wetlands & Land Manage	ement, Inc.		
c. Company			
100 Conifer Hill Drive #5	16		
d. Street Address		000	27722
Danvers		MA	01923
e. City/Town		f. State	g. Zip Code
978-777-0004	Postinie	bill@wetlandslm.com	m
h. Phone Number i.	Fax Number	j. Email address	
Total WPA Fee Paid (from	m NOI Wetland Fee Tra	ansmittal Form):	
\$110.00	\$42.50		\$67.50 plus \$175.00 local fe
a. Total Fee Paid	b. State Fe	a Baid	c. City/Town Fee Paid

5.



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A	. General Information (continued)				
6.	General Project Description:				
	Construct a new deck.				
7a.	Project Type Checklist: (Limited Project Types see	Sec	ctio	n	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				
7b.	1   VAC   X   NO '	0.24 ed p	(co	ec	
	2. Limited Project Type				
	If the proposed activity is eligible to be treated as a CMR10.24(8), 310 CMR 10.53(4)), complete and a Project Checklist and Signed Certification.				
8.	Property recorded at the Registry of Deeds for:				
	Essex South				
	a. County			ific	ate # (if registered land)
	41152 c. Book	51		e N	lumber
B	Buffer Zone & Resource Area Imp		-	-	
1.	Buffer Zone Only – Check if the project is locate Vegetated Wetland, Inland Bank, or Coastal Re				[H. 12] [H. 12] [H. 12] [H. 13] [H. 14] [H. 12] [H. 1
2.	Inland Resource Areas (see 310 CMR 10.54-10 Coastal Resource Areas).				
	Check all that apply below. Attach narrative and any	y su	ppc	ort	ing 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)

Resource Area Size of Proposed Alteration Proposed Replacement (if any) Bank 1. linear feet 2. linear feet b. 🗌 Bordering Vegetated 2. square feet Wetland 1. square feet c. 🗌 Land Under 1. square feet 2. square feet Waterbodies and Waterways 3. cubic yards dredged Size of Proposed Alteration Proposed Replacement (if any) Resource Area d. | Bordering Land Subject to Flooding 1. square feet 2. square feet 3. cubic feet of flood storage lost 4. cubic feet replaced e. 🗌 Isolated Land Subject to Flooding 1. square feet 2. cubic feet of flood storage lost 3. cubic feet replaced f. Riverfront Area 1. 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 Proposed alteration of the Riverfront Area: c. square feet between 100 ft. and 200 ft. b. square feet within 100 ft. a. total square feet 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.

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



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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.

in or alternative project design or i	
Size of Proposed Alteration	Proposed Replacement (if any)
Indicate size under Land Und	der the Ocean, below
1. square feet	-
2. cubic yards dredged	-
Indicate size under Coastal Be	eaches and/or Coastal Dunes below
1. square feet	2. cubic yards beach nourishment
1. square feet	2. cubic yards dune nourishment
Size of Proposed Alteration	Proposed Replacement (if any)
1. linear feet	-
1. square feet	
1. square feet	2. sq ft restoration, rehab., creation
1. square feet	_
2. cubic yards dredged	-
1. square feet	-
	inks, inland Bank, Land Under the der Waterbodies and Waterways,
1. cubic yards dredged	-
1. square feet	-
b. square feet of	f Salt Marsh
ssings	
b. number of rep	placement stream crossings
	Size of Proposed Alteration  Indicate size under Land Und  1. square feet  2. cubic yards dredged Indicate size under Coastal Be  1. square feet  2. cubic yards dredged  1. square feet  1. square feet  1. square feet  2. cubic yards dredged  1. square feet  3. square feet  4. square feet  5. square feet  6. square feet  6. square feet  6. square feet  6. square feet of square feet  6. square feet of square feet  6. square feet of squar

4.

5.



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			Hamilton
			City/Town
C.	Other Applicable	Standards and	Requirements
		_	ion Limited Project. Skip Section C and Limited Project Checklists – Required Actions
Str	eamlined Massachus	etts Endangered Spe	cies Act/Wetlands Protection Act Review
1.	the most recent Estimate	d Habitat Map of State-L dangered Species Progra deritage Atlas or go to	Estimated Habitat of Rare Wildlife as indicated on isted Rare Wetland Wildlife published by the am (NHESP)? To view habitat maps, see the viewer.htm.
	a. Yes No	f yes, include proof of	mailing or hand delivery of NOI to:
	MassGIS b. Date of map	Natural Heritage and I Division of Fisheries a 1 Rabbit Hill Road Westborough, MA 019	
	CMR 10.18). To qualify for complete Section C.1.c, a complete Section C.2.f, if by completing Section 1 of the section C.2.f.	or a streamlined, 30-day, and include requested ma applicable. If MESA sup of this form, the NHESP	s Endangered Species Act (MESA) review (321 MESA/Wetlands Protection Act review, please aterials with this Notice of Intent (NOI); OR oplemental information is not included with the NOI, will require a separate MESA filing which may take in Section 2 apply, see below).
	c. Submit Supplemental I	nformation for Endanger	red Species Review*
	1. Percentage/a	creage of property to be	altered:
	(a) within wetland	Resource Area	percentage/acreage
	(b) outside Resou	irce Area	percentage/acreage
	2. Assessor's N	lap or right-of-way plan o	of site
		wing existing and propos	wetland resource areas and areas outside of sed conditions, existing and proposed ted limits of work **
	(a) Project descr buffer zone)	iption (including descript	ion of impacts outside of wetland resource area &
	(b) Photographs	representative of the site	9

<sup>\*</sup> Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <a href="https://www.mass.gov/maendangered-species-act-mesa-regulatory-review">https://www.mass.gov/maendangered-species-act-mesa-regulatory-review</a>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

<sup>\*\*</sup> 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.



# WPA Form 3 - Notice of Intent

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ivias	sDEP File Number
Doc	ument Transaction Number

# C. Other Applicable Standards and Requirements (cont'd)

	Make	a-project-review).	able at <a href="https://www.mass.gov/how-to/how-to-file-for-assachusetts">https://www.mass.gov/how-to/how-to-file-for-assachusetts</a> - NHESP" and <i>mail to NHESP</i> at					
	Project	s altering <b>10 or more acres</b> of land, also su	bmit:					
	(d)	Vegetation cover type map of site						
	(e)	(e) Project plans showing Priority & Estimated Habitat boundaries						
	(f) OR Check One of the Following							
	1.	https://www.mass.gov/service-details/	MESA exemption applies. (See 321 CMR 10.14, exemptions-from-review-for-projectsactivities-inent to NHESP if the project is within estimated 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" dete Permit with approved plan.	ermination or valid Conservation & Management					
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, inclu	ude proof of mailing, hand delivery, or el	ectronic delivery of NOI to either:					
	South Shore - Cohasset to Rhode Island border, and horth Shore - Hull to New Hampshire border: 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@mass.gov  Division of Marine Fisheries - North Shore Office Attn: Environmental Reviewer 30 Emerson Avenue Gloucester, MA 01930 Email: dmf.envreview-north@mass.gov							
	please con		cense. For coastal towns in the Northeast Region, stal towns in the Southeast Region, please contact					
	c. 🗌 🛮 Is t	this an aquaculture project?	d. 🗌 Yes 🛛 No					
	If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).							



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

# WPA Form 3 - Notice of Intent

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# C. Other Applicable Standards and Requirements (cont'd)

	4.	Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
Online Users: Include your document		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.
transaction		b. ACEC
number (provided on your receipt page) with all	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?
supplementary		a. 🗌 Yes 🗵 No
information you submit to the Department.	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:
		<ol> <li>Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)</li> </ol>
		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.
		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 (con
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Addi	tional Information (cont'd)			
		ource area boundary delineations (MassDEP BVW ability, Order of Resource Area Delineation, etc.), dology.		
4. 🛛	List the titles and dates for all plans and oth	er materials submitted with this NOI.		
Pror	posed Plot Plan			
	an Title			
LeB	lanc Survey Associates, Inc	Vernon LeBlanc, PLS		
	epared By	c. Signed and Stamped by		
4-1-	25	20		
d. Fir	nal Revision Date	e. Scale		
f. Add	litional Plan or Document Title	g. Date		
	If there is more than one property owner, plaisted on this form.	ease attach a list of these property owners not		
6. 🗌 📝	Attach proof of mailing for Natural Heritage	and Endangered Species Program, if needed.		
7. 🗌 📝	Attach proof of mailing for Massachusetts D	ivision of Marine Fisheries, if needed.		
8. Attach NOI Wetland Fee Transmittal Form				
9. 🗌	Attach Stormwater Report, if needed.			
Fees				
(		for projects of any city, town, county, or district Indian tribe housing authority, municipal housing ortation Authority.		
	ts must submit the following information (in smittal Form) to confirm fee payment:	addition to pages 1 and 2 of the NOI Wetland		
1146		4-1-25		
<ol><li>Municipa</li></ol>	al Check Number	3. Check date		
1147		1147		
	eck Number	5. Check date		
	& Land Management, Inc.			
<ol><li>Payor na</li></ol>	ame on check: First Name	7. Payor name on check: Last Name		

E.



# WPA Form 3 - Notice of Intent

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

1	MassDEP File Number
Ī	Document Transaction Number
1	Hamilton
-	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.

Minus A Tuon II	4-1-25	
A. Signature of Applicant	2. Date	
3. Signature of Property Owner (if different)	4. Date	
William Mienell	4-1-25	
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.

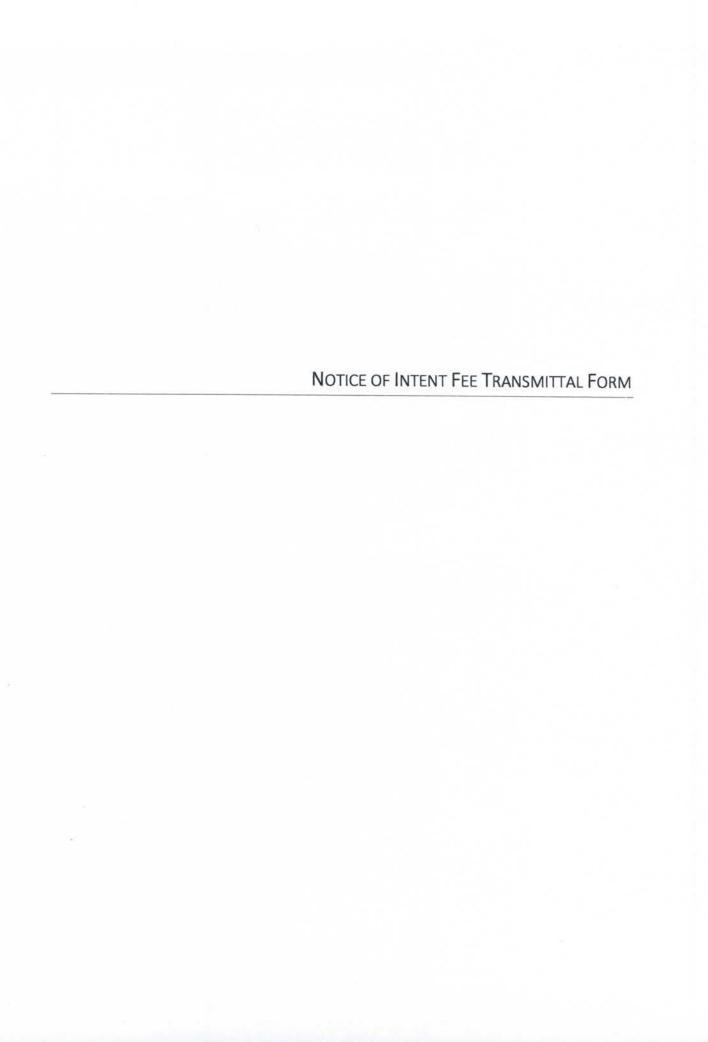
#### For MassDEP

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.





# **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		
Location of Project:		
32 Day Avenue	Hamilton	
a. Street Address	b. City/Town	
1147	\$42.50	
c. Check number	d. Fee amount	
. Applicant Mailing Address:		
Maurice & Jill	Twomey	
a. First Name	b. Last Name	
c. Organization		
32 Day Avenue		
d. Mailing Address		
Hamilton	MA	01936
e. City/Town	f. State	g. Zip Code
978-621-1391	Jill Twomey <jilletwomey< td=""><td></td></jilletwomey<>	
h. Phone Number i. Fax Number	j. Email Address	@yanoo.com
Property Owner (if different):		
Alan	Minsky	
a. First Name	b. Last Name	
Additional name listed on the deed		
c. Organization		
32 Day Avenue		
d. Mailing Address		
Hamilton	MA	01936
e. City/Town	f. State	g. Zip Code
978-621-1391	Jill Twomey <jilletwomey< td=""><td></td></jilletwomey<>	
1 61 11 1		~

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

#### B. Fees

h. Phone Number

Fee should be calculated using the following process & worksheet. Please see Instructions before filling out worksheet.

j. Email Address

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.

i. Fax Number

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 \$12.50.



# Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

# NOI Wetland Fee Transmittal Form

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

B. Fees (continued)			
Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Deck in BZ	one	\$110	\$110.00
	Step 5/To	tal Project Fee	
	Step 6/I	Fee Payments:	
	Total F	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 filling Fee:	\$67.50 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.)

WETLANDS & LAND MANAGEMENT, INC.	REMITTANCE ADVICE	
		10-4/220 1146
		1140
SIXtu Sever a 150		CHECK AMOUNT I Deals to be to
DATE TO THE ORDER OF HAS GROSS  4/1/4 TURN of HAMILTON WIA FO	SOC. SEC. MED. FED. WITH. STATE DOLLARS	
4/1/4 Turn of Hamilton Whate	C 3L Day he DESCRIPTION	\$ 67.50
	WII- Manuely	
	Markey Markey	
WETLANDS & LAND MANAGEMENT, INC.	REMITTANCE ADVICE	
		10-4/220
	244	1147
PAY Forty two md 100  DATE TO THE ORDER OF HRS GROSS		CHECK AMOUNT &
	SOC. SEC. MED. FED. WITH STATE DOLLARS	
19/1/25 Comm of MA 32 DA	The WPA FRE DESCRIPTION	\$ 4250
	WUI- Manuer	
	Ware Manaed	
AND DESCRIPTION OF THE PERSON		
	4	
WETLANDS & LAND MANAGEMENT, INC.	REMITTANCE ADVICE	
		10-4/220 1148
		1140
- one hundred sevento five -		CHECK AMOUNT
DATE TO THE ORDER OF HAS GROSS  4/1/25 Town of Hamilton Bylan	SOC. SEC. MED. FED. WITH STATE DOLLARS	
4/18 Town of Hamilton Bylan	Fee 32 Dry Are DESOGNIPTION	\$ 175.00
	Will-9 manue	'm
	Will I runde	1

ABUTTER INFORMATION

#### Notification to Abutters Under the Massachusetts Wetlands Protection Act

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

A.	The name of the applicant is	Maurice and Jill Twomey and Alan Minsky
----	------------------------------	---

B. The applicant has filed a Notice of Intent with the Conservation Commission for work subject to jurisdiction under the Wetlands Protection Act (General Laws Chapter 131, Section 40).

#### Activities Proposed: Construct a new deck

Э.	The Address of the Lot where the activity is proposed is 32 Day Avenue, Hamilton
).	Copies of the Notice of Intent may be examined by appointment at Wetlands & Land Management, Inc
	between the hours of 9 AM and 3 PM on the following days of the week: M-F
	For an appointment, call: (978) 777-0004
	This is the applicant's representative.
Va	me of Representative: Wetlands & Land Management, Inc William Manuell
la	
	Copies of the Notice of Intent may be obtained from the Town Hall or for a fee from the
	Copies of the Notice of Intent may be obtained from the Town Hall or for a fee from the applicant's representative by calling this telephone number (978)-777-0004
la.	Copies of the Notice of Intent may be obtained from the Town Hall or for a fee from the
	Copies of the Notice of Intent may be obtained from the Town Hall or for a fee from the applicant's representative by calling this telephone number (978)-777-0004
	Copies of the Notice of Intent may be obtained from the Town Hall or for a fee from the applicant's representative by calling this telephone number (978)-777-0004
	Copies of the Notice of Intent may be obtained from the Town Hall or for a fee from the applicant's representative by calling this telephone number (978)-777-0004 between the hours of 9 AM and 4 PM on the following days of the week: M-F
į.	Copies of the Notice of Intent may be obtained from the Town Hall or for a fee from the applicant's representative by calling this telephone number (978)-777-0004  between the hours of 9 AM and 4 PM on the following days of the week: M-F  Information regarding the date, time, and place of the public hearing may be obtained from the

NOTE: Notice of the public hearing, including its date, time and place, will be published at least five

(5) days in advance in the Hamilton-Wenham News or other local newspaper (name of newspaper)

NOTE: Notice of the public hearing, including its date, time and place, will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

NOTE: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act.

#### To contact DEP, call:

Central Region: 508-792-7650 Northeast Region: 978-694-3200

Southeast Region: 508-946-2800 Western Region: 413-784-1100

### TOWN OF HAMILTON **Conservation Commission** CERTIFICATE OF PARTIES IN INTEREST

Pursuant to Massachusetts General Laws, Chapter 40A, Section 11, the undersigned Assessor of the Town of Hamilton, hereby certifies that the names and addresses appearing on the list appended hereto are those of the:

- abutters 100' (a)
- (b) owners of land directly opposite on any public or private street or way
- X (c) owners of land within 300' of the property line of the property at:

32 and 0 Day Avenue

So. Hamilton

Dated *March 26, 2025* 

Prepared by Assessor's Office of the Town of Hamilton.

Jane Dooley Director of Assessing



#### Subject Property:

Parcel Number:

47-0006

CAMA Number: (

47-000-0006

Property Address: 0 DAY AV

Mailing Address: TWOMEY JILL E. TWOMEY MAURICE A.

32 DAY AV

SOUTH HAMILTON, MA 01982

Abutters:

Parcel Number:

47-0001

CAMA Number:

47-000-0001

Property Address: 188 ASBURY ST

Parcel Number: CAMA Number: 47-0002

47-000-0002

Property Address: 200 ASBURY ST

Parcel Number:

47-0003

CAMA Number: Property Address: 212 ASBURY ST

47-000-0003

Parcel Number:

47-0004

CAMA Number: Property Address: 4 DAY AV

47-000-0004

Parcel Number: CAMA Number: 47-0005 47-000-0005

Property Address: 16 DAY AV

Parcel Number:

CAMA Number:

Property Address: 32 DAY AV

47-000-0007

47-0007

Parcel Number: CAMA Number:

47-0008 47-000-0008

Property Address: 36 DAY AV

Parcel Number: CAMA Number:

47-0009

47-000-0009

Property Address: 42 DAY AV

Parcel Number:

47-0013

CAMA Number: Property Address: 74 LINCOLN AV

47-000-0013

Parcel Number: CAMA Number:

3/26/2025

47-0014 47-000-0014

Property Address: 78 LINCOLN AV

Mailing Address:

DEJAGER PETER C ADRIANA JT

188 ASBURY ST

SOUTH HAMILTON, MA 01982

Mailing Address: HOUGH KATHLEEN POULIN

200 ASBURY ST

SOUTH HAMILTON, MA 01982

Mailing Address:

CANGIALOSI VINCENT J STEVENSON

KAREN ANNE TE 212 ASBURY ST

SOUTH HAMILTON, MA 01982

Mailing Address:

**BUCKLEY MORGAN LESCARBEAU** 

MICHELE D 4 DAY AV

S HAMILTON, MA 01982

Mailing Address:

GLEASON LINDA A LINDA A GLEASON

REVOCABLE TRST 16 DAY AV

SOUTH HAMILTON, MA 01982

Mailing Address:

TWOMEY JILL E. TWOMEY MAURICE A.

32 DAY AVENUE HAMILTON, MA 01982

Mailing Address: DEPIERO BRIAN D TRUSTEE DEPIERO

REALTY TRUST 36 DAY AV

SOUTH HAMILTON, MA 01982

Mailing Address:

BODECKER CHRISTOPHER G & ZURLO

42 DAY AV

SOUTH HAMILTON, MA 01982

Mailing Address:

ELIA JOHN R II-KIMBERLY A TRUS

74 LINCOLN AV

SOUTH HAMILTON, MA 01982

Mailing Address:

APPEL JESSE & VICTORIA 78 LINCOLN AV





# 300 feet Abutters List Report

Hamilton, MA March 26, 2025

Parcel Number: CAMA Number: 47-0015

47-000-0015

Property Address: 80 LINCOLN AV

Mailing Address: AYERS CHRISTINE

80 LINCOLN AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number: 47-0029

47-000-0029

Property Address: 45 DAY AV

Mailing Address:

MAHONEY JOHN MICHELLE

45 DAY AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number:

Property Address: 37 DAY AV

Property Address: 29 DAY AV

47-0030 47-000-0030

Mailing Address:

TRANFAGLIA THOMAS ANTHONY

TRANFAGLIA GINA CROTTY

37 DAY AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number: 47-0031 47-000-0031

Mailing Address:

SUTERMEISTER ERIC G

29 DAY AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number:

47-0032 47-000-0032 Property Address: 23 DAY AV

Mailing Address:

SANDRA A. VITALE TRUST VITALE.

TRUSTEE SANDRA A.

23 DAY AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number:

47-0033 47-000-0033

Property Address: 222 ASBURY ST

Mailing Address:

DAY DAVID A CHERYL TE

222 ASBURY ST

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number:

47-0034 47-000-0034

Property Address: 218 ASBURY ST

Mailing Address:

NANCY L DAY ROBIN T DAY

218 ASBURY ST

S HAMILTON, MA 01982

Parcel Number: CAMA Number: 47-0035 47-000-0035

Property Address: 230 ASBURY ST

Mailing Address:

ROWLAND SUSIE W

230 ASBURY ST

Parcel Number:

47-0194

Mailing Address:

LIPORTO SCOTT & BRIAN TRSTEES

CAMA Number: Property Address: 84 LINCOLN AV

47-000-0194

THE LIPORTO FMLY IRREV TRUST

84 LINCOLN AV

SOUTH HAMILTON, MA 01982

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number:

47-0195 47-000-0195 Property Address: 82 LINCOLN AV

Mailing Address:

**BENNETT DOUGLAS & TRACY** 

82 LINCOLN AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number:

47-0228 47-000-0228 Property Address: 5 DAY AV

Mailing Address:

DOYON CHRISTOPHER BERNARD DOYON KATHERINE VENTIMIGLIA

5 DAY AVENUE HAMILTON, MA 01982

Parcel Number: CAMA Number:

47-041A 47-41A-000A Property Address: 2 SPRING AV Mailing Address:

GOSWAMI JEANNE N GOSWAMI BLAISE

2 SPRING AV





#### Subject Property:

Parcel Number: 47-0007 CAMA Numberr 47-000-0007 Property Address: 32 DAY AV

Mailing Address: TWOMEY JILL E. TWOMEY MAURICE A.

32 DAY AVENUE HAMILTON, MA 01982

Abutters:

Parcel Number: CAMA Number:

47-0002 47-000-0002

Property Address: 200 ASBURY ST

Parcel Number: CAMA Number:

47-0005 47-000-0005

Property Address: 16 DAY AV

Parcel Number: CAMA Number:

47-0006 47-000-0006 Property Address: 0 DAY AV

Parcel Number:

47-0008

CAMA Number: Property Address: 36 DAY AV

47-000-0008

Parcel Number: CAMA Number:

47-0009 47-000-0009 Property Address: 42 DAY AV

Parcel Number: 47-0010 CAMA Number:

47-000-0010 Property Address: 48 DAY AV

Parcel Number:

CAMA Number: 47-000-0012 Property Address: 66 LINCOLN AV

47-0012

Parcel Number: CAMA Number:

47-0013 47-000-0013 Property Address: 74 LINCOLN AV

Parcel Number: 47-0014

CAMA Number:

47-000-0014 Property Address: 78 LINCOLN AV

Parcel Number: CAMA Number:

3/26/2025

47-0015 47-000-0015 Property Address: 80 LINCOLN AV

Mailing Address:

HOUGH KATHLEEN POULIN

200 ASBURY ST

SOUTH HAMILTON, MA 01982

Mailing Address:

GLEASON LINDA A LINDA A GLEASON REVOCABLE TRST

16 DAY AV

SOUTH HAMILTON, MA 01982

Mailing Address:

TWOMEY JILL E. TWOMEY MAURICE A.

32 DAY AV

SOUTH HAMILTON, MA 01982

Mailing Address:

DEPIERO BRIAN D TRUSTEE DEPIERO

REALTY TRUST 36 DAY AV

SOUTH HAMILTON, MA 01982

Mailing Address:

BODECKER CHRISTOPHER G & ZURLO

42 DAY AV

SOUTH HAMILTON, MA 01982

Mailing Address: LITTLEFIELD PAUL CHARLES **48 DAY AVENUE** 

S. HAMILTON, MA 01982

Mailing Address: WILFAHRT JEFFREY J

66 LINCOLN AV

SOUTH HAMILTON, MA 01982

Mailing Address:

ELIA JOHN R II-KIMBERLY A TRUS 74 LINCOLN AV

SOUTH HAMILTON, MA 01982

Mailing Address: APPEL JESSE & VICTORIA 78 LINCOLN AV

SOUTH HAMILTON, MA 01982

Mailing Address: AYERS CHRISTINE

80 LINCOLN AV





Parcel Number: CAMA Number: 47-0016

47-000-0016

Property Address: 79 LINCOLN AV

Mailing Address:

DURKIN PATRICK J. BECKETT ASHTON

79 LINCOLN AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number: 47-0017

47-000-0017

Property Address: 75 LINCOLN AV

Mailing Address:

SIRKIN JACOB SIRKIN RACHEL

75 LINCOLN AVE

S. HAMILTON, MA 01982

Parcel Number: CAMA Number: 47-0028

47-000-0028 Property Address: 49 DAY AV

WALSH MATTHEW Mailing Address:

49 DAY AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number:

Property Address: 45 DAY AV

47-0029

47-000-0029

Mailing Address:

MAHONEY JOHN MICHELLE

45 DAY AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number: 47-0030 47-000-0030

Property Address: 37 DAY AV

Mailing Address:

TRANFAGLIA THOMAS ANTHONY

TRANFAGLIA GINA CROTTY

37 DAY AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number: 47-0031

47-000-0031 Property Address: 29 DAY AV

Mailing Address:

SUTERMEISTER ERIC G

29 DAY AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number: 47-0032

47-000-0032 Property Address: 23 DAY AV

Mailing Address:

SANDRA A. VITALE TRUST VITALE,

TRUSTEE SANDRA A.

23 DAY AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number: 47-0033

47-000-0033 Property Address: 222 ASBURY ST Mailing Address:

DAY DAVID A CHERYL TE

222 ASBURY ST

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number: 47-0035

47-000-0035

Property Address: 230 ASBURY ST

Mailing Address:

ROWLAND SUSIE W

230 ASBURY ST

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number:

47-0194 47-000-0194

Mailing Address: LIPORTO SCOTT & BRIAN TRSTEES

THE LIPORTO FMLY IRREV TRUST 84 LINCOLN AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number: 47-0195

Property Address: 84 LINCOLN AV

Property Address: 82 LINCOLN AV

47-000-0195

Mailing Address:

**BENNETT DOUGLAS & TRACY** 

82 LINCOLN AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number: 47-0210

Property Address: 14 HONEYSUCKLE RD

47-000-0210

Mailing Address:

IRVIN J LEVY REVOCABLE TRUST

KATHLEEN M SWIERZEWSKI REVO TR

14 HONEYSUCKLE RD





# 300 feet Abutters List Report

Hamilton, MA March 26, 2025

Parcel Number:

47-0211

CAMA Number:

47-000-0211

Property Address: 16 HONEYSUCKLE RD

Mailing Address: LOWRIE DOUGLAS R KAREN S TE

16 HONEYSUCKLE RD

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number:

47-041A 47-41A-000A

Property Address: 2 SPRING AV

Mailing Address: GOSWAMI JEANNE N GOSWAMI BLAISE

2 SPRING AV

SOUTH HAMILTON, MA 01982

Parcel Number: CAMA Number: 55-0350

Property Address: 18 HONEYSUCKLE RD

55-000-0350

Mailing Address:

MACINTYRE PETER B MACINTYRE

**EMILY T** 

18 HONEYSUCKLE RD