



# WPA Form 1- Request for Determination of Applicability

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

## A. General Information

**Important:**  
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Clayton K. Smith & Sarah E. Smith

Name

E-Mail Address

8A Porter Road

Mailing Address

Boxford

City/Town

MA  
State

01921

Zip Code

978-764-0878

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Scanlan Engineering LLC

Firm

James Scanlan, P.E.

Contact Name

jim@scanlanengineering.com

E-Mail Address

PO Box 906

Mailing Address

Georgetown

City/Town

MA  
State

01833

Zip Code

978-372-3440

Phone Number

978-891-3888

Fax Number (if applicable)

## B. Determinations

1. I request the Boxford Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:

Boxford

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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## C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

8A Porter Road	Boxford
Street Address	City/Town
Map 13 Block 2	Lot 34
Assessors Map/Plat Number	Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

The site is a single family dwelling in a residential neighborhood. The property has a brook (Old House Brook) along the western property line and across Porter Road. There is also Bordering Vegetated Wetlands adjacent to the brook. The property has a private well and private septic system.

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- c. Plan and/or Map Reference(s):

Subsurface Sewage Disposal System Upgrade 8A Porter Road Boxford MA	Rev 9/16/14
Title	Date
_____	_____
Title	Date
_____	_____
Title	Date
_____	_____

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

The proposed work includes a septic system upgrade and some tree removal, a portion within the 200 ft Riverfront Area. The work in the riverfront area includes replacement of the septic tank and building sewer pipe, as well as removal of a few trees, associated with the installation of the proposed system and one additional tree which is leaning toward the dwelling and proposed to be removal for safety. There are three additional trees proposed for removal, outside of the Riverfront Area, which are within the Buffer zone to a bordering vegetated wetland. Two are dead and another is a large pine tree adjacent to the dwelling which is beginning to affect the side and roof of the dwelling. All three trees are greater than 75 feet from the resource area. The entire Soil Absorption System (SAS) is located outside of the Riverfront Area, with the exception of minimal grading. The area of the proposed SAS is located in a previously disturbed front yard.

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**C. Project Description (cont.)**

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).

310CMR10.03(3) Title V Presumption

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.)

Dwelling Constructed in 1982+/- . Subdivision Plans (Subdivision Plan of Swift Estates in Boxford MA - Essex County Registry of Deeds Plan Book 154 Plan 32 - revised January 23, 1979) Final Plan Approved July 11, 1979



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## D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Clayton K. Smith & Sarah E. Smith

Name

8A Porter Road

Mailing Address

Boxford

City/Town

MA

State

01921

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

*Sarah E. Smith*

Signature of Applicant

9-11-2014

Date

*James Kaubler*

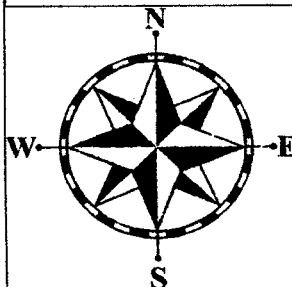
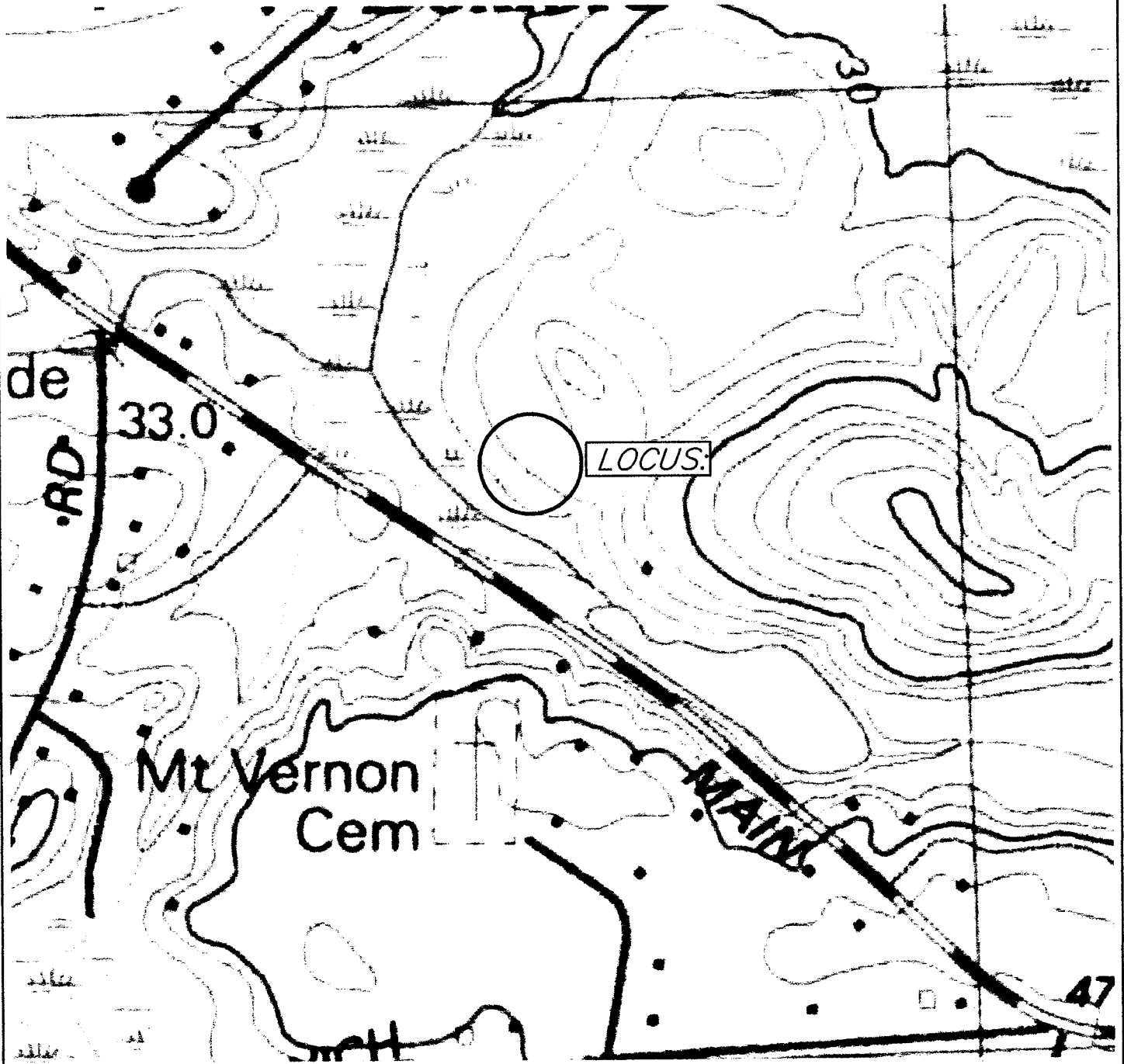
Signature of Representative (if any)

9-16-2014

Date

# USGS TOPOGRAPHIC PLAN

from MassGIS Website



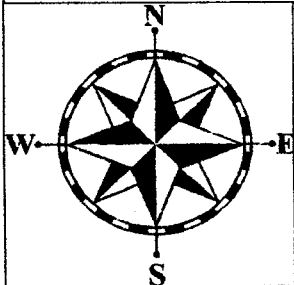
## LOCUS PLAN

Smith Property  
8A Porter Road  
Boxford, MA

Scale: 1"=500'  
Date: 9/18/14  
SE#0632

# AERIAL VIEW

from MassGIS Website

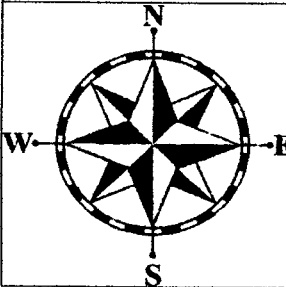


## LOCUS PLAN

Smith Property  
8A Porter Road  
Boxford, MA

Scale: 1"=500'  
Date: 9/18/14  
SE#0632

*Natural Heritage Endangered Species Program*  
*from MassGIS Website*



*LOCUS PLAN*

*Smith Property*  
*8A Porter Road*  
*Boxford, MA*

*Scale: 1"=500'*  
*Date: 9/18/14*  
*SE#0632*

QUITCLAIM DEED

03/23/98 4:10 inst. 679

BK 14676 PG 527

We, Robert Alan Moline and Jane V. Moline, husband and wife as joint tenants with right of survivorship

For THREE HUNDRED FORTY NINE THOUSAND, ONE HUNDRED and 00/100 (\$349,100) DOLLARS

grant to: Clayton K. Smith and Sarah E. Smith, husband and wife as tenants by the entirety of 8A Porter Road, Boxford, Massachusetts with quitclaim covenants:

the land with buildings thereon, being shown as Lot 4 on plan of land entitled "Subdivision Plan of Swift Estates in Boxford, Mass., Scale: 1" = 20', Aug. 29, 1979, Prepared by Essex Survey Service, Inc., 47 Federal Street, Salem, Mass.," filed with the Land Court as Plan No. 37175B, to which plan reference may be made for a description of said lot.

Subject to and together with the benefit of an easement marked "25' wide Drive and Utility Easement" across said Lot 4 as shown on said plan. Said easement is for the purposes of access and egress to and from Porter Road and for the purposes of repairing, maintaining and constructing any and all utilities across said Lot 4 to Porter Road

Also, the land, with improvements thereon, being shown as Parcel A, on a plan of land entitled "Subdivision Plan of Swift Estates in Boxford, Mass., Scale: 1" = 20', Aug. 29, 1979, Prepared by Essex Survey Service, Inc., 47 Federal Street, Salem, Mass." filed with the Land Court as Plan No. 37175B.

Said lots contain 2.2471 acres, more or less, according to said plan  
Parcel A contains 16,753 square feet, more or less according to said plan.

Said lots are conveyed together with the right to use Porter Road for the purpose of access and egress and for all other purposes for which public and private ways may be used in the Town of Boxford, together with all others entitled thereto.

For title see Certificate of Title No. 50310. Also see deed of Beechill Corp, recorded with Essex South District Registry of Deeds at Book 6758, Page 645

Witness our hands and seals this 23rd day of March, 1998

Could not  
be without st  
weiskopf, M

DEEDS REG 10  
ESSEX SOUTH

03/23/98

*[Signature]*

TAX 1593.72  
CASH 1593.72

5069A000 15:57  
EXCISE TAX

*[Signature]*  
Robert Alan Moline

AFFECTED PREMISES: 8A Porter Road, Boxford, MA



*Jane V. Moline* BK 14676 PG 528  
Jane V. Moline

COMMONWEALTH OF MASSACHUSETTS

Essex County, ss

March 23, 1998

Then personally appeared the above named Robert Alan Moline and Jane V. Moline and declared the foregoing instrument to be their free act and deed., before me

*Kathleen M. Moline*  
*Kathleen M. Moline* Notary Public  
My Commission Expires: 3/15/02



**MBLU :** 13/ 02/ 34/ 11  
**Location:** 8A PORTER RD  
**Owner Name:** SMITH CLAYTON K TE  
**Account Number:**

**Parcel Value**

Item	Current Assessed Value	FY 2013 Assessed Value
Buildings	244,700	244,700
Xtra Bldg Features	8,300	8,300
Outbuildings	0	0
Land	272,200	272,200
<b>Total:</b>	<b>525,200</b>	<b>525,200</b>

**Owner of Record**

SMITH CLAYTON K TE  
 SMITH SARAH E  
 8A PORTER RD  
 BOXFORD, MA 01921

**Ownership History**

Owner Name	Book/Page	Sale Date	Sale Price
SMITH CLAYTON K TE	14676/ 527	3/23/1998	349,100
MOLINE, ROBERT A.	6758/0645	11/3/1980	0

**Land Use**

Land Use Code	Land Use Description
1010	Single Fam MDL-01

**Land Line Valuation**

Size	Assessed Value
2.24 AC	272,200

**Construction Detail**

Building # 1	MODEL Residential	Grade: AVERAGE
<b>STYLE</b> Colonial	<b>Occupancy</b> 1	<b>Exterior Wall 1</b> Clapboard
<b>Stories:</b> 2 Stories	<b>Roof Cover</b> Asph/F Gls/Cmp	<b>Interior Wall 1</b> Drywall/Sheet
<b>Roof Structure:</b> Gable/Hip	<b>Interior Flr 2</b> Carpet	<b>Heat Fuel</b> Oil
<b>Interior Flr 1</b> Hardwood	<b>AC Type:</b> None	<b>Total Bedrooms:</b> 04
<b>Heat Type:</b> Hot Water	<b>Total Half Baths:</b> 1	<b>Total Rooms:</b> 8
<b>Total Bthrms:</b> 2		

**Building Valuation**

<b>Living Area:</b> 2,800 square feet	<b>Year Built:</b> 1982	<b>Depreciation:</b> 20%
<b>Building Value:</b> 244,700		

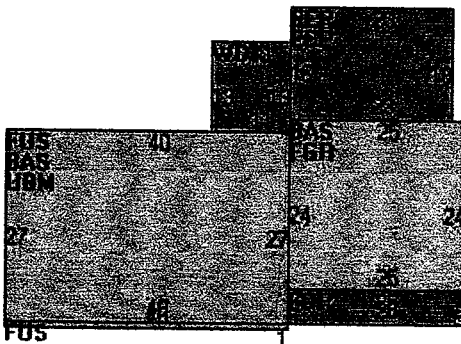
### Extra Features

Code	Description	Units
FPL3	2 STORY CHIM	1 UNITS
FPL1	FIREPLACE 1 ST	1 UNITS

### Outbuildings

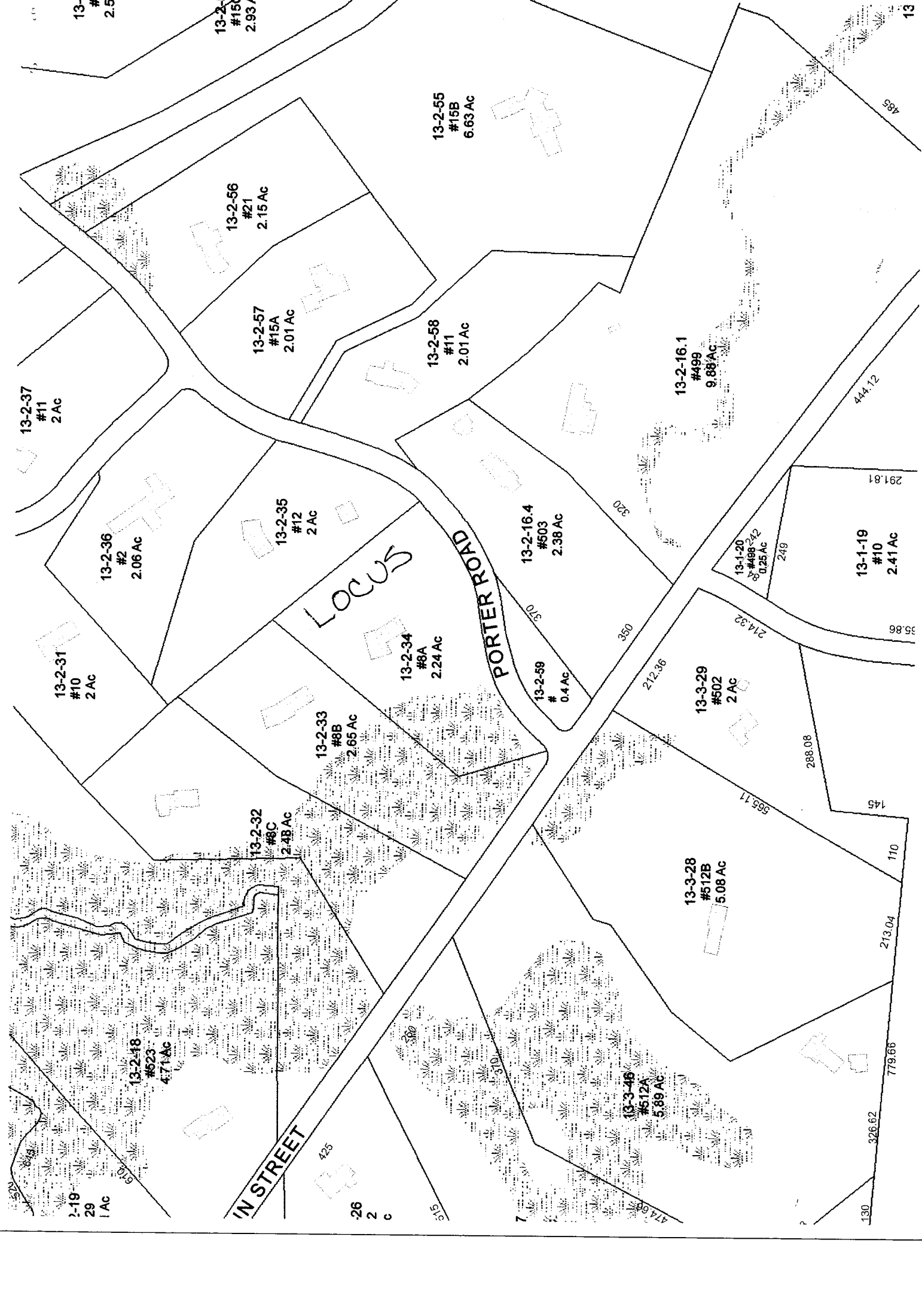
Code	Description	Units
No Outbuildings		

### Building Sketch



### Subarea Summary

Code	Description	Gross Area	Living Area
BAS	First Floor	1680	1680
FCP	Carport	368	0
FEP	Porch, Enclosed, Finished	368	0
FGR	Garage, Finished	600	0
FOP	Porch, Open, Finished	125	0
FUS	Upper Story, Finished	1120	1120
UBM	Basement, Unfinished	1080	0
WDK	Deck, Wood	143	0



13-2-37  
#11  
2 AC

13-2-36  
#2  
2.06 AC

13-2-31  
#10  
2 AC

13-2-56  
#21  
2.15 AC

13-2-57  
#15A  
2.01 AC

13-2-58  
#11  
2.01 AC

13-2-55  
#15B  
6.63 AC

13-2-35  
#12  
2 AC

LOCUS

13-2-34  
#8A  
2.24 AC

13-2-16.4  
#503  
2.38 AC

13-2-59  
#  
0.4 AC

13-2-16.1  
#499  
9.88 AC

13-1-20  
#498 1/2  
0.25 AC

13-1-19  
#10  
2.41 AC

13-2-33  
#8B  
2.66 AC

13-2-32  
#8C  
2.48 AC

13-3-28  
#512B  
5.08 AC

13-3-29  
#502  
2 AC

13-2-18  
#623  
4.71 AC

13-3-46  
#512A  
5.89 AC

'N STREET

PORTER ROAD

2-19  
29  
1 AC

26  
2  
c

130

13