

From:
Koduvayur G Narayana and Radha Narayana

May 31, 2024

Subject: Modified request to perform limited exploratory work - 0 Prospect Street, Ashland MA 01721

To:

Chairperson Ashland Conservation Commission 101 Main Street Ashland, MA 01721

Dear Chairperson, and Commissioners,

Greetings,

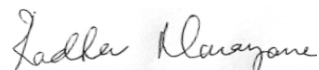
We have reduced our scope of work to eliminate substantially all impacts for the resource area with this exploratory phase of the project. Please accept this modified request. We will submit on line this modified request to MA DEP.

We look forward to presenting revised plans for the exploratory work for our project at the June 10, 2024 Conservation Commission meeting.

Very truly yours,



K G Narayana Phone: 5088819586 Email: kgnarayana@aol.com
Radha Narayana Phone: 508 380 9314, Email Radha 1605@gmail.com



Email: Radha1605@gmail.com
17 Half Crown Circle, Ashland MA 01721

cc: DEP Northeast Regional Office, 150 Presidential Way, Woburn, MA 01801

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Modified Form: WPA Form 3

Modified Narrative

Introduction

Brief Statement about the Limited Scope of this NOI

Description of existing site and description of future lay out Summary of our request to Conservation Commission

Modified plans: Plan C- Plan with location of the Drive point steel wells

Exhibits for the Modifies Request

Exhibit 1: Locus Map

Exhibit 1B: Attempted Adverse possession plan - Pamala Mimms

Exhibit 2 and 2C: Natural Heritage and Endangered Species Map and NHESP Priority Habitats of Rare species

Exhibit 2A and 2B: CVP # 4747, NHESP certification papers

Exhibit 3: National Flood Hazard Layer

Exhibit 4: Approved Site Plan under an Order of Resource Delineation that shows the Vernal Pool information with its surrounding wetland and the associated 25 ft. NDZ and this also shows the 100 ft. buffer zones of the on-site vernal pool and also, of the off-site vernal pools.

Exhibit 5: Conceptual Site plan - An overlay of the planned *future* layout of the deck & the Cabins on stilts using helical piles, final pervious gravel access driveway, approximate location of water wells (for potable water), Geothermal wells (for Heat source) and, approximate location of the Sewer Manholes.

Exhibit 9: Massachusetts Area of Critical Environmental Concern GIS Data

Exhibit 11: Use of the 5 ft. driveway setback as third alternate option- ZBA denied the needed waiver

Exhibit 13: Plan showing site elevations

Exhibit 14: Approved_ORAD_AUG_04_2022

Exhibit 15: Site Pictures



**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

AMENDED FORM 24 May 2024

Provided by MassDEP:

MassDEP File Number 95-0995

Document Transaction Number

Ashland MA

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



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

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

0 Prospect street Ashland 01721
a. Street Address b. City/Town c. Zip Code
Latitude and Longitude: 42.234720 -71.446740
d. Latitude e. Longitude
29 34
f. Assessors Map/Plat Number g. Parcel /Lot Number

2. Applicant:

Koduvayur G and Radha Narayana
a. First Name b. Last Name
Not Applicable
c. Organization
17 Half Crown Circle
d. Street Address
Ashland MA 01721
e. City/Town f. State g. Zip Code
5088819586 kgnarayana@aol.com, Radha1605@gmail.com
h. Phone Number i. Fax Number j. Email Address

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

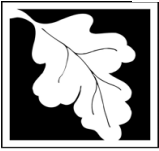
a. First Name b. Last Name
c. Organization
d. Street Address
e. City/Town f. State g. Zip Code
h. Phone Number i. Fax Number j. Email address

d. Representative (if any)

a. First Name b. Last Name
c. Company
d. Street Address
e. City/Town f. State g. Zip Code
h. Phone Number i. Fax Number j. Email address

e. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$110 \$42.50 \$67.50
a. Total Fee Paid b. State Fee Paid c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Exploratory work for a storm water system design and management related report with regard to the planned 100% pervious gravel on grade driveway using truegrid¹ pavers (See attached conceptual description of the **future site development**). All of exploratory work is within the buffer zone only. We propose to install up to four drive point steel wells to monitor high ground water level. All these work is by manual labor and there will not be any vehicular traffic on the entire parcel.

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

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

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

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

310 CMR 10.53 see Attached statement about the necessary exploratory work for installing up to four drive³ point steel wells for monitoring high ground water level.

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(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:

<u>Middlesex</u>	_____
a. County	b. Certificate # (if registered land)
<u>52016</u>	<u>296</u>
c. Book	d. Page Number

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

1. Buffer Zone Only(see footnote)– 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

¹ <https://www.truegridpaver.com/>

² Note the future housing structure will be on stilts to provide unhindered migration path for the habitats. We need to construct an access driveway to build the house. High ground water level data is required for planning the storm water system and its management for the future, gravel access driveway on grade. **Our plan is to build a 100% pervious gravel driveway on grade using Truegrid.** This is a necessary exploratory activity for the construction of an access driveway on grade.

³ similar to <https://www.merrillmfg.com/products/drive-well-points#>



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

NO IMPACT IN THE BUFFER ZONE

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

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding		
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

25 ft. - Designated Densely Developed Areas only

100 ft. - New agricultural projects only

200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

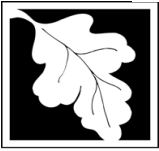
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

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>	
f. <input type="checkbox"/> Coastal Banks	_____	<u>Proposed Replacement (if any)</u>
	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 type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	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		
	_____	_____
	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

b. Date of map **Aug 1, 2021**

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

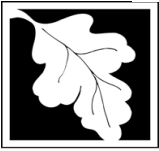
2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) Project description (including description of impacts outside of wetland resource area & buffer zone)
 This is an NOI for Exploratory work and **there is no impact with in the vernal pool and the associated wetland area**, all work is in the buffer zone and beyond,

(b) Photographs representative of the site (see attached Exhibit 15)

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/ma-endangered-species-act-mesa-regulatory-review>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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

(c) MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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:

North Shore - Hull to New Hampshire border:

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

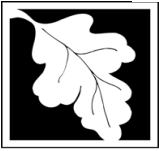
Email: dmf.envreview-north@mass.gov

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.

c. Is 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).



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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 and it is an exploratory activity with no discharge to Critical Areas and the temporary impact if any and is negligible.**
 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.

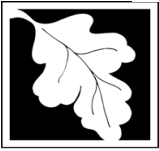
D. Additional Information

- 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 [BWW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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D. Additional Information (cont'd)

3 Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology. (See attached Processed ANRAD exhibit 14, MA DEP 095-0969)

4 List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title : *Plan C Location of drive poin monitoring wels*

c. Prepared By Owner K G Narayana in consultation with
PE Ramasastry Satyaprasad of GP Associates Burlington MA

d. Signed and Stamped by Ramasastry Satyaprasad PE
GP Associates, Burlington MA 01803

e. Final Revision Date 23 May 2024

e. Scale : 1" = 30 ft.

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
(Already paid with the original filing)

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:

3166 and 3167

07 March 2024

2. Municipal Check Number

3168

3. Check date

07 March 2024

4. State Check Number

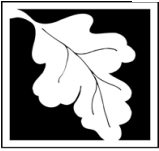
Koduvayur and Radha

5. Check date

Narayana

6. Payor name on check: First Name

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.

1. Signature of Applicant

2. Date May 24, 2024

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

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

For MassDEP:

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

Other:

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

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



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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:

0 Prospect Street

a. Street Address
3168

c. Check number

Ashland

b. City/Town

\$ 42.50

d. Fee amount

2. Applicant Mailing Address:

Koduvayur and Radha

a. First Name

Narayana

b. Last Name

c. Organization

d. Mailing Address

17 Half Crown Circle, Ashland

e. City/Town

MA

f. State

01721

g. Zip Code

5088819586

h. Phone Number

i. Fax Number

kgnarayana@aol.com, radha1605@gmail.com

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.

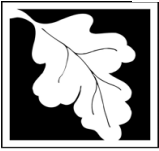
Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity 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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Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent**

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

AMENDED FORM 24 May 2024

Provided by MassDEP:

MassDEP File Number 95-0995

Document Transaction Number

Ashland MA

4

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Exploratory Activity (Test Pits and Soil Boring) (Category I: Town of Ashland Fee WPA \$110, Town Ashland Bylaw fee \$67.50, State fee \$42.50 = \$110/2 = \$12.50)	1	\$ 110	\$110
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee: \$ 110			_____
Step 6/Fee Payments: \$ 110			_____
Total Project Fee:			a. \$ 110
State share of filing Fee:			b. \$ 42.50
City/Town share of filing Fee:			c. \$ 67.50

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.)

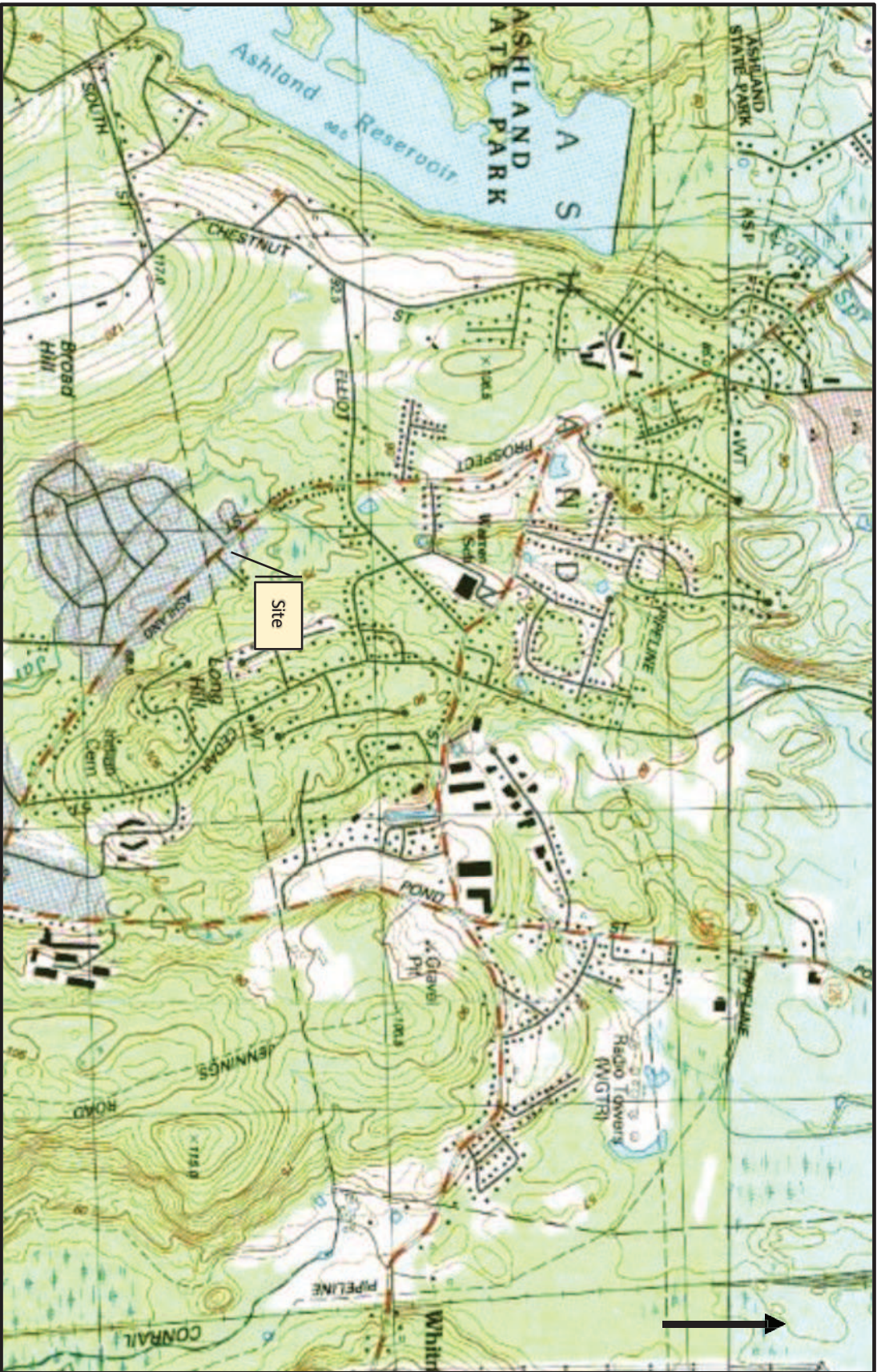
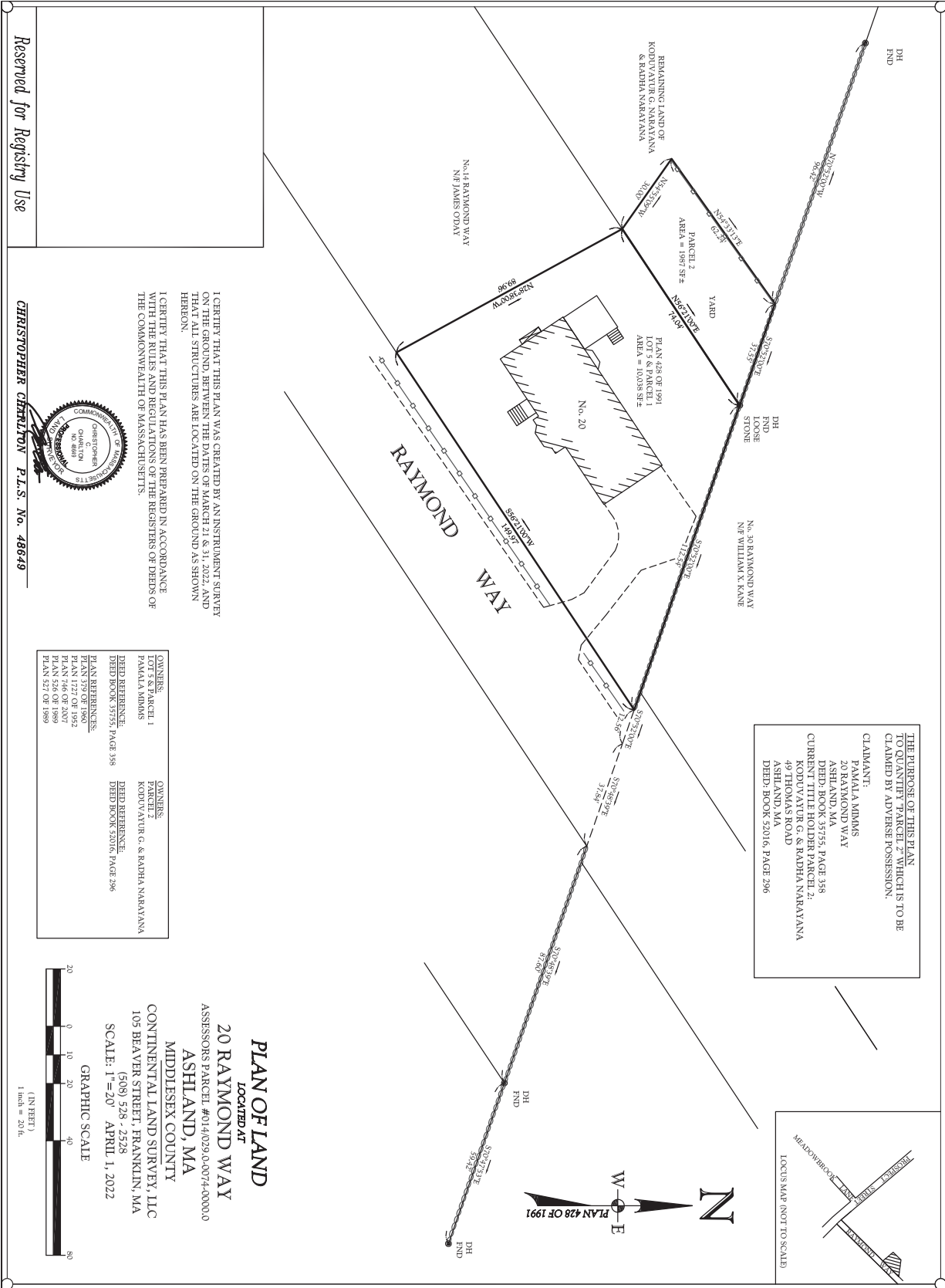


Exhibit 1 - Site Locus
Map 0 Prospect Street
Ashland, Massachusetts

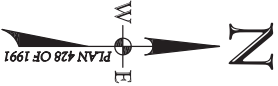
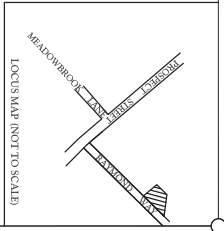
Exhibit 1B - Attempted Adverse Possession Plan of Ms. Pamela Mimms



THE PURPOSE OF THIS PLAN TO QUANTIFY PARCEL 2 WHICH IS TO BE CLAIMED BY ADVERSE POSSESSION.

CLAIMANT:
 PAMALA MIMMS
 20 RAYMOND WAY
 ASHLAND, MA
 DEED: BOOK 51755, PAGE 358

CURRENT TITLE HOLDER PARCEL 2:
 KODUVAYUR G. & RADHA NARAYANA
 49 THOMAS ROAD
 ASHLAND, MA
 DEED: BOOK 52016, PAGE 296



I CERTIFY THAT THIS PLAN WAS CREATED BY AN INSTRUMENT SURVEY ON THE GROUND, BETWEEN THE DATES OF MARCH 21 & 31, 2022, AND THAT ALL STRUCTURES ARE LOCATED ON THE GROUND AS SHOWN HEREON.

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTRARS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

OWNERS	LOT 58 PARCEL 1	OWNERS	PARCEL 2
FRANKLIN MIMMS		KODUVAYUR G. & RADHA NARAYANA	
DEED REFERENCE:	DEED BOOK 35755, PAGE 358	DEED REFERENCE:	DEED BOOK 52016, PAGE 296
PLAN REFERENCES:	PLAN 3719 OF 1960		
	PLAN 746 OF 2007		
	PLAN 484 OF 2010		
	PLAN 527 OF 1989		

Reserved for Registry Use

CHRISTOPHER CHARLTON P.L.S. No. 48649



PLAN OF LAND
 LOCATED AT
20 RAYMOND WAY
 ASHLAND, MA
 MIDDLESEX COUNTY
 CONTINENTAL LAND SURVEY, LLC
 105 BEAVER STREET, FRANKLIN, MA
 (508) 528-2528
 SCALE: 1" = 20' APRIL 1, 2022

GRAPHIC SCALE
 (IN FEET)
 1 inch = 20 ft.



Exhibit 2 – Natural Heritage and Endangered Species
Map 0 Prospect Street
 Ashland, Massachusetts



Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

NHESP VERNAL POOL CERTIFICATION FORM

Certified Vernal Pool: 4747

Town: ASHLAND

Date Certified: 2008-07-28

Directions: 2007-05-02: PVP# 821 - Directly across from Meadowbrook Lane is a vacant lot with vernal pool.

Land Ownership Information (If supplied): Town of Ashland

101 Main Street, Ashland, MA 01721

Maps submitted with certification and attached to this form

- x USGS topographic map showing location of the vernal pool
 - Assessor's map (or other property map) showing location of pool
 - Compass bearings and distances to the pool from permanent landmarks
- x Aerial photograph/80 or 100 scale topographic map showing location of pool
 - Professional survey showing location of pool
 - Sketch map or description of the immediate vicinity of the pool

Documented biological indicators accepted by NHESP

- x Wood Frog (Obligate Amphibian)
- x Mole Salamander (Obligate Amphibian)
 - Fairy Shrimp (Obligate Invertebrate)
 - Facultative Amphibian
 - Facultative Invertebrate
 - Facultative Reptile

The NHESP HAS NOT been notified of the presence of rare state-listed wildlife species in this vernal pool habitat.

Vernal pools may be protected under the following regulations:

- Massachusetts Wetlands Protection Act Regulations (310 CMR 10.00)
- Massachusetts Surface Water Quality Standards Regulations (314 CMR 4.00)
- Title V (Subsurface Sewage Disposal) Regulations (30 CMR 15.00)
- Forest Cutting Practices Act Regulations (304 CMR 11.00)

www.nhesp.org



Natural Heritage & Endangered Species Program

Route 135, Westborough, MA 01581 Tel: (508) 389-6360 Fax: (508) 389-7891

Help Save Endangered Wildlife!

Contribute to the Natural Heritage & Endangered Species Fund.

APP#821



Natural Heritage & Endangered Species Program Massachusetts Division of Fisheries and Wildlife Vernal Pool Field Observation Form

(7/99)

(For use with Guidelines for Certification of Vernal Pool Habitat)

PDF
CVP#
4747
For office use only.

1. Pool location

Town Ashland County Middlesex

USGS Quadrangle name Framingham SERIES 7.5' X 7.5' SERIES 7.5' X 15'

WRITTEN DIRECTIONS TO POOL: directly across from meadowbrook is a vacant lot which the vernal pool takes up.

THIS INFORMATION MUST BE SUBMITTED

(USE ADDITIONAL PAGES, IF NECESSARY.)

Instructions

FOR COMPLETE INFORMATION ABOUT CERTIFICATION, REFER TO GUIDELINES FOR CERTIFICATION OF VERNAL POOL HABITAT.

PROVIDE ALL OF THE INFORMATION REQUESTED IN BOXES 1-6. IF MORE SPACE IS REQUIRED, ATTACH ADDITIONAL PAGES. INCLUDE ALL REQUIRED PHOTOGRAPHS AND DOCUMENTATION. SIGN THE FORM IN THE AREA PROVIDED ON THE REVERSE SIDE. INCOMPLETE OR UNSIGNED SUBMISSIONS WILL BE RETURNED.

THE FOLLOWING INSTRUCTIONS REFER TO EACH OF THE NUMBERED BOXES.

1. THE 7.5 X 7.5 SERIES HAS THE LEGEND "7.5 MINUTE SERIES" IN THE UPPER RIGHT HAND CORNER ALONG WITH THE QUADRANGLE NAME. THE 7.5 X 15 MINUTE SERIES IS SO LABELED IN THE UPPER RIGHT HAND CORNER AND HAS THE QUADRANGLE NAME IN THE LOWER RIGHT CORNER. WRITTEN DIRECTIONS MUST BE INCLUDED.

2 INDICATE THE FIRST AND LAST DATES THAT THE POOL OR ITS BIOLOGICAL COMPONENTS WERE OBSERVED.

3. PART A AND B ARE FOR CERTIFICATION BY OBLIGATE SPECIES. PART C IS EITHER FOR ADDITIONAL INFORMATION (APPRECIATED) OR FOR CERTIFICATION BY THE FACULTATIVE SPECIES. IF CERTIFYING BY OBLIGATE SPECIES, PROVIDE A PHOTOGRAPH OF THE POOL HOLDING WATER AND AT LEAST ONE PHOTOGRAPH (OR AUDIO TAPE FOR CHORUSING) OF BREEDING ACTIVITY. FOR CERTIFICATION BY FACULTATIVE SPECIES, PROVIDE PHOTOGRAPHS OF THE POOL HOLDING WATER AND PHOTOGRAPHS (OR TAPES) OF THE FACULTATIVE SPECIES AS REQUIRED. ADDITIONALLY, PROVIDE A PHOTOGRAPH OF THE POOL WHEN DRY OR OTHERWISE PROVE THAT IT HAS NO FISH.

2. Observation dates

First date pool/species observed 5/2/07

Last date pool observed 9/25/07 Last date species observed 9/25/07

3 A. Evidence: obligate amphibians Indicate date of observation.

* = RARE SPECIES	COURTING ADULTS	SPERMATOPHORES	EGG MASSES (2+)	SALAMANDER LARVAE	TRANSFORMING JUVENILES
SPOTTED SALAMANDER			<u>5/2/07</u>		
* BLUE-SPOTTED SALAMANDER					
* JEFFERSON SALAMANDER					
* MARBLED SALAMANDER					
UNIDENTIFIED MOLE SALAMANDER					
	BREEDING CHORUS	MATED PAIRS	EGG MASSES (2+)	FROG TADPOLES	TRANSFORMING JUVENILES
WOOD FROG			<u>5/2/07</u>		
* SPADEFOOT TOAD					

3 B. Evidence: fairy shrimp

DATE OBSERVED _____

3 C. Evidence: facultative organisms Two or more must be documented. Indicate date of observation.

* = RARE SPECIES	DATE OBSERVED	ACTIVITY OBSERVED
BREEDING SPRING PEEPERS		
BREEDING GRAY TREEFROGS		
BREEDING GREEN FROGS		
BREEDING LEOPARD FROGS		
BREEDING PICKEREL FROGS		
BREEDING AMERICAN TOADS		
BREEDING FOWLER'S TOADS		
* BREEDING FOUR-TOED SALAMANDERS		
RED-SPOTTED NEWT (ADULTS)		
* SPOTTED TURTLES		
* WOOD TURTLES		
* BLANDINGS TURTLES		
PAINTED TURTLES		
SNAPPING TURTLES		
PREDACEOUS DIVING BEETLE LARVAE		
WATER SCORPIONS		
DRAGONFLY NYMPHS		
DAMSELFLY NYMPHS		
DOBSONFLY LARVAE		
WHIRLIGIG BEETLE LARVAE		
CADDISFLY LARVAE		
LEECHES		
FINGERNAIL (FRESHWATER) CLAMS	<u>9/25/07</u>	<u>Shell left over</u>
AMPHIBIOUS AIR-BREATHING SNAILS		

Lot 21e Prospect St.

RECEIVED
DEC 19 2007
NATURAL HERITAGE & ENDANGERED SPECIES PROGRAM

Instructions (continued)

4. INDICATE THE PHOTOGRAPHS BEING SUBMITTED. LABEL, DATE, AND SIGN ALL PHOTOS.

5. MARK THE POOL CLEARLY ON ALL MAPS. THE POOL MUST BE CLEARLY DISTINGUISHED FROM OTHER WETLANDS AND BE LOCATABLE BY OTHERS. PROVIDE ANY MAPS THAT WOULD HELP SOMEONE UNFAMILIAR WITH THE AREA LOCATE THE VERNAL POOL IN THE FIELD.

6. THE FORM MUST BE SIGNED. UNSIGNED SUBMISSIONS WILL BE RETURNED WITHOUT FURTHER ACTION.

OPTIONAL INFORMATION:

PROPERTY OWNER. PROVIDE INFORMATION ABOUT PROPERTY OWNER(S), IF KNOWN. IT IS RECOMMENDED THAT YOU SEEK PROPERTY OWNER PERMISSION PRIOR TO CERTIFICATION ACTIVITIES.

RARE SPECIES. A PHOTOGRAPH IS NECESSARY FOR DOCUMENTATION OF RARE SPECIES HABITAT.

DESCRIPTION. PROVIDE ANY INFORMATION THAT WILL DISTINGUISH THE POOL FROM OTHER WETLANDS (BOULDERS, DEBRIS, TREE SPECIES, ETC.).

Optional information

Although the following information is not required for certification, it is useful to NHESP to possibly better protect the vernal pool, its habitat and species.

Property owner

IT IS STRONGLY RECOMMENDED THAT LANDOWNER PERMISSION BE OBTAINED PRIOR TO COLLECTING CERTIFICATION DOCUMENTATION.

Name Town of Ashland

Address 101 Main St.

Town Ashland State MA ZIP 01721

Rare wetland species

Y N

WERE ANY RARE STATE-LISTED SPECIES OBSERVED USING THIS POOL?

Y N

IS A PHOTOGRAPH OF THE RARE SPECIES INCLUDED WITH THIS FILING?

4. Photographs

MUST BE LABELED, DATED, AND SIGNED.

- POOL HOLDING WATER
 OBLIGATE +/-OR FACULTATIVE SPECIES
 DRY POOL (REQUIRED FOR EVIDENCE 3C)

5. Maps submitted

- USGS TOPOGRAPHIC MAP (REQUIRED)
AND ONE OR MORE OF THE FOLLOWING:
 AERIAL PHOTOGRAPH
 SKETCH MAP WITH COMPASS DIRECTIONS AND DISTANCES FROM LAND MARKS
 PROFESSIONAL SURVEY
 LARGE SCALE TOPO
- OPTIONAL EXTRA INFORMATION
 SKETCH MAP OF AREA
 ASSESSOR'S MAP
 GPS LONGITUDE/LATITUDE COORDINATES

Description of pool and surroundings

DIMENSIONS: APPROXIMATE LENGTH 124' APPROXIMATE WIDTH 99'

APPROXIMATE DEPTH

DESCRIBE DISTINCTIVE FEATURES (ROADS, STRUCTURES, BOULDERS, ETC.) WHICH ARE VISIBLE FROM OR NEAR THE POOL.

There is one house to the west and the houses to the East were very close to it.


ARE THERE OTHER DISTINCTIVE FEATURES ABOUT THIS POOL (VEGETATION TYPES, ABANDONED VEHICLES, FOOT TRAILS, ETC.) THAT WOULD HELP SOMEONE RECOGNIZE IT?

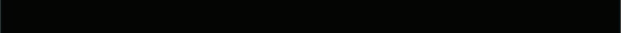
6. Observer information & signature

Name Matthew Selby

Address 101 Main St.

Town Ashland State MA ZIP 01721

Telephone 

e-mail 

I hereby certify under the pains and penalties of perjury that the information contained in this report is true and complete to the best of my knowledge.

Signature Matthew Selby Date 12/11/07

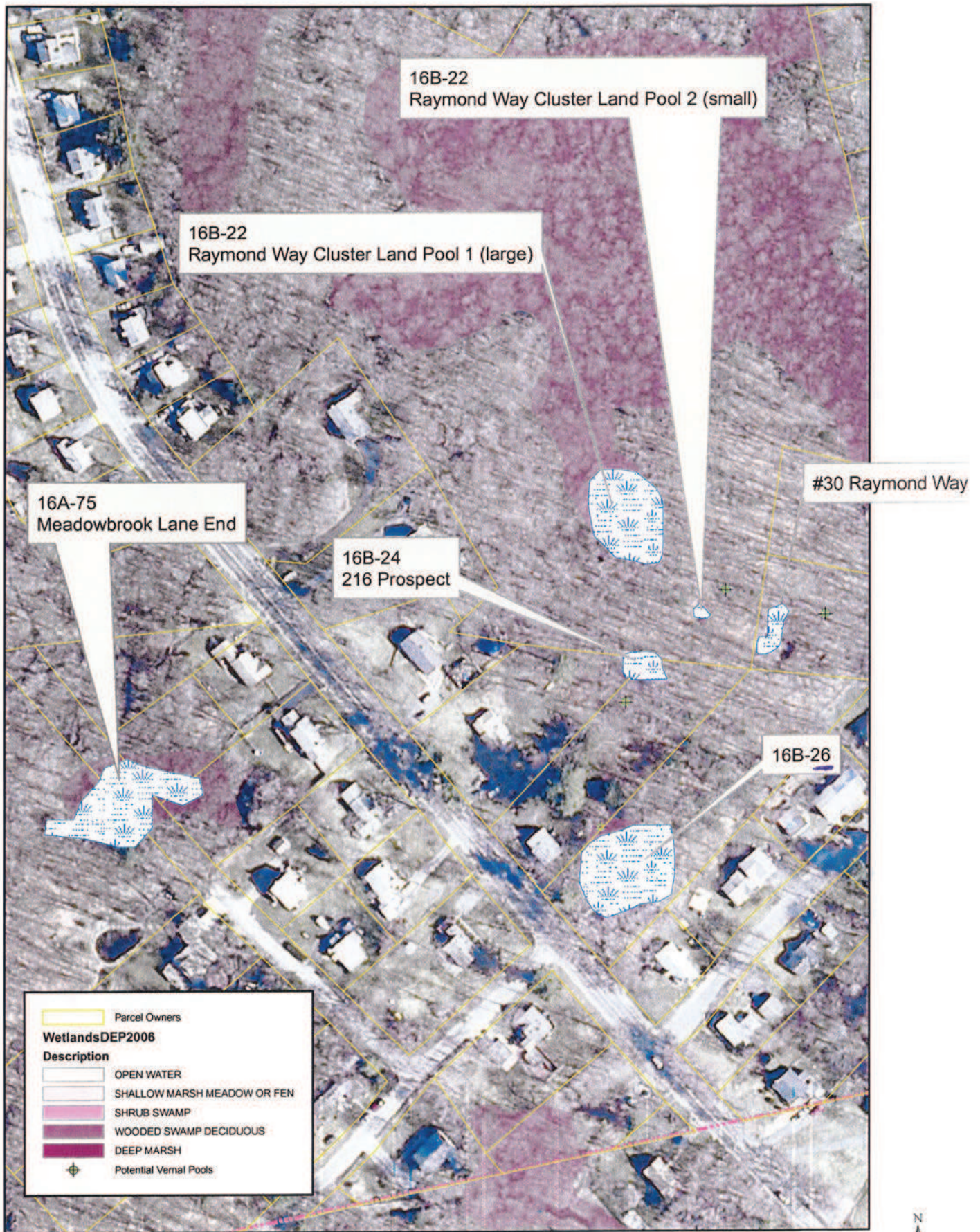
SEND COMPLETED FORM AND SUPPORTING DOCUMENTATION TO:

NH&ESP
VERNAL POOL CERTIFICATION
MA DIVISION OF FISHERIES & WILDLIFE
ROUTE 135
WESTBOROUGH, MA 01581

All submissions and supporting documents will be retained by the Natural Heritage & Endangered Species Program. Information submitted on this form and other documents is part of the public record and is available to interested parties under the State Documents Request Law.

Vernal Pools near Raymond Way and Meadowbrook Lane

Wetland lines are approximate and are not to be used for delineation

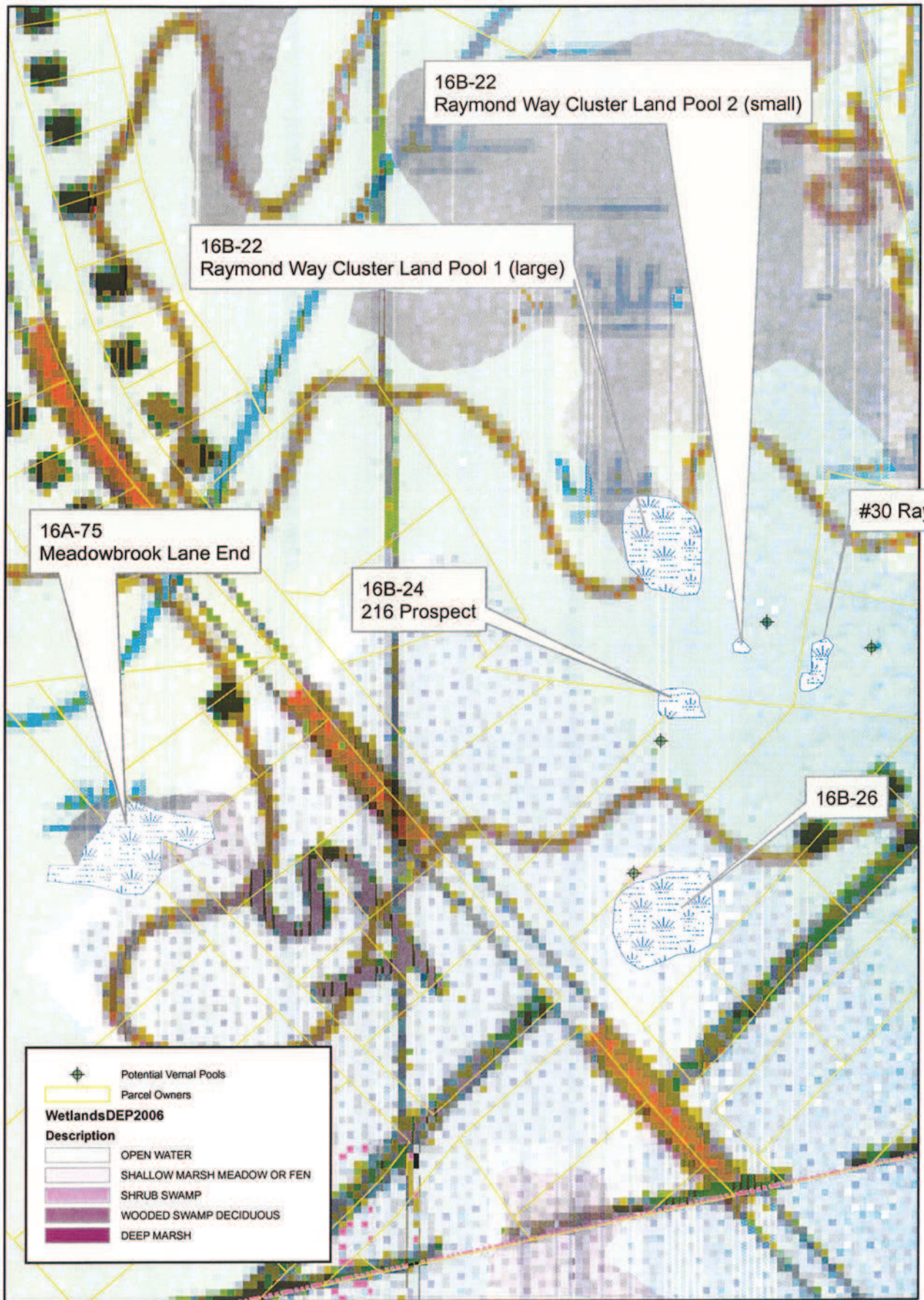


	Parcel Owners
Wetlands DEP 2006	
Description	
	OPEN WATER
	SHALLOW MARSH MEADOW OR FEN
	SHRUB SWAMP
	WOODED SWAMP DECIDUOUS
	DEEP MARSH
	Potential Vernal Pools



Vernal Pools near Raymond Way and Meadowbrook Lane

Wetland lines are approximate and are not to be used for delineation



	Potential Vernal Pools
	Parcel Owners
WetlandsDEP2006	
Description	
	OPEN WATER
	SHALLOW MARSH MEADOW OR FEN
	SHRUB SWAMP
	WOODED SWAMP DECIDUOUS
	DEEP MARSH



Lot 26 Prospect Street, May 2, 2007

Matthew



Wassery

May 2, 2007

Lot 26 Piuspect St,



Lot 26 Prospect St May 2, 2007 MastSelly



Wentwell

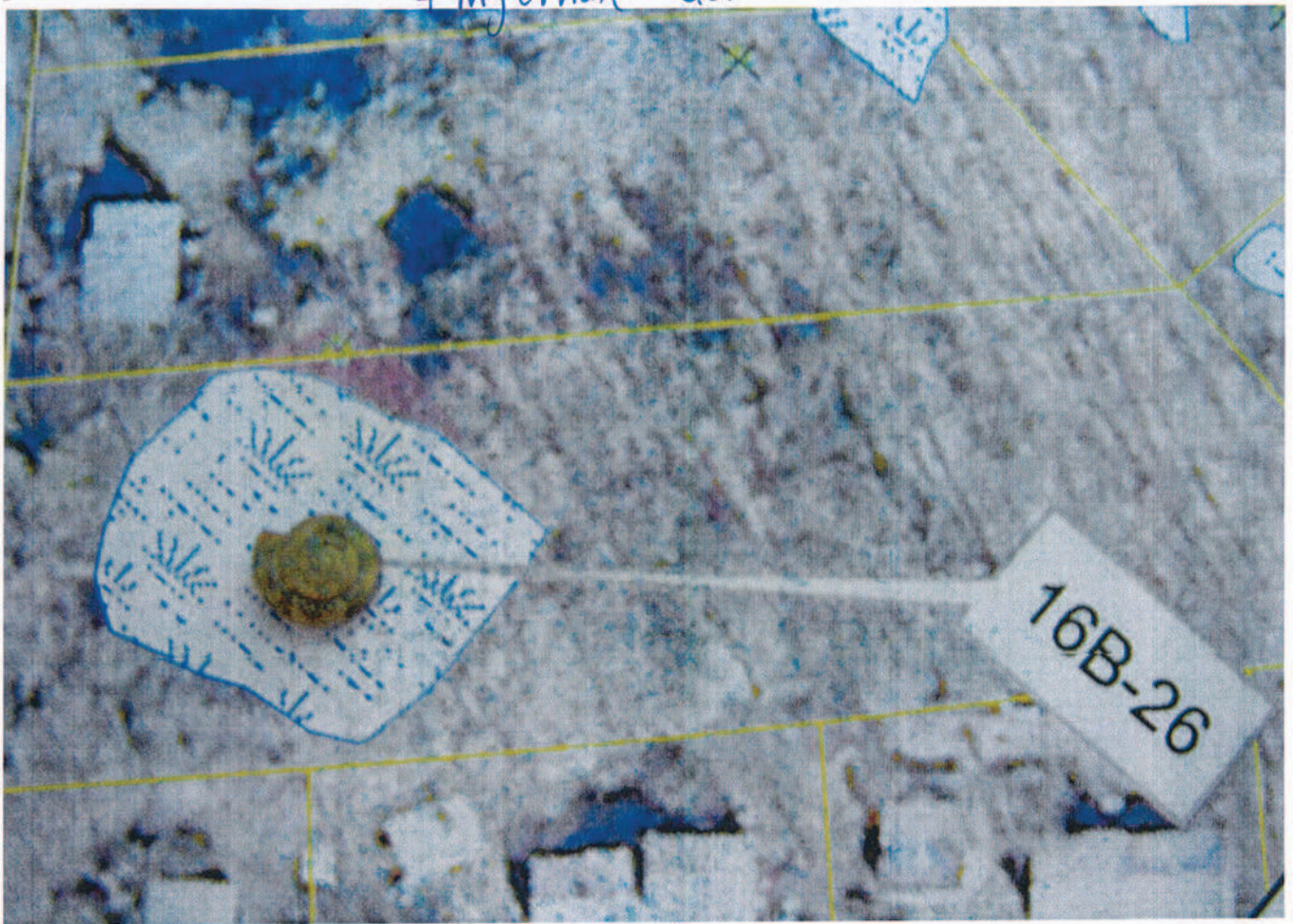
September 25, 2007



Lot 26 Prospect St. vernal pool (dry)



Fingernail Clam

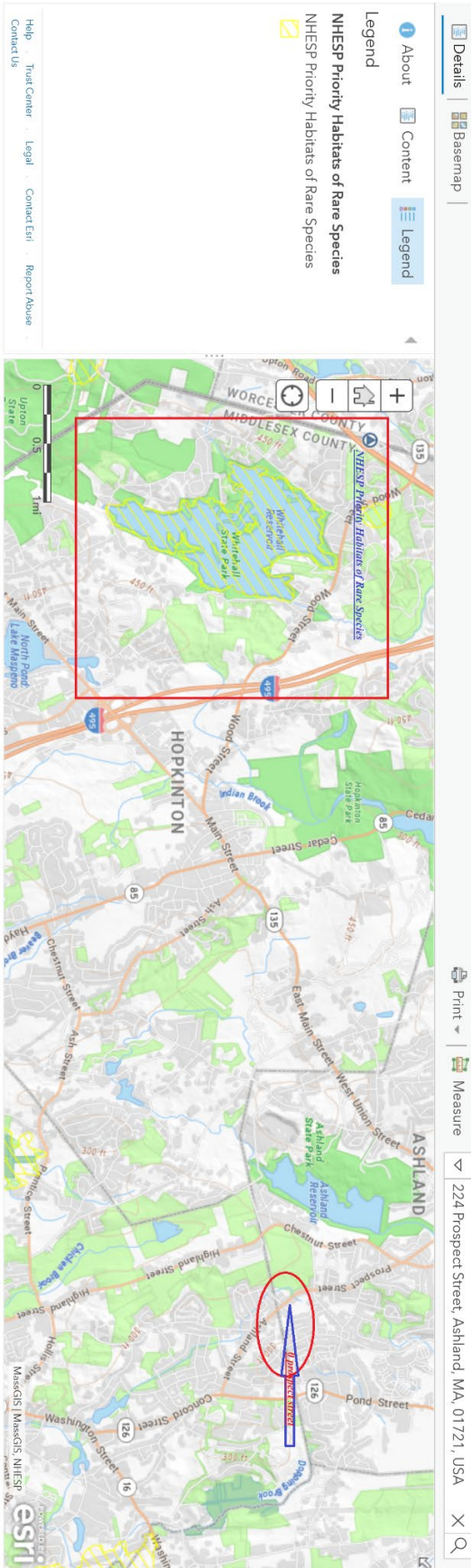


Lot 26 Prospect Street vernal pool

September 25, 2007

[Handwritten signature]

Exhibit 2C



Areas delineated as Priority Habitats in Massachusetts are protected and can include wetlands, uplands, and marine habitats. Published as a map service by MassGIS.

Map Image Layer by

Item created: May 15, 2015 Item updated: Feb 20, 2024

No NHESP Priority Habitats of Rare Species found on subject site

National Flood Hazard Layer FIRMette



71°27'6"W 42°14'18"N



Exhibit 3 - FEMA/FIRM MAP

Legend

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

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, V, A99 With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway
	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance Flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
	Future Conditions 1% Annual Chance Flood Hazard, Zone X
	Area with Reduced Flood Risk due to Levee, See Notes, Zone X
	Area with Flood Risk due to Levee, Zone D

OTHER AREAS OF FLOOD HAZARD	Area of Minimal Flood Hazard, Zone X
	Effective LOMIRs
OTHER AREAS	Area of Undetermined Flood Hazard, Zone D

GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall

OTHER FEATURES	Cross Sections with 1% Annual Chance
	Water Surface Elevation
	Coastal Transect
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature

MAP PANELS	Digital Data Available
	No Digital Data Available
	Unmapped

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

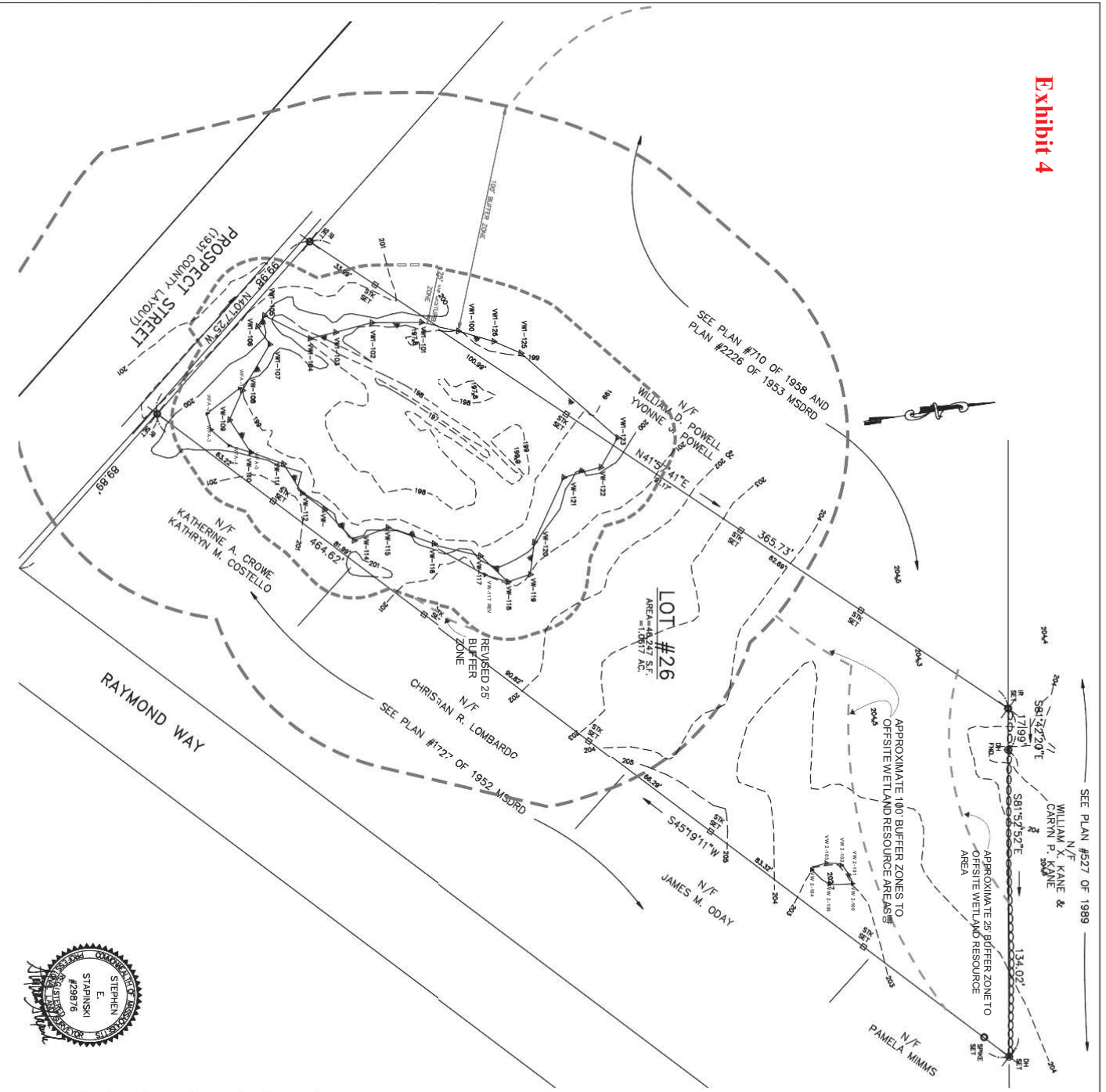
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The base map shown complies with FEMA's base map accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/6/2022 at 9:06 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

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 regulatory purposes.

0 250 500 1,000 1,500 2,000 Feet 1:6,000
Basemap: USGS National Map: Orthoimagery; Data refreshed October, 2020
71°26'28"W 42°13'51"N

Exhibit 4



NOTES

1. SEE TOWN OF ASHLAND PARCEL #290-0034, DEED BOOK #14064, PAGE #317, MSDRD FOR SITE. PROPERTY LINES FROM A FIELD SURVEY.
2. WETLAND FLAGGED BY MCARTHUR ENVIRONMENTAL CONSULTING, LLC, FRAMINGHAM, MA, LOCATED BY MERRIMACK ENGINEERING SERVICES.
3. TOPOGRAPHY SHOWN FROM PLAN BY APPLEWOOD SURVEY, LLC, 21 GREEN STREET, HOLLISTON, MA DATED AUGUST 10, 2016, SCALE 1"=20' BY TERENCE M. RYAN, PLS. DATUM: ASSUMED.
4. WETLAND AND VERNAL POOL BUFFER ZONES WERE APPROXIMATED BASED ON FIELD MEASUREMENTS BY MCARTHUR ENVIRONMENTAL.

LEGEND

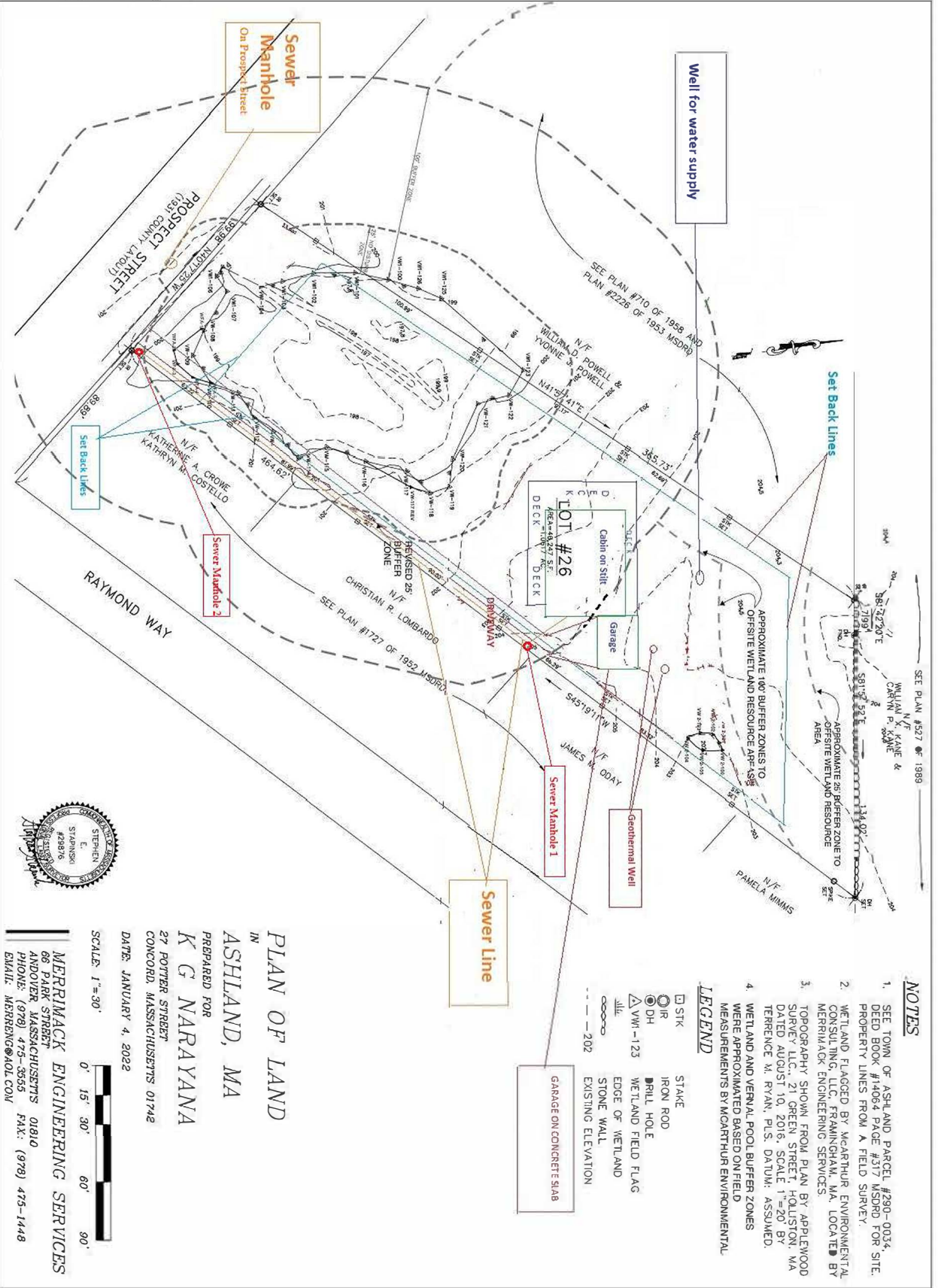
- STK STAKE
- IR IRON ROD
- DH DRILL HOLE
- △ WM-123 WETLAND FIELD FLAG
- ▭ EDGE OF WETLAND
- ▭ STONE WALL
- 202 EXISTING ELEVATION



PLAN OF LAND
IN
ASHLAND, MA
PREPARED FOR
K G NARAYANA
27 POTTER STREET
CONCORD, MASSACHUSETTS 01742
DATE: JANUARY 4, 2022



MERRIMACK ENGINEERING SERVICES
66 PARK STREET
ANDOVER, MASSACHUSETTS 01810
PHONE: (978) 475-3555 FAX: (978) 475-1448
EMAIL: MERRENG@AOL.COM



NOTES

1. SEE TOWN OF ASHLAND PARCEL #290-0034, DEED BOOK #14064 PAGE #317 MSDRD FOR PROPERTY LINES FROM A FIELD SURVEY.
2. WETLAND FLAGGED BY MCARTHUR ENVIRONMENTAL CONSULTING, LLC, FRAMINGHAM, MA, LOCATED BY MERRIMACK ENGINEERING SERVICES.
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4. WETLAND AND VERNAL POOL BUFFER ZONES WERE APPROXIMATED BASED ON FIELD MEASUREMENTS BY MCARTHUR ENVIRONMENTAL.

LEGEND

- STK
- IR
- IRON ROD
- DH
- WETLAND FIELD FLAG
- △ WMI-123
- EDGE OF WETLAND
- STONE WALL
- EXISTING ELEVATION
- 202



PLAN OF LAND
IN
ASHLAND, MA
PREPARED FOR
K G NARAYANA
27 POTTER STREET
CONCORD, MASSACHUSETTS 01742
DATE: JANUARY 4, 2022

SCALE: 1"=30'

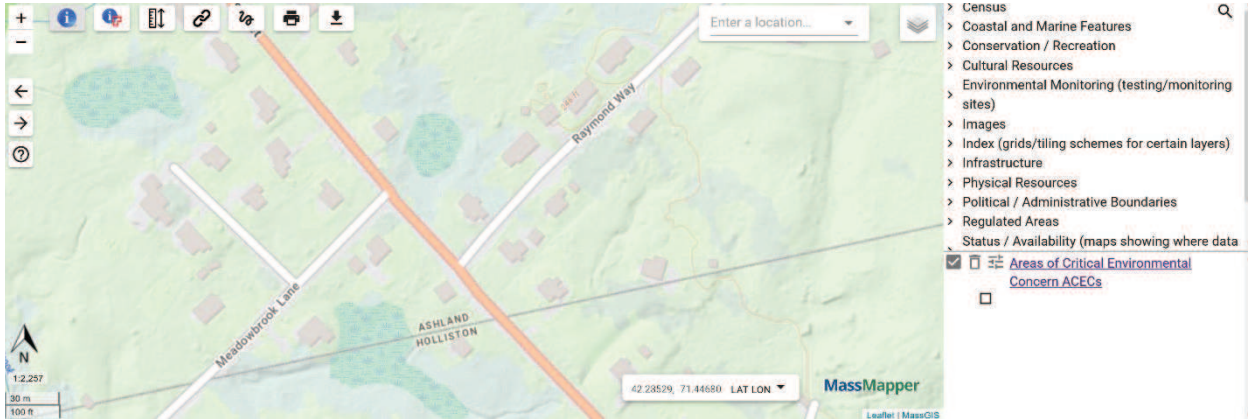
0' 15' 30' 60' 90'

MERRIMACK ENGINEERING SERVICES
66 PARK STREET
ANDOVER, MASSACHUSETTS 01810
PHONE: (978) 475-3555 FAX: (978) 475-1448
EMAIL: MERRRENG@AOL.COM

Exhibit 9

The Areas of Critical Environmental Concern (ACEC)

https://maps.massgis.digital.mass.gov/MassMapper/MassMapper.html?bl=MassGIS%20Basemap_100&l=massgis%3AGISDATA.ACECS.POLY_GISDATA.ACECS.POLY%3A%3ADefault_ON_100&b=-72.16781616210939%2C41.77643254375405%2C-70.19027709960939%2C42.7288567472319



Identify Results

Data Layer Name	Feature(s) Found?
<input type="checkbox"/> Areas of Critical Environmental Concern ACECs	0

No rows

SAVE ALL FEATURES AS...

SAVE SELECTED FEATURES AS...

Site Location: 0 Prospect Street, Ashland MA 01721 is not part of the Area of Critical Environmental Concern based on MASS ACEC GIS data

Exhibit 11



TOWN OF ASHLAND, MASSACHUSETTS
101 MAIN STREET, ASHLAND, MA 01721
OFFICE OF THE
ZONING BOARD OF APPEALS

John Trefethen, ZBA Chair

Peter Matchak, Town Planner

ZONING BOARD OF APPEALS DECISION
Appeal of Building Commissioner
MAP 29 & LOT 34
BOOK: 14064, PAGE: 317104

LOCUS: 0 Prospect Street
PETITIONER: Narayana and Rahda Narayana
PROPERTY OWNER: Narayana and Rahda Narayana



At the Public Hearing on December 13, 2022, the Zoning Board of Appeals (the “Board”) voted to uphold the Building Commissioner’s judgment regarding 0 Pleasant Street (the “Locus”).

The petition of Koduvayur and Rahda Narayana (the “Applicant”) who have applied to the ZBA to appeal the Building Commissioner’s Decision under Chapter 282 Section 3.3 (Non-Conforming Uses and Structures), Section 6.3 (Driveways) and Section 9.2.2.3 (Board of Appeals), along with any other applicable sections of the Ashland Zoning Bylaws. The Building Commissioner under Section 6.3 (Driveways) states that a driveway on a residential property shall not be located within 5 feet of any side or rear lot line. The applicant has submitted a plan requesting relief proposing to install a driveway with zero setbacks along the southeasterly property line. The proposed driveway shall extend 205’ north easterly along the property line. Ashland Building Commissioner has determined the application does not provide a compelling argument to grant the requested relief. The property in question is located at 0 Prospect Street, Assessors Map 29, Lot 34, in the Residential A Zoning District.

BACKGROUND AND PROCESS

1. The Zoning Board of Appeals (the “Board”) received an Application for an Appeal of a Building Inspector’s Decision (M.G.L. Ch. 40A).
2. The application packet, stamped in by the Town Clerk on November 2, 2022, contained the following:
 - a. Completed Application signed by the Applicant
 - b. Applicant memo regarding requested relief, justification, existing conditions, and property history.
 - c. Memorandum was written by McArther Environmental Consulting. Re: Wetland Size, o Prospect Street, Ashland, MA.
 - d. Figure 1: Locus of the property.
 - e. Figure 2: Representation of the coverage over the wetlands area.
 - f. Figure 3: Representation of coverage over the wetland area without the requested appeal.

- g. Figure 4: Map of locus Property
- h. Figure 5: Site of locus with wetlands
- i. WPA Form 4B – Order of Resource Area Delineation dated Aug 4, 2022.
- j. Abutters list for 0 Prospect Street dated Sept 6, 2022
- k. Letter from the Ashland Building Commissioner, Douglas Scott dated Oct 26, 2022. Re: 0 Prospect Street.
- l. Assessors Card: 0 Prospect Street
- m. One (1) page Site Plan titled “Plan of Land in Ashland, MA. Prepared for K G Narayana, 27 Potter Street, Concord, MA 01742. Dated Jan 4, 2022; Prepared by Merrimack Engineering Services, 66 Park Street, Andover, MA 01810.

3. Other documents submitted:

- a. Legal Opinion from Town Counsel, Lisa Mead via email to Emma Snellings, Asst. Planner dated Nov 30, 2022.
- b. Building Commissioner Letter dated November 30, 2022. Re: 0 Prospect Street.
- c. Other correspondence from abutter(s), neighbor(s), resident(s) an/or others relative to the Project.

The foregoing memoranda and letters were read into the record and are incorporated in this decision by reference and made a part hereof.

FACTS & EVIDENCE

This request was received on November 2, 2022, and a public hearing was scheduled for November 22, 2022, at 7:00 PM. Notice of the public hearing was published in the MetroWest Daily News on Monday, November 7, 2022, and Monday, November 14, 2022.

The public hearing was posted in the Ashland Town Hall and on the Town of Ashland website and provided to all “parties of interest,” including all abutters, as required by MGL Chapter 40A, Section 11.

The public hearing commenced as scheduled on November 22, 2022. The public hearing was continued to December 13, 2022. The following members were seated at the public hearing:

- John Trefethen, Chair
- Brian Forestal, Member
- Nathan Band, Member

At the public hearing on November 22 and December 13, 2022, the applicant presented testimony citing the need to install the proposed driveway with zero setbacks was planned to minimize disturbance to the wetlands in close proximity. Public comments were taken for the record. Abutting property owners cited negative impacts on the hydrology of the locus area and abutting homes. Abutters spoke of historical and seasonal high water levels on the locus.

At the continued public hearing on December 13, the Board heard public comments and voted to close the public hearing and enter into deliberations.

FINDINGS BY THE BOARD

The Board, after review of the facts, plans, and evidence presented at this hearing, and after deliberations reviewing all submitted material, makes the following findings for the application to appeal the Building Commissioner's Decision under Chapter 282 Section 3.3 (Non-Conforming Uses and Structures), Section 6.3 (Driveways) and Section 9.2.2.3 (Board of Appeals), of Koduvayur and Rahda Narayana at 0 Prospect Street. The Zoning Board concludes the following:

- A. The Applicant requested the Zoning Board to overturn the Building Commissioner's decision in regard to the location of the proposed driveway. The current lot in question is vacant land with no built structures. The "locus" consist of 46,247 sq. ft. (Upland: 34,225 sq. ft. / Wetland: 12,042 sq. ft.). The applicant proposes to develop a 205' foot driveway with zero setbacks.
- B. The Building Commissioner's denial letter stated the reference to section 6.3 siting the term "whenever possible" driveways shall not be located within five feet of a property line. The Commissioner's opinion is the applicant did not meet the burden of proof to allow the installation of the proposed driveway within 5' feet of the property line nor was an alternative plan submitted.
- C. The Zoning Board finds the applicant through the submitted material and testimony taken during the public hearing did not meet a standard burden of proof siting reasons and alternative measures to allow for the installation of the proposed driveway within 5' feet of the property line.

REST OF PAGE INTENTIONALLY LEFT BLANK

TOWN OF ASHLAND – ZONING BOARD OF APPEALS DECISION

After the closing of the hearing, the ZBA deliberated. John Trefethen, made a motion to approve the Petitioner’s appeal and overturn the Building Commissioners’ Determination. The motion was seconded by Brian Forestal.

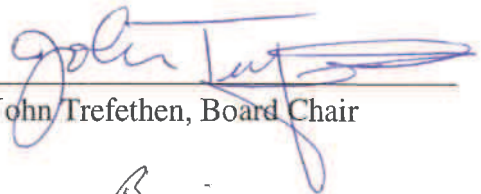
John Trefethen, Chair, voted Nay.

Brian Forestal, Member, voted Nay.

Nathan Band, Member, voted Nay.

By a 0-3 vote, the ZBA denies the Applicant’s request. Pursuant to Section 9.4.17 of the Ashland Zoning Bylaws, any appeal to this decision shall be made in accordance with M.G.L. c. 40A, § 17 and shall be filed within 20 days of the date this decision was stamped by the Town Clerk’s Office.

Date: Jan 10, 2023



John Trefethen, Board Chair



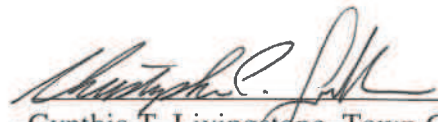
Brian Forestal, Member



Nathan Band, Member

Filed with the Town Clerk on:

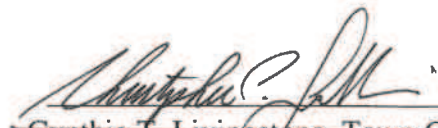
Date: Jan. 19, 2023



~~Cynthia T. Livingstone, Town Clerk~~
Christopher P. Sullivan, Deputy Town Clerk

I HEREBY CERTIFY THAT TWENTY DAYS HAVE ELAPSED FROM THE DATE THIS DECISION WAS FILED IN THE TOWN CLERK’S OFFICE AND THAT NO APPEAL HAS BEEN FILED.

Date: Feb. 21, 2023



~~Cynthia T. Livingstone, Town Clerk~~
Christopher P. Sullivan, Deputy Town Clerk

Exhibit _14

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4B - Order of Resource Area Delineation
Massachusetts Wetlands Protection Act M.G.L. c. 131 S40

Provided by MassDEP:
MassDEP File #:095-0969
eDEP Transaction #:1408529
City/Town:ASHLAND

A. General Information

- 1. Conservation Commission ASHLAND
2. This Issuance is for (Check one):
a. [X] Order of Resource Area Delineation
b. [] Amended Order of Resource Area Delineation

3. Applicant Details

a. First Name KODUVAYUR & RADHA b. Last Name NARAYANA
c. Organization
d. Mailing Address 17 HALF CROWN CIRCLE
e. City/Town ASHLAND f. State MA g. ZIP 01721

4. Property Owner (if different from applicant):

a. First Name KODUVAYUR & RADHA b. Last Name NARAYANA
c. Organization
d. Mailing Address 17 HALF CROWN CIRCLE
e. City/Town ASHLAND f. State MA g. ZIP 01721

5. Project Location

a. Street Address 0 PROSPECT STREET
b. City/Town ASHLAND c. Zip 01721
d. Assessors Map/Plat# 29 e. Parcel/Lot# 34
f. Latitude 42.57881N g. Longitude 71.331263W

6. Dates

a. Date ANRAD Filed 6/13/2022 b. Date Public Hearing Closed 7/25/2022 c. Date Of Issuance 8/4/2022

7. Final Approved Plans and Other Documents

Table with 5 columns: Plan Title, Plan Prepared By, Plan Signed By, Plan Final Date, Plan Scale. Row 1: PLAN OF LAND MERRIMACK ENGINEERING SERVICES, STEPHEN E. STAPINSKI, 7/11/2022, 1:30

B. Order of Delineation

- 1. The Conservation Commission has determined the following (check whichever is applicable)
a. [X] Accurate: The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):
1. [X] Bordering Vegetated Wetlands
2. [X] Other resource area(s), specifically
a. ISOLATED VEGETATED WETLAND, VERNAL POOL
b. [] Modified: The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):
1. [] Bordering Vegetated Wetlands
2. [] Other resource area(s), specifically
a.
c. [] Inaccurate: The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4B - Order of Resource Area
Delineation
Massachusetts Wetlands Protection Act M.G.L. c. 131 S40

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MassDEP File #:095-0969
eDEP Transaction #:1408529
City/Town:ASHLAND

were found to be inaccurate and cannot be confirmed for the following resource area(s):

1. Bordering Vegetated Wetlands
2. Other resource area(s), specifically
 - a.
3. The boundaries were determined to be inaccurate because:

C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, S 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation. This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <http://www.mass.gov/dep/about/region/findyour.htm>).

D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant. Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination. The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, S 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4B - Order of Resource Area
Delineation
Massachusetts Wetlands Protection Act M.G.L. c. 131 S40

Provided by MassDEP:
MassDEP File #:095-0969
eDEP Transaction #:1408529
City/Town:ASHLAND

E. Signatures

1. Date of Original Order
2. No. of Signatures required 4

Catherine Van Lancker

Gregory Wands

Owen Ackerman

Preston Crow

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, and the Amended Order will expire on the date of the Original Final Order unless extended in writing by the Department.

This Order is issued to the applicant and the property owner (if different) as follows:

3. By hand delivery on _____ 4. By certified mail, return receipt requested on _____
a. Date _____ a. Date _____



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

MassDEP File Number

eDEP Transaction Number

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

City/Town

E. Signatures

Date of Issuance

4

1. Number of Signers

Please indicate the number of members who will sign this form.

Signatures

Catherine Van Lancker
Signature of Conservation Commission Member

Catherine Van Lancker, Chair

Printed Name

Greg Wands
Signature of Conservation Commission Member

Greg Wands, Vice Chair

Printed Name

Owen Ackerman
Signature of Conservation Commission Member

Owen Ackerman

Printed Name

Preston Crow
Signature of Conservation Commission Member

Preston Crow

Printed Name

Signature of Conservation Commission Member

Printed Name

Signature of Conservation Commission Member

Printed Name

Signature of Conservation Commission Member

Printed Name

Signature of Conservation Commission Member

Printed Name

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on 7/25/2025 unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2. By hand delivery on

3. By certified mail, return receipt requested on

8/4/2022
a. Date

a. Date

Receipt



Summary/Receipt

Your submission is complete. Thank you for using DEP's online reporting system. You can select "My eDEP" to see a list of your transactions.

DEP Transaction ID: 1408529
Date and Time Submitted: 8/4/2022 9:32:23 AM
Other Email :

Form Name: WPA Form 48 - ORAD

Applicant Information

Name: KODUVAYUR & RADHA NARAYANA
Company
Address: 17 HALF CROWN CIRCLE, ASHLAND, MA, 01721

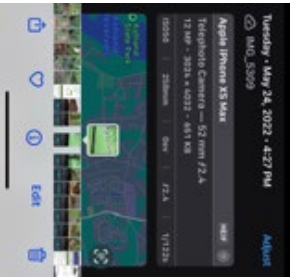
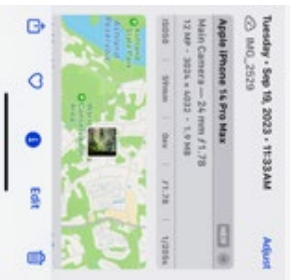
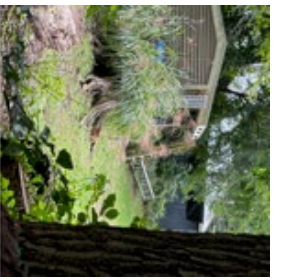
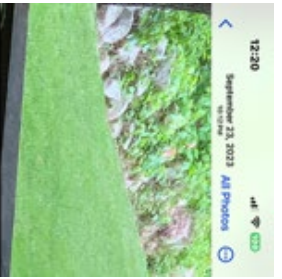
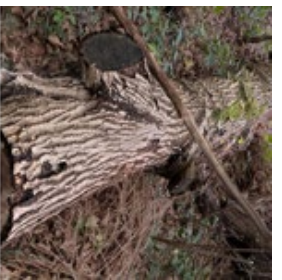
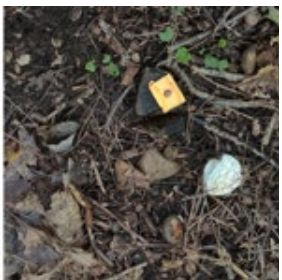
Project Location

location: 0 PROSPECT STREET
ASHLAND, 01721
Project Map: 29
Project Lot: 34
GISX: 71.331263
GISY: 42.57881

Additional Forms Submitted

[My eDEP](#)

EXHIBIT 15 Sample Site Pictures



Introduction

This modified exploratory work is prepared and submitted, as per the Massachusetts Wetlands Protection Act (WPA)¹, and the Town of Ashland's Wetland Protection Bylaw.² We, are evaluating, the potential to access the upland and construct in the future a residential structure for us to live in and use it as our retirement home. This site is currently undeveloped, consisting of forested uplands and an isolated wetland. To assist in evaluating access to the upland portion of the parcel and to aid in designing the development plan of the site, we need to conduct certain necessary exploratory tests.

Brief Statement about the Modified Limited Scope

Based on the public discussion during the past two hearings (25 March 2024 and 29 April 2024) we have drastically modified our request to reflect our intent to minimize the impact on the resource areas. We thus have

1. Abandoned our original intent to cut 10 trees for this modified limited exploratory work to clear a path for soil core and test pit vehicles.
2. Abandoned the need for soil core sampling that was on plan in the buffer zone, We have come to know that modern technology associated with the helical pile supported construction does not need soil core data. The new helical pile drive technology do come with a torque meter to ascertain the bearing capacity for each pile drive location.
3. Abandoned the need for construction of a vehicular path for soil core testing, as it is obsolete when there is no vehicle is being used for this modified activity.
4. Abandoned the test pits to determine the high ground water level. The age old hand driven monitoring well technology using drive point steel well is replacing this need for test pits. Monitoring well using drive point steel wells practically eliminates all significant impacts to the resource area under this modified activity.

In general, this exploratory activity is an exempt activity³ in most cases, where as in our situation we are dealing with areas (25 ft. NDZ per Ashland By law) near a certified vernal pool⁴, which requires a filing of the Notice of Intent. Note the Vernal pool is deemed an outstanding resource water per 314 CMR 4.04(3) and all our work area is only in the upland area outside the vernal pool and outside the associated wetland. Our work area will not touch or cross the delineated boundary of the pool and its associated wetland.

Our overall plan for the **future** is to:

1. Construct House/Cabins & Deck⁵ on stilts in the area between the onsite 25 NDZ and the onsite 100 ft. buffer zone⁶.
2. Build a 10 ft., wide 100% pervious gravel driveway^{7, 8} and this 265 ft. long 100% pervious gravel driveway will traverse through part of the onsite 25 ft. NDZ and the resource area along the edge of eastern lot line for about 195 ft. and about 70 ft. in the 100 ft. buffer zone. As and when the final design is completed after collecting the data

¹ M.G.L. Chapter 131, Section 40,

² Chapter 280

³ See 310 CMR 10.02(2)(b)2 g for Monitoring wells

⁴ See Exhibits 2A,2B, [**Note 1** - 314 CMR 4.06 (1) d 10: Vernal Pools. No point source discharge shall be allowed to a vernal pool certified by the Massachusetts Division of Fisheries and Wildlife; and no discharge of dredged or fill material shall be allowed to a vernal pool certified by the Massachusetts of Division of Fisheries and Wildlife, **unless a variance is granted** under 314 CMR 9.08. **Note 2-** 314 CMR 4.06 (2) **Wetlands:** Wetlands bordering Class A Outstanding Resource Waters are designated Class A Outstanding Resource Waters. **Vernal pools are designated Class B Outstanding Resource Waters.** All wetlands bordering other Class B, SB or SA Outstanding Resource Waters are **designated as Outstanding Resource Waters to the boundary of the defined area.** All other wetlands are designated Class B, High Quality Waters for inland waters and Class SA, High Quality Waters for coastal and marine waters.

⁵ See Exhibit 5 for a conceptual site development plan

⁶ No sense in using stilts in the upland area outside all three 100 ft. buffer zones, as most of this area is already at high elevation

⁷ This requires partial filling of the vernal pool (about 4.4 % or 520 sq. ft. out of 11944 sq. ft. of the vernal pool

⁸ 310 CMR 10.57 (4) a 2: (under general performance standards): Except for work which would adversely affect vernal pool habitat, a project or projects on a single lot, for which Notice(s) of Intent is filed on or after November 1, 1987, that (cumulatively) alter(s) up to 10% or 5,000 square feet (whichever is less) of land in this resource area found to be significant to the protection of wildlife habitat, **shall not be deemed to impair its capacity to provide important wildlife habitat functions.** Additional alterations beyond the above threshold, or altering vernal pool habitat, may be permitted if they will have no adverse effects on wildlife habitat, as determined by procedures contained in 310 CMR 10.60.

from the current modified limited exploratory work appropriate new NOI will be submitted to seek approvals.

3. Drill a well for water and two wells, for geothermal energy resource. As an alternate, we are also considering horizontal loop for geothermal source based on the cost for the geothermal wells.
4. Install a sewer line to connect to municipal sewer by gravity with at most two sewer manholes along the 100% pervious gravel driveway. We keep our options for an alternate means of connection to municipal sewer⁹.

In order to accomplish the above (1 to 4) we need to perform certain necessary *exploratory tests* (See Plan C) to design and bring the full-fledged plans to the conservation commission and to other town departments. Our limited goal with this modified filing is to seek permission,

- *To install up to four monitoring wells using drive point steel wells in the 25 ft. NDZ to evaluate the high ground water table in the region close to the eastern edge of the lot line and just outside the delineated wetland/vernal pool boundary. Most of this area is within the onsite 25 ft. NDZ and we request the commission to grant the appropriate waivers and variances to accomplish installing these monitoring wells in the 25 ft. NDZ.*

Existing Site Conditions

The proposed project is located at 0 Prospect Street in Ashland, Massachusetts (Exhibit 1 - Site Locus Map). This parcel of 46,247 sq. ft. is listed in the Ashland Assessor's Database as Parcel ID #0140290003400000. The subject parcel is located approximately 255 feet west of the Holliston town line and it is bounded by residential properties (See Exhibit 8) to the east, west, and south, and an undeveloped forested parcel of land to the north. The site consists of both a forested upland and wetland. The wetland is isolated and lies towards the front of the parcel. The topography at the site varies from about an elevation of 197 ft. to an elevation of 205 ft., the ground elevations in the upland varies very gradually.

I. Onsite Elevation information (See Exhibits 4 and 13) and based on the approved delineation is as follows

1. Elevation within the deepest part of CVP, is at about 197 ft. and it is part of a very narrow valley of about 2.5 ft. wide and about 58 ft. long.
2. Elevation of most part of the land surface under the CVP is at an elevation of about 199 ft.
3. Elevation of the pool boundary is at about 200 ft.
4. Elevation at the northern parcel boundary in the upland area is around 204.5 ft.
5. Elevation at the highest point in the upland is 205 ft.
6. Elevation of upland along the eastern lot line adjacent to the vernal pool boundary is at about 201 ft.
7. Elevation of the Prospect Street is 201 ft.

Essentially, there is no drastic elevation changes in the parcel

II. Four abutters have used our site over many years and some of the areas used is within the onsite and offsite buffer zones. Here is a brief list of some pre-existing used areas by the abutters.(See Exhibit 15)

- a. One abutter has trespassed and attempted to claim an adverse possession of about 1870 sq. ft. of our land in the northeast corner of the subject parcel (see Exhibit 1B). This abutter has disturbed the area within the offsite 100 ft. buffer zone at the northeast corner by erecting a fence on our property covering a sizable swath of our land. This abutter has been adding loam and mowing this fenced area (1870 sq. ft.) over the years since 1997 (based on this abutters adverse possession claim submitted to the land court). We did find some lawn grass cuttings dumped outside the fenced area in our land portion (still inside the offsite 100 ft. Buffer zone) along with other thrash over the years. The possible discharge from their sump pump and roof drain may have caused the soil to erode and has possibly uprooted a tree and disturbed the vegetation in other parts inside the offsite 100 ft. buffer zone. As of May 2023 the installed fence has been removed as per land court order with the dismissal of the adverse possession claim. In addition, this abutter has cleaned up some of the thrash.

⁹ High ground water table may requires us to use forced main using Horizontal Directional Drilling.

- b. In the back yard of Another abutter, who has also trespassed
 1. A large tree on our site has been cut and this is within the onsite 100 ft. buffer zone, this may need to be removed eventually when we develop the site with appropriate approvals from all applicable governmental entities.
 2. There are a row of bushes that have been planted which partly is in the onsite 25 ft. NDZ and majority of it is in the onsite 100 ft. buffer zone close to the eastern lot line.
 3. This abutter has installed a PVC drainpipe of about 3 inches in diameter to drain water directly from their basement sump pump into the wetland/vernal pool near wetland flag VW 118.
 4. This abutter has assured that this pipe no longer carries the sump pump drain. This buried PVC pipe's end day lights into the wetlands/vernal pool near VW flag 118. We do intend to cap this with an appropriate PVC cap.
 5. This abutter has been mowing the lawn to the east side of the line of bushes.
 6. This abutter has been amassing on the west side of the line of bushes materials such as cut tree trunks, tree branches, bush cuttings, dry leaves, grass clippings from lawn mowing activity next to the east side of the line of bushes. This heap of material appears to have accumulated, over several years. This piled up material is partly within the onsite 25 ft. NDZ and majority of it, is in the onsite 100 ft. buffer zone.
 - c. On areas of our parcel next to the third abutter, there are lumbers placed possibly to shore up the lawn from eroding (a good protection for the vernal pool and for their lawn) and this is within the 25 ft. NDZ along the eastern lot line. A slim part of this lawn is in our lot. There are other signs of disturbances such as a long metal pipe buried in the ground and used plant debris etc.
 - d. The fourth abutter had parked a small trailer (?) in the 25 ft. NDZ along the southwest corner of the lot with in the 25 ft. NDZ and that's no longer there now
- III. Since December 18, 2023, three emergency tree removal orders were secured from conservation commission to cut six tree trunks due to the recent storm event (December 2023) & to prevent possible hazard to the public and the neighboring property.
 - IV. A review of the current MassGIS data layer for the Massachusetts Natural Heritage Atlas (effective August 1, 2021) under the Natural Heritage and Endangered Species Program (NHESP) indicates that the **subject parcel is not located within mapped Estimated Habitat of Rare Wildlife or Priority Habitat of Rare Species.** (See Exhibit 2 and Exhibit 2 C – NHESP Maps). Note, the isolated wetland at the subject site is a certified vernal pool (CVP #4747) with the understanding that **No rare or endangered species have been found in this CVP #4747 (see Exhibit 2A and 2B).**
 - V. A review of the Mass GIS for Area of Critical Environmental Concern, shows that subject site is **not part of the ACEC location (See Exhibit 9)**
 - VI. According to the FEMA Flood Insurance information for Ashland (Community Panel Number 25017C0627F dated 07/07/2014), **the subject parcel does not lie within the 100-year flood plain (Exhibit 3 – FEMA FIRM Map).**
 - VII. An Order of Resource Area Delineation was issued by the Ashland Conservation Commission dated 8/4/2022. Exhibit 4 shows the approved delineated plan (MassDEP File #:095-0969),
 - VIII. This exploratory activity is exempt from MESA filing based on 321 CMR 10.14.(14)¹⁰ and **there are no rare or endangered species in this habitat (See Exhibit 2 A and 2 B)**

¹⁰ 321 CMR 10.14 (14) performance of customary land surveying activities, wetland resource area delineations, percolation tests, environmental assessments and investigations performed in accordance with M. G. L. c. 21E, and other customary preliminary site investigations or customary property due diligence activities, provided that vegetation clearing and soil alteration are avoided or **minimized to the maximum extent practicable;**

- IX. The on-site wetland (vernal pool) is approximately 11,944 sq. ft. in area with no discernible inlet or outlet. The Massachusetts Wetlands Protection Act (M.G.L. Chapter 131, Section 40) under the Wetlands Protection Act (WPA) Regulations (310 CMR 10.00) defines the wetland resource as follows:

Isolated Land Subject to Flooding

According to 310 CMR 10.57 of the WPA, Isolated Land Subject to Flooding (ISLF) is an isolated depression or a closed basin without an inlet or an outlet. It is an area, which at least once a year confines standing water to a volume of at least ¼ acre-feet and to an average depth of at least six inches. Under the WPA, there is no wetland buffer zone associated with isolated wetlands.

However, under the Ashland Wetlands Protection Bylaw, a 100-foot buffer zone and a 25-foot No Disturbance Zone extends from the delineated isolated wetland boundary and hence we are required to submit this request ***for this modified exploratory work with very limited scope and seek appropriate waivers and variances to work in this area.***

X Modified Request: Install up to four monitoring wells using the drive point steel wells to collect high ground water level data to design the future 100% pervious gravel driveway

Our **future**, plan is to construct a permanent 10 ft., porous¹¹ gravel driveway that 100% pervious using, **Truegrid paver system**¹² after we submit the full-fledged plan for review and approval from the Ashland Conservation Commission this system has practically zero run off and it is 100% permeable.

- a. *Alternate access using a single span and multiple span bridge options were explored, these options were found to be more impactful to the resource area and economically very expensive for a small development like ours.*
 - b. *A third alternate option of shifting the access driveway by 5 ft. and utilize the 5 ft. driveway setback area for part of the access driveway was also explored but it required a waiver/variance from Zoning Board of Appeals and the ZBA denied the required waiver/variance (see **Exhibit 11**).*
- We were given to understand that we are required to secure a storm water permit for the planned future development and as per Ashland by law 343-7.6.10.7

*“A sufficient **number of test pits** and test information shall be provided to demonstrate the reasonable accuracy of the groundwater elevation in areas where storm water runoff is proposed to be infiltrated into the ground. The applicant shall demonstrate that at least 2-feet of separation is present from the bottom of the infiltration device to the maximum groundwater elevation”*

- This requires us to get high ground water elevation to design for a future 10 ft., pervious gravel driveway even though, in this pervious gravel driveway system we plan to use Truegrid paver system which is a 100% permeable material, which has practically zero runoff. ***If the commission deems that storm water permit is not***

¹¹ **Storm Water Friendly Driveways: Plastic Grid System:** Water quality, and Erosion prevention, Quicker snow melt and drainage, flexible site design and Durability Examples: <https://www.truegridpaver.com/> and <https://www.prestogeo.com/>

¹² **About TrueGrid Paver System:** Used for- Pathways and Bike Trails, Grass Pavements, Driveways in both Residential / Lite Commercial projects. **Permeability:** 100%, **Compressive Strength:** Over 6,200 psi with aggregate fill, **Load Capacity:** Exceeds H20/HS20 rating **Material:** Recycled High Density Polyethylene (100% post-consumer) **Color:** Black with UV Stabilizer **Temperature Range:** Dimensionally Stable for - 58° F to 194° F **ADA Compliant:** Yes, **Environmental Compatibility:** non-toxic, harmless to plants, animals, and microorganisms. Inert material, groundwater neutral.

- Millions of square feet of TRUEGRID, has been successfully used in the USA. Some of the examples are **Google, Auto- Nation, Whole Foods Markets, NASCAR, the U.S. Military and others.** TRUEGRID is vetted, and trusted coast-to-coast in hundreds of commercial and industrial parking lots. For additional information click on the links below <https://www.truegridpaver.com/permeable-driveway-pavers/>
- <https://www.truegridpaver.com/resources/projects/> <https://www.truegridpaver.com/resources/case-studies/>
- <https://www.truegridpaver.com/case-studies/flooded-residential-driveway-jacksonville-fl/>
- The Truegrid paver system is an environmentally friendly option (<https://www.truegridpaver.com/complete-guide-permeable-paving-systems%EF%BB%BF/>)
- See list of projects that use the truegrid paver systems <https://www.truegridpaver.com/resources/projects/>

WORKS IN ALL CLIMATES AND SOILS
STORM WATER DETENTION

 100% PERVIOUS COVER

 1000+ INCHES/HOUR INFILTRATION RATE

 0.6 - 0.05 RUNOFF COEFFICIENT

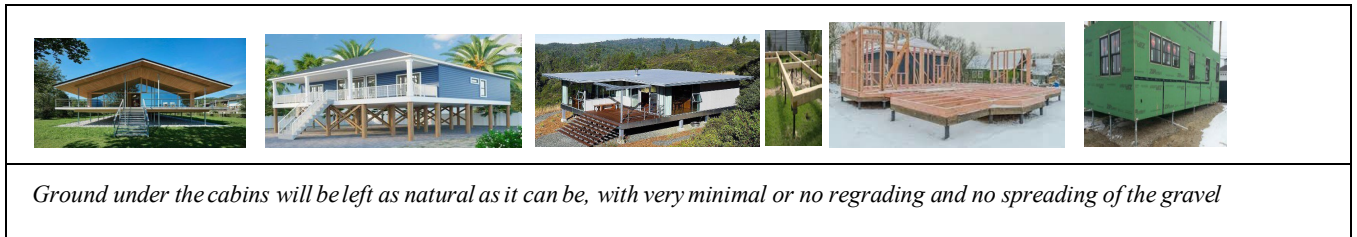
required for the 100% permeable gravel access driveway we will not install the monitoring wells and if the commission deems fit to issue a waiver for storm water report for the 100% permeable gravel driveway, then kindly do so. If not,

- We need permission from conservation commission to permit us to install up to four drive point steel wells within the onsite 25 ft. NDZ (location of these monitoring wells are shown in the plan C) and we request the commission to grant the appropriate waivers and variances to accomplish the installing of up to four Monitoring wells.
- Also, see next section for the storm water management of roof run off from the Cabin and the Garage and this will not interfere with the storm water management from the pervious gravel driveway.

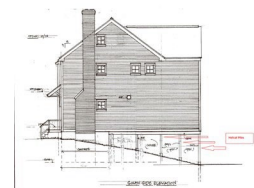
XI About a future building location

We would like to minimize the length of the access driveway and hence we prefer to locate the cabin within the onsite 100 ft. buffer zone¹³ and outside the 25 ft. NDZ. This plan will have the cabin/house on stilts (see examples listed below). In addition, it does not make any sense to use the stilts if we have to locate the ADA friendly cabins/house outside of all three 100 ft. buffer zones and a house on a slab would result in a narrow migration corridor available for the vernal pool habitats.

We will be using helical piles for stilts to build a deck and cabins on top of it (see examples listed below).



- House at 1104 Highland Street, Holliston MA is currently under construction and has part of its structure (balcony, a living part of the house) is in the 50 ft. NDZ. This part of the structure is built using helical piles (DEP File #185-861)
- Using helical piles for stilts will help us to design the parcel, as a **Low Impact development site (LID)**¹⁴ Use of helical piles for stilts will not impede the migration corridor for the vernal pool habitats. This is a preferred choice by the performance standards in such resource areas as ours. Use of helical pile is an LID preferred choice.
- The use of helical piles will also eliminate the vast regrading of the ground under the cabin and most of the ground surface will be left in its pristine condition (**adds value for LID**).



¹³ No sense in using stilts in the upland area outside all three 100 ft. buffer zones, as most of this area is already at high elevation. This will be more impactful for the habitats migration path because of the concrete slab for the structure

¹⁴ **Low-Impact Development (LID):** An approach to environmentally friendly land use planning. It includes a suite of landscaping and site design techniques that attempt to maintain the natural, pre-developed ability of a site to manage rainfall. LID techniques capture water on site, filter it through vegetation, and let it soak into the ground where it can recharge the local water table rather than being lost as surface runoff. An important LID principle includes the idea that storm water is not merely a waste product to be disposed of, but is a resource. Also see 310CMR 10.04: Environmentally Sensitive Site Design means design that incorporates low impact development techniques to prevent the generation of storm water and non- point source pollution by reducing impervious surfaces, disconnecting storm water sheet flow paths and treating storm water at its source, maximizing open space, minimizing disturbance, protecting natural features and processes, and/or enhancing wildlife habitat. And Low Impact Development Techniques mean innovative storm water management systems that are modeled after natural hydrologic features. Low impact development techniques manage Rain fall at the source using uniformly distributed decentralized micro-scale controls. Low impact development techniques use small cost-effective landscape features located at the lot level.

- By harvesting rainwater and storing it in multiple cisterns of appropriate capacity, we can manage the roof run off from Cabin and the Garage. Stilts provide an air gap (minimum 3ft) under the cabin with ample room under the cabin to disperse the rainwater from the roof drain stored in the cisterns. We will use a down facing ordinary multiple garden sprinklers under the Cabin to disperse the harvested rainwater in a controlled manner using gravity. (This is a Storm water friendly design that eliminates detention or retention ponds again this adds value for LID because it eliminates any regrading and avoids confusing the habitats from breeding in the manmade ponds)



- In addition, the harvested excess rainwater will help us to irrigate the garden during the summer months or we will drain it, via the sprinkler system in a controlled manner after the storm conditions subsides and /or prior to the onset of winter season and this adds value for sustainable development
- We will leave the stumps, of most of the trees under the deck and the cabins that, needs to be cut, so that the stumps will still provide the needed temporary shelter for the migrating habitats. (Particularly in the area under the cabins) and any future growth on these stumps will be periodically trimmed as needed.

XII Description of the proposed activity with this modified limited scope of work

A driven point well¹⁵ - sometimes called a **sand point** - is a small diameter well made by connecting lengths of 1-1/4" or 2" diameter steel pipe together with threaded couplings. Threaded to the bottom of the string of pipes is a drive-point well screen. The screen is usually 2 to 3 feet long with a hardened steel tip or **drive-point** at the bottom. The purpose of the screen is to allow groundwater to flow into the well but keep the surrounding sand out. Generally hardened steel drive-point tip allows the well drive more easily into the ground. Installation of a driven point well begins by driving the pointed end of a single length of pipe into the ground. A special fitting called a drive cap, is threaded onto the top of the pipe to protect the pipe threads while driving and to prevent contaminants from entering the pipe. Sometimes a shallow starter hole is made with an auger at the ground surface to accommodate the pipe lengths and facilitate the starting of the driving process. In our case we will use a 2-inch auger screw 32-inches long to drill a hole into the ground. Insert the Drive point steel well with the mesh carefully and take measurements for depth of the water table from the rim of the Drive point tube. Post measurement we will remove the Drive point steel well with mesh and close the hole and insert a stake for future reference and to repeat the measurements at a later date. If it warrants we will use extension for the auger screw to reach appropriate depth. If there is need for additional length of the tubing, we can attach an extension tube for the drive point well. Our interest is to find out where the high ground water table is and we want to ensure the high ground water table is at least two feet below the bottom of the infiltration layer of the envisioned 100% pervious gravel driveway. This temporary monitoring well installation and removal of it on the very same day complies with the 310 CMR 46.02 (1). This is a viable practical solution for a very shallow temporary well just to measure the depth o the water table.

We will also place a stake in the ground for reference elevation (location is listed in the table see Section XIV also see the Green Stake shown on Sheet 2 of Plan C). This will enable us to determine the Ground water table elevation at other points using a laser beam to transfer the elevation to other points.

XIII Auger (manual and electric)



¹⁵ <https://dnr.wisconsin.gov/sites/default/files/topic/DrinkingWater/Publications/DG022.pdf>

XIV Monitoring well location and approximate ground elevation (See Plan C for details)

<p>Approximate X, Y Locations of the Monitoring points is based on Point A (Southwest corner of the lot) as Origin and the South side lot line (AB) as X- axis. The ground elevation values are based on the topographic survey plans of Applewood Surveyor. These locations and elevations may vary subject to subsurface ledge or boulders.</p>			
Well#	X (ft.)	Y (ft.)	Approx. Ground Elevation
M1	82.4	5.6	200
M2	97.9	51.4	201
M3	97.9	114.8	201
M4	94.4	221.8	202
Elevation reference point			
R	93.7	8.45	TBD

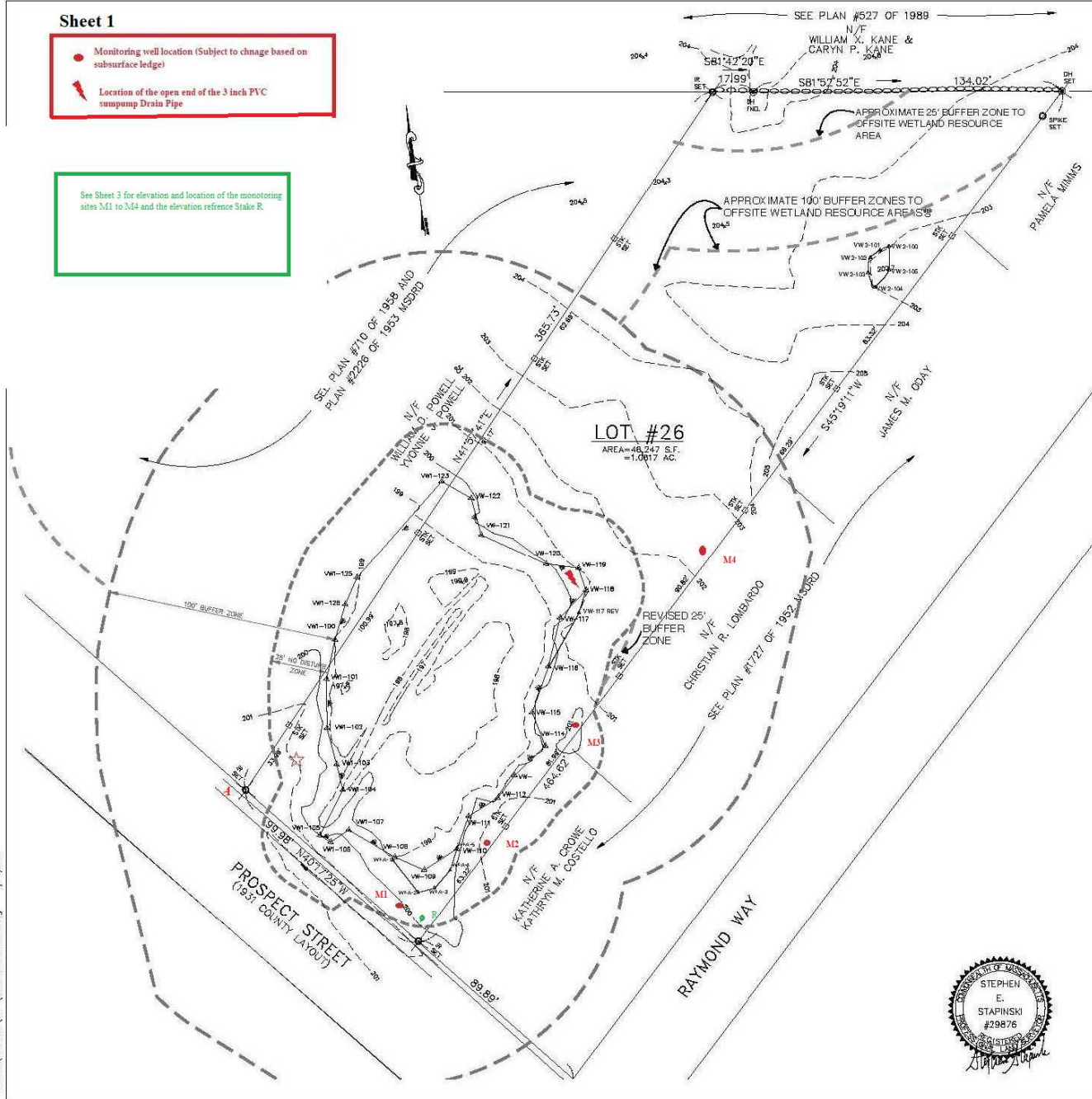
XV Summary

Our overall plan in the future is to develop the parcel of land that we own at 0 Prospect Street for our use as a residence to live in and spend our retirement life in this friendly community that we love and cherish. In order to start designing we need to carry the listed exploratory work. This exploratory work needs appropriate permission with the associated waivers and variances, from the Ashland Conservation Commission to carry out this preliminary activity. Please grant us the needed permission with the appropriate waivers and variance

Sheet 1

- Monitoring well location (Subject to change based on subsurface ledge)
- ↖ Location of the open end of the 3 inch PVC sump/pump Drain Pipe

See Sheet 3 for elevation and location of the monitoring sites M1 to M4 and the elevation reference Stake R.



NOTES

1. SEE TOWN OF ASHLAND PARCEL #290-0034, DEED BOOK #14064 PAGE #317 MSDRD FOR SITE. PROPERTY LINES FROM A FIELD SURVEY.
2. WETLAND FLAGGED BY McARTHUR ENVIRONMENTAL CONSULTING, LLC, FRAMINGHAM, MA. LOCATED BY MERRIMACK ENGINEERING SERVICES.
3. TOPOGRAPHY SHOWN FROM PLAN BY APPLEWOOD SURVEY LLC., 21 GREEN STREET, HOLLISTON, MA DATED AUGUST 10, 2016, SCALE 1"=20' BY TERENCE M. RYAN, PLS. DATUM: ASSUMED.
4. WETLAND AND VERNAL POOL BUFFER ZONES WERE APPROXIMATED BASED ON FIELD MEASUREMENTS BY McARTHUR ENVIRONMENTAL.

LEGEND

- STK STAKE
- IR IRON ROD
- DH DRILL HOLE
- VW1-123 WETLAND FIELD FLAG
- EDGE OF WETLAND
- STONE WALL
- 202 EXISTING ELEVATION

Drive Point Steel Well

↖ Model# AWP36304K-80 K2
 1-1/4 in. x 36 in. **Well Drive Point, 80 Gauze -Mesh Screen** or other similar models

Ramaswamy Sathyaprasad PE
 GP Associates
 Burlington MA 01803
 May 23, 2024

PLAN OF LAND
 IN
ASHLAND, MA

PREPARED FOR
K G NARAYANA
 27 POTTER STREET
 CONCORD, MASSACHUSETTS 01742

DATE: JANUARY 4, 2022

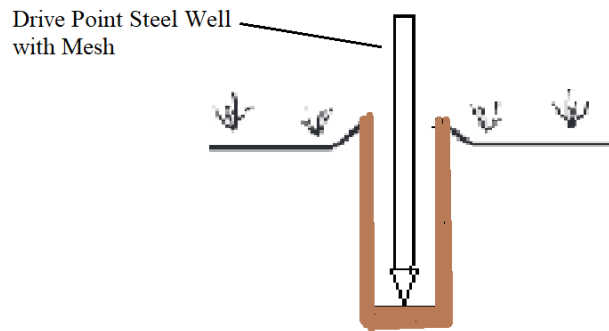
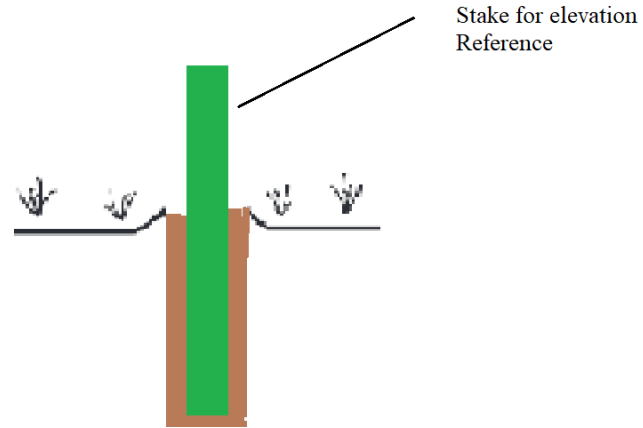
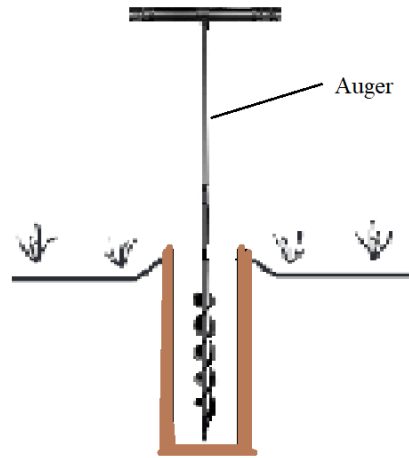
SCALE: 1"=30'




MERRIMACK ENGINEERING SERVICES
 66 PARK STREET
 ANDOVER, MASSACHUSETTS 01810
 PHONE: (978) 475-3555 FAX: (978) 475-1448
 EMAIL: MERRENG@AOL.COM

Sheet 2

Schematics of the temporary installation and measurement steps



Ramasastry Satyaprasad PE
GP Associates
Burlingto MA 0180.
May 23, 2024

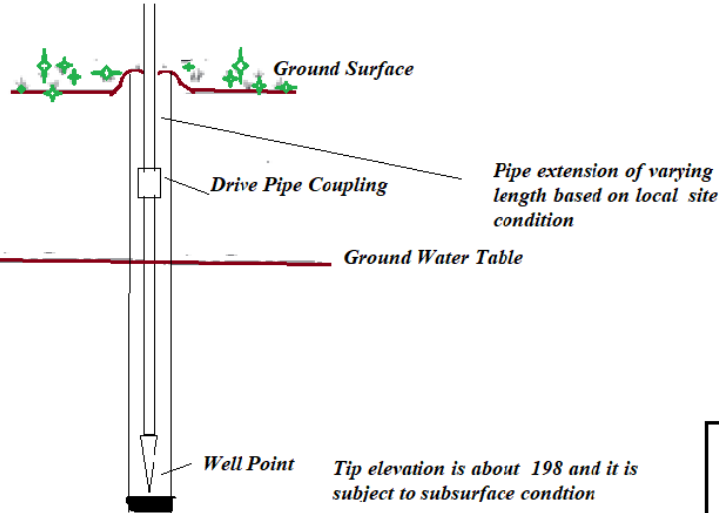


Ramasastry Satyaprasad
5.23.24

Drive point well tube will be removed once the measurements are completed and the hole will be filled and staked the same day.

Ground elevation varies from about 200 to 202 depending on the location of the monitoring well (see attached table)

Anticipated High Ground water table at about an elevation of 200



Approximate X, Y Locations of the Monitoring points is based on Point A (Southwest corner of the lot) as Origin and the South side lot line (AB) as X- axis. The ground elevation values are based on the topographic survey plans of Applewood Surveyor. These locations and elevations may vary subject to subsurface ledge or boulders.

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 May 23, 2024