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**RE: sewage easement on property**

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**From** David Morgan <dmorgan@town.arlington.ma.us>

**Date** Thu 1/8/2026 7:43 PM

**To** Dina Brawer <dinabrawer@hotmail.com>

**Cc** William Copithorne <wcopithorne@town.arlington.ma.us>; ZBA <ZBA@town.arlington.ma.us>

Hi Dina,

The riverfront area is the area subject to conservation permitting; it's not a conservation area in the sense that it's protected land, but private property that is regulated.

There are two definitions of activity and they overlap. Here's the one from the Wetlands Protection Act, the state law.

Activity means any form of draining, dumping, dredging, damming, discharging, excavating, filling or grading; the erection, reconstruction or expansion of any buildings or structures; the driving of pilings; the construction or improvement of roads and other ways; the changing of run-off characteristics; the intercepting or diverging of ground or surface water; the installation of drainage, sewage and water systems; the discharging of pollutants; the destruction of plant life; and any other changing of the physical characteristics of land.

Here's the one from our local bylaw.

ACTIVITY – on or in any area subject to protection by the Bylaw and its regulations: any form of draining, dumping, dredging, damming, discharging, excavating, filling or grading; the erection, reconstruction or expansion of any buildings or structures; the driving of pilings; the construction or improvement of roads and other ways; the changing of runoff characteristics; the intercepting or diverging of groundwater or surface water; the installation of drainage, sewage and water systems; the discharging of pollutants; the destruction of plant life; the cutting or removal of 20% or more of the growth or limbs of trees or vegetation; and any other changing of the physical characteristics of land or the physical or chemical characteristics of water; and alterations that impact the ability of the resource area to adapt to / be resilient to climate change impacts.

Cheers,  
David

David Morgan | Environmental Planner + Conservation Agent | Department of Planning and Community Development | 781.316.3012

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**From:** Dina Brawer <dinabrawer@hotmail.com>

**Sent:** Thursday, January 8, 2026 2:05 PM

**To:** David Morgan <dmorgan@town.arlington.ma.us>

**Cc:** William Copithorne <wcopithorne@town.arlington.ma.us>; ZBA <ZBA@town.arlington.ma.us>

**Subject:** Re: sewage easement on property

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Thank you for this map David. It appears the entirety of the frontage as well as the side on Park street is wishing the riverfront but I am nt clear if that is the same as being in the conservation area?

And as the property is on this area presumably a permit was obtained originally, (and I note the driveway at 194 MVP is in the same category) do you know what is the definition of 'activity' that requires a permit?

Thanks again  
Dina

On Jan 8, 2026, at 9:10 AM, David Morgan  
<[dmorgan@town.arlington.ma.us](mailto:dmorgan@town.arlington.ma.us)> wrote:

Hi Dina,  
Sure, the hatched area below is called Riverfront Area and is jurisdictional to the Conservation Commission, [requiring permitting](#) for activity there.

<image001.png>

Cheers,  
David

David Morgan | Environmental Planner + Conservation Agent | Department of Planning and  
Community Development | 781.316.3012  
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everyone is heard, respected, and protected.*

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**From:** Dina Brawer <[dinabrawer@hotmail.com](mailto:dinabrawer@hotmail.com)>  
**Sent:** Wednesday, January 7, 2026 5:22 PM  
**To:** David Morgan <[dmorgan@town.arlington.ma.us](mailto:dmorgan@town.arlington.ma.us)>  
**Cc:** William Copithorne <[wcopithorne@town.arlington.ma.us](mailto:wcopithorne@town.arlington.ma.us)>; ZBA  
<[ZBA@town.arlington.ma.us](mailto:ZBA@town.arlington.ma.us)>  
**Subject:** Re: sewage easement on property

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Thanks David

It was my husband who reached out, but he thought that it was a question whether the lot was within the conservation area - not a

definite fact.

Are you able to provide a map that clearly shows where the conservation area boundary is within our property?

Thanks in advance  
Dina

On Jan 7, 2026, at 2:03 PM, David Morgan  
<[dmorgan@town.arlington.ma.us](mailto:dmorgan@town.arlington.ma.us)> wrote:

Hi Dina,  
I believe I discussed the prospect of adding a driveway with another owner, or perhaps the property developer in the past year or so. Half of the lot is within Conservation Commission jurisdiction, so the permit decision will hinge on where you locate the entrance. Should you choose to proceed, please be in touch.

Cheers,  
David

David Morgan | Environmental Planner + Conservation Agent | Department of Planning and Community Development | 781.316.3012

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**From:** William Copithorne <[wcopithorne@town.arlington.ma.us](mailto:wcopithorne@town.arlington.ma.us)>  
**Sent:** Wednesday, January 7, 2026 1:37 PM  
**To:** Dina Brawer <[dinabrawer@hotmail.com](mailto:dinabrawer@hotmail.com)>  
**Cc:** ZBA <[ZBA@town.arlington.ma.us](mailto:ZBA@town.arlington.ma.us)>; David Morgan <[dmorgan@town.arlington.ma.us](mailto:dmorgan@town.arlington.ma.us)>  
**Subject:** Re: sewage easement on property

Good afternoon Dina,

Having reviewed your property's location, I believe there would be multiple steps required to determine if a driveway would be feasible/allowed.

First, the sewer easement in front of your property appears to be related to an MWRA (Massachusetts Water Resources Authority) sewer main. As such, the MWRA has jurisdiction related to this easement, not the Town. I would recommend reaching out to the MWRA [Sewer 8\(M\) permit](#) coordinator to determine if such work is allowed and if a permit would be required from the MWRA.

If the MWRA would allow such work, then there are a couple of steps that the Town would have involvement in. Based on what you have written below, it is my understanding that you would still need to proceed with a special permit through the ZBA. Also, based on the proximity to the Mystic River, you should also confer with the Town's

Conservation Agent, David Morgan (Cc'd) to determine if the Conservation Commission may require a permit application and review.

Lastly, as the frontage of your property is on Mystic Valley Parkway, this roadway is under the jurisdiction of the Massachusetts Department of Conservation and Recreation (MassDCR) and not the Arlington DPW/Engineering Division. Assuming all other approvals are received, I believe you or your contractor would then have to apply for a permit from the MassDCR for a [Construction Access Permit](#). Having completed multiple such permits for the Town, I will note that MassDCR permitting tends to be a long process.

Please note that it is possible that another order of events may be acceptable and that some steps may be possible to occur in tandem. Ultimately via this email I was just hoping to convey all the groups that I believe would be involved in the decision process. I hope this all helps.

-Bill

William C. Copithorne, P.E.  
Town Engineer

Town of Arlington Department of Public Works  
Engineering Division  
51 Grove Street Arlington, MA 02476  
781.316.3322

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**From:** Dina Brawer <[dinabrawer@hotmail.com](mailto:dinabrawer@hotmail.com)>  
**Sent:** Wednesday, January 7, 2026 11:46 AM  
**To:** William Copithorne <[wcopithorne@town.arlington.ma.us](mailto:wcopithorne@town.arlington.ma.us)>  
**Cc:** ZBA <[ZBA@town.arlington.ma.us](mailto:ZBA@town.arlington.ma.us)>  
**Subject:** Re: sewage easement on property

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Hello and Happy 2026.

I am wondering if you are able to provide any information on my query below?  
I can also be reached at 917 691 9119

Thanks in advance

Dina

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**From:** Dina Brawer <[dinabrawer@hotmail.com](mailto:dinabrawer@hotmail.com)>  
**Sent:** 30 December 2025 10:24

**To:** [wcopithorne@town.arlington.ma.us](mailto:wcopithorne@town.arlington.ma.us)  
<[wcopithorne@town.arlington.ma.us](mailto:wcopithorne@town.arlington.ma.us)>  
**Cc:** ZBA <[zba@town.arlington.ma.us](mailto:zba@town.arlington.ma.us)>  
**Subject:** sewage easement on property

Hello

I hope this finds you well.

I applied for a special parking permit and the zoning board suggested I get in touch to get more detail on the sewage easement that runs through my frontage and find out what the implication of having a drive/parking space run over it would be.

I am at 190 mystic valley parkway in Arlington.

Thanks in advance for any detailed information you can provide,

Dina