

Lot 5 Linwood Street, Haverhill

Abutter Notification

In accordance with Wetlands Protection Act (WPA) at 310 CMR 10.05(4)(a) provides the Applicant shall provide written notification to all abutters required to be notified by hand delivery or certified mail, return receipt requested, or by certificates of mailing. Mailing **at least 7 days prior to the public hearing shall constitute timely notice.**

In this case, the certified mail receipts were post marked July 30th, 6 days prior to the scheduled hearing, clearly in violation of WPA 10.05(4)(a) and an appealable issue to DEP. The Abutter Affidavit is procedurally deficient in that the Applicant's representative signed the Abutter Affidavit on July 21, 2021 swearing that on July 28, 2021 he mailed out abutter notifications, which were then postmarked July 30, 2021.

Wetland Flagging

The wetland flagging done in Fall 2018, which per WPA guidelines are valid for three years, is due to expire, shows as being stopped at the property line. The wetland line continues onto abutting property that will most likely impact this property with further buffer zones and the location of the proposed garage. The abutter, Canney, have given permission for the continuation of the wetland to be flagged on their property so that the correct buffer zone can be determined and the possible vernal pool located.

A peer review of the wetland flagging due to the age of the wetland line and possible vernal pool should be conducted by an independent third party chosen by the Commission. The closest point of the garage is 57 feet from the wetland line, any change in the flagging could impact the placement of the proposed garage. *According to 253-6 The City of Haverhill Ordinance there is a 50 foot no-build zone surrounding a wetland resource area.*

Property located in Watershed

According to City of Haverhill mapping this property is located in the Watershed District. What are the setbacks for non-disturb and no-build in the Watershed district? These should be memorialized on the Site Plan.

Utilities

Will the utilities be located over or below the culverted crossing? These details need to be shown on the approved plan. The sewer line should be sleeved to prevent leakage or any damage to the pipe.

Driveway

How will runoff and storm drainage be prevented from impacting abutting properties due to the placement of the driveway? Could the driveway be constructed with a pervious material instead of impervious materials? If the homeowner uses salt or other chemicals on the driveway, these materials as well as sand and dirt will run into the wetland and buffer. How will large, heavy construction vehicles use this 12' wide access without further damaging the wetlands and buffer? Will the Applicant use BMPs to contain any leaking fluid from the construction vehicles? If so, what are they?

Retaining Wall

The contractor will need additional room to construct the retaining walls. How much additional clearing in the wetland and buffer zone will take place in addition to what is shown on the plan? This should be updated on the total amount of disturbance and included in any wetland mitigation.

Long Term Maintenance of Culvert

The Wetland Replication Narrative states that long-term maintenance of the culvert is imperative to prevent blockages. Two 12” pipes will clog easily, over time, causing back-ups and potential or foreseeable flooding of abutting properties, making the existing water issues even worse. We ask that the long-term maintenance language be included as a Special Condition to the OOC in perpetuity, and this language be clearly stated on the Deed in perpetuity so all future homeowners are aware of this ongoing condition. We also ask that yearly maintenance reports be provided to the Conservation Agent in perpetuity to ensure proper maintenance is conducted yearly.

Foundation

Foundations must have a 2 foot separation from the high water table per building code. Does this proposed foundation meet that criteria?

Ordinance

253-B

The Commission shall take into account the cumulative adverse effects of loss, degradation, isolation and replication of protected resource areas throughout the community and watershed resulting from past activities, permitted and exempt and foreseeable future activities.

The cumulative adverse effect of the construction of homes on Powder House Hill altered the runoff and stormwater drainage which flows into the down gradient neighborhood. The post-construction runoff is much higher than the pre-construction runoff. Houses that never had water in their basements, suddenly had water. How will the clearing of trees and filling of wetlands further adversely impact this existing runoff situation and the high water table in this area?

263-D

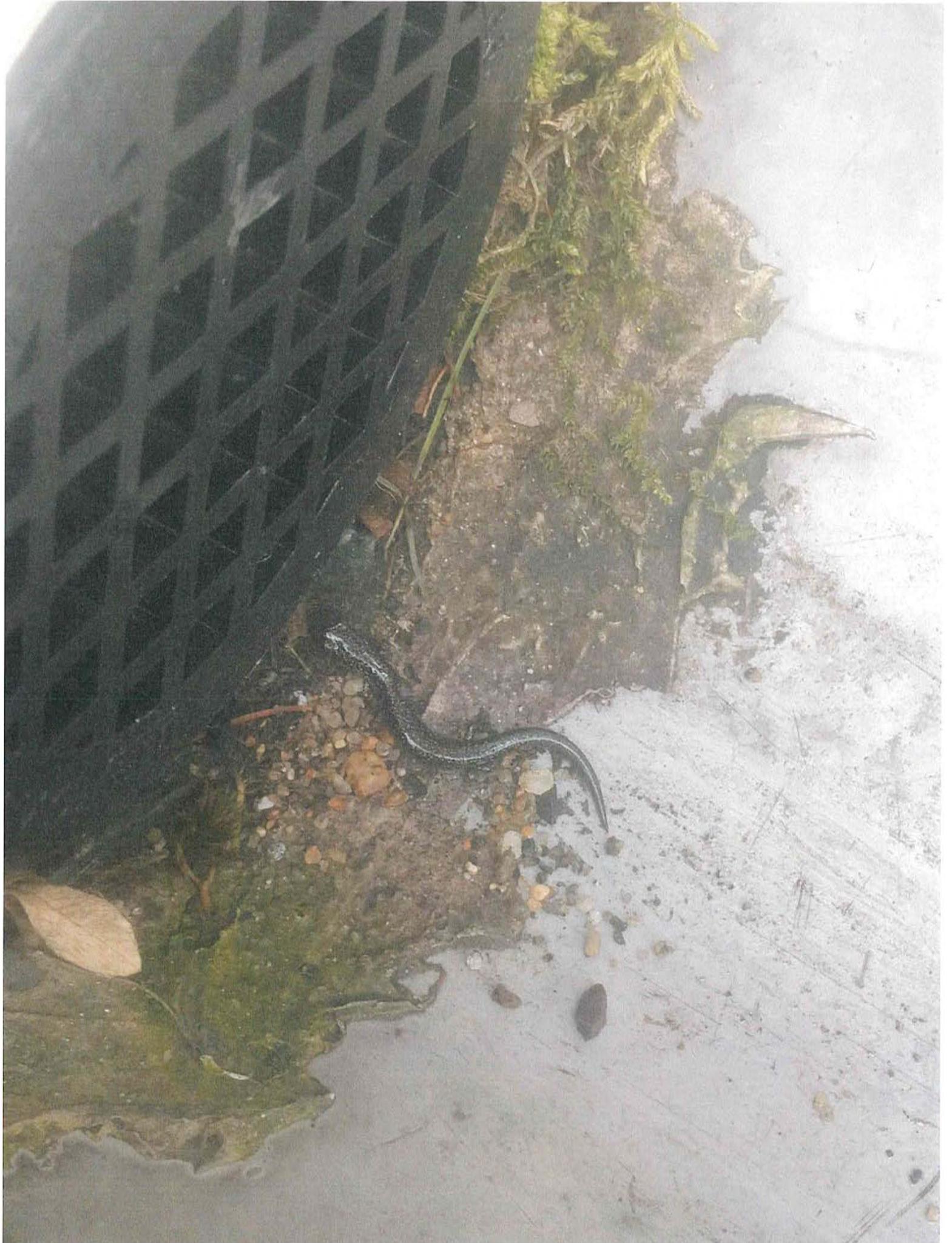
When proposing alterations of land within 50 feet of a wetland the Applicant must overcome a strong presumption of adverse impact on the adjacent wetlands, their functions and values.

The location of the driveway, utilities, water and sewer lines, and retaining walls in the middle of a wetland or the buffer to the resource area will surely adversely impact the wetland and buffer zone. How has this Applicant overcome the strong presumption of adverse impact?

253-H

“.....shall require at least one to one mitigation to ensure that adequate replication occurs and by posting a bond in the appropriate sum to ensure that mitigation occurs.....bridging of wetlands and replication of wetlands as a form of mitigation but only with adequate security, professional design and monitoring to assure success because of high likelihood of failure.”

We are requesting a 2 year monitoring period for 2 full growing seasons, as stated in the Long-Term Maintenance plan to be done by an independent third party with no issuance of a Certificate of Compliance until the completion of the second growing season. Monitoring reports to be provided to the Conservation Agent bi-annually or sooner if requested.



Lynn Viselli

From: Caroline <peapod500@aol.com>
Sent: Sunday, May 5, 2019 11:51 PM
To: Lynn Viselli; cggammo2
Subject: Wildlife

This is a cool photo I got of the deer & ducks 😊



Sent from [Mail](#) for Windows 10

Here are some photos I took around the back yard today:

(vernal pool area - right behind Dallaire's - I made sure to get their house in the background for a reference)



This one I took which is on the edge of my land & Brian's/Glenn's



This is towards Golden Hill area in the back of my property:



This one you can see Larry DeGrave's property in the background:



I hope these help us to prove how wet the surrounding area is!

Have a good day,
Caroline