

NOTICE OF INTENT

**Under The Wetlands Protection Act and
The Town of Boxford Wetlands Protection ByLaw**

Telecommunications Facility

**12 Mortimer Road
Boxford, Massachusetts 01921**

SUBMITTED TO:

**Boxford Conservation Commission
7A Spofford Road
Boxford, MA 01921**

PREPARED FOR:

**Varsity Wireless, LLC
346 Congress Street, Suite 703
Boston, MA 02210**

PREPARED BY:

**Lucas Environmental, LLC
67 Coddington Street, Suite 204
Quincy, MA 02169**

IN ASSOCIATION WITH:

**ProTerra Design Group, LLC
4 Bay Road, Building A, Suite 200
Hadley, MA 01035**

Report Date: November 20, 2014

November 20, 2014

Boxford Conservation Commission
Attn: Ross Povenmire, Director of Conservation
7A Spofford Road
Boxford, MA 01921

Re: Notice of Intent
Telecommunications Facility
12 Mortimer Road
Boxford, Massachusetts 01921

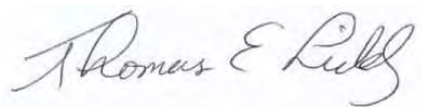
Dear Conservation Commission Members,

On behalf of Varsity Wireless, LLC, Lucas Environmental, LLC and ProTerra Design Group, LLC are pleased to submit this Notice of Intent pursuant to the Massachusetts Wetlands Protection Act (WPA) M.G.L. Ch. 131, Section 40 and its regulations (310 CMR 10.00), and the Boxford Wetlands Protection Bylaw (Chapter 192) and Wetlands Protection Regulations (Chapter 375). The Applicant proposes the construction, operation, and maintenance of a telecommunications facility to be located at 12 Mortimer Road in Boxford, Massachusetts.

Enclosed please find one copy of the NOI submittal and full size plans, in addition to seven reduced size copies of the plans. The NOI application package includes: USGS site locus map, project narrative, photographic documentation, abutter notification information, filing fees, MassDEP Delineation Field Data Forms, and Project Plans. We respectfully request that you place this matter on your agenda for the **December 4, 2014** public hearing.

If you have any questions, please do not hesitate to contact me at 617.405.4140 or tel@lucasenvironmental.net. Thank you for your consideration in this matter.

Sincerely,
LUCAS ENVIRONMENTAL, LLC



Thomas E. Liddy, Project Manager, PWS
Environmental Consultant/Soil Scientist
Land Development & Permitting

cc: Varsity Wireless, LLC
ProTerra Design Group, LLC
MassDEP Division of Wetlands & Waterways, Northeast Regional Office
Boxford Department of Public Works

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Revised November 14, 2014	

SECTION I

Forms

Boxford Conservation Commission
Application Checklist-Notice of Intent (NOI)

This checklist is designed to assist the applicant in preparing a complete Notice of Intent application. One completed copy of the checklist should be submitted with the application. One (1) original and (7) copies of the NOI forms, plans and appurtenant data listed below are required to be submitted for a complete application

The following are required as part of a complete NOI application and are attached:

- Attached** Completed Notice of Intent form (available from the Conservation Office or at <http://www.mass.gov/dep/appkits/wpaform3.pdf>). (Note: A copy of a complete NOI must also be mailed to the MassDEP NERO, 205B Lowell Street, Wilmington, MA 01887.)

- Attached** Site Plan. See next page for required elements of plan.

- Attached** List of abutters within 250’ of the project parcel(s) (and all pond abutters if applicable), prepared and certified by the Town Assessor’s Office. (Note: A notice of public hearing will be prepared by the Conservation office and provided to the applicant when the application is submitted. At the public hearing, the applicant must provide evidence that the notice was mailed to each of the persons on the certified abutters list.)

- Attached** A copy of a check made out in the correct amount to the Department of Environmental Protection and a copy of a completed State Wetlands Fee Transmittal Form. (Note: the applicant is responsible for mailing this check along with a completed State Wetlands Fee Transmittal Form to the DEP “Lockbox” at Box 4062, Boston MA 02211.)

- Attached** A check for local filing fees made out in the correct amount to the “Town of Boxford”.

- Attached** **N/A** Proof of mailing or proof of hand delivery to the Natural Heritage and Endangered Species Program, if applicable.

- Attached** **N/A** Evidence that all other Boxford Bylaw permit applications relevant to the project have been filed, if applicable (e.g., Board of Health, Zoning Board of Appeals). Please list all other Bylaw permit filings: _____.
Zoning Board of Appeals – variance and special permit with site plan review to be filed on 11/20/2014.

The following must be shown on the site plan attached to the application:

- Shown** All appropriate plan requirements listed in Section 375-5(A)(1)(b) of the Town of Boxford Wetland Protection Bylaw Regulations.
- Shown** The signature and stamp of a Registered Professional Land Surveyor, Registered Sanitarian, or Registered Professional Engineer, and the identity of the firm/person that delineated the wetland resource area..
- Shown** Boundaries of all wetland resource areas (e.g., bordering vegetated wetland, bordering land subject to flooding). All demarcation flags must be located by survey in the field and shown on the plan.
- Shown** All wetland resource area setback lines (e.g., 100' Limit of Jurisdiction, 200' Riverfront, 25' No Disturb, 75' No Build).
- Shown** Existing contour information and proposed grading.
- Shown** Existing site conditions and proposed changes including structures, pavement, landscaping, underground utilities and building overhangs. (Note: it may be necessary to show areas outside of the limits of jurisdictional wetland area in order to provide adequate information for the Commission to properly review the project.)
- Shown** All erosion / sedimentation control measures.
- Shown** Pre- and post-development overstory tree line within jurisdictional area, and a calculation of the percent removal of overstory trees within the "discretionary cutting area" (see Section 375-4(A) and Section 375-98(D)(2) of the Boxford Wetlands Protection Regulations).

Applications subject to the DEP Stormwater Management Policy must include the following: *(The plan and supporting documentation must also be mailed to the DEP Northeast Office and the Boxford DPW)*

- Attached** Completed DEP Stormwater Management Form.
- Attached** Stormwater & flood calculations using the Cornell Atlas rainfall estimates, prepared by a Professional Engineer.
- Attached** Operations and Maintenance Plan.
- Attached** A stormwater management plan showing stormwater management features highlighted in separate colors, per section 375-5(A)(1)(d) of the Boxford Wetlands Protection Bylaw Regulations.



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Boxford

City/Town

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>12 Mortimer Road</u>	<u>Boxford</u>	<u>01921</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>42° 40' 15.60"</u>	<u>71° 01' 37.09"</u>	
d. Latitude	e. Longitude	
<u>27-1-11</u>	<u></u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Christopher</u>	<u>Davis</u>	
a. First Name	b. Last Name	
<u>Varsity Wireless, LLC</u>		
c. Organization		
<u>346 Congress Street, Suite 703</u>		
d. Street Address		
<u>Boston</u>	<u>MA</u>	<u>02210</u>
e. City/Town	f. State	g. Zip Code
<u>202.236.6833</u>	<u>401.831.8387</u>	<u>Cdavis@varsitywireless.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>Martin</u>	<u>Sholomith</u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u>12 Mortimer Road</u>		
d. Street Address		
<u>Boxford</u>	<u>MA</u>	<u>01921</u>
e. City/Town	f. State	g. Zip Code
<u>603-520-8489</u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Thomas</u>	<u>Liddy</u>	
a. First Name	b. Last Name	
<u>Lucas Environmental, LLC</u>		
c. Company		
<u>67 Coddington Street, Suite 204</u>		
d. Street Address		
<u>Quincy</u>	<u>MA</u>	<u>02169</u>
e. City/Town	f. State	g. Zip Code
<u>617.405.4053</u>	<u>617.405.4465</u>	<u>tel@lucasenvironmental.net</u>
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$1,050.00</u>	<u>\$512.50</u>	<u>\$537.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:
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A. General Information (continued)

6. General Project Description:

Construction of a telecommunications facility with associated utilities within the 100-Foot Buffer Zone to Inland Bank, Bordering Vegetated Wetlands, and a locally regulated Pond.

7a. Project Type Checklist:

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial |
| 5. <input type="checkbox"/> Dock/Pier | 6. <input checked="" type="checkbox"/> Utilities |
| 7. <input type="checkbox"/> Coastal Engineering Structure | 8. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation | 10. <input type="checkbox"/> 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	b. Certificate # (if registered land)
22420	132
c. Book	d. Page Number

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

- 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.
- 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:
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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



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

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	

	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	

	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	_____	_____
	a. square feet of BVW	b. square feet of Salt Marsh
5. <input type="checkbox"/> Project Involves Stream Crossings		
	_____	_____
	a. number of new stream crossings	b. number of replacement 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://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. 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
1 Rabbit Hill Road
Westborough, MA 01581-3336**

October 2008
b. Date of map



WPA Form 3 – Notice of Intent

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

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

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/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>). 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/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; 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/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). 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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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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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.

Project Plans: Boxford, Site Number VW MA 0006, 12 Mortimer Road, Boxford, MA 01921

a. Plan Title	ProTerra Design Group, LLC	c. Signed and Stamped by	Jesse Moreno, PE
b. Prepared By	November 14, 2014	d. Final Revision Date	1" = 20'
e. Scale	Stormwater Report	f. Additional Plan or Document Title	November 13, 2014
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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

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City/Town

E. Fees

1. 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:

2. Municipal Check Number	3654	3. Check date	11/17/14
4. State Check Number	3653	5. Check date	11/17/14
6. Payor name on check: First Name	Red Terra Design Group, LLC		
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.

1. Signature of Applicant		2. Date	11/15/14
3. Signature of Property Owner (if different)		4. Date	11/15/14
5. Signature of Representative (if any)		6. Date	11/18/14

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.

SECTION II

Project Narrative

PROJECT NARRATIVE

1.0 INTRODUCTION

This Notice of Intent is being submitted on behalf of Varsity Wireless, LLC pursuant to the Massachusetts Wetlands Protection Act (WPA) M.G.L. Ch. 131, Section 40, its implementing regulations (310 CMR 10.00), and the Boxford Wetlands Protection Bylaw (Chapter 192) and Wetlands Protection Regulations (Chapter 375). The Applicant proposes to install a telecommunications facility and associated utilities located at 12 Mortimer Road in Boxford, Massachusetts. No work is proposed within a wetland resource area or within the local 25-Foot No Disturb Zone and the work meets the building setbacks established by the By-Law. Work as proposed will occur within the 100-Foot Buffer Zone to Bordering Vegetated Wetlands and a locally regulated Pond. The proposed project is depicted on the enclosed Project Permitting Plans prepared by ProTerra Design Group, LLC, revised through November 14, 2014. This Project Narrative describes the existing conditions, wetland resource areas, proposed design, and regulatory compliance for work within jurisdictional areas on and near the site.

2.0 EXISTING CONDITIONS

The proposed location for a new telecommunications facility consisting of a fenced compound with monopole and access road is on a portion of privately-owned land located at 12 Mortimer Road, in Boxford, Massachusetts (Parcel ID: 27-1-11). The site is bounded to north, south, east, and west by residential properties and open space (See Figure 1 – USGS Map and Figure 2 – Aerial Map). The site contains a single-family home with separate garage and in-ground swimming pool on approximately six acres of land. Remaining portions of the property consist of old pasture land and forest areas. Wetland resource areas are described in more detail in the following section. Representative photographs of the site and surrounding areas have been included in this report.

A review of the current MassGIS data layer for the Massachusetts Natural Heritage Atlas (effective October 1, 2008) under the Natural Heritage and Endangered Species Program (NHESP) indicates that site is not located within Estimated Habitat for Rare Wildlife or Priority Habitat for Rare Species (See Figure 3 – NHESP Map). No certified or potential vernal pools under the jurisdiction of the Wetlands Protection Act (310 CMR 10.00) or the Massachusetts Endangered Species Act (321 CMR 10.00) occur within or near the subject property.

According to the July 3, 2012 Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map for Essex County, Map Number 25009C0242F, the site is located in Zone X, which is classified as an area determined to be outside the 0.2% annual chance floodplain, i.e. outside the 500-year floodplain (See Figure 4 – FEMA Map). Therefore, Bordering Land Subject to Flooding does not occur within the vicinity of the proposed telecommunications facility or associated infrastructure.

The site is not located within an Area of Critical Environmental Concern (ACEC) or within an Outstanding Resource Water (ORW).

3.0 RESOURCE AREAS

A Registered Soil Scientist/Professional Wetland Scientist from Lucas Environmental, LLC conducted a site investigation between April 18 and 23, 2014 to delineate wetland resource areas within the proximity to work associated with a proposed telecommunications facility. The site investigation was limited to areas within 200 feet of the proposed telecommunication tower and ancillary access road and infrastructure. The wetland investigation was performed in accordance with the Massachusetts Department of Environmental Protection (MassDEP) publication “Delineating Bordering Vegetated Wetlands” under the Massachusetts Wetlands Protection Act (1995), the U.S. Army Corp of Engineers (USACE) Wetland Delineation Manual (1987), the Northcentral and Northeast Regional Supplement v 2.0 (2012), and the Boxford Wetlands Protection Bylaw and Regulations.

Inland Bank, Bordering Vegetated Wetlands (BVW), Riverfront Area, and a locally regulated isolated Pond exist on and near the property, however no work is proposed within these resource areas. Bordering Vegetated Wetland Delineation Field Data Forms are included in Section VII.

Bank – 310 CMR 10.54

310 CMR 10.54 defines a Bank as the portion of the land surface which normally abuts and confines a water body. It occurs between a water body and a vegetated bordering wetland and adjacent flood plain, or, in the absence of these, it occurs between a water body and an upland. The upper boundary of a Bank is the first observable break in the slope or the mean annual flood level, whichever is lower. The lower boundary of a Bank is the mean annual low flow level. The limit of Bank was field located based on the first observable break in slope along two separate stream channels.

Bordering Vegetated Wetlands – 310 CMR 10.55

310 CMR 10.55 defines bordering vegetated wetlands as freshwater wetlands which border on creeks, rivers, streams, ponds and lakes. The types of freshwater wetlands are wet meadows, marshes, swamps and bogs. Bordering Vegetated Wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants. The boundary of Bordering Vegetated Wetlands is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist. Wetland indicator plants are also those classified in the indicator categories of Facultative, Facultative+, Facultative Wetland-, Facultative Wetland, Facultative Wetland+, or Obligate Wetland in the National List of Plant Species That Occur in Wetlands: Massachusetts (Fish & Wildlife Service, U.S. Department of the Interior, 1988) or plants exhibiting physiological or morphological adaptations to life in saturated or inundated conditions.

Riverfront Area – 310 CMR 10.58

The Riverfront Area is the area of land between a river's mean annual high-water line measured horizontally outward from the river and a parallel line located 200 feet away. The Mean Annual High Water line of a river is the line that is apparent from visible markings or changes in the character of soils or vegetation due to the prolonged presence of water and that distinguishes between predominantly aquatic and predominantly terrestrial land. Field indicators of bankfull conditions shall be used to determine the mean annual high-water line. Bankfull field indicators include but are not limited to: changes in slope, changes in vegetation, stain lines, top of pointbars, changes in bank materials, or bank undercuts.

The top of Bank/Mean Annual High Water (MAHW) line demarcate the limit of the perennial stream along the southern extent of the property. The Riverfront Area for this reach is measured horizontally outward from the delineated MAHW line by a parallel line located 200 feet away.

Pond – Section 192-8 of By-Law

Includes any substantially open body of fresh water with a surface area observed or recorded within 10 years...of at least 5,000 square feet. Ponds may be either naturally occurring or man-made by impoundment, excavation or otherwise. The Bank of a man made isolated Pond was delineated on the property, east of the proposed telecommunications facility.

Resource Area Descriptions

Series A delineates the Bank of an unnamed perennial stream located along the southern and western edges of the property. This watercourse originates from Kimballs Pond, northeast of the subject property. From the pond, it runs southwest to the subject property, and then runs west along the southern property line before turning south, off-property. The stream was delineated in the field using pink nylon survey tape numbered sequentially as MHW A-1 to MHW A-12. The channel is approximately eight to ten feet wide and one to two feet deep with a substrate consisting of sands and gravels. Gradient is low and sinuosity is moderate. Per 310 CMR 10.58(2)(a)1.a., *a river or stream shown as perennial on the current United States Geological Survey (USGS) or more recent map provided by the Department is perennial.* The current United States Geological Survey depicts the stream as perennial. As such, this stream would have the associated 200-Foot Riverfront Area.

Series B is a forested Bordering Vegetated Wetland located in two locations on the property: the southwest quadrant of the subject property, along the northern Bank of the perennial stream and an intermittent stream along the west property line. The BVW associated with the perennial stream was delineated in the field using blue nylon survey tape numbered sequentially as WFB-1 to WFB-17. The vegetative community is dominated by red maple (*Acer rubrum*), skunk cabbage (*Symplocarpus foetidus*), northern spicebush (*Lindera benzoin*), and sensitive fern (*Onoclea sensibilis*), with lesser amounts of soft rush (*Juncus effusus*), cinnamon fern (*Osmunda cinnamomea*), multiflora rose (*Rosa multiflora*), silky dogwood (*Cornus ammomum*), and Japanese barberry (*Berberis thunbergii*). Soils contain a deep, dark surface horizon overlying a subsoil with a depleted matrix and redox concentrations occurring as soft masses of iron accumulation. Indicators of wetland hydrology include pockets of standing water, saturation to soil surface, and free water within two inches of the soil pit.

A man-made intermittent swale runs north to south, roughly parallel to the western edge of the property and connects the two wetland portions of WFB. The stream conveys water from the northern portion of Wetland B to the southern end, where the channel terminates near the perennial stream Series A. The stream was delineated in the field using blue nylon survey tape numbered sequentially as WFB-17 to WFB-28. The swale is approximately four to ten feet wide, and up to two feet deep, although water was only observed up to six inches deep during the delineation. The substrate consists of primarily organic material overlying sands and small gravels. The gradient is low, and sinuosity is absent. Bank was delineated along this reach, and corresponds with the first observable break in slope.

The portion of Wetland B along the northwest quadrant of the subject property was delineated in the field using blue nylon survey tape numbered sequentially as WFB-28 to WFB-39. This area contains a forested vegetative community dominated by highbush blueberry (*Vaccinium corymbosum*) and red maple. Soils contained a dark, mucky mineral surface horizon overlying a subsoil with a depleted matrix and redox concentrations occurring as soft masses of iron accumulation. The down-gradient reach of the wetland

has been cleared, and consists primarily of herbaceous growth, including soft rush, sensitive fern, and others. Soils in the down-gradient reach have been affected by anthropogenic disturbance in the upper profile; however, the subsoil does exhibit a depleted matrix with redox concentrations occurring as soft masses of iron accumulation. Indicators of wetland hydrology in the down-gradient reach include pockets of standing water and saturation to soil surface.

Series C is a man-made, isolated Pond located in the northeastern quadrant of the subject property. It is an open water system, with a managed vegetative community (e.g., lawn) surrounding its entire perimeter. A portion of the Pond was delineated in the field using blue nylon survey tape numbered sequentially as WFC-1 to WFC-13. The pond has an estimated area of approximately 6,300 square feet and an average depth of approximately four feet. As such, it would likely meet the requirements of Isolated Land Subject to Flooding (see 310 CMR 10.57).

Series D is a forested Bordering Vegetated Wetland located in the northeast quadrant of the subject property. The wetland was delineated in the field using blue nylon survey tape numbered sequentially as WFD-1 to WFD-15. The vegetative community is dominated by red maple, skunk cabbage, northern spicebush, and sensitive fern, with lesser amounts of cinnamon fern, multiflora rose, and silky dogwood. Soils contain a thick (ten± inches) layer of human transported material (i.e., fill), overlying the genetic subsoil which consists of a dark surface horizon overlying a subsoil with a depleted matrix and redox concentrations occurring as soft masses of iron accumulation. Indicators of wetland hydrology include pockets of standing water, and saturation to soil surface.

4.0 PROPOSED WORK

The proposed telecommunications facility will be constructed in the southwest quadrant of the parcel. The lease area for the facility is approximately 5,357 square feet, and will contain a 150-foot tall monopine within a 47-foot by 69-foot fenced compound surrounded by an eight-foot tall chain link fence with barbed wires. Associated telecommunications equipment will be located outside at the base of the structure within the fenced compound area, while a pad-mounted transformer will be located just outside the compound.

The facility will be accessed via a 12-foot wide gravel driveway approximately 355 feet long, extending from the existing driveway near the garage. Approximately 195 linear feet of the gravel access drive will be installed using Gravelpave porous pavement to promote infiltration. Utilities will generally follow the alignment of the access driveway extending from an existing utility pole located within Mortimer Road right-of-way northeast of the existing house. A small section of overhead utilities will run to a proposed terminal utility pole with drop. Conduit will be laid within an approximately 455-foot long trench to the facility. The residence septic leach field is located west of the compound area, and an existing well is located between the private pool and detached garage.

The facility itself will be constructed on an elevated pad surfaced with 4-inch depth clean stone over filter fabric gently graded to one percent. A steel monopine supporting antenna equipment will be placed on a reinforced concrete foundation. Ground and monopine space will be allotted for up to five carriers estimated to be about 1,162 square feet of impervious area or approximately 36 percent coverage of the compound surface. A common utility area will be located at the north side of the compound. The lease area containing the compound, tower, and radio equipment represents approximately two percent of the total parcel area.

The majority of the facility is within cleared portions of the property; however, a small amount of clearing will likely be required. The facility will be located adjacent to an existing path within partially disturbed field areas directly behind the existing residence. The area within the facility will consist of gravel and upon completion of work, the remaining areas will be loamed and seeded. The total area of earth disturbance is approximately 19,800 square feet. The proposed tower, equipment shelter, propane tank, and transformer are located outside the 100-Foot Buffer Zone.

The goal of the stormwater design is to mitigate for the addition of the approximate 3,243 square foot fenced compound and gravel access drive. The hydrology calculations attached show that addition of Gravelpave porous pavement, Grasspave porous pavement, and a dry detention basin is sufficient to ensure post-development peak runoff rates approximate pre-development peak flow. The facility design was able to meet the existing drainage conditions by providing a Grasspave porous pavement area, stone swale, level spreader, and dry detention basin with sediment forebay and energy dissipaters to increase infiltration and reduce erosion near the wetlands. The dry detention basin with grass pave filter strip is proposed east of the telecommunications facility to treat stormwater flows. A stone lined swale conveys stormwater runoff from the proposed gravel driveway to a level spreader.

The project has provided sufficient mitigation to offset the impacts of minor vegetative clearing and grading by providing sediment capture, increasing infiltrative cover, and reducing erosion through Best Management Practices (BMPs). All proposed work including but not limited to the tower compound, access drive, and stormwater BMPs are sited outside of the Riverfront Area and the 50-Foot Buffer Zone within previously disturbed areas. Storm runoff volumes and flows will be maintained over existing conditions for the 2-year, 10-year, 25-year, 50-year, and 100-year design storm events. Refer to the Stormwater Report for additional information on the proposed stormwater management system and compliance with the Massachusetts Stormwater Management Standards and Town of Boxford Town Code.

Erosion and Sedimentation Controls

Erosion and sedimentation controls will be installed at the limits of the work area prior to the commencement of construction. Erosion controls will consist of either silt fence/haybales or Filtrexx Silt Soxx as shown on the Project Plans. A dewatering basin is proposed if required during construction. Installation and maintenance of erosion and sedimentation controls will reduce soil erosion on the project site and prevent sedimentation from occurring on- and off-site. These controls will be inspected and maintained throughout construction and will remain in place until areas upgradient are permanently stabilized.

Erosion and sedimentation controls shall be repaired or replaced as inspection deems necessary or as directed by the contractor or engineer. Accumulated silt at any erosion control device shall be removed when it reaches a depth of six inches, and shall be distributed on-site in a manner not contributing to additional siltation. The contractor is responsible for re-establishing any erosion control device which is disturbed during construction. The contractor shall notify the engineer of any deficiencies in the established erosion control measures which may lead to unauthorized discharge or stormwater pollution, sedimentation or other pollutants.

5.0 REGULATORY COMPLIANCE

The project was reviewed for compliance with the Wetlands Protection Act and the Town of Boxford Wetlands Protection Bylaw. No work is proposed within Inland Bank, Bordering Vegetated Wetlands, Riverfront Area, or the Pond. As such, this discussion is limited to work within the 100-Foot Buffer Zone and the local setbacks of the Bylaw.

100-Foot Buffer Zone & Local Setbacks

The Wetlands Protection Act Regulations establish a 100-Foot Buffer Zone from the limit of BVW and Inland Bank. Work within the 100-Foot Buffer Zone has been minimized to the greatest extent possible. Based on the nature of the work within the Buffer Zone and existing site conditions consisting of cleared areas, this project will not permanently alter an area subject to protection under the Wetlands Protection Act or the Bylaw.

The Town of Boxford regulates a 25-Foot No Disturb Zone, and varying building setbacks depending on the activity. Access driveways and utilities require a 30-Foot setback, and a 100-Foot setback for commercial structures. The Applicant is proposing an access driveway approximately 59 feet from the edge of BVW, and utilities approximately 70 feet from the edge of BVW. The proposed commercial structures (tower monopine and accessory structures) are located entirely outside the 100-Foot Buffer Zone. The proposed project will not disturb any areas within the 25-Foot No Disturb Zone. As such, the project complies with all local setbacks regulated under the Bylaw.

The Applicant is proposing removal of a small clump of overstory trees within the footprint of the proposed gravel access driveway within the 100-Foot Buffer Zone. The ByLaw allows for cutting of overstory trees within the footprint of any permanent fixture (e.g. structures, stormwater BMPs, driveways, and swimming pools) provided all minimum setbacks are met. The proposed project meets the setback requirements of the By-Law. The Applicant requests approval for the removal of these trees.

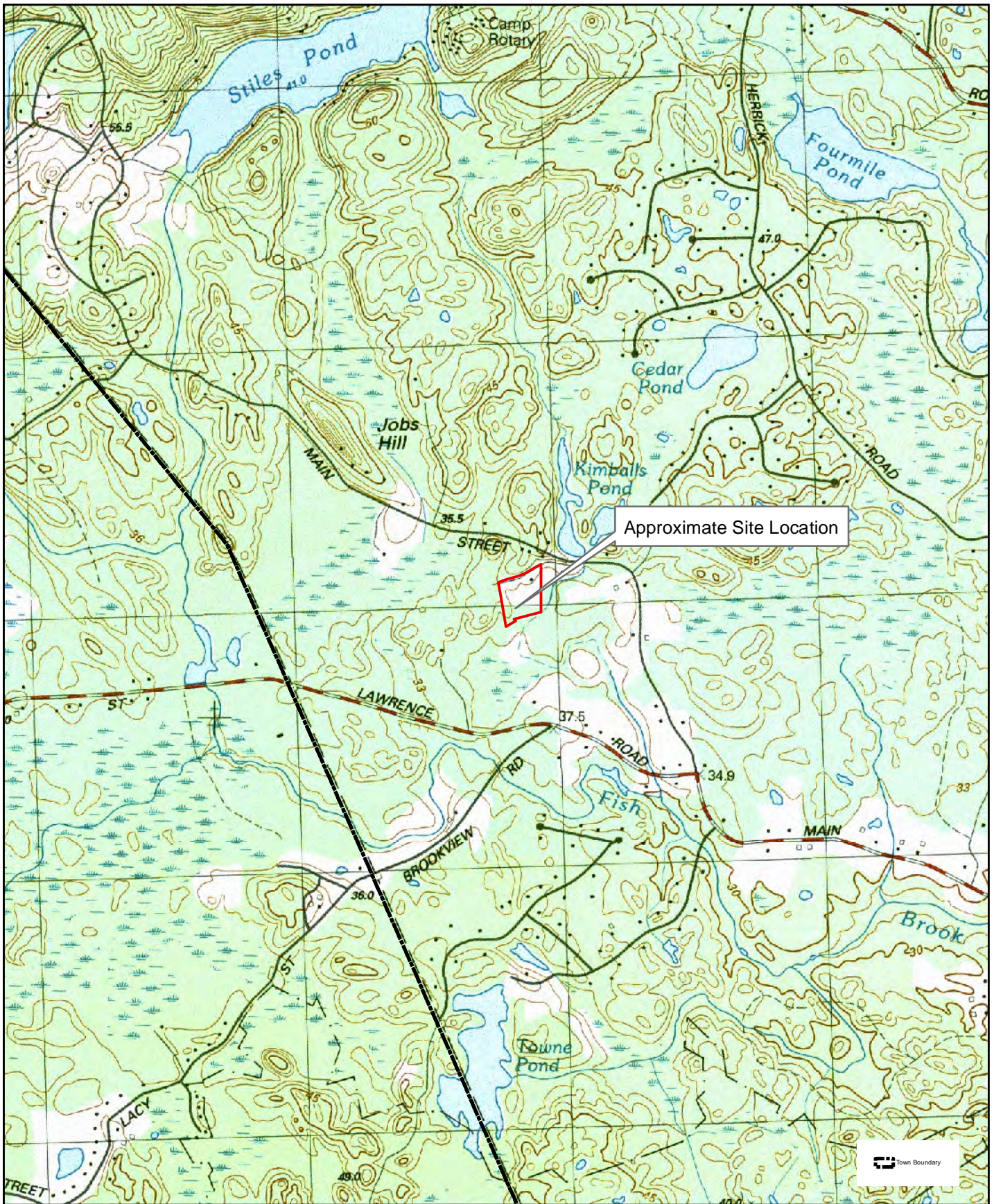
6.0 SUMMARY

The proposed project consists of the construction of a telecommunications facility and associated utilities at 12 Mortimer Road in Boxford, Massachusetts. No work is proposed within Inland Bank, BVW, Riverfront Area, or the locally regulated 25-Foot Wetland Protection Zone. Work as proposed will occur within previously developed 50- to 100-Foot Buffer Zone to Inland Bank, Bordering Vegetated Wetlands, and a locally regulated Pond. Based upon the nature of the work, the location of the work outside the 25-Foot Buffer Zone to wetland resource areas, and the proposed erosion controls, wetland impacts are not anticipated.

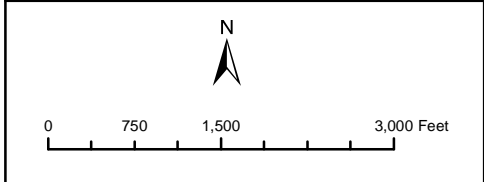
The Applicant respectfully requests that the Conservation Commission find these measures adequately protective of the interests identified in the Wetlands Protection Act and Boxford Wetlands Protection Bylaw and Regulations and issue an Order of Conditions approving the work described in this Notice of Intent and as shown on the Project Plans.

SECTION III

Figures



Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs, USGS Color Topographic Quadrangle Images

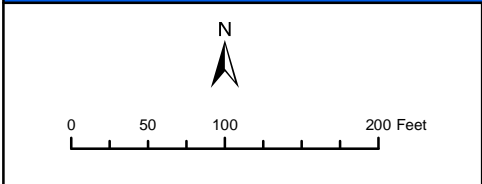


USGS Map
 Notice of Intent
 12 Mortimer Road
 Boxford, MA

FIGURE 1
LUCAS ENVIRONMENTAL, LLC
 LAND DEVELOPMENT & PERMITTING



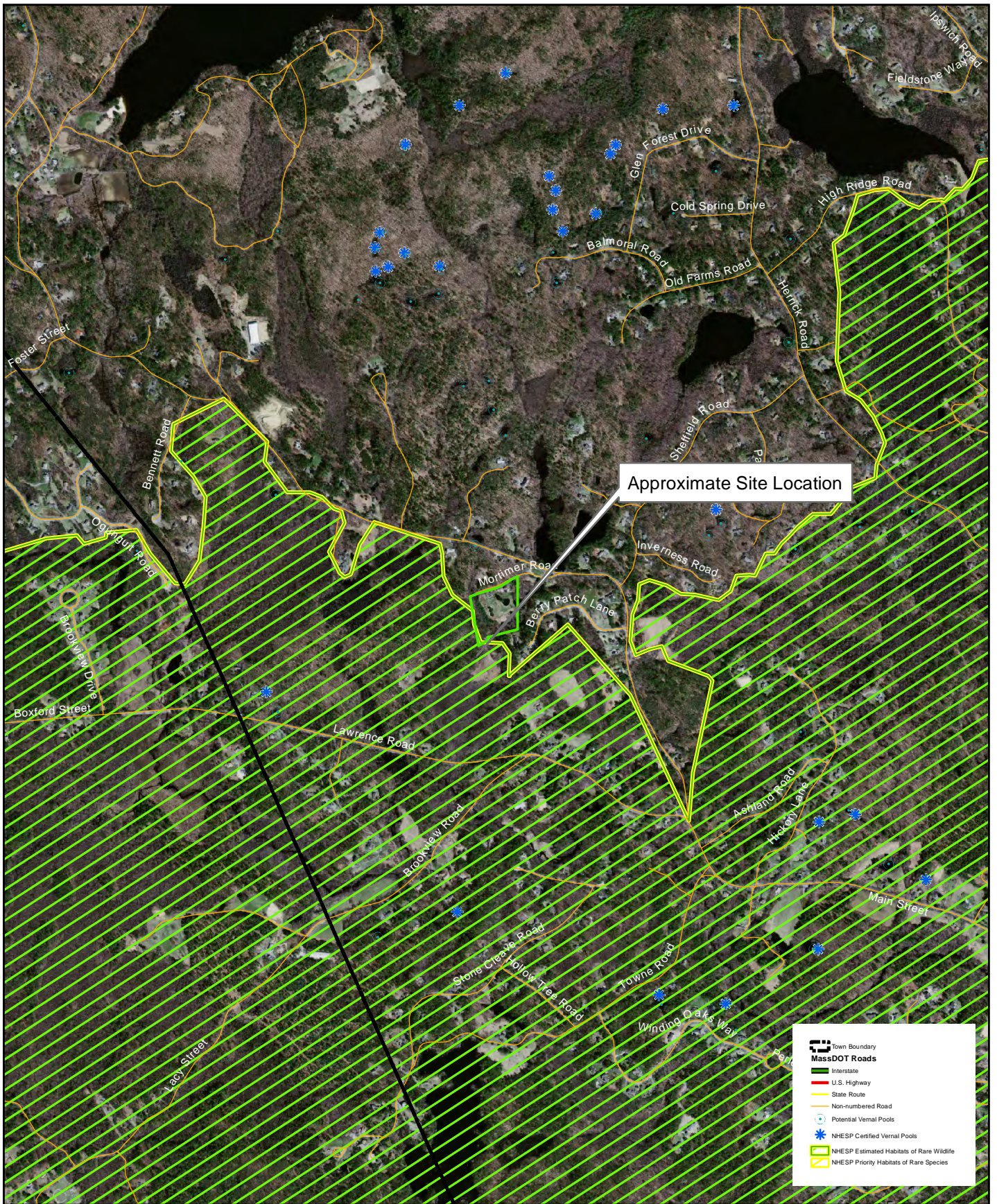
Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs; USGS Color Ortho Imagery - 30cm (2008/2009)



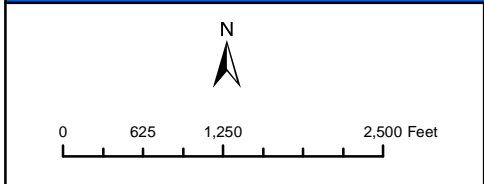
Aerial Map
Notice of Intent
12 Mortimer Road
Boxford, MA

FIGURE 2

LUCAS ENVIRONMENTAL, LLC
 LAND DEVELOPMENT & PERMITTING



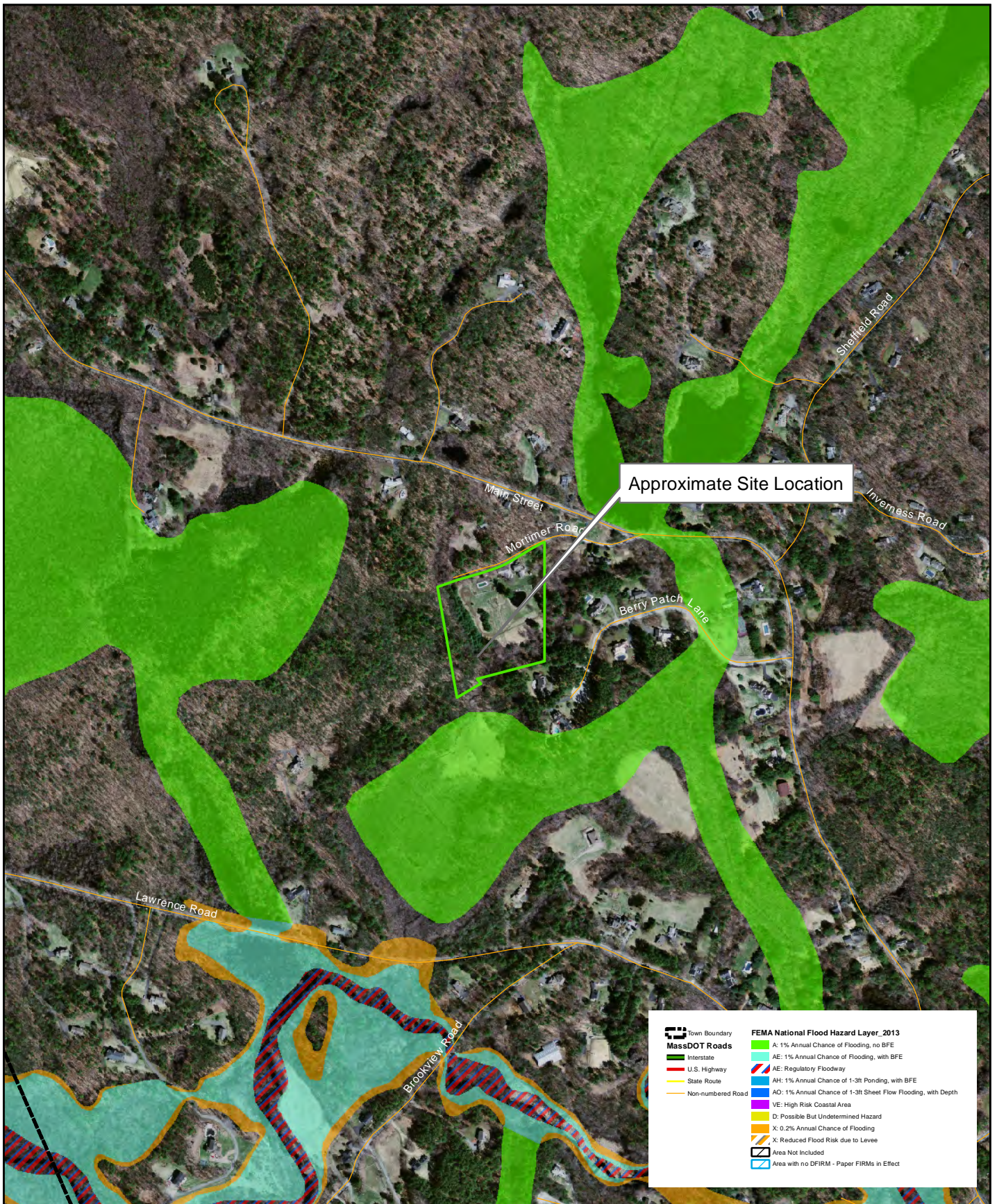
Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs; USGS Color Ortho Imagery - 30cm (2008/2009)



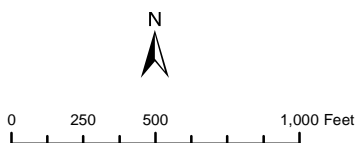
NHESP Map
Notice of Intent
12 Mortimer Road
Boxford, MA

FIGURE 3

LUCAS ENVIRONMENTAL, LLC
 LAND DEVELOPMENT & PERMITTING



Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs; USGS Color Ortho Imagery - 30cm (2008/2009)



FEMA Map
Notice of Intent
12 Mortimer Road
Boxford, MA

FIGURE 4

LUCAS ENVIRONMENTAL, LLC
 LAND DEVELOPMENT & PERMITTING

SECTION IV

Photographic Documentation



Photograph 1: Location of proposed telecommunications facility location looking northeast.



Photograph 2: View of Wetland B near flag WFB-29, looking south.



Photograph 3: View of man-made pond (Wetland C), looking northeast.



Photograph 4: View of Wetland D, looking east.



Photograph 5: View of Perennial Stream associated with Series A, looking east.



Photograph 6: View of the Intermittent Stream associated with Series B, looking north.

SECTION V

Abutter Information

TOWN OF BOXFORD
 ABUTTER LIST

PARCEL # 27-01-11 ~ 12 MORTIMER ROAD ~ CONSERVATION COMMISSION 250'

Map/Lot	Location	Owner	Owner 2	Owner Address	Owner City/Town	Owner State	Zip Code
(27-1-25.1)	LAWRENCE RD	BTA/BOLT INC		P O BOX 95	BOXFORD	MA	01921
(27-1-15.3)	25 BERRY PATCH LN	CASSIDY MICHAEL	CASSIDY JENNINE	25 BERRY PATCH LN	BOXFORD	MA	01921
(27-1-9)	224 MAIN ST	COLANGELO RICHARD L	KATHLEEN J COLANGELO	224 MAIN ST	BOXFORD	MA	01921
(23-1-5.4)	209 MAIN ST	FITZSIMMONS JOHN J TE	FITZSIMMONS PAULA LIA	209 MAIN ST	BOXFORD	MA	01921
(27-1-14)	4 MORTIMER RD	GRAHAM LYLE		4 MORTIMER ROAD	BOXFORD	MA	01921
(27-1-15.2)	29 BERRY PATCH LN	KOENIG MICHAEL A	KOENIG ELIZABETH A	29 BERRY PATCH LN	BOXFORD	MA	01921
(27-1-15.1)	18 BERRY PATCH LN	LEON SCOTT E	LEON LORRAINE I	18 BERRY PATCH LN	BOXFORD	MA	01921
(27-1-12)	207 MAIN ST	MALLOY ANNE E - TRUSTEE	ANNE E MALLOY TRUST	207 MAIN ST	BOXFORD	MA	01921
(27-1-13)	5 MORTIMER RD	NOYES ALERSON E	C/O NOYES PROPERTY MANAGEMENT LLC	PO BOX 74	BOXFORD	MA	01921
(27-1-10)	212 MAIN ST	NOYES DAVID A		5 MORTIMER RD	BOXFORD	MA	01921
(27-1-11)	12 MORTIMER RD	SHOLOMITH MARTIN D		PO BOX 43	BOXFORD	MA	01921
(27-1-15.4)	19 BERRY PATCH LN	THORNBOROUGH GLEN		19 BERRY PATCH LN	BOXFORD	MA	01921
(27-1-24)	47 LAWRENCE RD	WIRKKALA MATTHEW T		47 LAWRENCE RD	BOXFORD	MA	01921

CERTIFIED COPY



November 18, 2014

SECTION VI

Filing Fee Information

CALCULATED FILING FEE STATEMENT

The proposed project is located at 12 Mortimer Road in Boxford, Massachusetts. Proposed activities are included within Category 3(b) under the Wetlands Filing Fee Calculation Worksheet. The proposed project involves the construction of a telecommunications facility and associated utilities.

Category 3(b): *Construction of each building for any commercial, industrial, institutional, or apartment/condominium/townhouse-type development, any part of which is in a buffer zone or resource area. Any activities associated with the construction of said building, including associated site preparation and construction of retention/detention basins, septic systems, parking lots, utilities, point source discharges, package sewage treatment plants, and roadways and driveways other than those roadways or driveways reviewable under 310 CMR 10.53(3)(e), shall not be subject to additional fees if all said activities are reviewed under a single Notice of Intent.* The fee for Category 3(b) is \$1,050.00.

Wetlands Protection Act Fees:

Total WPA Filing Fee = \$1,050.00
State Share of WPA Filing Fee: $(\$1,050.00/2) - \$12.50 = \$512.50$
Town Share of WPA Filing Fee: $(\$1,050.00/2) + \$12.50 = \$537.50$

Boxford Conservation Ordinance Regulations Fees:

Local Fee: Addition or Alteration = \$200.00

Advertising fee to be billed to Applicant

Check Payable to: Town of Boxford for \$537.50

Check Payable to: Town of Boxford for \$200.00

Check Payable to: Commonwealth of Massachusetts for \$512.50



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:

<u>12 Mortimer Road</u>	<u>Boxford</u>
a. Street Address	b. City/Town
<u>3653</u>	<u>\$512.50</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>Christopher</u>	<u>Davis</u>	
a. First Name	b. Last Name	
<u>Varsity Wireless, LLC</u>		
c. Organization		
<u>346 Congress Street, Suite 703</u>		
d. Mailing Address		
<u>Boston</u>	<u>MA</u>	<u>02210</u>
e. City/Town	f. State	g. Zip Code
<u>202.236.6833</u>	<u>401.831.8387</u>	<u>cdavis@varsitywireless.com</u>
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

<u>Martin</u>	<u>Sholomith</u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u>12 Mortimer Road</u>		
d. Mailing Address		
<u>Boxford</u>	<u>MA</u>	<u>01921</u>
e. City/Town	f. State	g. Zip Code
<u>603-520-8489</u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

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.

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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 3b) – Commercial Development	1	\$1,050.00	\$1,050.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee:			\$1,050.00
Step 6/Fee Payments:			
Total Project Fee:			\$1,050.00
State share of filing Fee:			\$512.50
City/Town share of filing Fee:			\$537.50
			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.)

ProTerra
DESIGN GROUP, LLC

4 Bay Road, Bldg A, Ste 200
Hadley, MA 01035-9569
(413) 320-4918
www.proterra-design.com

Peoples Bank
Holyoke, MA 01040

53-7177/2118

3653

11/17/2014

PAY TO THE ORDER OF Commonwealth of Massachusetts

\$ **512.50

Five Hundred Twelve and 50/100*****

MA DEP
PO Box 4062
Boston, MA 02211

DOLLARS
Security features included.
Details on back.

MEMO VWMA0006 Varsity Wireless Boxford NOI - State

Void after 90 Days

AUTHORIZED SIGNATURE

MP

⑈003653⑈ ⑆211871772⑆ 1055933098⑈

ProTerra
DESIGN GROUP, LLC

4 Bay Road, Bldg A, Ste 200
Hadley, MA 01035-9569
(413) 320-4918
www.proterra-design.com

Peoples Bank
Holyoke, MA 01040

53-7177/2118

3654

11/17/2014

PAY TO THE ORDER OF Town of Boxford

\$ **537.50

Five Hundred Thirty-Seven and 50/100*****

Town of Boxford

DOLLARS
Security features included.
Details on back.

MEMO VWMA0006 Varsity Wireless Boxford NOI - Town

Void after 90 Days

AUTHORIZED SIGNATURE

MP

⑈003654⑈ ⑆211871772⑆ 1055933098⑈

ProTerra Design Group, LLC

3654

ProTerra
DESIGN GROUP, LLC

4 Bay Road, Bldg A, Ste 200
Hadley, MA 01035-9569
(413) 320-4918
www.proterra-design.com

Peoples Bank
Holyoke, MA 01040

53-7177/2118

3655

11/17/2014

PAY TO THE ORDER OF Town of Boxford

\$ **200.00

Two Hundred and 00/100*****

Town of Boxford

DOLLARS
Security features included.
Details on back.

MEMO VWMA0006 Varsity Wireless Boxford NOI - Bylaw

Void after 90 Days

AUTHORIZED SIGNATURE

MP

⑈003655⑈ ⑆211871772⑆ 1055933098⑈

SECTION VII

MassDEP Delineation Field Data Forms

Observation Plot Number: UPL
Transect Number: 1

Vegetated Wetland Delineation Field Data Form

Applicant: Varsity Wireless, LLC Prepared by: Lucas Environmental, LLC Project Location: 12 Mortimer Road, Boxford DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
 Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
 Method other than dominance test used (attach additional information)

Section I. Vegetation Observation Plot Number: UPL Transect Number: 1 @ Flag B-11 Date of Delineation: 04/18/14

A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Tree				
White Pine (<i>Pinus strobus</i>)	20.5	44.1%	Yes	FACU
Black Cherry (<i>Prunus serotina</i>)	10.5	22.6%	Yes	FACU
Red Maple (<i>Acer rubrum</i>)	10.5	22.6%	Yes	FAC*
Red Cedar (<i>Juniperus virginiana</i>)	5.0	10.8%	No	FACU
Saplings				
None				
Shrub				
Black Cherry (<i>Prunus serotina</i>)	20.5	36.6%	Yes	FACU
White Pine (<i>Pinus strobus</i>)	20.5	36.6%	Yes	FACU
Red Oak (<i>Quercus rubra</i>)	5.0	8.9%	No	NL
Tartarian honeysuckle (<i>Lonicera tartarica</i>)	5.0	8.9%	No	NL
High Bush Blueberry (<i>Vaccinium corymbosum</i>)	5.0	8.9%	No	FACW*
Herbaceous				
Pennsylvania sedge (<i>Carex pensylvanica</i>)	38.0	100%	Yes	NL
White Pine	T			
Goldthread	T			

Vines

* Use an asterisk to mark indicator plants: plant species listed in the wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion: Number of dominant wetland indicator plants: 1 Number of non-wetland indicator plants: 5 Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants: yes <input type="checkbox"/> no <input checked="" type="checkbox"/>
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If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

Observation Plot Number: UPL
Transect Number: 1

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? Yes no

title/date: **Custom Soil Resource Report for Essex County, Massachusetts, Northern Part, prepared by USDA NRCS. Accessed online 11/4/2014.**

Soil Type Mapped: **410A – Sutton Fine Sandy Loam
52A – Freetown Much
711C – Charlton-Rock outcrop
421C – Canton fine sandy loam, very stoney**

hydric soil inclusions: **Yes**

Are field observations consistent with soil survey? Yes no
Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-14"	10YR 2/1	None
Bw1	14-20"	10YR 3/3	None
Bw2	20-23"	10YR 4/4	2% 7.5YR 4/6

Remarks:
Soil texture is fine sandy loam

3. Other:

Conclusion: Is soil hydric? Yes no

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: _____
- Depth to free water in observation hole: _____
- Depth to soil saturation in observation hole: _____
- Water marks: _____
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BVW: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____
- Other: _____

Vegetation and Hydrology Conclusion

	yes	no
Number of wetland indicator plants greater than or equal to number of non-wetland indicator plants	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wetland hydrology present:		
Hydric soil present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other indicators of hydrology present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sample location is in BVW	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Observation Plot Number: Wetland
Transect Number: 1

Vegetated Wetland Delineation Field Data Form

Applicant: Varsity Wireless, LLC Prepared by: Lucas Environmental, LLC Project Location: 12 Mortimer Road, Boxford DEP File #: _____

Check all that apply:

- Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
 Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
 Method other than dominance test used (attach additional information)

Section I. Vegetation Observation Plot Number: WET Transect Number: 1 @ Flag B-11 Date of Delineation: 04/18/14

A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
Tree				
White Pine (<i>Pinus strobus</i>)	20.5	44.1%	Yes	FACU
Black Cherry (<i>Prunus serotina</i>)	10.5	22.6%	Yes	FACU
Red Maple (<i>Acer rubrum</i>)	10.5	22.6%	Yes	FAC*
Red Cedar (<i>Juniperus virginiana</i>)	5.0	10.8%	No	FACU
Saplings				
None				
Shrub				
Black Cherry (<i>Prunus serotina</i>)	20.5	36.6%	Yes	FACU
White Pine (<i>Pinus strobus</i>)	20.5	36.6%	Yes	FACU
Red Oak (<i>Quercus rubra</i>)	5.0	8.9%	No	NL
Tartarian honeysuckle (<i>Lonicera tartarica</i>)	5.0	8.9%	No	NL
High Bush Blueberry (<i>Vaccinium corymbosum</i>)	5.0	8.9%	No	FACW*
Herbaceous				
Pennsylvania sedge (<i>Carex pensylvanica</i>)	38.0	100%	Yes	NL
White Pine	T			
Goldthread	T			

Vines

* Use an asterisk to mark indicator plants: plant species listed in the wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

Vegetation conclusion: Number of dominant wetland indicator plants: 1 Number of non-wetland indicator plants: 5 Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants: yes <input type="checkbox"/> no <input checked="" type="checkbox"/>
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If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.

Observation Plot Number: Wetland
Transect Number: 1

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? Yes no

title/date: **Custom Soil Resource Report for Essex County, Massachusetts, Northern Part, prepared by USDA NRCS. Accessed online 11/4/2014.**

Soil Type Mapped: **410A – Sutton Fine Sandy Loam
52A – Freetown Much
711C – Charlton-Rock outcrop
421C – Canton fine sandy loam, very stony**

hydric soil inclusions: **Yes**

Are field observations consistent with soil survey? Yes no
Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
A	0-16"	10YR 2/1	None
A2	16-20"	10YR 3/2	5% 7.5YR 4/4
Bg	20-24"	10YR 4/2	5% 7.5YR 4/4

Remarks:
**A horizon – fine sandy loam
A2 – sandy loam
Bg – coarse sandy loam**

3. Other:

Conclusion: Is soil hydric? Yes no

Other Indicators of Hydrology: (check all that apply and describe)

- Site inundated: _____
- Depth to free water in observation hole: 2"
- Depth to soil saturation in observation hole: surface
- Water marks: _____
- Drift lines: _____
- Sediment deposits: _____
- Drainage patterns in BVW: _____
- Oxidized rhizospheres: _____
- Water-stained leaves: _____
- Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____
- Other: _____

Vegetation and Hydrology Conclusion

	yes	no
Number of wetland indicator plants greater than or equal to number of non-wetland indicator plants	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wetland hydrology present:		
Hydric soil present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other indicators of hydrology present	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sample location is in BVW	<input checked="" type="checkbox"/>	<input type="checkbox"/>