



The Town of Boxford, MA

Conservation Commission - FAQ

Notice of Intent Application Check-off List

Feb 7, 2006

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 Department of Environmental Protection, Northeast Office, 205B Lowell Street, Wilmington, MA 01887.)
- Attached** Site Plan. See next page for required elements of plan.
- Attached** List of abutters within 500' 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** A letter-sized copy of a portion of a USGS map depicting the project location.
- 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:

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)*

- N/A -

- 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.
-

July 24, 2014

Conservation Commission
7A Spofford Road
Boxford, MA 01921

Re: 22 Balmoral Road
Notice of Intent Application

Dear Commission Members:

On October 17, 1991 the Boxford Conservation Commission issued an Order of Conditions (DEP File No. 114-379) for the construction of a pool with associated patio areas at the above referenced property. A Certificate of Compliance was never issued for this project. As part of preparing a Certificate of Compliance request for this Order we performed an as-built topographic mapping of the area. Our as-built information shows that the pool/patio project was built in substantial compliance with the approved plans and Order. However, some work was performed on-site that was not part of the pool/patio project. The enclosed Notice of Intent application has been prepared to address the non-compliance issue described below, allow for the replacement of the failing railroad tie retaining wall located around the existing pool, the removal of an old wire fence and the construction of a new fence around the existing pool.

Work that was determined to be in non-compliance with the original permit were the construction of a shed, stone area adjacent to the existing driveway and the construction of a chicken coop with associated chicken run all located north west of the existing dwelling. According to the home owner the shed was built back in 1992 after the pool project was completed, and the stone area was built as part of the pool project. He believes the chicken coop and run were built in 2008/2009. As you may recall the Conservation Commission conducted a site visit back in the spring of 2014 as part of a Certificate of Compliance request submitted by the home owner for the pool project. The shed, stone area, chicken coop and chicken run, and the failing existing retaining wall were discussed during the site visit. While on the site visit it was agreed that a vernal pool exists within the B Series wetlands behind the existing dwelling. At that time it was not possible to verify the exact limits of the vernal pool so after discussions with Greg Hochmuth, who delineated the wetland resource areas and was present during the spring site walk, it was determined that we would take a conservative approach and show the limit of the vernal pool to be the limit of the wetlands.

Based on our discussions and our review of the local Conservation regulations the chicken coop and run will need to be removed from the site or relocated to another location on site outside the jurisdiction of the Conservation Commission; a note is shown on the proposed site plan to

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447 Boston Street (U.S. Route 1), Topsfield, MA 01983 978.887.8586 FAX 978.887.3480

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reflect this. Based on our discussion with the home owner and the Commission at the site walk it was determined that the stone area adjacent to the existing paved driveway was added by the pool contractor when the pool was constructed. The stone area appears to have been an access route for the construction of the pool/patio areas. Once the project was completed the owner decided to leave the stone. The stone area is very flat and it does not appear that there were any grade changes in the area where the stone was placed. The stone area provides some benefit as it will slow the velocity of runoff flowing off the paved driveway to minimize/eliminate potential erosion caused by runoff from the existing driveway. Attached to the chicken coop is a shed approximately 8 feet wide by 16 feet long. When our client had the shed built he was told that he did not require a building permit; based on this fact he believed he was all set and did not need any other permits.

The original design plan showed the area downslope of the pool/patio area as a graded 2:1 slope. The final project was a combination of a 2:1 slope with a retaining wall in order to achieve the proposed 10 foot "No Cut Zone" between the edge of wetlands and the limit of work shown on the approved plan. Currently the existing railroad tie retaining wall is failing and needs to be replaced, a modular block retaining wall is proposed (see plan attached). Based on the construction standards for the proposed modular block wall it is not possible to build the new wall in the exact location as the existing wall; the proposed new wall will be approximately 2 feet behind the existing wall. The area between the old wall and face of new wall will be crushed stone which is what currently exists between the existing wall and concrete apron around the pool. This additional 2 feet of stone will promote additional infiltration of stormwater runoff. All work, including the construction of the new wall, will be located within areas that were previously altered as part of the original pool project. We are proposing to maintain a minimum 10 foot setback from the edge of the wetland/vernal pool to the proposed limit of work.

The existing shed, stone area adjacent to the driveway, chicken coop/run and the proposed work associated with replacing the failing retaining wall are all located within what is now a 100 foot No Disturb Zone from a vernal pool. Based on the current setback table located within the Town of Boxford Wetlands Protection Regulations none of these activities would be allowed within 100 feet of a vernal pool. However, the regulations also state that the activities may be located closer than what is shown in the table only for the conversion of lawn or other significantly altered land if it is accessory to an existing single family dwelling legally in existence as of May 19, 1994 or when a wetlands permit was issued before May 19, 1994 (Section 375-98(B)(2)). The applicant must also show that the activities closer than what is shown in the table will not result in the alteration of the wetlands resource area. According to the Assessors records the existing dwelling was built in 1979 and an Order of Conditions for the pool/patio project was issued on Oct. 17, 1991. The proposed replacement of the existing retaining wall is within an area that was previously altered during the construction of the pool project. The proposed wall will stabilize the existing failing wall which is approximately 19 feet from the wetland/vernal pool at its closest point. If the existing wall was to fail, soil and sediment from erosion could possibly reach the wetlands resulting in an alteration of the existing wetland/vernal pool. The wall needs to be replaced before it fails; the work required to fix the wall after it fails will be more disruptive to the wetlands/vernal pool than the work

proposed to fix the wall now. The existing stone area adjacent to the existing driveway was constructed in an area that was disturbed during the pool construction project. This area has been stone since 1991/1992 +/- . The shed has been in existence since 1992 +/- and based on its close proximity to the existing driveway it appears it was constructed in an area that was previously cleared as part of the original development of the lot. It appears that both the shed and stone area adjacent to the driveway would have been permissible projects if they were proposed prior to being constructed. The current location of the existing flagged wetlands is very similar to the original flagged wetlands shown on the approved site plan for the pool project. The existing area downslope of the stone area shows no signs of erosion. Based on what we saw/heard at the site walk in early spring the wetlands and the vernal pool both appear to be thriving. Therefore, it appears that neither the stone area nor the shed have had any adverse impact on the resource areas in the area.

We look forward to meeting with the Commission to discuss the proposed application. If you have any questions please do not hesitate to contact me.

Sincerely,

THE MORIN-CAMERON GROUP, INC.



John M. Morin, PE
Principal

JMM/kmm

Enclosures

cc: Philip & Madelyn Jamieson
Kenneth & Maryellen Bernier
MassDEP Northeast Region



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
& under the Boxford Wetlands Protection Bylaw

Provided by MassDEP.

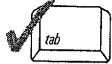
MassDEP File Number

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):

22 Balmoral Road
a. Street Address

Boxford
b. City/Town

01921
c. Zip Code

Latitude and Longitude:

Map 23, Block 2
f. Assessors Map/Plat Number

Parcel 16
g. Parcel /Lot Number

d. Latitude

e. Longitude

2. Applicant:

Kenneth & Maryellen
a. First Name

Bernier
b. Last Name

c/o The Morin-Cameron Group, Inc.
c. Organization

447 Boston Street
d. Street Address

Topsfield
e. City/Town

MA
f. State

01983
g. Zip Code

978-887-8586
h. Phone Number

978-887-3480
i. Fax Number

john@morincameron.com
j. Email Address

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

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

John
a. First Name

Morin
b. Last Name

The Morin-Cameron Group, Inc.
c. Company

447 Boston Street
d. Street Address

Topsfield
e. City/Town

MA
f. State

01983
g. Zip Code

978-887-8586
h. Phone Number

978-887-3480
i. Fax Number

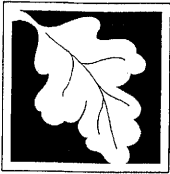
john@morincameron.com
j. Email address

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

\$410.00
a. Total Fee Paid

\$42.50
b. State Fee Paid

\$367.50
c. City/Town Fee Paid



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& under the **Boxford Wetlands Protection Bylaw**

Provided by MassDEP:
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A. General Information (continued)

6. General Project Description:

The proposed project involves the replacement of a failing railroad tie retaining wall, the removal of an old wire fence, the construction of a new fence around the existing pool, the removal of a chicken coop & associated chicken run and the permitting of an existing shed and existing stone area adjacent to the existing driveway that were constructed back in 1991/1992.

7a. Project Type Checklist:

- | | |
|---|---|
| 1. <input checked="" 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 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 South

a. County

33239

c. Book

b. Certificate # (if registered land)

75

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____	
	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) _____	

2. Width of Riverfront Area (check one):

25 ft. - Designated Densely Developed Areas only

100 ft. - New agricultural projects only

200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____	
	2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____



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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

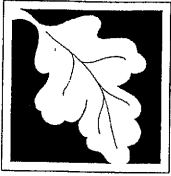
1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/priority_habitat/online_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
100 Hartwell Street, Suite 230
West Boylston, MA 01583

10/1/08

b. Date of map



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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40
& under the **Boxford Wetlands Protection Bylaw**

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MassDEP File Number _____

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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/nhosp/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/nhosp/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/nhosp/nhosp.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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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.

Site Development Plan designed for Maryellen & Kenneth Bernier, 22 Balmoral Road, Boxford, MA

The Morin-Cameron Group, Inc.

John M. Morin, PE

b. Prepared By

c. Signed and Stamped by

July 23, 2014

1" = 20'

d. Final Revision Date

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.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

Provided by MassDEP

MassDEP File Number _____

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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:

40217	7/23/14
2. Municipal Check Number	3. Check date
40218	7/23/14
4. State Check Number	5. Check date
The Morin-Cameron Group, Inc.	
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.

<u>Kathleen Molina, as authorized</u>	7-24-14
1. Signature of Applicant	2. Date
3. Signature of Property Owner (if different)	4. Date
<u>Kathleen Molina, as authorized</u>	7-24-14
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.

40217

The Morin-Cameron Group, Inc.
447 Boston Street Suite 12
Topsfield, MA 01983



America's Most Convenient Bank®
53-7054-2113

CHECK DATE

7/23/14

PAY Three hundred sixty-seven & -----50/100 dollars

AMOUNT

TO Town of Boxford

\$367.50

Kathleen M. Morin

AUTHORIZED SIGNATURE

JAM3204

⑈040217⑈ ⑆211370545⑆ 8248829802⑈

Security features. Details on back.

40218

Location: 22 Balmoral Road, Boxford

The Morin-Cameron Group, Inc.
447 Boston Street Suite 12
Topsfield, MA 01983



America's Most Convenient Bank®
53-7054-2113

CHECK DATE

7/17/14

PAY Forty-two & -----50/100 dollars

AMOUNT

TO Commonwealth of Massachusetts

\$42.50

Kathleen M. Morin

AUTHORIZED SIGNATURE

⑈040218⑈ ⑆211370545⑆ 8248829802⑈

Security features. Details on back.



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:

22 Balmoral Road Boxford
 a. Street Address b. City/Town
40218 \$42.50
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Kenneth & Maryellen Bernier
 a. First Name b. Last Name
The Morin-Cameron Group, Inc.
 c. Organization
447 Boston Street
 d. Mailing Address
Topsfield MA 01983
 e. City/Town f. State g. Zip Code
978-887-8586 978-887-3480 john@morincameron.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

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 1.A.	1	\$110.00	\$110.00
Town Bylaw Fee: Addition/Alteration	1	\$200.00	\$200.00
Boundary verification: (B1-B5, BA-BD) 262 – 100 = 162lf	1	\$100.00	\$100.00

Step 5/Total Project Fee: \$410.00

Step 6/Fee Payments:

Total Project Fee:	<u>\$410.00</u>
	a. Total Fee from Step 5
State share of filing Fee:	<u>\$42.50</u>
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	<u>\$367.50</u>
	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.)

AFFIDAVIT OF SERVICE

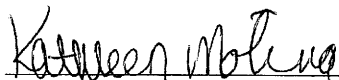
Under the Massachusetts Wetlands Protection Act

(to be submitted to Mass. DEP and the Conservation Commission
when filing a Notice of Intent)

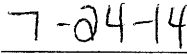
I, Kathleen Molina of The Morin-Cameron Group, Inc., hereby certify under the pains and penalties of perjury that on **July 24, 2014** I gave notification to abutters in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent was filed under the Massachusetts Wetlands Protection Act by **Maryellen & Kenneth Bernier** with the Town of **Boxford** Conservation Commission on **July 24, 2014** for property located at **22 Balmoral Road (Assessors Map 23, Block 2, Lot 16)**.

The form of the notification, and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of Service.



Kathleen Molina
The Morin-Cameron Group, Inc.
447 Boston Street
Topsfield, MA 01983



Date

**Notification to Abutters Under the
Massachusetts Wetland Protection Act**

In accordance with the second paragraph of Massachusetts General Laws, Chapter 131, Section 40, you are hereby notified of the following:

- A. The name of the applicant is: **Maryellen & Kenneth Bernier**
- B. The applicant has filed a **Notice of Intent** with the Conservation Commission for the municipality of **Boxford** seeking permission to remove, fill, dredge or alter an Area Subject to Protection under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
- C. The address of the lot where the activity is proposed: **22 Balmoral Drive**
- D. Copies of the Application may be examined & obtained at the **Conservation Office, 7A Spofford Road** between the hours of **9am** and **2pm** on the following days of the week **Monday-Thursday**. For more information call: **978-887-6000**
- E. Information regarding the date, time and place of the public hearing may be obtained from the **Conservation Office** by calling this number: **978-887-6000** between the hours of **9am** and **2pm** on the following days of the week: **Monday-Thursday**.

NOTE: Notice of the public hearing, including its date, time and place, will be published at least five (5) days in advance in the **Tri-Town Transcript**.

NOTE: Notice of the public hearing, including its date, time and place will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

NOTE: You also may contact your local Conservation Commission or the nearest Department of Environmental Protection Regional Office for more information about this application or the Wetlands Protection Act.

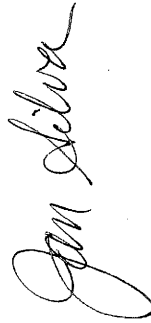
To contact MassDEP Northeast Region call: 978-694-3200

TOWN OF BOXFORD
 ABUTTER LIST

PARCEL #23-2-16 ~ 22 BALMORAL ROAD ~ CONSERVATION COMMISSION 250'

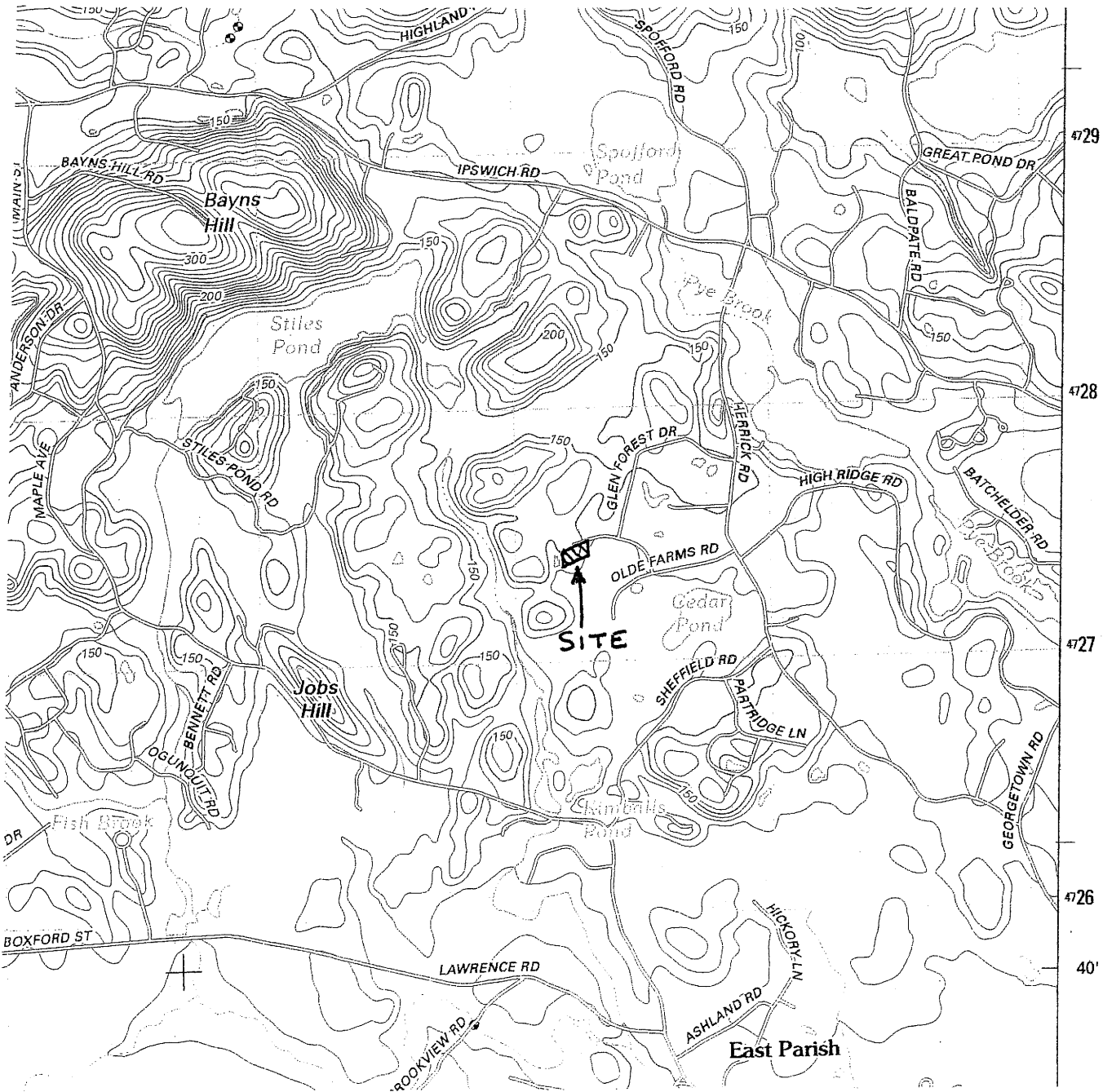
Map/Lot	Location	Owner	Owner 2	Owner Address	City/Town	Owner State	Owner Zip Code
(23-2-12)	24B BALMORAL RD	CHEEVER PETER J TE	LUCY H CHEEVER	24B BALMORAL RD	BOXFORD	MA	01921
(23-2-16)	22 BALMORAL RD	JAMIESON MADELYN C T	PHILIP A JAMIESON	22 BALMORAL RD	BOXFORD	MA	01921
(23-2-28)	4 BALMORAL RD	MOSHO MICHAEL W TE	MOSHO DONATA	4 BALMORAL RD	BOXFORD	MA	01921
(23-2-10)	15 BALMORAL RD	O'BRIEN JOSEPH G	O'BRIEN SINEAD	15 BALMORAL RD	BOXFORD	MA	01921
(23-2-29)	27 OLDE FARMS RD	PANAGOS TIMOTHY I TE	PANAGOS MELISSA M	27 OLDE FARMS RD	BOXFORD	MA	01921
(23-2-26)	16 BALMORAL RD	RICHARDS STEPHEN M TE	RICHARDS JEANNE E	16 BALMORAL RD	BOXFORD	MA	01921
(23-2-11)	21 BALMORAL RD	SUMARIA VENILAL TE	SUMARIA DEBORAH A	65 HIGH RIDGE RD	BOXFORD	MA	01921
(23-2-17)	18 BALMORAL RD	WILLIAMS THOMAS L & MARY U TRS	WILLIAMS FAMILY LIVING TRUST	18 BALMORAL RD	BOXFORD	MA	01921
(23-2-13)	24A BALMORAL RD	WOLZ DENNIS J & HAMEL-WOLZ LAURETTE	DENNIS J WOLZ TRUST	24A BALMORAL RD	BOXFORD	MA	01921

CERTIFIED COPY



MARCH 11, 2014

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7.5-MINUTE SERIES



SCALE 1:24 000

