



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 375

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



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

| | | |
|------------------------------|-----------------------|-------------------|
| <u>108 GEORGETOWN RD.</u> | <u>BOXFORD</u> | <u>01921</u> |
| a. Street Address | b. City/Town | c. Zip Code |
| Latitude and Longitude: | | |
| <u>24</u> | <u>42.678075</u> | <u>-70.998822</u> |
| f. Assessors Map/Plat Number | d. Latitude | e. Longitude |
| | <u>24-4-4</u> | |
| | g. Parcel /Lot Number | |

2. Applicant:

| | | |
|---------------------------|----------------------------|------------------|
| <u>DANIEL</u> | <u>LUMMUS</u> | |
| a. First Name | b. Last Name | |
| c. Organization | | |
| <u>108 GEORGETOWN RD.</u> | | |
| d. Street Address | | |
| <u>BOXFORD</u> | <u>MA</u> | <u>01921</u> |
| e. City/Town | f. State | g. Zip Code |
| <u>(781) 342-5140</u> | <u>danlummus@gmail.com</u> | |
| h. Phone Number | i. Fax Number | j. Email Address |

3. Property owner (required if different from applicant): Check if more than one owner

| | | |
|-------------------|---------------|------------------|
| <u></u> | <u></u> | |
| a. First Name | b. Last Name | |
| c. Organization | | |
| d. Street Address | | |
| <u></u> | <u></u> | <u></u> |
| e. City/Town | f. State | g. Zip Code |
| <u></u> | <u></u> | <u></u> |
| h. Phone Number | i. Fax Number | j. Email address |

4. Representative (if any):

| | | |
|-------------------|---------------|------------------|
| <u></u> | <u></u> | |
| a. First Name | b. Last Name | |
| c. Company | | |
| d. Street Address | | |
| <u></u> | <u></u> | <u></u> |
| e. City/Town | f. State | g. Zip Code |
| <u></u> | <u></u> | <u></u> |
| h. Phone Number | i. Fax Number | j. Email address |

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

| | | |
|-------------------|-------------------|-----------------------|
| <u>\$110.00</u> | <u>\$42.50</u> | <u>\$67.50</u> |
| a. Total Fee Paid | b. State Fee Paid | c. City/Town Fee Paid |



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A. General Information (continued)

6. General Project Description:

Replacement of existing 240 square foot garage. New garage will use part of same footprint, totaling 1100 square feet.

7a. Project Type Checklist:

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Limited Project Driveway Crossing
- 4. Commercial/Industrial
- 5. Dock/Pier
- 6. Utilities
- 7. Coastal Engineering Structure
- 8. Agriculture (e.g., cranberries, forestry)
- 9. Transportation
- 10. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. Yes No If yes, describe which limited project applies to this project:

2. Limited Project

8. Property recorded at the Registry of Deeds for:

ESSEX

a. County

33163

c. Book

b. Certificate # (if registered land)

480

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

| Resource Area | Size of Proposed Alteration | Proposed Replacement (if any) |
|--|--|-------------------------------|
| a. <input type="checkbox"/> Bank | 1. linear feet | 2. linear feet |
| b. <input type="checkbox"/> Bordering Vegetated Wetland | 1. square feet | 2. square feet |
| c. <input type="checkbox"/> Land Under Waterbodies and Waterways | 1. square feet 3. cubic yards dredged | 2. square feet |



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Provided by MassDEP:
MassDEP File Number
Document Transaction Number
City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Resource Area, Size of Proposed Alteration, Proposed Replacement (if any)
d. Bordering Land Subject to Flooding
e. Isolated Land Subject to Flooding
f. Riverfront Area
2. Width of Riverfront Area (check one):
3. Total area of Riverfront Area on the site of the proposed project:
4. Proposed alteration of the Riverfront Area:
5. Has an alternatives analysis been done and is it attached to this NOI?
6. Was the lot where the activity is proposed created prior to August 1, 1996?

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users: Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

Resource Area, Size of Proposed Alteration, Proposed Replacement (if any)
a. Designated Port Areas
b. Land Under the Ocean
c. Barrier Beach
d. Coastal Beaches
e. Coastal Dunes



WPA Form 3 - Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Table with columns: Description, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Coastal Banks, Rocky Intertidal Shores, Salt Marshes, Land Under Salt Ponds, Land Containing Shellfish, Fish Runs, Land Subject to Coastal Storm Flowage, Restoration/Enhancement, and Project Involves Stream Crossings.

C. Other Applicable Standards and Requirements

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in Estimated Habitat of Rare Wildlife as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the Massachusetts Natural Heritage Atlas or go to http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/priority_habitat/online_viewer.htm.

a. [X] Yes [] No If yes, include proof of mailing or hand delivery of NOI to:

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
100 Hartwell Street, Suite 230
West Boylston, MA 01583

11/10/2014
b. Date of map



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|-----------------------------|
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| MassDEP File Number |
| Document Transaction Number |
| City/Town |

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 375

C. Other Applicable Standards and Requirements (cont'd)

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.C, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.1.d, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

1. c. Submit Supplemental Information for Endangered Species Review*

- 1. Percentage/acreage of property to be altered:
 - (a) within wetland Resource Area _____ percentage/acreage
 - (b) outside Resource Area _____ percentage/acreage
- 2. Assessor's Map or right-of-way plan of site
- 3. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work ****
 - (a) Project description (including description of impacts outside of wetland resource area & buffer zone)
 - (b) Photographs representative of the site
 - (c) MESA filing fee (fee information available at: http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_fee_schedule.htm).
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address
Projects altering 10 or more acres of land, also submit:
 - (d) Vegetation cover type map of site
 - (e) Project plans showing Priority & Estimated Habitat boundaries

d. OR Check One of the Following

- 1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
- 2. Separate MESA review ongoing. _____ a. NHESP Tracking # _____ b. Date submitted to NHESP

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/dfwele/dfw/nhesp/nhesp.htm>, regulatory review tab). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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| City/Town |

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Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 375

C. Other Applicable Standards and Requirements (cont'd)

- 3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
- 2. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
 - a. Not applicable – project is in inland resource area only
 - b. Yes No If yes, include proof of mailing or hand delivery of NOI to either:

| | |
|---|--|
| South Shore - Cohasset to Rhode Island, and the Cape & Islands: | North Shore - Hull to New Hampshire: |
| Division of Marine Fisheries - Southeast Marine Fisheries Station Attn: Environmental Reviewer 1213 Purchase Street – 3rd Floor New Bedford, MA 02740-6694 | Division of Marine Fisheries - North Shore Office Attn: Environmental Reviewer 30 Emerson Avenue Gloucester, MA 01930 |

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- 3. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 - a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 - b. ACEC
- 4. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 - a. Yes No
- 5. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 - a. Yes No
- 6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 - a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 - 1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 - 2. A portion of the site constitutes redevelopment
 - 3. Proprietary BMPs are included in the Stormwater Management System.
 - b. No. Check why the project is exempt:
 - 1. Single-family house

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.



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| Document Transaction Number |
| City/Town |

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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
Boxford Wetlands Protection Bylaw, Town Code Ch. 192 & 375

C. Other Applicable Standards and Requirements (cont'd)

- 2. Emergency road repair
- 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

- 1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.
- 3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
- 4. List the titles and dates for all plans and other materials submitted with this NOI.

SITE PLAN IN BOXFORD, MA – PROPERTY OF DANIEL S. LUMMUS

| | | | | |
|--------------------------------------|----------------------|--|----------------------------|--|
| a. Plan Title | DONOHOE SURVEY, INC. | | PAUL J. DONOHOE, NO. 30746 | |
| b. Prepared By | 11/6/14 | | c. Signed and Stamped by | |
| d. Final Revision Date | | | 1" = 20' | |
| | | | e. Scale | |
| f. Additional Plan or Document Title | | | g. Date | |

- 5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 8. Attach NOI Wetland Fee Transmittal Form
- 9. Attach Stormwater Report, if needed.



| |
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E. Fees

- Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

| | |
|------------------------------------|-----------------------------------|
| 435 | 11/12/14 |
| 2. Municipal Check Number | 3. Check date |
| 434 | 11/12/14 |
| 4. State Check Number | 5. Check date |
| DANIEL | LUMMUS |
| 6. Payor name on check: First Name | 7. Payor name on check: Last Name |

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

| | |
|---|----------|
| Daniel Lummus | 11/12/14 |
| 1. Signature of Applicant | 2. Date |
| 3. Signature of Property Owner (if different) | 4. Date |
| 5. Signature of Representative (if any) | 6. Date |

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



A. Applicant Information

1. Location of Project:

108 GEORGETOWN RD. BOXFORD
 a. Street Address b. City/Town

 c. Check number d. Fee amount

2. Applicant Mailing Address:

DANIEL LUMMUS
 a. First Name b. Last Name

 c. Organization
 108 GEORGETOWN RD.
 d. Mailing Address
 BOXFORD MA 01921
 e. City/Town f. State g. Zip Code
 (781) 342-5140 danlummus@gmail.com
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

 a. First Name b. Last Name

 c. Organization

 d. Mailing Address

 e. City/Town f. State g. Zip Code

 h. Phone Number i. Fax Number j. Email Address

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

B. Fees (continued)



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

| Step 1/Type of Activity | Step 2/Number of Activities | Step 3/Individual Activity Fee | Step 4/Subtotal Activity Fee |
|-------------------------|-----------------------------|--------------------------------|------------------------------|
| CAT. 1 | 1 | \$110.00 | \$110.00 |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

Step 5/Total Project Fee: \$110.00

Step 6/Fee Payments:

| | |
|--------------------------------|--------------------------------------|
| Total Project Fee: | <u>\$110.00</u> |
| State share of filing Fee: | <u>\$42.50</u> |
| City/Town share of filing Fee: | <u>\$67.50</u> |
| | a. Total Fee from Step 5 |
| | b. 1/2 Total Fee less \$12.50 |
| | c. 1/2 Total Fee plus \$12.50 |

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)