

TOWN OF WEST NEWBURY
PLANNING BOARD
West Newbury, Massachusetts

FORM C
APPLICATION FOR APPROVAL OF A DEFINITIVE SUBDIVISION PLAN

Date of Filing

(Request the Town Clerk stamp two (2) Application forms and two (2) prints of the plan, keeping one set at the Town Clerk's office and filing one set with the Planning Board. See Sect. 3.3.2. for additional application procedures.)

To the Planning Board:

The undersigned, being an Applicant under M.G.L. Chapter 41, §81O, for approval of a proposed subdivision plan, hereby submits a Definitive Subdivision Plan and makes application for approval to the West Newbury Planning Board:

1. Name of Applicant(s): Michael Fusco
Address: 64 Main Street West Newbury, MA 01985
2. Name of Owner(s) (if other than Applicant(s)): see attached list of owners
Address: _____
3. Name of Subdivision: Eagle Nest
4. Location and Description of Property (include Assessor's Map & Lot and Zoning District(s)): 125 River Road - Assessor ID R24-12
171 River Road - Assessor ID R24-10A

5. Deed Reference: Book 14031, Page 76 or Certificate of Title _____
Deed Reference: Book 34827, Page 450 or Certificate of Title _____

6. Name of Engineer/Surveyor: Andover Consultants, Inc.

Address: 1 East River Place Methuen, MA 01844

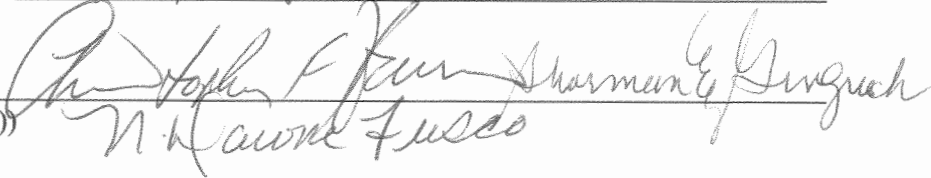
7. Easements & Restrictions of Record (Describe & Include Deed References: _____

8. Preliminary Plan Submitted: n/a; Plan Approved _____; Date: _____

Plan Disapproved _____; Date: _____

Signature of Applicant(s): 

Signature of Owner(s):
(if other than Applicant(s))



Received: Town of West Newbury, Town Clerk (date stamp):

Signature of Town Official Receiving this Application

LIST OF OWNERS

OWNER PARCEL R24-12:

**FUSCO FAMILY IRREVOCABLE TRUST
125 RIVER ROAD
WEST NEWBURY, MA 01985**

OWNER PARCEL R24-10A:

**SHARMAN E. GINGRICH TRUST
SHARMAN E. GINGRICH &
CHRISTOPHER F. HARRIS TRUSTEES
171 RIVER ROAD
WEST NEWBURY, MA 01985**

Waivers Sought:

SECTION OF RULES AND REGULATIONS – WAIVER SOUGHT

- 3.3.1.5

–

WAIVER TO ALLOW FOR THE ELEVATIONS TO BE NAVD 1988 DATUM.
- 3.3.3.1.11

–

WAIVER FROM REQUIREMENT TO LOCATE ALL TREES OVER TEN (10") INCHES IN DIAMETER, EFFORTS HAVE BEEN MADE TO LIMIT CLEARING TO EXTENT POSSIBLE. .
- 3.3.3.4.10

–

WAIVER TO NOT REQUIRE TEST PIT LOCATIONS AS THE PROPOSED PROJECT IS FOR TWO (2) SINGLE FAMILY DWELLINGS.
- 3.3.3.4.11

–

WAIVER TO REQUIRE SIDEWALK, TRAILS, LIGHTING AND CURBING.
- 3.3.3.4.12

–

WAIVER FROM THE REQUIREMENT FOR DRAINAGE CALCULATIONS, AS THE PROJECT IS NOT SUBJECT TO THE STATES STORMWATER STANDARDS (SUBDIVISION WITH FOUR OR FEWER LOTS), ROOF AND DRIVEWAY RECHARGE SYSTEMS HAVE BEEN INCORPORATED INTO THE DESIGN.
- 4.2.4.5

–

WAIVER FROM REQUIREMENT OF 250' SIGHT DISTANCE. 250' IS PROVIDED LOOKING WEST, HOWEVER EXISTING ROAD GEOMETRY DOES NOT PERMIT A 250' SIGHT DISTANCE TO THE RIGHT.
- 4.2.4.9

–

WAIVER FROM THE REQUIREMENT THAT THE FRONTAGE ON THE EXISTING STREET OF PARCEL SHALL BE AT LEAST THE FRONTAGE REQUIRED OF THE ZONING DISTRICT. THE TWO PARCELS WHICH WILL COMPRISE THE PROPOSED SUBDIVISION DO HAVE THE REQUIRED FRONTAGE, HOWEVER PARCEL R24–12 DOES NOT HAVE THE REQUIRED FRONTAGE AT THE LOCATION OF PROPOSED RIGHT OF WAY.
- 4.2.4.11

–

A WAIVER IS REQUIRED TO ALLOW FOR THE RIGHT OF WAY TO BE LESS THAN $\frac{1}{2}$ THE FRONTAGE REQUIRED FOR THE ZONING DISTRICT AWAY FROM THE ABUTTING LOT. THE CENTER LINE OF THE RIGHT OF WAY IS LOCATED $\pm 82'$ FROM THE ABUTTING LOT, HOWEVER THE DRIVEWAY WITHIN THE ROW IS LOCATED 91' FROM THE ABUTTING LOT, THE PROPOSED ROW AND DRIVEWAY LAYOUT HAVE BEEN DRIVEN BY THE LOCATION OF THE DWELLING AND BARN AT #171 RIVER ROAD.
- 4.2.5.1

–

WAIVER TO NOT REQUIRED CURBING FOR THIS PROPOSED SUBDIVISION.
- 4.2.6.3

–

WAIVER TO ALLOW FOR THE TRAVELED WAY WIDTH TO BE 18' AND TO NARROW DOWN TO 12' AT THE WETLAND CROSSING AS REQUIRED BY MASSDEP FOR A LIMITED PROJECT.
- 4.2.8.2

–

WAIVER TO ALLOW FOR DEAD END DRIVEWAY (STREET) TO NOT REQUIRE A CUL–DE–SAC WITH A HAMMER HEAD TURNAROUND PROVIDED INSTEAD.
- 4.2.8.3

–

WAIVER TO NOT REQUIRE LANDSCAPED ISLAND IN CENTER OF CUL–DE–SAC AS A CUL–DE–SAC IS NOT PROPOSED.
- 4.3.1.1

–

WAIVER TO NOT REQUIRE SIDEWALKS, PEDESTRIAN OR BICYCLE TRAILS.
- 4.3.1.5

–

WAIVER TO NOT REQUIRE FOOTPATH AND TRAILS WITHIN THE SUBDIVISION.
- 4.3.1.6

–

WAIVER TO NOT REQUIRE BICYCLE PATH/RECREATION PATH.
- 4.4

–

WAIVER FROM THE REQUIREMENTS TO PROVIDE STORMWATER MANAGEMENT REQUIREMENT SAND CALCULATIONS. PROPOSED PROJECT PROVIDES STORMWATER MITIGATION BY ROOF RECHARGE CHAMBERS AND DRIVEWAY RUNOFF CRUSHED STONE TRENCHES.
- 4.5

–

WAIVER FROM THE REQUIREMENTS TO PROVIDE WATER MAINS, WATER WILL BE SUPPLIED BY PROPOSED WELLS.

Zoning Summary Chart

Zoning District:	Residential B
Zoning Regulation Requirements	Required
MINIMUM LOT AREA	40,000 S.F.
FRONTAGE	200 Feet
FRONT YARD SETBACK	40 Feet
SIDE YARD SETBACK	20 Feet
REAR YARD SETBACK	20 Feet
MINIMUM LOT WIDTH	180 Feet
MAXIMUM BUILDING HEIGHT	35 Feet

LEGEND:

- EXISTING CONTOUR
- EDGE OF WETLANDS
- EXISTING EDGE OF WOODS
- EXISTING WATER
- EXISTING GAS
- EXISTING DRAIN
- EXISTING SEWER
- EXISTING EDGE OF PAVEMENT
- PROPOSED CONTOUR
- PROPOSED WATER
- PROPOSED HAY BALES
- PROPOSED EDGE OF WOODS

Definitive Subdivision

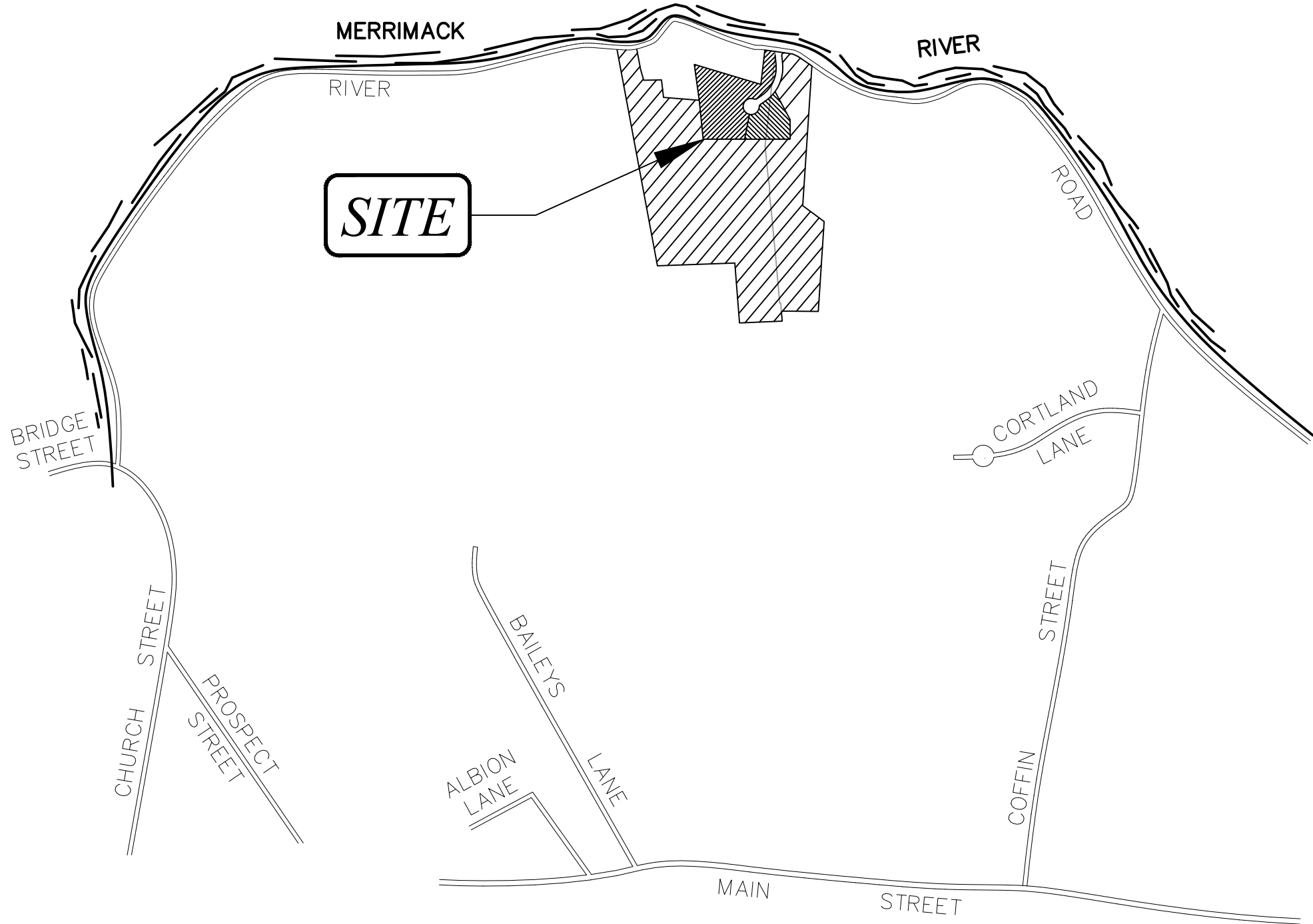
"Eagle Nest"

River Road

West Newbury, Massachusetts

Issued for Permitting

Not Approved for Construction



LOCUS PLAN

SCALE: 1"=1,200'

Drawing Sheet Index

Number	Drawing Title	Original Submittal Date
1 of 10	Cover Sheet	11/20/2023
2 of 10	Lotting Sheet 1 of 3	11/20/2023
3 of 10	Lotting Sheet 2 of 3	11/20/2023
4 of 10	Lotting Sheet 3 of 3	11/20/2023
5 of 10	Existing Conditions	11/20/2023
6 of 10	Layout & Materials	11/20/2023
7 of 10	Grading & Utilities	11/20/2023
8 of 10	Plan & Profiles	11/20/2023
9 of 10	Site Details 1	11/20/2023
10 of 10	Wetland Replication Detail	11/20/2023

APPROVED BY THE TOWN OF WEST NEWBURY PLANNING BOARD

DATE

FILED

HEARING

I, _____, CLERK OF THE TOWN OF WEST NEWBURY, HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SUCH NOTICE.

TOWN CLERK

I HEREBY CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF MASSACHUSETTS.

REG. PROF. ENGINEER

ASSESSORS/OWNERS OF RECORD:

PARCEL R24–12
FUSCO FAMILY IRREVOCABLE TRUST
ANTHONY J. FUSCO &
N. DAWNE FUSCO TRUSTEES
125 RIVER ROAD
WEST NEWBURY, MA 01985
BOOK 25609 PAGE 254
PLAN LC 33173–A

PARCEL R24–10A
SHARMAN E. GINGRICH TRUST
SHARMAN E. GINGRICH &
CHRISTOPHER F. HARRIS TRUSTEES
171 RIVER ROAD
WEST NEWBURY, MA 01985
BOOK 34827 PAGE 450
PLAN BOOK 173 PLAN 64

DEED REFERENCE:

ESRO BOOK 14031, PAGE 76
ESRO BOOK 34827, PAGE 450

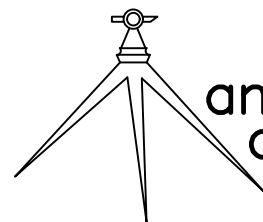
COVER SHEET

DEFINITIVE SUBDIVISION

EAGLE NEST

WEST NEWBURY, MASS.

PREPARED FOR: MICHAEL FUSCO
DATE: NOVEMBER 23, 2023
SCALE:1"=40'

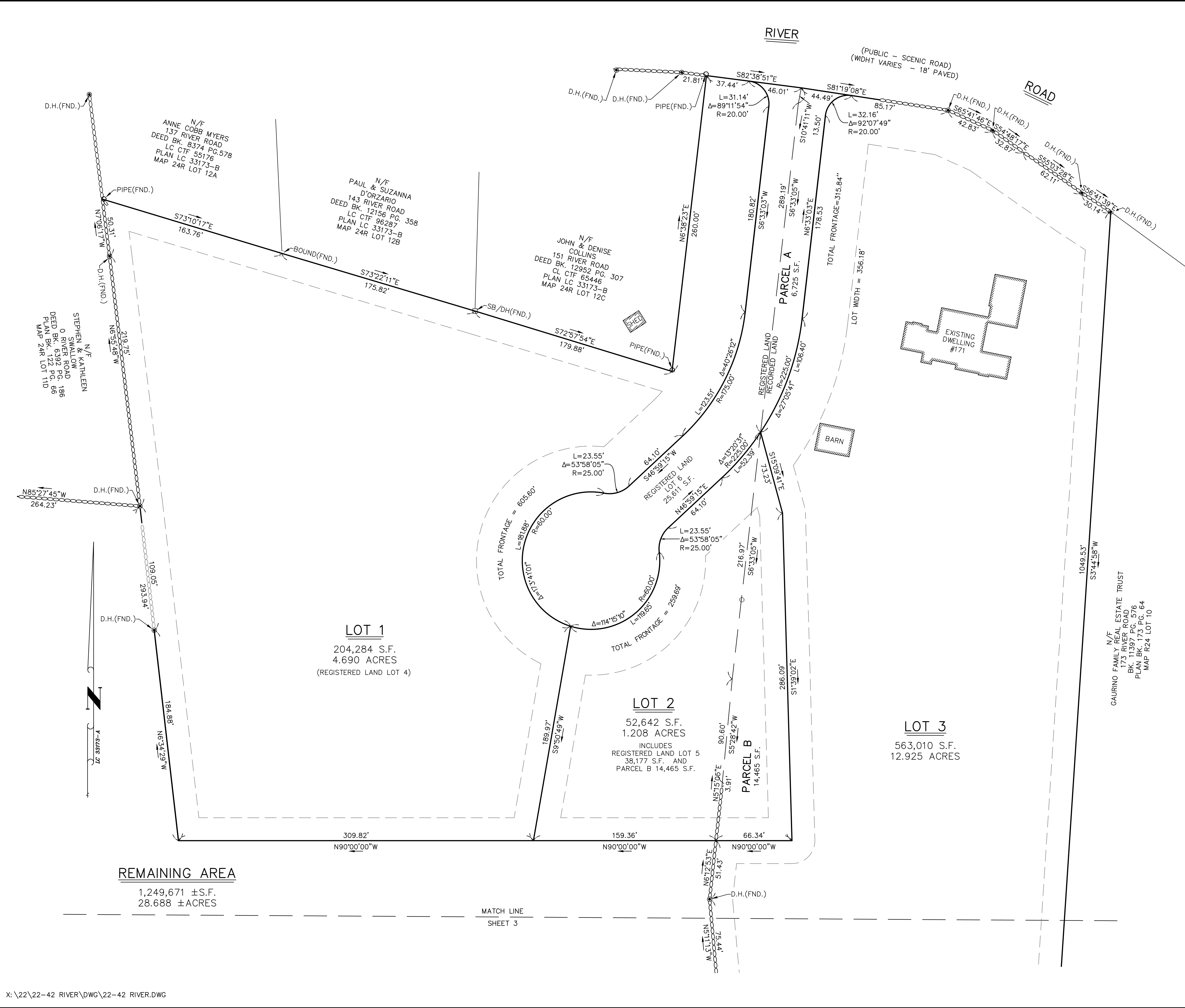


1 East River Place
Methuen, Mass. 01844
Telephone: 978–687–3828



Dennis A. Griecci
Reg. Prof. Engineer





I HEREBY CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF MASSACHUSETTS.

Peter D. Goodwin
REG. PROF. LAND SURVEYOR

APPROVED BY THE TOWN OF WEST NEWBURY PLANNING BOARD

DATE _____

FILED _____

HEARING _____

I, _____, CLERK OF THE TOWN OF WEST NEWBURY, HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SUCH NOTICE.

TOWN CLERK

REFERENCE PLANS:
PLANS ON FILE AT THE ESSEX COUNTY REGISTRY OF DEEDS, SOUTHERN DISTRICT.

- 1.) PLAN BOOK 173 PLAN 64
- 2.) PLAN BOOK 39282 PLAN 206
- 3.) PLAN BOOK 164 PLAN 207
- 4.) LAND COURT PLAN 33173-B
- 5.) LAND COURT PLAN 33173-A

ASSESSORS REFERENCE:

MAP R24 LOT 12
MAP R24 LOT 10A

ZONING DISTRICT: RB

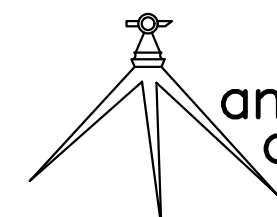
OWNERS OF RECORD:

FUSCO FAMILY IRREVOCABLE TRUST
ANTHONY J. FUSCO &
N. DAWNE FUSCO TRUSTEES
125 RIVER ROAD
WEST NEWBURY, MA 01985
BOOK 25609 PAGE 254
PLAN LC 33173-A

SHARMAN E. GINGRICH TRUST
SHARMAN E. GINGRICH &
CHRISTOPHER F. HARRIS TRUSTEES
171 RIVER ROAD
WEST NEWBURY, MA 01985
BOOK 34827 PAGE 450
PLAN BOOK 173 PLAN 64

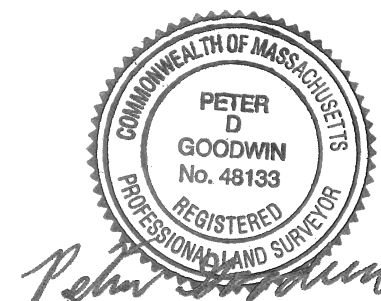
DEFINITIVE SUBDIVISION PLAN
EAGLE NEST
WEST NEWBURY, MASS.

PREPARED FOR: MICHAEL FUSCO
DATE: NOVEMBER 20, 2023
SCALE: 1"=40'



andover
consultants
inc.

1 East River Place
Methuen, Mass. 01844
Telephone: 978-687-3828



Peter D. Goodwin
Reg. Prof. Land Surveyor



I HEREBY CERTIFY THAT THIS
PLAN CONFORMS TO THE RULES AND
REGULATIONS OF THE REGISTERS OF
DEEDS OF MASSACHUSETTS.
Peter D. Goodwin
REG. PROF. LAND SURVEYOR

REMAINING AREA

1,249,671 ±S.F.
28.688 ±ACRES

SHEET 2
MATCH LINE

REMAINING AREA

1,249,671 ±S.F.
28.688 ±ACRES

REMAINING LAND
FUSCO FAMILY IRREVOCABLE TRUST
125 RIVER ROAD
LOT R24-12

LOT 3

563,010 S.F.
12.925 ACRES

N/E
GAURINO FAMILY REAL ESTATE TRUST
173 RIVER ROAD
BK. 11397 PG. 576
PLAN BK. 173 PG. 64
MAP R24 LOT 10

N/E
MARCOS & MARGARET
GONCALVES
177 RIVER ROAD
DEED BK. 3960 PG. 272
PLAN BK. 164 PG. 87
MAP R24 LOT 9

APPROVED BY THE TOWN OF WEST
NEWBURY PLANNING BOARD

DATE

FILED

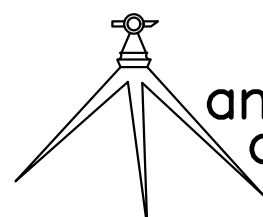
HEARING

I, _____ CLERK OF
THE TOWN OF WEST NEWBURY, HEREBY
CERTIFY THAT THE NOTICE OF APPROVAL
OF THIS PLAN BY THE PLANNING BOARD
HAS BEEN RECEIVED AND RECORDED AT
THIS OFFICE AND NO APPEAL WAS
RECEIVED DURING THE TWENTY DAYS NEXT
AFTER SUCH RECEIPT AND RECORDING OF
SUCH NOTICE.

TOWN CLERK

DEFINITIVE SUBDIVISION PLAN
EAGLE NEST
WEST NEWBURY, MASS.

PREPARED FOR: MICHAEL FUSCO
DATE: NOVEMBER 20, 2023
SCALE: 1"= 40'

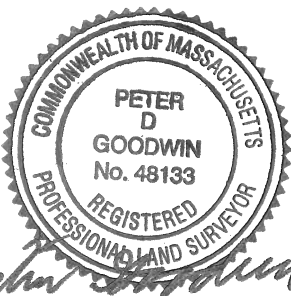


andover
consultants
inc.

1 East River Place
Methuen, Mass. 01844
Telephone: 978-687-3828

Peter D. Goodwin
Reg. Prof. Land Surveyor

0 40 80 120 160 Ft.
0 10 20 40 Meter



I HEREBY CERTIFY THAT THIS
PLAN CONFORMS TO THE RULES AND
REGULATIONS OF THE REGISTERS OF
DEEDS OF MASSACHUSETTS.
Peter D. Goodwin
REG. PROF. LAND SURVEYOR

SHEET 2
MATCH LINE

REMAINING AREA

1,249,671 ±S.F.
28.688 ±ACRES

REMAINING LAND
FUSCO FAMILY IRREVOCABLE TRUST
125 RIVER ROAD
MAP R24 LOT 12

APPROVED BY THE TOWN OF WEST
NEWBURY PLANNING BOARD

DATE

FILED _____
HEARING _____

I, _____, CLERK OF
THE TOWN OF WEST NEWBURY, HEREBY
CERTIFY THAT THE NOTICE OF APPROVAL
OF THIS PLAN BY THE PLANNING BOARD
HAS BEEN RECEIVED AND RECORDED AT
THIS OFFICE AND NO APPEAL WAS
RECEIVED DURING THE TWENTY DAYS NEXT
AFTER SUCH RECEIPT AND RECORDING OF
SUCH NOTICE.

TOWN CLERK

LOT 3
563,010 S.F.
12.925 ACRES

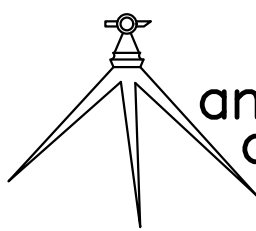
N/F
MARCOS & MARGARET
CONCALVES
177 RIVER ROAD
DEED BK. 3980 PG. 272
PLAN BK. 3984 PG. 87
MAP R24 LOT 9

N/F
ALBERT TING & NANCY PAU
181 RIVER ROAD
DEED BK. 39309 PG. 46
PLAN BK. 39282 PG. 206
MAP R24 LOT 8

N/F
FUSCO FAMILY IRREVOCABLE TRUST
0 LONG HILL PASTURE
DEED BK. 25609 PG. 254
MAP R24 LOT 13

DEFINITIVE SUBDIVISION PLAN
EAGLE NEST
WEST NEWBURY, MASS.

PREPARED FOR: MICHAEL FUSCO
DATE: NOVEMBER 20, 2023
SCALE: 1"= 40'



andover
consultants
inc.

1 East River Place
Methuen, Mass. 01844
Telephone: 978-687-3828



Peter D. Goodwin
Reg. Prof. Land Surveyor

0 40 80 120 160 Ft.
0 10 20 40 Meter

MERRIMACK RIVER

FOR REGISTRY USE ONLY

I HEREBY CERTIFY THAT THIS
PLAN CONFORMS TO THE RULES AND
REGULATIONS OF THE REGISTERS OF
DEEDS OF MASSACHUSETTS.
Peter D. Goodwin
REG. PROF. LAND SURVEYOR

APPROVED BY THE TOWN OF WEST
NEWBURY PLANNING BOARD

DATE

FILED
HEARING

I, _____, CLERK OF
THE TOWN OF WEST NEWBURY, HEREBY
CERTIFY THAT THE NOTICE OF APPROVAL
OF THIS PLAN BY THE PLANNING BOARD
HAS BEEN RECEIVED AND RECORDED AT
THIS OFFICE AND NO APPEAL WAS
RECEIVED DURING THE TWENTY DAYS NEXT
AFTER SUCH RECEIPT AND RECORDING OF
SUCH NOTICE.

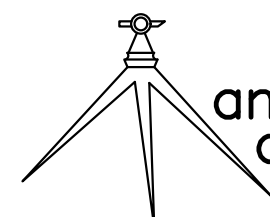
TOWN CLERK

LEGEND:

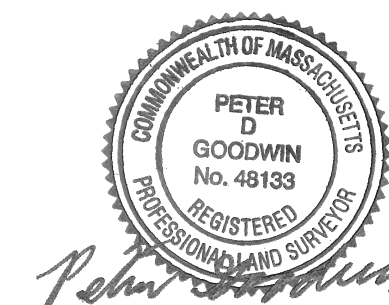
- EXISTING CONTOUR
- PAVEMENT EDGE
- RETAINING WALL
- RIVER BANK FLAG
- TREELINE
- U-POLE & GUY WIRE
- WETLAND FLAG
- WETLANDS

EXISTING CONDITIONS PLAN
EAGLE NEST
WEST NEWBURY, MASS.

PREPARED FOR: MICHAEL FUSCO
DATE: NOVEMBER 20, 2023
SCALE: 1"=40'

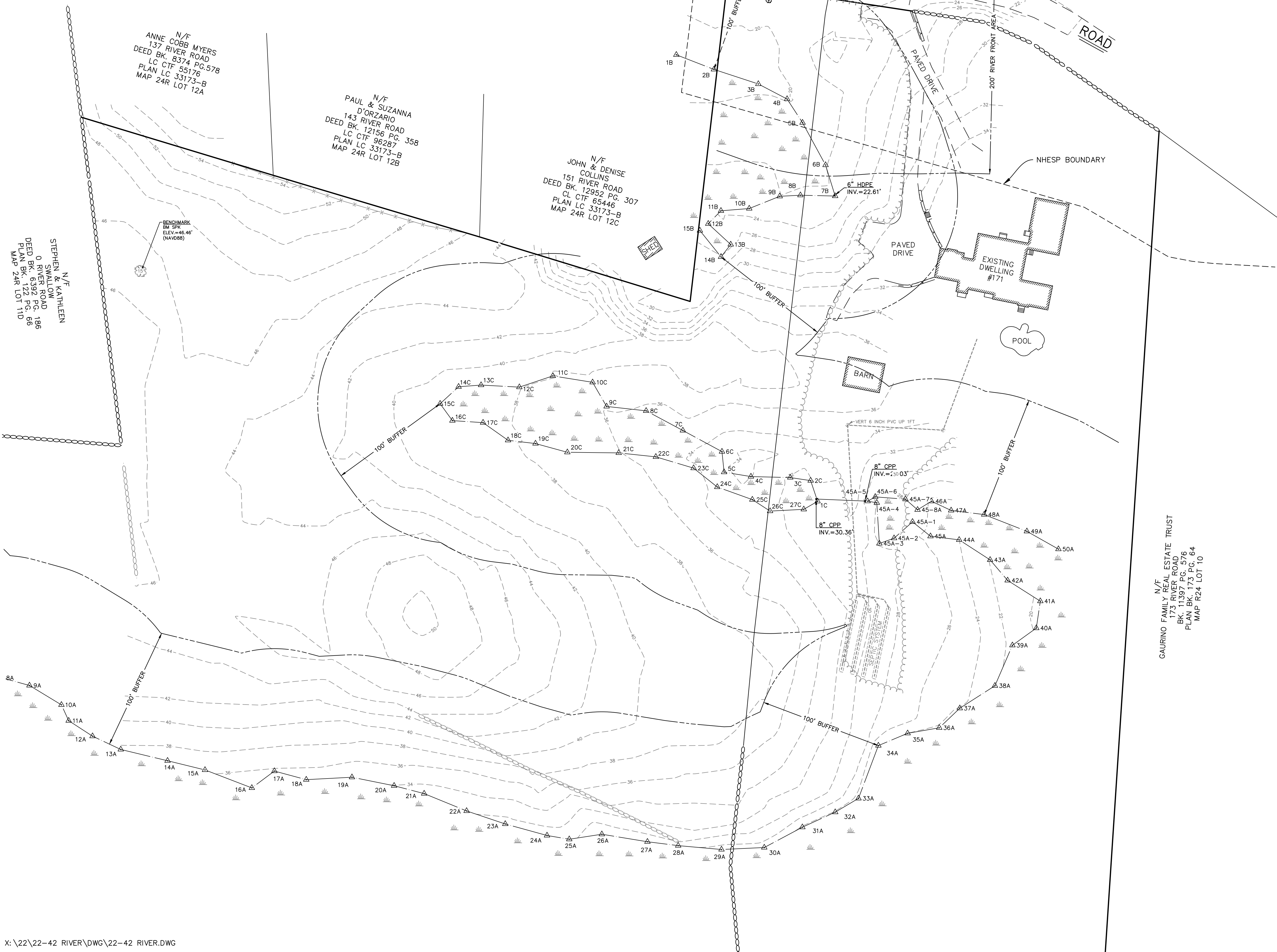


1 East River Place
Methuen, Mass. 01844
Telephone: 978-687-3828



Peter D. Goodwin
Reg. Prof. Land Surveyor

0 40 80 120 160 Ft.
0 10 20 40 Meter



APPROVED BY THE TOWN OF WEST
NEWBURY PLANNING BOARD

DATE

FILED

HEARING

I, _____, CLERK OF
THE TOWN OF WEST NEWBURY, HEREBY
CERTIFY THAT THE NOTICE OF APPROVAL
OF THIS PLAN BY THE PLANNING BOARD
HAS BEEN RECEIVED AND RECORDED AT
THIS OFFICE AND NO APPEAL WAS
RECEIVED DURING THE TWENTY DAYS NEXT
AFTER SUCH RECEIPT AND RECORDING OF
SUCH NOTICE.

TOWN CLERK

I HEREBY CERTIFY THAT THIS
PLAN CONFORMS TO THE RULES AND
REGULATIONS OF THE REGISTRARS OF
DEEDS OF MASSACHUSETTS.

REG. PROF. ENGINEER

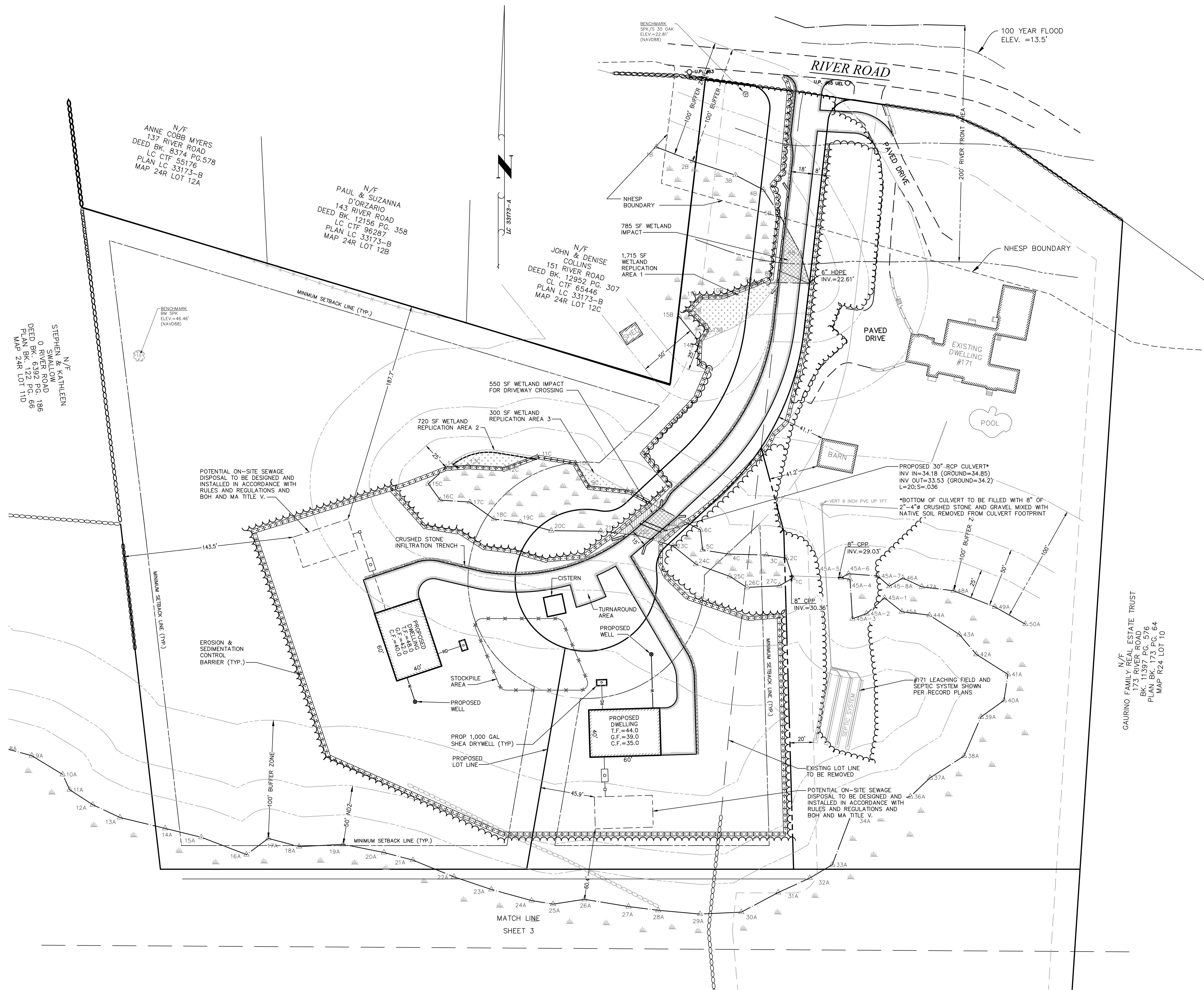
ASSESSORS/OWNERS OF RECORD:

PARCEL R24-12
FUSCO FAMILY IRREVOCABLE TRUST
ANTHONY J. FUSCO &
N. DAWNE FUSCO TRUSTEES
125 RIVER ROAD
WEST NEWBURY, MA 01985
BOOK 25609 PAGE 254
PLAN LC 33173-A

PARCEL R24-10A
SHARMAN E. GINGRICH TRUST
SHARMAN E. GINGRICH &
CHRISTOPHER F. HARRIS TRUSTEES
171 RIVER ROAD
WEST NEWBURY, MA 01985
BOOK 34827 PAGE 450
PLAN BOOK 173 PLAN 64

DEED REFERENCE:

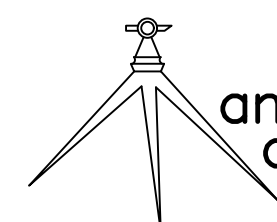
ESRO BOOK 14031, PAGE 76
ESRO BOOK 34827, PAGE 450



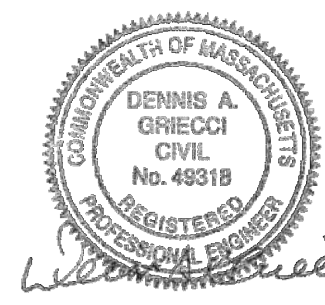
Revision No. Revision Description Date

DEFINITIVE SUBDIVISION
LAYOUT & MATERIALS PLAN
EAGLE NEST
WEST NEWBURY, MASS.

PREPARED FOR: MICHAEL FUSCO
DATE: NOVEMBER 20, 2023
SCALE: 1"=40'

andover
consultants
inc.

1 East River Place
Methuen, Mass. 01844
Telephone: 978-687-3828



Dennis A. Griecci
Reg. Prof. Engineer

0 40 80 120 160 Ft.
0 10 20 40 Meter

APPROVED BY THE TOWN OF WEST
NEWBURY PLANNING BOARD

DATE

FILED

HEARING

I, _____, CLERK OF
THE TOWN OF WEST NEWBURY, HEREBY
CERTIFY THAT THE NOTICE OF APPROVAL
OF THIS PLAN BY THE PLANNING BOARD
HAS BEEN RECEIVED AND RECORDED AT
THIS OFFICE AND NO APPEAL WAS
RECEIVED DURING THE TWENTY DAYS NEXT
AFTER SUCH RECEIPT AND RECORDING OF
SUCH NOTICE.

TOWN CLERK

I HEREBY CERTIFY THAT THIS
PLAN CONFORMS TO THE RULES AND
REGULATIONS OF THE REGISTERS OF
DEEDS OF MASSACHUSETTS.

REG. PROF. ENGINEER

General Notes - Grading, Drainage, Utilities

- TOP SOIL SHALL BE STRIPPED AND STOCKPILE ON SITE AS INDICATED ON PLANS, OR AS OTHERWISE DEEMED APPROPRIATE BY CONTRACTOR. AREAS DISTURBED DURING CONSTRUCTION SHALL RECEIVE SIX INCHES OF LOAM AND SEED. NO TOP SOIL SHALL LEAVE THE SITE EXCEPT IN ACCORDANCE WITH THE WEST NEWBURY SOIL REMOVAL BYLAW.
- ALL EARTHEN MATERIALS SHALL BE HANDLED IN ACCORDANCE WITH APPLICABLE STATE AND LOCAL LAWS. SOIL SHALL BE STOCKPILED ON SITE AS INDICATED ON THE PLANS, OR AS OTHERWISE DEEMED APPROPRIATE BY CONTRACTOR. NO EARTHEN MATERIALS SHALL LEAVE THE SITE EXCEPT IN ACCORDANCE WITH THE WEST NEWBURY SOIL REMOVAL BYLAW.
- CONTRACTOR SHALL NOTIFY "DIG-SAFE" (1-888-344-7233) AT LEAST 72 HOURS BEFORE EXCAVATING.
- CONTRACTOR SHALL PREVENT DUST, SEDIMENT, AND DEBRIS FROM EXITING THE SITE AND SHALL BE RESPONSIBLE FOR CLEANUP, REPAIRS AND CORRECTIVE ACTION IF SUCH OCCURS.
- DAMAGE RESULTING FROM CONSTRUCTION LOADS SHALL BE REPAIRED BY THE CONTRACTOR AT NO ADDITIONAL COST TO OWNER.
- CONTRACTOR SHALL CONTROL STORMWATER RUNOFF DURING CONSTRUCTION TO PREVENT ADVERSE IMPACTS TO OFF SITE AREAS, AND SHALL BE RESPONSIBLE TO REPAIR RESULTING DAMAGES, IF ANY, AT NO COST TO OWNER.
- THIS PROJECT DISTURBS MORE THAN ONE ACRE OF LAND AND FALLS WITHIN THE NPDES CONSTRUCTION GENERAL PERMIT (CGP) PROGRAM AND EPA JURISDICTION. PRIOR TO THE START OF CONSTRUCTION CONTRACTOR IS TO FILE A CGP NOTICE OF INTENT WITH THE EPA AND PREPARE A STORMWATER POLLUTION PREVENTION PLAN IN ACCORDANCE WITH THE NPDES REGULATIONS. CONTRACTOR SHALL CONFIRM THE OWNER HAS ALSO FILED A NOTICE OF INTENT WITH THE EPA.
- PROPOSED BOUNDS AND ANY EXISTING PROPERTY LINE MONUMENTATION DISTURBED DURING CONSTRUCTION SHALL BE SET OR RESET BY A PROFESSIONAL LICENSED SURVEYOR.
- CONTRACTOR SHALL NOT RELY SOLELY ON ELECTRONIC VERSIONS OF PLANS, SPECIFICATIONS, AND DATA FILES THAT ARE OBTAINED FROM THE DESIGNERS, BUT SHALL VERIFY LOCATION OF PROJECT FEATURES IN ACCORDANCE WITH THE PAPER COPIES OF THE PLANS AND SPECIFICATIONS THAT ARE SUPPLIED AS PART OF THE CONTRACT DOCUMENTS.
- PRIOR TO STARTING ANY OTHER WORK ON THE SITE, THE CONTRACTOR SHALL NOTIFY APPROPRIATE AGENCIES AND SHALL INSTALL EROSION CONTROL MEASURES AS SHOWN ON THE PLANS AND AS IDENTIFIED IN FEDERAL, STATE, AND LOCAL APPROVAL DOCUMENTS PERTAINING TO THIS PROJECT.
- CONTRACTOR SHALL INSPECT AND MAINTAIN EROSION CONTROL MEASURES, AND REMOVE SEDIMENT THEREFROM ON A WEEKLY BASIS AND WITHIN TWELVE HOURS AFTER EACH STORM EVENT AND DISPOSE OF SEDIMENTS IN AN UPLAND AREA SUCH THAT THEY DO NOT ENCUMBER OTHER DRAINAGE STRUCTURES AND PROTECTED AREAS.
- CONTRACTOR SHALL BE FULLY RESPONSIBLE TO CONTROL CONSTRUCTION SUCH THAT SEDIMENTATION SHALL NOT AFFECT REGULATORY PROTECTED AREAS, WHETHER SUCH SEDIMENTATION IS CAUSED BY WATER, WIND, OR DIRECT DEPOSIT.
- CONTRACTOR SHALL PERFORM CONSTRUCTION SEQUENCING SUCH THAT EARTH MATERIALS ARE EXPOSED FOR A MINIMUM OF TIME BEFORE THEY ARE COVERED, SEED, OR OTHERWISE STABILIZED TO PREVENT EROSION.
- ELEVATIONS ARE BASED ON NGVD 1988 DATUM.
- WETLAND FLAGS WERE SET BY NORSE ENVIRONMENTAL SERVICES IN DECEMBER OF 2022 AND JULY OF 2023 AND FIELD LOCATED BY ANDOVER CONSULTANTS.

N/F
CAURINO FAMILY REAL ESTATE TRUST
173 RIVER ROAD
BK. 11397 PG. 576
PLAN BK. 173 PG. 64
MAP R24 LOT 10

ASSESSORS/OWNERS OF RECORD:

PARCEL R24-12
FUSCO FAMILY IRREVOCABLE TRUST
ANTHONY J. FUSCO &
N. DAWNE FUSCO TRUSTEES
125 RIVER ROAD
WEST NEWBURY, MA 01985
BOOK 25609 PAGE 254
PLAN LC 33173-A

PARCEL R24-10A
SHARMAN E. GINGRICH TRUST
SHARMAN E. GINGRICH &
CHRISTOPHER F. HARRIS TRUSTEES
171 RIVER ROAD
WEST NEWBURY, MA 01985
BOOK 34827 PAGE 450
PLAN BOOK 173 PLAN 64

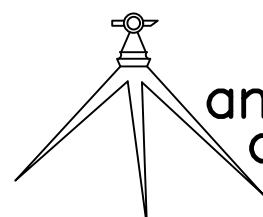
DEED REFERENCE:

ESRO BOOK 14031, PAGE 76
ESRO BOOK 34827, PAGE 450

Revision No. Revision Description Date

DEFINITIVE SUBDIVISION
GRADING & UTILITIES PLAN
EAGLE NEST
WEST NEWBURY, MASS.

PREPARED FOR: MICHAEL FUSCO
DATE: NOVEMBER 20, 2023
SCALE: 1"=40'



1 East River Place
Methuen, Mass. 01844
Telephone: 978-687-3828

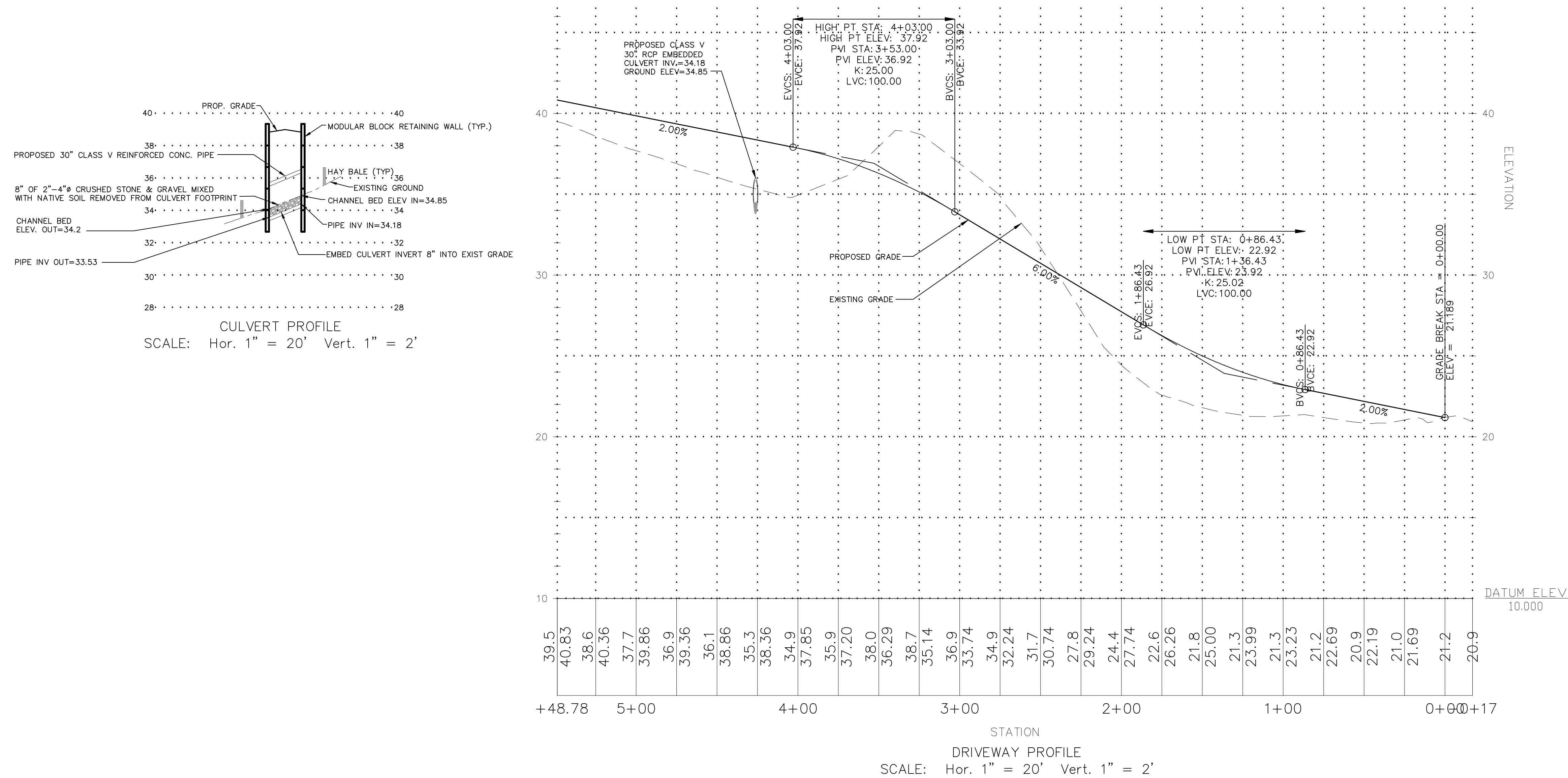


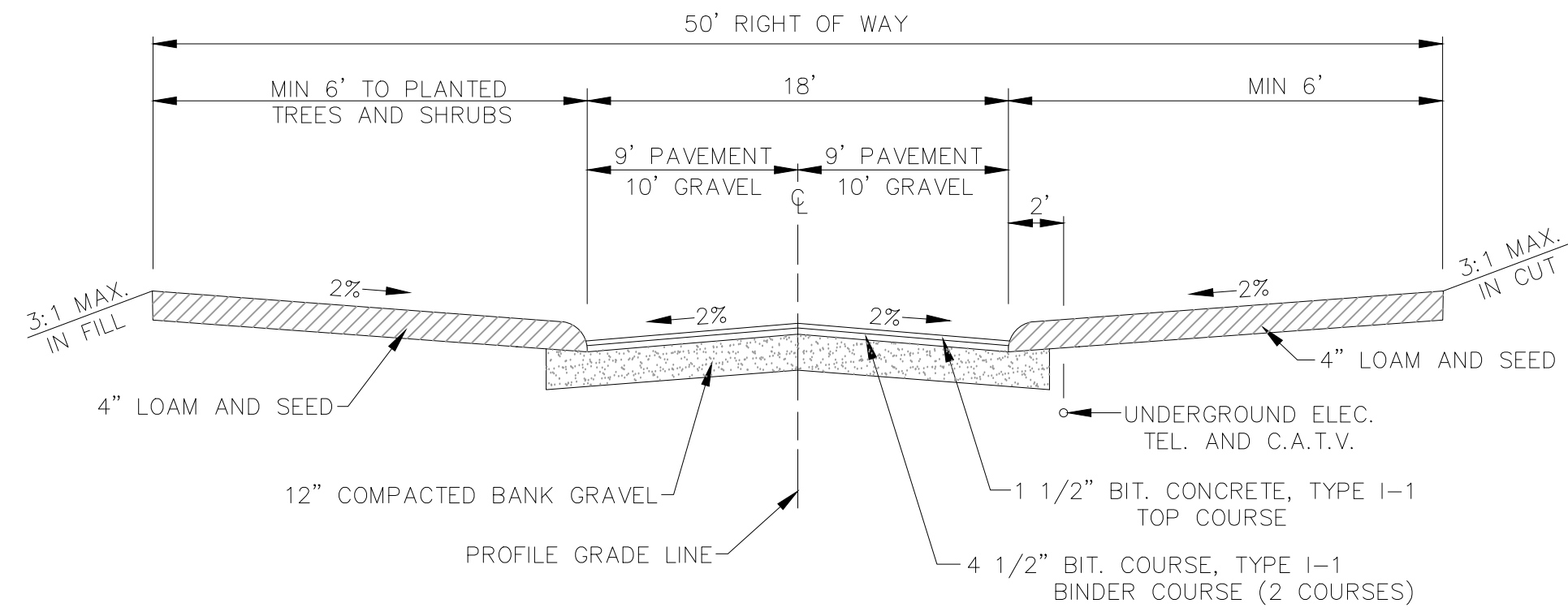
Dennis A. Griecci
Reg. Prof. Engineer

0 40 80 120 160 Ft.
0 10 20 40 Meter

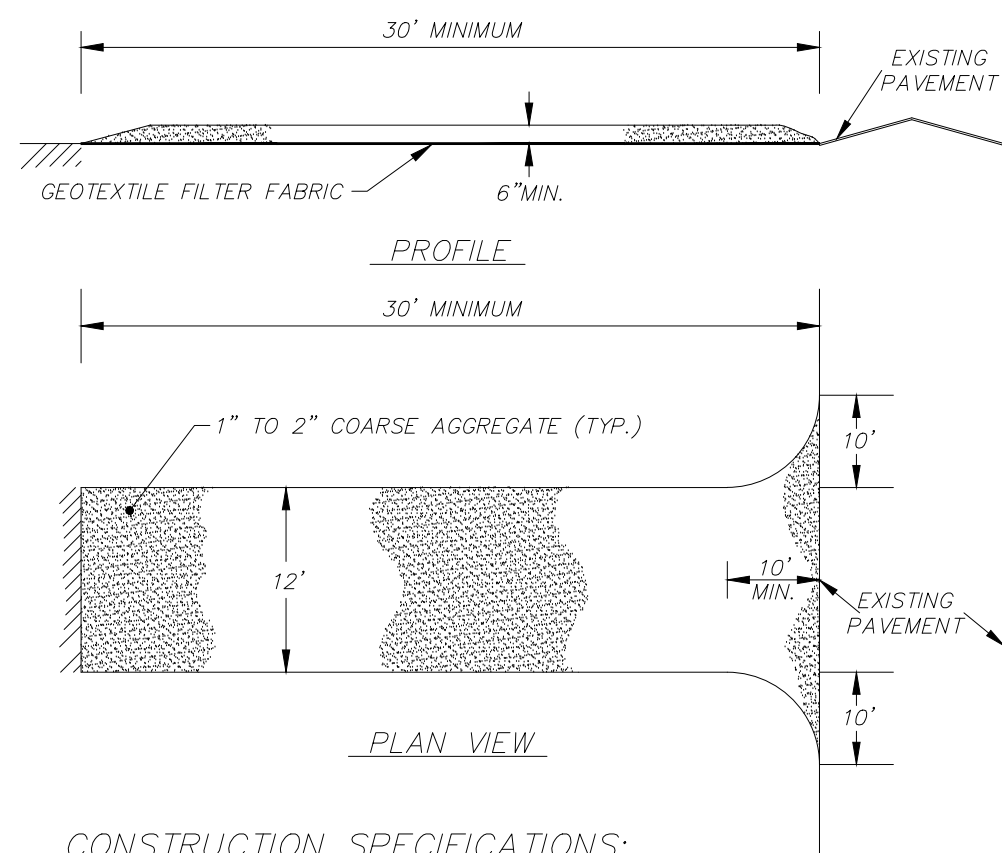
TOWN CLERK

ESRO BOOK 14031, PAGE 76
ESRO BOOK 34827, PAGE 450





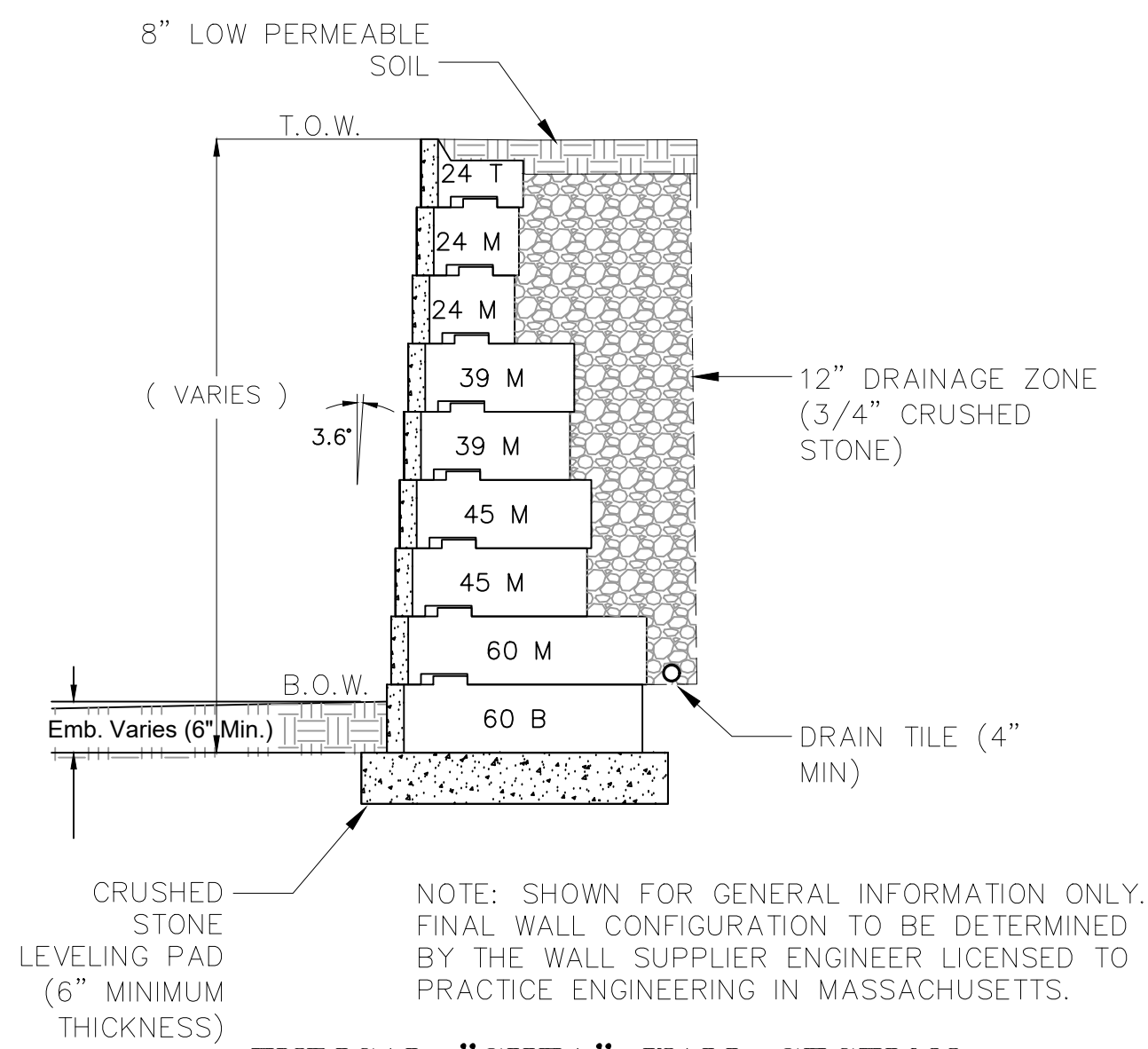
**TYPICAL ROADWAY SECTION
50 FOOT RIGHT OF WAY**
NOT TO SCALE



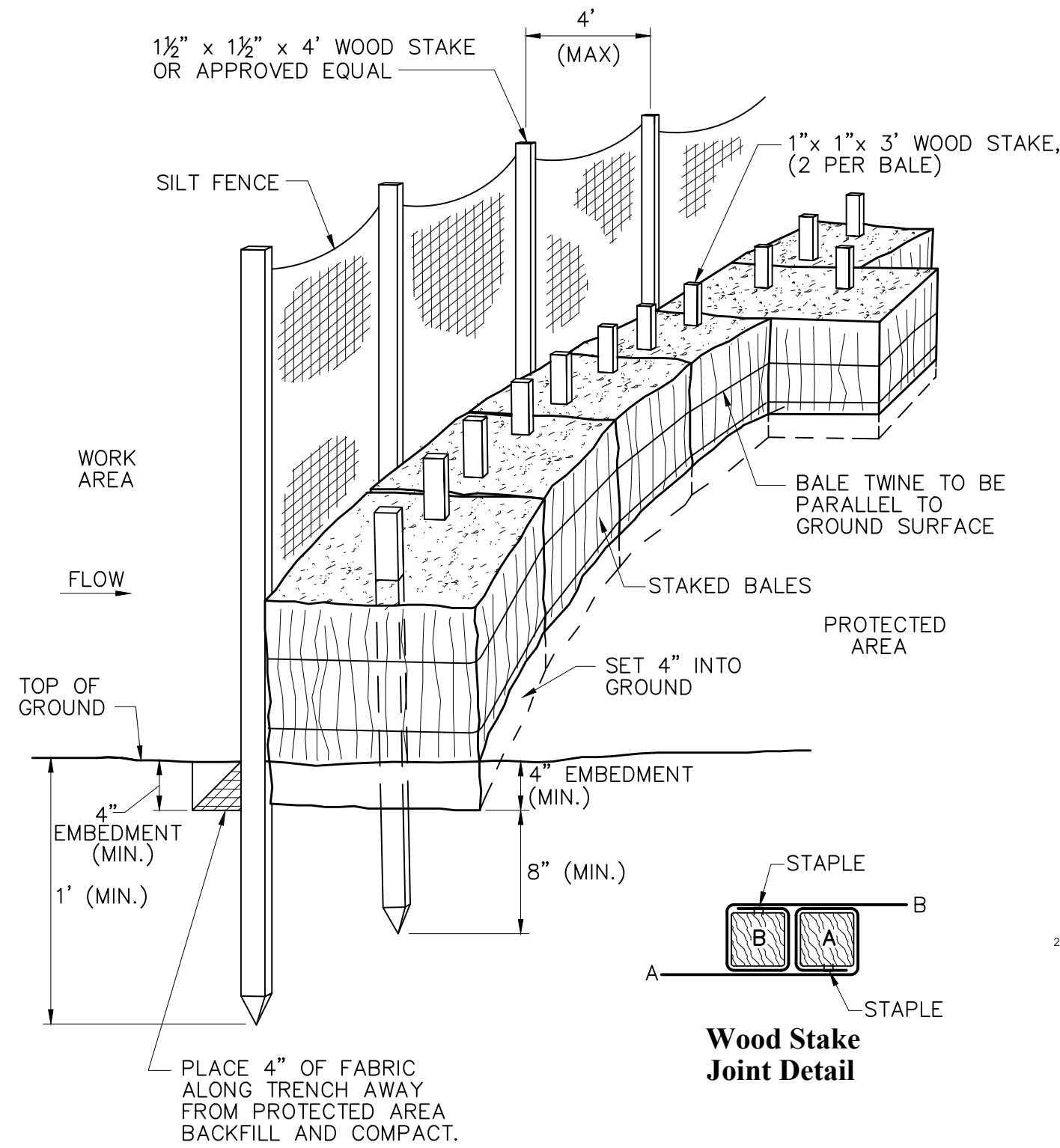
CONSTRUCTION SPECIFICATIONS:

1. THE WIDTH OF THE ENTRANCE SHALL NOT BE LESS THAN A FULL WIDTH OF THE ENTRANCE WHERE INGRESS OR EGRESS OCCURS OR 10 FEET, WHICH EVER IS GREATER.
2. GEOTEXTILE FILTER CLOTH SHALL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING THE STONE.
3. ALL SURFACE WATER THAT IS FLOWING TO OR DIVERTED TOWARDS THE CONSTRUCTION ENTRANCE SHALL BE PIPED BENEATH THE ENTRANCE. IF PIPING IS IMPRACTICAL, A BERM SUBSTITUTED FOR THE PIPE.

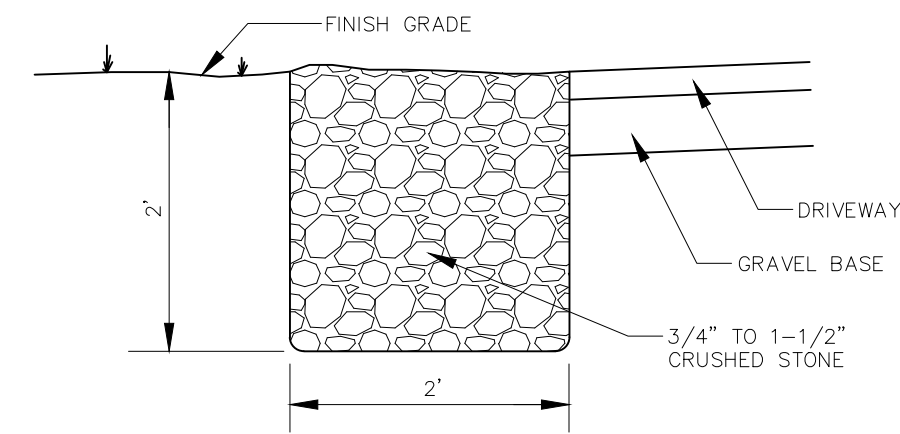
STABILIZED CONSTRUCTION ENTRANCE DETAIL
NOT TO SCALE



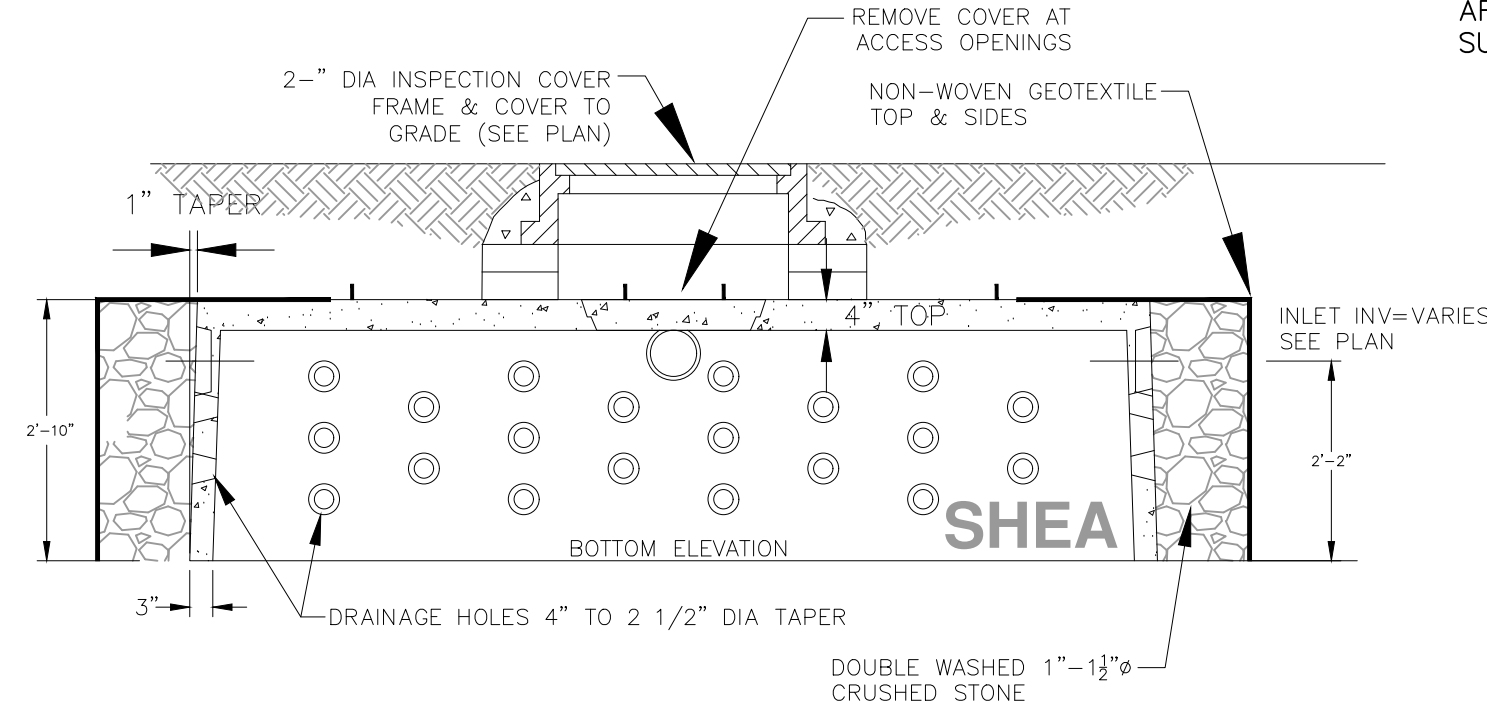
TYPICAL "SHEA" WALL SECTION
(NOT TO SCALE)



SILT FENCE/STRAW BALE BARRIER



**CRUSHED STONE
INFILTRATION TRENCH**
NOT TO SCALE



**SHEA PRECAST CONCRETE
1000 GALLON JUMBO DRYWELL**
NOT TO SCALE

APPROVED BY THE TOWN OF WEST
NEWBURY PLANNING BOARD

DATE

FILED

HEARING

I, _____, CLERK OF
THE TOWN OF WEST NEWBURY, HEREBY
CERTIFY THAT THE NOTICE OF APPROVAL
OF THIS PLAN BY THE PLANNING BOARD
HAS BEEN RECEIVED AND RECORDED AT
THIS OFFICE AND NO APPEAL WAS
RECEIVED DURING THE TWENTY DAYS NEXT
AFTER SUCH RECEIPT AND RECORDING OF
SUCH NOTICE.

TOWN CLERK

I HEREBY CERTIFY THAT THIS
PLAN CONFORMS TO THE RULES AND
REGULATIONS OF THE REGISTERS OF
DEEDS OF MASSACHUSETTS.

REG. PROF. ENGINEER

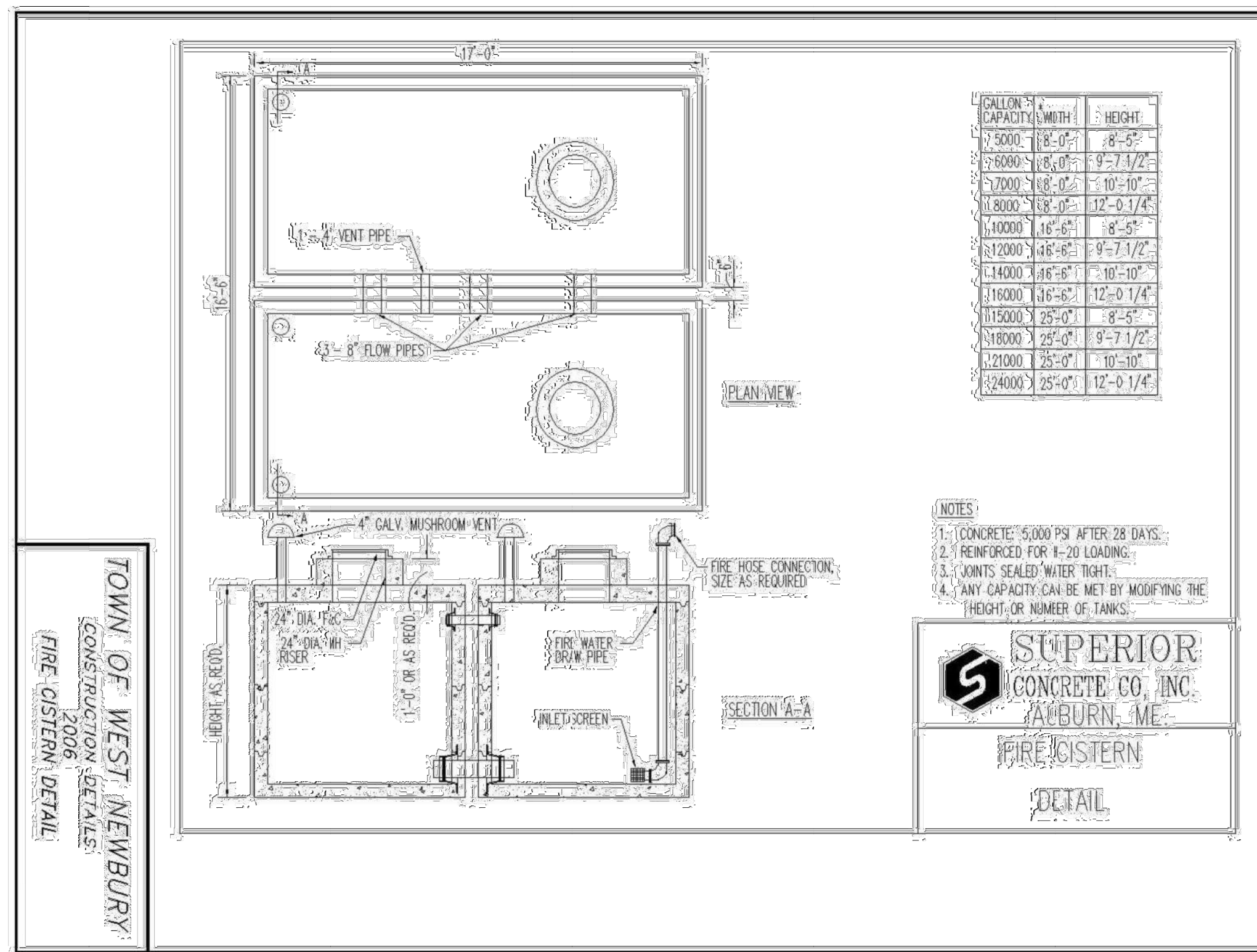
ASSESSORS/OWNERS OF RECORD:

PARCEL R24-12
FUSCO FAMILY IRREVOCABLE TRUST
ANTHONY J. FUSCO &
N. DAWNE FUSCO TRUSTEES
125 RIVER ROAD
WEST NEWBURY, MA 01985
BOOK 25609 PAGE 254
PLAN LC 33173-A

PARCEL R24-10A
SHARMAN E. GINGRICH TRUST
SHARMAN E. GINGRICH &
CHRISTOPHER F. HARRIS TRUSTEES
171 RIVER ROAD
WEST NEWBURY, MA 01985
BOOK 34827 PAGE 450
PLAN BOOK 173 PLAN 64

DEED REFERENCE:

ESRO BOOK 14031, PAGE 76
ESRO BOOK 34827, PAGE 450



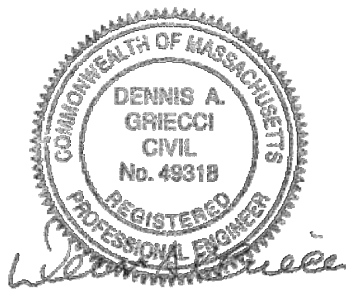
Revision No. Revision Description Date

**DEFINITIVE SUBDIVISION
SITE DETAILS
EAGLE NEST
WEST NEWBURY, MASS.**

PREPARED FOR: MICHAEL FUSCO
DATE: NOVEMBER 20, 2023
SCALE: 1"=40'

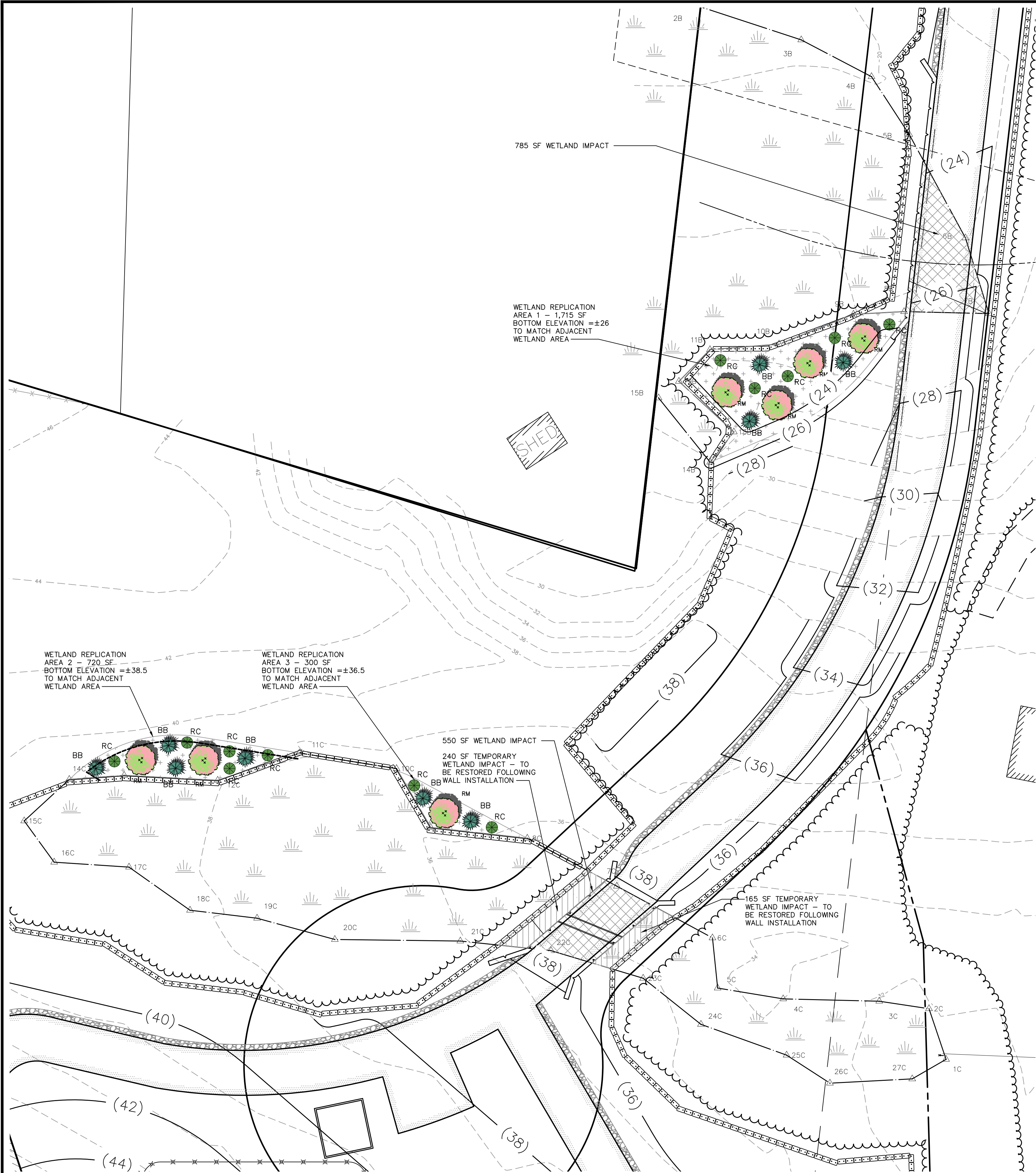
**andover
consultants
inc.**

1 East River Place
Methuen, Mass. 01844
Telephone: 978-687-3828



Dennis A. Griecci
Reg. Prof. Engineer





REPLICATION DETAIL
1" = 20'

APPROVED BY THE TOWN OF WEST
NEWBURY PLANNING BOARD

DATE

FILED

HEARING

I, _____, CLERK OF
THE TOWN OF WEST NEWBURY, HEREBY
CERTIFY THAT THE NOTICE OF APPROVAL
OF THIS PLAN BY THE PLANNING BOARD
HAS BEEN RECEIVED AND RECORDED AT
THIS OFFICE AND NO APPEAL WAS
RECEIVED DURING THE TWENTY DAYS NEXT
AFTER SUCH RECEIPT AND RECORDING OF
SUCH NOTICE.

TOWN CLERK

FOR REGISTRY USE ONLY

I HEREBY CERTIFY THAT THIS
PLAN CONFORMS TO THE RULES AND
REGULATIONS OF THE REGISTERS OF
DEEDS OF MASSACHUSETTS.

Dennis A. Griecci

REG. PROF. ENGINEER

ASSESSORS/OWNERS OF RECORD:

PARCEL R24-12
FUSCO FAMILY IRREVOCABLE TRUST
ANTHONY J. FUSCO &
N. DAWNE FUSCO TRUSTEES
125 RIVER ROAD
WEST NEWBURY, MA 01985
BOOK 25609 PAGE 254
PLAN LC 33173-A

PARCEL R24-10A
SHARMAN E. GINGRICH TRUST
SHARMAN E. GINGRICH &
CHRISTOPHER F. HARRIS TRUSTEES
171 RIVER ROAD
WEST NEWBURY, MA 01985
BOOK 34827 PAGE 450
PLAN BOOK 173 PLAN 64

DEED REFERENCE:

ESRO BOOK 14031, PAGE 76
ESRO BOOK 34827, PAGE 450

Wetland Impacts And Mitigation Summary

Area Identification	Total Resource Area Impacted	Total Resource Area Replicated
WETLAND SERIES B (REPLICATION AREA 1)	785 SF	1,715 SF
WETLAND SERIES C (REPLICATION AREA 2/3)	550 SF	1,020 SF
TOTALS	1,335 SF	2,735 SF

NOTES:

1. PROVIDING 2:1 REPLICATION FOR IMPACTED WETLANDS.

Plant List

Key	Qty.	Botanical Name	Common Name
Replication Area 1			
RM	4	ACER RUBRUM	RED MAPLE
RC	5	ARONIA ARBUTIFOLIA	RED CHOKEBERRY
BB	4	VACCINIUM CORYMBOSUM	HIGHBUSH BLUEBERRY
Replication Area 2			
RM	2	ACER RUBRUM	RED MAPLE
RC	5	ARONIA ARBUTIFOLIA	RED CHOKEBERRY
BB	4	VACCINIUM CORYMBOSUM	HIGHBUSH BLUEBERRY
Replication Area 3			
RM	1	ACER RUBRUM	RED MAPLE
RC	2	ARONIA ARBUTIFOLIA	RED CHOKEBERRY
BB	2	VACCINIUM CORYMBOSUM	HIGHBUSH BLUEBERRY

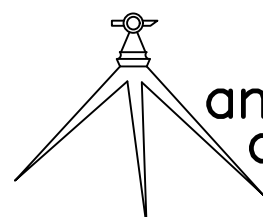
Plant Legend

	RED MAPLE
	RED CHOKEBERRY
	HIGHBUSH BLUEBERRY

Revision No. Revision Description Date

DEFINITIVE SUBDIVISION
WETLAND REPLICATION DETAIL
EAGLE NEST
WEST NEWBURY, MASS.

PREPARED FOR: MICHAEL FUSCO
DATE: NOVEMBER 20, 2023
SCALE: 1"=40'



andover
consultants
inc.

1 East River Place
Methuen, Mass. 01844
Telephone: 978-687-3828



Dennis A. Griecci
Reg. Prof. Engineer

0 40 80 120 160 Ft.
0 10 20 40 Meter

November 27, 2023

Town of West Newbury
Planning Board
381 Main Street
Est Newbury, MA 01985

**Re: 125 River Road
Definitive Two-Lot Subdivision
Environmental Impact Statement**

Members of the Board:

On behalf of the Applicant, Michael Fusco, the following Environmental Impact Statement has been prepared to address the items set forth in Schedule E of the *Town of West Newbury's Rules & Regulations Governing the Subdivision of Land* for a proposed subdivision which would create two buildable single family lots. The section of the Environmental Impact Statement, Schedule E; is reproduced below in italics with our response following immediately in below in bold.

Physical Element – Air Pollution:

Response – The proposed project will create lots for the construction of two single family dwellings, as such there is not expected to be any negative impacts to the quality of air.

Physical Element – Noise Pollution:

Response – The proposed project will create lots for the construction of two single family dwellings, as such there is not expected to be any noise pollution as a result of the project.

Physical Element – Surface and Subsurface Water Pollution:

Response – The proposed project will mitigate stormwater impacts by the proposed roof runoff infiltration drywells and by a crushed stone recharge trench to capture runoff from driveways and the paved travelled way. Both stormwater BMPs will provide stormwater recharge and water quality treatment.

Physical Element – Soils

Response – The proposed project will take steps to mitigate the potential dangers from erosion and sedimentation through the use of the proposed staked silt fence and haybales to slow the velocity of any flowing water and trap any mobilized sediment. The soils present in the limit of work are split between being excessively well drained (upland areas) with low runoff potential, and moderately well drained (lowlands) with poor percolation. Because of these characteristics, by slowing the velocity of water via haybales and sediment fences, any sort of major erosion and sedimentation can be avoided in the area. When construction is completed, any exposed earth will be stabilized through the use of methods like hay or grass seed, dependent on how appropriate it is to apply the given method.

Physical Element – General Ecology

Response – The proposed project will require the filling of wetlands to provide access to an upland area, however this will involve the creation of two separate mitigation areas that will replace the lost wetlands with an area greater than that which is lost. The area does border along the delineated bank of the Merrimack River, with

minimal work proposed within the 200' riverfront area for the creation of the private road. Any potential runoff or sedimentation will be mitigated as stated above in *Physical Element – Soils*. No risk to MESA delineated species or NHESP areas is expected as a result of this project, as appropriate steps are being taken to impede runoff, sedimentation, and water pollution into the riverfront area.

Transportation Element – Traffic Generation

Response – The proposed project will see the creation of two (2) single family house lots, and therefore will not have a significant impact on the traffic volume or pattern in the area. Traffic generation will peak in the mornings and afternoons as residents leave and return for work or school, however this generation is marginal due to the limited nature of the project.

Transportation Element – Street Element

Response – The proposed way shall remain a private road with the maintenance being the primary responsibility of the homeowners' associates.

Transportation Element – Mass Transit

Response – The proposed project will not place any extra burden on existing mass transit and will not require its expansion, since there is no expectation of mass transit service to the site.

Public Utility Element – Water Supply and Distribution

Response – The proposed project will have the two (2) single family house lots supplied with drinking water through on-site private wells and will not require the installation of water mains by the Water Department.

Public Utility Element – Sewage Treatment

Response – The proposed project will have the two (2) single family house lots' sewage needs be handled by on-site sewage disposal (septic) systems and will require no installation of sewer mains by the Water Department. Said disposal systems will be placed away from protected resource areas by the specified distances as to ensure the avoidance of any potential contamination by system failure.

Public Utility Element – Storm Drainage

Response – The proposed project will mitigate stormwater impacts by the proposed roof runoff infiltration drywells and by a crushed stone recharge trench to capture runoff from driveways and the travelled way. Both stormwater BMPs will provide stormwater recharge and water quality treatment.

Public Utility Element – Solid Waste

Response – The proposed project will have two (2) single family dwellings proposed with the expectation of average solid waste production. Coordination will be required with the town and G. Mello Disposal Corp. of Georgetown MA to add the two proposed dwellings to existing routes. It is expected that the contents of the produced solid waste will be in line with that of the average family in the town, including food waste, recyclables, and non-recyclable solids.

Neighborhood and Community Element – Schools

Response – Since the proposed project will only result in the creation of two (2) single family house lots with associated dwellings, they will not have a significant impact on the school system.

Neighborhood and Community Element – Police

Response – Since the proposed project will only result in the creation of two (2) single family house lots with associated dwellings and a private way, the proposed project is not expected to have a significant impact on the town's police service.

Neighborhood and Community Element – Fire

Response – The proposed project will create two (2) single family house lots with associated dwellings and a private way, to accommodate fire protection needs, the private way will be designed to accommodate the entry of fire apparatuses and ambulances comparable to those that provide service to the town of West Newbury. Furthermore, the placement of the cistern will be reviewed with the town fire department. The homes will be built to fire code requirements for smoke and carbon monoxide alarms as well.

Neighborhood and Community Element – Recreation

Response – There will be no additional on-site recreation areas provided to the two (2) house lots aside from the yards that the two homes have. How those yards are applied for recreation is to be decided by the future residents.

Neighborhood and Community Element – Existing Neighborhood Land Use

Response – The proposed project is being subdivided from the property of a neighboring parcel; the land is being converted from an undeveloped woodlot with forested wetlands to two (2) buildable lots. This land use change is not incompatible with the current land use of the neighborhood, being predominantly residential areas.

Social-Economic Element – Population

Response – The proposed project will create two (2) single family dwellings, and thus will not have a large influence on the population of the area.

Social-Economic Element – Low/Moderate Income Housing

Response – The proposed project will create two (2) single family dwellings and is not intended to have any form of low/moderate income housing exceptions made for it.

Social-Economic Element – Employment

Response – The proposed project is a small-scale residential development (two lots) and is not required to perform a full analysis of the employment impact caused by the development.

Aesthetics Element – Architecture

Response – The dwelling on the parent lot of the proposed subdivision (R24-12) is a colonial style single family dwelling. Currently, there are no detailed plans for the design of the two proposed homes at this time, proposed designs will be provided at the time a building permit is filed, pending the approval of the subdivision plans.

Aesthetics Element – Lighting

Response – Currently there are no defined plans regarding the placement of lighting within the two (2) proposed residential lots, lighting will most likely be typical for a single-family residence (attached, pedestal, etc).

Aesthetics Element – Landscaping

Response – Currently there are no defined plans regarding landscaping within the two (2) proposed residential lots, landscaping will be typical for single family residential dwelling.

Aesthetics Element – Visual

Response – The proposed project will be partially visible from the road, and abutters, there are believed to be no major aesthetic impacts however, as the area is currently an undeveloped woodlot with little aesthetic value. Post subdivision aesthetic concerns will be dealt with via a landscaping plan, pending a condition of approval by the town.

Master Plans Element

Response – The proposed two single dwellings will be made compatible with the surrounding single residences and local zoning districts.

Municipal Cost/Benefit Element

Response – The proposed project will not have any net positives or negatives to the town of West Newbury with regards to municipal cost.

If you have any questions concerning the attached, or require anything further, please feel free to contact me at your convenience.

Sincerely,

Andover Consultants Inc.



Dennis A. Griecci, P.E., LEED AP

Enclosure

Cc: Property Owners

November 27, 2023

Town of West Newbury
Planning Board
381 Main Street
West Newbury, MA 01985

**Re: 125 River Road
Definitive Two-Lot Subdivision
Requested Waivers**

Members of the Board:

On behalf of the Applicant, Michael Fusco, the following is a list of waivers from the town of West Newbury's Rules and Regulations Governing the Subdivision of Land adopted October 3, 2006, amended September 16, 2019, and requested for the proposed definitive subdivision which would create two buildable lots for the proposed construction of two single family residential dwellings.

The section of the Rules and Regulations Governing the Subdivision of Land from which a waiver is requested is listed below in *italic* font immediately and a rational as to why the waiver is required and why it is appropriate to be granted by the Board in **bold** font immediately following.

Section 3.3.1.5 – Waiver to allow for the elevations to be NAVD 1988 datum rather than NGVD-1929 MSL.

Reasoning – NAVD 1988 is a more accurate than its predecessor (NGVD29), additionally, the flood elevation listed by FEMA along the Merrimack River uses NAVD 1988.

Section 3.3.3.1.11 – Waiver from requirement to locate all trees over ten (10") inches in diameter within right-of-way.

Reasoning – The proposed right-of-way has been laid on as necessary based on site conditions (topography, wetlands, etc) and the paved travel way has been reduced to 18' in width (15' in width at wetland crossing) to reduce potential impacts and to limit the required clearing for the proposed way.

Section 3.3.3.4.10 – Waiver to not require test pit locations

Reasoning – Test pits will be conducted for the sanitary (septic) facilities following approvals from the Planning Board and Conservation Commission.

3.3.3.4.11 - Waiver to require location, size, and type of sidewalk, trails, lighting and curbing.

Reasoning – Due to the small scale of the project (two buildable lots), a waiver is requested from the elements.

3.3.3.4.12 – Waiver from the requirement for drainage calculations.

Reasoning – The project is not subject to the state's stormwater standards as it is a subdivision with four or fewer lots, and proposed roof and driveway recharge systems have been incorporated into the design to promote stormwater recharge and treatment and to mitigate stormwater runoff.

4.2.4.5 - *Waiver from requirement of 250' sight distance.*

Reasoning – The required 250' is provided looking west along the current public way, however the existing road geometry of River Road does not permit a 250' sight distance to the right of the proposed private way.

4.2.4.9 – *Waiver from the requirement that the frontage on the existing street of parcel shall be at least the frontage required of the zoning district.*

Reasoning – The two parcels which will comprise the proposed subdivision do have the required frontage when their individual lot frontages are combined; however, 125 does not have the required frontage at the location of proposed right of way to the extent necessary, a waiver is requested from this requirement.

4.2.4.11 – *A waiver is required to allow for the right of way to be less than 1/2 the frontage required for the zoning district away from the abutting lot.*

Reasoning – The center line of the right of way is located $\pm 82'$ from the abutting lot, however the traveled way within the row is located 91' from the abutting lot, the proposed location of the right of way and paved traveled way layout have been driven by the location of the dwelling and barn at #171 River Road. Ample buffering to the adjacent lot is provided by the existing wooded area that is to remain.

4.2.5.1 – *Waiver to not required curbing for this proposed subdivision.*

Reasoning – The project will result in the creation of a private way, which would be considered a minor local access road, meaning that the curbing and berm requirements are unnecessary due to the small nature of the project.

4.2.6.3 – *Waiver to allow for the traveled way width to be 18' and to narrow down to 12' at the wetland crossing*

Reasoning – The regulations allow for a reduction to 18' and lower as the planning board sees fit. Due to the limited travel and traffic of the road, an 18' reduction would be appropriate for the road. Furthermore, the 15' reduction at the wetland crossing is in line with what is required by MassDEP for a limited project to provide access to an upland site, the 15' reduction will help to reduce further impacts on the wetland resource areas and their proposed remediation areas.

4.2.8.2 – *Waiver to allow for dead end driveway (street) to not require a cul-de-sac with a hammer head turnaround.*

Reasoning – A hammerhead turnaround is provided to allow for the turnaround of vehicles.

4.2.8.3 – *Waiver to not require landscaped island in center of cul-de-sac as a cul-de-sac is not proposed.*

Reasoning – A cul-de-sac is not proposed, see above, as such a waiver is requested from this requirement.

4.3.1.1 – *Waiver to not require sidewalks, pedestrian or bicycle trails.*

Reasoning – The proposed private way is considered a minor local access road, meaning that there is no requirement for the creation of sidewalks and trails for bicycles and pedestrians.

4.3.1.5 – *Waiver to not require footpath and trails within the subdivision.*

Reasoning – The requirements for footpaths and trails are not applicable to the current proposed project, due to the abutting properties not having any of the relevant criteria put forth for requiring footpaths and trails within the subdivision, and thus should be waived.

4.3.1.6 – *Waiver to not require bicycle path/recreation path.*

Reasoning – The requirements for bicycle and recreation paths are not applicable to the proposed project, as the abutting properties are not host to existing town recreational paths and the area would not be considered a part of proposed future systems.

4.4 – *Waiver from the requirements to provide stormwater management requirements and calculations.*

Reasoning – The proposed project provides stormwater mitigation by roof recharge chambers and driveway runoff crushed stone trenches.

4.5 – Waiver from the requirements to provide water mains

Reasoning – The proposed house lots' water requirements will be supplied by proposed private wells, and require no installation of water mains.

If you have any questions concerning the attached, or require anything further, please feel free to contact me at your convenience.

Sincerely,

Andover Consultants Inc.



Dennis A. Griecci, P.E., LEED AP

Enclosure

Cc: Property Owners