

Request for Determination of Applicability Project Narrative

Proposed Cushing School Trail Rehabilitation 606 Chief Justice Cushing Highway and 62 Utility Road Scituate, MA

BRIEF PROJECT NARRATIVE

The Applicant, the Town of Scituate, Massachusetts, proposes to rehabilitate the Cushing School Trail located at 606 Chief Justice Cushing Highway and 62 Utility Road in Scituate, Massachusetts. The proposed activities consist of the removal of 6-8 inches of the top layer of trail surfacing material (pavement, broken pavement, and gravel), trimming and removal of limbs and vegetation encroaching on the trail clearing of trees and vegetation as necessary, installing new sub-base material, and the removal of topsoil, gravel, and the existing paved portions of the trail, and regrading and paving the trail within the existing and former trail footprint. The existing trail ranges in width from 5 feet wide up to 11 feet wide with an average of 9 feet wide. The proposed trail will be a consistent 8 feet width with a reduction of paved surface of approximately 2,030 sf (Existing Path Surface Area: 12,620 to Proposed Path Surface Area: 10,590 sf). Erosion and stormwater run-off control barriers (silt sock or wattle) will be installed where the trail is directly adjacent to the buffer zones during construction as shown in the Plans.

The Site is located to the south and southeast of Aberdeen Road and to the northwest of Utility Road. The parcel associated with 606 Chief Justice Cushing Highway is identified by the Scituate Assessor's Office as Parcel ID 32-9-A-0, is recorded in the Plymouth County Registry of Deeds on Book 2587 and Page 145, and is located in R-1 and R-2 Zoning Districts and Water Resource Protection District. The parcel associated with 62 Utility Road is identified by the Scituate Assessor's Office as Parcel ID 32-1-11-A, is recorded in the Plymouth County Registry of Deeds on Book 57289 and Page 99, and is located in an R-2 Zoning District and Water Resource Protection District. The parcel associated with 606 Chief Justice Cushing Highway is approximately 70 acres and contains the majority of the Cushing School Trail, Scituate High School, Cushing Elementary School, Gates Middle School, the Scituate Center for the Performing Arts, Scituate Skatepark, upland forest, athletic fields, additional walking trails, and appurtenances. The parcel associated with 32 Utility Road is approximately 0.84 acres and contains a portion of the Cushing School Trail, a private, single-family residence, and appurtenances. Aberdeen Drive, Utility Road, and all other roads surrounding the Site are paved, public roads providing access to several private, single-family residences and local public schools and associated athletic fields. Scituate conservation land is located to the east and north, Scituate public schools and athletic fields are located to the west, south, and north, and several private, single-family residences are located to the north, northwest, and southeast. Immediate surrounding lands are upland forest, wooded swamps, private, single-family residences, and public school athletic fields.

One jurisdictional resource area was identified immediately east, north, and south of the proposed project limits: A Wooded Deciduous Swamp (WS1) Bordering Vegetated Wetland (BVW) Resource Area. This resource area was identified by MassGIS MA Department of Environmental Protection (DEP) datalayers and field delineation by wetland scientists employed by Strong Tree Engineering and previous engineering consultant(s) as referenced in the plans. This resource area is subject to federal, state, and local jurisdiction. BVWs, as well as any land within 100 feet of a BVW (i.e. the 100-foot Buffer Zone), are subject to jurisdiction of the MassDEP under the MA Wetlands Protection Act (WPA) and the Scituate Conservation Commission under the Town of Scituate Wetlands Protection Rules and Regulations Bylaw, Section 30770. Additionally, the land within 50 feet of BVWs, locally-regulated as the "Buffer Strip", is subject to the jurisdiction of the Scituate Conservation Commission under the Town of Scituate Wetlands Protection Rules and Regulations Bylaw, Section 30770.

The Applicant is proposing to trim limbs and encroaching vegetation as necessary, remove topsoil, gravel, and all paved portions of the existing Cushing School Trail, and regrade and pave the trail as a restored, 8-foot-wide, asphalt walking path. Additionally, the proposed project will involve the installation of stone/boulder retaining embankments (3-feet high +/-) along select portions of the restored trail to protect the trail and prevent soil erosion and flooding. The proposed work will occur entirely within the existing and former trail footprint. The proposed work will occur partially within the 100-foot Buffer Zone and partially within the locally-regulated 50-foot "Buffer Strip" to the Wooded Deciduous Swamp BVW resource area. No work is proposed directly within the Wooded Deciduous Swamp BVW resource area. No other regulated resource areas, including other BVWs or wetlands, Land Subject to Coastal Storm Flowage (LSCSF), historic or culturally-significant resources, Areas of Critical Environmental Concern (ACEC), or National Heritage and Endangered Species resources (Estimated Habitats of Rare Wildlife, Priority Habitats of Rare Species, and Vernal Pools), were identified within or near the subject properties and proposed work area. The proposed project is considered a repair, maintenance, and restoration project and will not result in any new temporary or permanent (impervious or pervious) impacts to resource area buffer zones. Therefore, a Request for Determination of Applicability (RDA) application will satisfy all local, state, and federal wetlands and environmental protection regulations, requirements, and performance standards as coordinated with the Scituate Conservation Commission. The Scituate Conservation Commission has advised that a notice to property abutters will not need to be sent as part of this RDA.

The proposed restoration project and Site plans can be found in **Attachment C**.

Anticipated list of required permits: MA DEP and Scituate Conservation Commission Request for Determination of Applicability, Scituate Building Permit for the Proposed trail restoration.



Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability **Scituate**

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

Municipality

B. Project Description (cont.)

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

The proposed activities consist of the removal of 6-8 inches of the top layer of trail surfacing material (pavement, broken pavement, and gravel), trimming and removal of limbs and vegetation encroaching on the trail clearing of trees and vegetation as necessary, installing new sub-base material, and the removal of topsoil, gravel, and the existing paved portions of the trail, and regrading and paving the trail within the existing and former trail footprint. The existing trail ranges in width from 5 feet wide up to 11 feet wide with an average of 9 feet wide. The proposed trail will be a consistent 8 feet width with a reduction of paved surface of approximately 2,390 sf (Existing Path Surface Area: 12,616 to Proposed Path Surface Area: 10,226 sf). Erosion control barriers (silt sock or wattle) will be installed where the trail is directly adjacent to the buffer zones during construction as shown in the Plans.

- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

Proposed work is structure repair/rehabilitation project only in previously disturbed areas. Impervious impacts will be reduced.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

- b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



Photo 1: View of existing trail (by Aberdeen Drive and Scituate conservation land) and surrounding forest and wetlands looking north (01/24/2024).

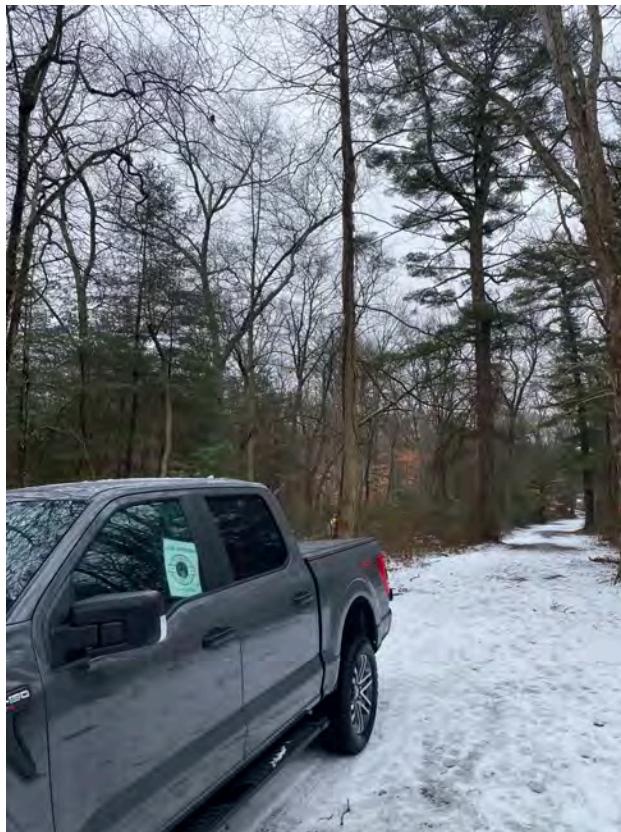


Photo 2: View of existing trail (by Aberdeen Drive and Scituate conservation land) and surrounding forest and wetlands looking southeast (01/24/2024).



Photo 3: View of the upland forest, wooded deciduous swamp, and surface water to the southeast of the trail looking east (01/24/2024).



Photo 4: View of southern end of wooded deciduous swamp (just before the trail bends to the east), upland forest, and 62 Utility Road looking east (01/22/2024).