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Date: 05/30/2024 12:53 PM EDT  
Subject: Proposed Beaver Dam MBTA Overlay and Watershed/Special Permitting

**Attn: SB, PB, MBTA TF**

Cc: DPW Director, TA, Director of Planning and Development, BOH (Ms. Powers, please pass to all ConCom members and Mr. Delaney. Thank you.)  
(Ms. Hunter, please pass to all PB and MBTA TF Members. Thank you.)

Good afternoon, Chris and Ann,

I am writing to clarify a Health and Safety Issue ref the MBTA Housing Overlay being proposed in the Beaver Dam Zone near the watershed. I simply need clarification ref watershed, as I looked at GIS this am. (If I am mistaken, please let me know if our watershed is not in this area.)

While special permitting is required for blasting and earth removal not too far away for CST, it is unclear whether special permitting is required for this proposed MBTA Overlay site near the watershed for any potential blasting and earth removal per the proposed CHOD bylaws. Please respond:

**Question: For the PROPOSED Beaver Dam Overlay for purposes of MBTA Housing...do you know if these CHOD bylaws will allow SPECIAL PERMITTING to be waived for this area for any earth removal or blasting given watershed in the area?**

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Please clarify if this section of the Sec 3A "Guidelines" may be applied, as well, to "exclude" the proposed Beaver Dam area from MBTA Overlay? This is worth a review by the consultant, if a wellhead exists.

Ref: <https://www.mass.gov/info-details/section-3a-guidelines>

## Section 3A Guidelines

Below you will find the Section 3A guidelines for determining compliance with new Section 3A of MGL c. 40A.

[www.mass.gov](http://www.mass.gov)

*“Excluded land” means land areas on which it is not possible or practical to construct multi-family housing. For purposes of these guidelines, excluded land is defined by reference to the ownership, use codes, use restrictions, and hydrological characteristics in Mass GIS and consists of the following:*

*Privately-owned land on which development is prohibited **to protect private or public water supplies, including, but not limited to, Zone I wellhead protection areas and Zone A surface water supply protection areas.**”*

Respectfully,

Lorraine Iovanni  
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