

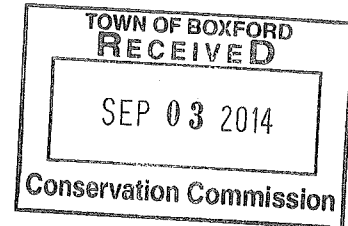


SCANLAN
ENGINEERING LLC

#0582

September 4, 2014

Mr. Ross Povenmire
Conservation Agent
Boxford Conservation Commission
7A Spofford Road
Boxford, MA 01921



Re: Request for Determination of Applicability
Scudder Bay Capital – 24 Georgetown Road, Boxford


Dear Commission Members:

On behalf of the applicant Scudder Bay Capital, Scanlan Engineering LLC is submitting this Request for Determination of Applicability for the installation of a concrete, front walk for 24 Georgetown Road, Boxford, MA. Enclosed are one original and seven (7) copies of the Plans, the Form 1 and supporting documents, as well as the Town of Boxford filing fee of \$100.00.

The limits of the Bordering Vegetated Wetland were flagged by Julie Vondrak, December 2, 2013 and revised on April 6, 2014, and were located by instrument as part of our on-site topographic survey. There is also a possible vernal pool within the limits of the wetlands. The proposed project includes installation of a new concrete front walk, in the buffer zone.

Please schedule this matter for your earliest meeting. I plan on attending the hearing to present the project and answer any questions that you may have.

Sincerely,
SCANLAN ENGINEERING LLC


James Scanlan, P.E.
Project Engineer

Cc: Scudder Bay Capital(Applicant)
File #0582

Enclosures

Project Description:

This Request for Determination of Applicability is filed to install a concrete front walk connecting the driveway to the two front entrances to the dwelling at 24 Georgetown Road, Boxford, MA. The work proposed is within the 100 foot buffer but outside the 25 foot no disturb zone to a bordering vegetated wetlands. The disturbed areas shall be loamed and seeded, or mulched. The site is a disturbed lawn area, within the Estimated Habitat of Rare Wildlife.

Existing Conditions:

The property is located at 24 Georgetown Road, Boxford, MA. It is in a residential neighborhood of single family dwellings. The property is a four (4) bedroom, single-family dwelling with a septic system that is being replaced. There are wetlands along the right side property line and rear portion of the property. There is also a possible vernal pool within the limits of the wetlands. The right side and rear of the lot are wooded with many large coniferous and deciduous trees.

The lot is located in Estimated Habitat of Rare Wildlife as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published on the Natural Heritage and Endangered Species Program website (see additional information).

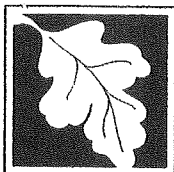
Proposed Work:

The proposed work includes the installation of a new concrete, walk in the front yard, connecting the two front doors to the driveway. There will be no removal of trees necessary for the installation of the walk. All areas disturbed during installation shall be re-seeded, or mulched.

There is no proposed use of a siltation barrier as the site is on the upland side of the driveway.

Form 1 – Request for Determination
Of applicability

Massachusetts Wetland Protection Act
&
Boxford Wetlands By-Law



WPA Form 1- Request for Determination of Applicability

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

A. General Information

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



1. Applicant:

Scudder Bay Capital

Name

E-Mail Address

107 Audubon Road Bldg. 2 Suite 205A

Mailing Address

Wakefield

City/Town

MA

01880

State

Zip Code

(339) 219-0300

(339) 219-0303

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Scanlan Engineering, LLC

Firm

James Scanlan, PE

Contact Name

jim@scanlanengineering.com

E-Mail Address

P.O. Box 906

Mailing Address

Georgetown

City/Town

MA

01833

State

Zip Code

(978) 372-3440

(978) 891-3888

Phone Number

Fax Number (if applicable)

B. Determinations

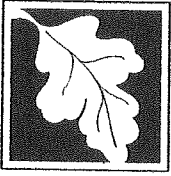
1. I request the Boxford Conservation Commission make the following determination(s). Check any that apply:

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

Boxford

Name of Municipality

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



WPA Form 1- Request for Determination of Applicability
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description

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

<u>24 Georgetown Road</u>	<u>Boxford</u>
Street Address	City/Town
<u>Map 28 Block 2</u>	<u>Lot 23</u>
Assessors Map/Plat Number	Parcel/Lot Number

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

The lot contains a single family dwelling in a residential neighborhood. It has private septic and private well.

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

<u>Permit Site Plan to Accompany a Request for Determination of Applicability, 24 Georgetown Rd, Boxford</u>	<u>September 4, 2014</u>
Title	Date
<u> </u>	<u> </u>
Title	Date

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

The work proposed is for the installation of a concrete walk, to be located in the front yard, connecting the dwelling to the driveway. The proposed walk is within the 100 foot buffer but outside the 25 foot "no-disturb" zone to a bordering vegetated wetlands. The work is also within 100 feet of a possible vernal pool. All disturbed areas shall be loamed and seeded, or mulched.



WPA Form 1- Request for Determination of Applicability
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description (cont.)

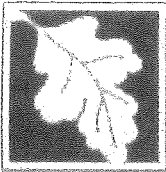
b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

310CMR10.02(2)(b)1e - Conversion of previously disturbed lawn area.

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



WPA Form 1- Request for Determination of Applicability

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

D. Signatures and Submittal Requirements

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

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

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

Name and address of the property owner:

Scudder Bay Capital

Name

107 Audubon Road Bldg. 2, Suite 205A

Mailing Address

Wakefield

City/Town

MA

State

01880

Zip Code

Signatures:

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

[Handwritten Signature] _____ Date 9/3/14

Signature of Applicant **KEVIN KOFFMAN**

[Handwritten Signature] _____ Date 9/4/14

Signature of Representative (if any) **SCUDDER BAY CAPITAL**

Date

#0582

Additional Information

Prepared for: Scudder Bay Capital
September 4, 2014

Address: 24 Georgetown Road
Boxford, MA

Powered by Vision Government Solutions, Inc.



MBLU : 28/ 02/ 23/ 11
Location: 24 GEORGETOWN RD
Owner Name: SIDNEY STEPHANIE
Account Number:

Parcel Value

Item	Current Assessed Value	FY 2013 Assessed Value
Buildings	222,600	228,100
Xtra Bldg Features	7,700	7,700
Outbuildings	5,200	6,000
Land	248,900	248,900
Total:	484,400	490,700

Owner of Record

SIDNEY STEPHANIE
 PO BOX 345
 BOXFORD, MA 01921

Ownership History

Owner Name	Book/Page	Sale Date	Sale Price
SIDNEY STEPHANIE	25210/ 68	12/20/2005	0
KOVACS WILLIAM L	11841/ 415	4/23/1993	0
KOVACS WILLIAM L TE	8068/0216	1/2/1986	0
OWB REO LLC	32925/ 350	10/31/2013	475,000

Land Use

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

Land Line Valuation

Size	Assessed Value
2.38 AC	248,900

Construction Detail

Building # 1	MODEL Residential	Grade: AVERAGE
STYLE Split-Level	Occupancy 1	Exterior Wall 1 Wood Shingle
Stories: 1	Roof Structure: Gable/Hip	Roof Cover Asph/F Gls/Cmp
Exterior Wall 2 Board & Batten	Interior Fir 1 Hardwood	Interior Flr 2 Carpet
Interior Wall 1 Drywall/Sheet	Heat Type: Hot Water	AC Type: None
Heat Fuel Gas	Total Bthrms: 2	Total Half Baths: 1
Total Bedrooms: 03		

Building Valuation

Living Area: 3,427 square feet	Year Built: 1958	Depreciation: 30%
Building Value: 222,600		

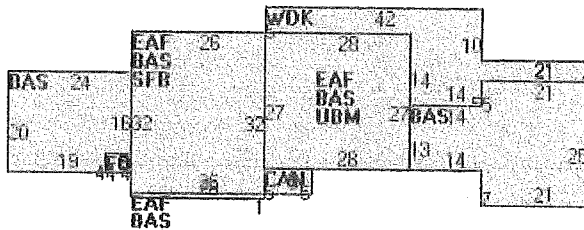
Extra Features

Code	Description	Units
KIT	XTRA KITCHEN	1 UNITS
FPL1	FIREPLACE 1 ST	1 UNITS
FPO	EXTRA FPL OPEN	1 UNITS

Outbuildings

Code	Description	Units
FGR1	GARAGE-AVE	576 S.F.
FOP	SCREEN HOUSE	170 S.F.

Building Sketch



Subarea Summary

Code	Description	Gross Area	Living Area
BAS	First Floor	2781	2781
CAN	Canopy	45	0
EAF	Attic, Expansion, Finished	1614	646
FOP	Porch, Open, Finished	20	0
SFB	Base, Semi-Finished	832	0
UBM	Basement, Unfinished	756	0
WDK	Deck, Wood	490	0

2013122000225 Bk:33030 Pg:188
12/20/2013 12:21 PM DEED Pg 1/3

MASSACHUSETTS EXCISE TAX
Southern Essex District ROD
Date: 12/20/2013 12:21 PM
ID: 998126 Doc# 20131220002250
Fee: \$1,527.60 Cons: \$335,000.00

Commitment Number: 3220829
Seller's Loan Number: 3002829814_858433

After Recording Return To:
ServiceLink,
FNF's National Lender Platform
1200 Cherrington Parkway
Moon Township, PA 15108

PROPERTY APPRAISAL (TAX/APN) PARCEL IDENTIFICATION NUMBER
Map 28 BLock 02 Lot 23

QUITCLAIM DEED

OWB REO LLC, whose mailing address is 2900 ESPERANZA CROSSING AUSTIN, TX 78758, hereinafter grantor, for \$335,000.00 (Three Hundred Thirty Five Thousand Dollars and Zero Cents) in consideration paid, grants and quitclaims to SCUDDER BAY CAPITAL, LLC C/O KEVIN HOFFMAN, hereinafter grantee, whose tax mailing address is 24 GEORGETOWN RD BOXFORD, MA 01921, with Quitclaim Covenants:

The land with the buildings thereon, situated on the Westerly side of Georgetown Road, Boxford, Essex County, Commonwealth of Massachusetts, and being a part of the Towne Field, so-called, and bounded and described as follows: Beginning at a point on said Georgetown Road at a stone wall which is the dividing line between land now or formerly of Tansey and Town Field Trust; thence the line runs N 03 degrees 46' 00" E along said Georgetown Road, by two lines measuring respectively 207.16 feet and 50.90 feet; thence the line turns and runs N 73 degrees 04' 50" W by land now or formerly of Towne Field Trust, 426.69 feet, thence running in a SOUTHWESTERLY direction 193 feet to a stone wall at the boundary line of land now or formerly of Town Field Trust, and land now or formerly of Tansey; thence turning and running in a SOUTHEASTERLY direction by said stone wall by several courses, measuring respectively 136 feet, 192.22 feet and 197.34 feet to the point of beginning. Said premises contain 104,000 square feet of land, more or less, be said contents and measurements more or less, or however otherwise bounded, measured or

24 Georgetown Road Boxford, MA 01921

described.

Property Address is: 24 GEORGETOWN RD BOXFORD, MA 01921

Seller makes no representations or warranties, of any kind or nature whatsoever, other than those set out above, whether expressed, implied, implied by law, or otherwise, concerning the condition of the title of the property prior to the date the seller acquired title.

The real property described above is conveyed subject to and with the benefit of: All easements, covenants, conditions and restrictions of record; in so far as in force applicable.

The real property described above is conveyed subject to the following: All easements, covenants, conditions and restrictions of record; All legal highways; Zoning, building and other laws, ordinances and regulations; Real estate taxes and assessments not yet due and payable; Rights of tenants in possession.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest, lien equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behalf of the grantee forever.

Prior instrument reference: Book 32925, Page 350, Recorded on: 10/31/2013

Executed by the undersigned under seal on NOV 21 2013 2013:

This conveyance does not constitute the sale or transfer of all or substantially all of the grantor's assets within the Commonwealth of Massachusetts

OWB REO LLC

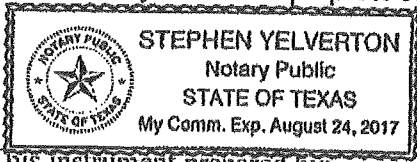
By: _____

Name: Louise Chavez
AVP

Its: _____

STATE OF TEXAS
COUNTY OF TRAVIS

The foregoing instrument was acknowledged before me on NOV 21 2013, 2013 by Louise Chavez AVP/REO its _____ on behalf of OWB REO LLC who is personally known to me or has produced _____ as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.



STEPHEN YELVERTON
Notary Public

This instrument prepared by:

Nowell Bloomenthal Esq., (Massachusetts Bar Number: 046760), 935 Main Street # 3, Waltham, MA 02451-7437 and Jay A. Rosenberg, Esq., Rosenberg LPA, Attorneys At Law, 3805 Edwards Road, Suite 550, Cincinnati, Ohio 45209, (513) 247-9605 Fax: (866) 611-0170.

TOWN OF BOXFORD
 ABUTTER LIST
 PARCEL # 28-2-23 ~ 24 GEORGETOWN ROAD ~ CONSERVATION COMMISSION 250'

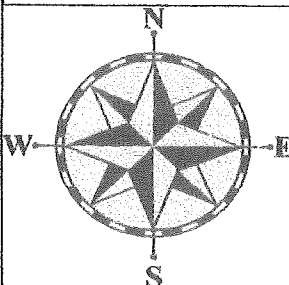
Map/Lot	Location	Owner	Owner 2	Owner Address	Owner City/Town	Owner State	Zip Code
(28-2-3)	21 GEORGETOWN RD	BLAESER JOHN A JR		21 GEORGETOWN RD	BOXFORD	MA	01921
(28-2-25)	12 GEORGETOWN RD	ENES DALE M	ENES MICHAEL N	12 GEORGETOWN RD	BOXFORD	MA	01921
(28-2-4)	3 LANTERN LN	KARCHER ERIC C	KARCHER SANDRA S	3 LANTERN LN	BOXFORD	MA	01921
(28-2-24)	16 GEORGETOWN RD	LAGRECCA SUSAN TE	BERTINATO PETER	16 GEORGETOWN RD	BOXFORD	MA	01921
(28-2-1)	15 GEORGETOWN RD	LAVOIE RICHARD A TE	LAVOIE LORIA	15 GEORGETOWN RD	BOXFORD	MA	01921
(28-2-2)	17 GEORGETOWN RD	MESSINA ANTHONY & MARIA		17 GEORGETOWN RD	BOXFORD	MA	01921
(28-2-23)	24 GEORGETOWN RD	SIDNEY STEPHANIE		PO BOX 345	BOXFORD	MA	01921
(28-2-22)	GEORGETOWN RD	TOWN OF BOXFORD		7A SPOFFORD RD	BOXFORD	MA	01921
(28-2-17.1)	MIDDLETON RD	TOWN OF BOXFORD		7A SPOFFORD RD	BOXFORD	MA	01921
(28-2-21)	46 GEORGETOWN RD	TUCKER ALAN N & RUTH E TR	A & R REALTY TRUST	46 GEORGETOWN RD	BOXFORD	MA	01921

CERTIFIED COPY

Jane Gibson
 2/20/14

AERIAL VIEW

from MassGIS Website



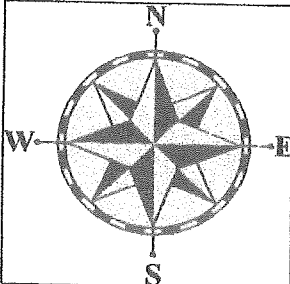
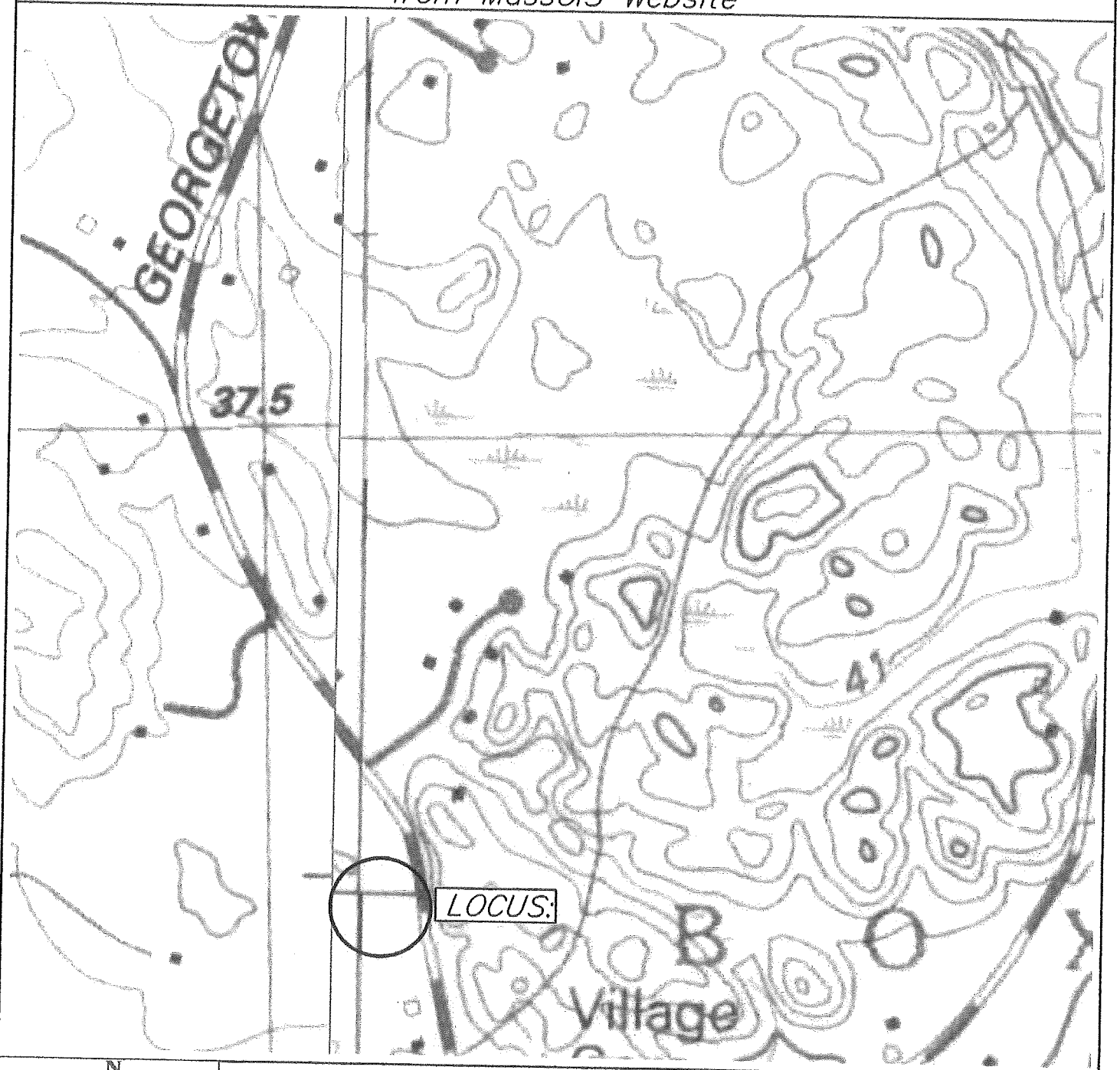
LOCUS PLAN

Scudder Bay Capital Property
24 Georgetown Road
Boxford, MA

Scale: 1"=500'
Date: 9/4/14
SE#0582

USGS TOPOGRAPHIC PLAN

from MassGIS Website

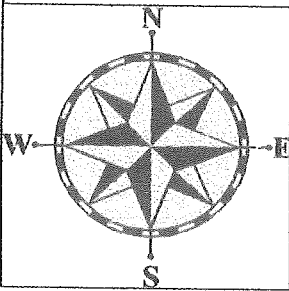


LOCUS PLAN

Scudder Bay Capital Property
24 Georgetown Road
Boxford, MA

Scale: 1"=500'
Date: 9/4/14
SE#0582

Natural Heritage Endangered Species Program
from MassGIS Website



LOCUS PLAN

Scudder Bay Capital Property
24 Georgetown Road
Boxford, MA

Scale: 1"=500'
Date: 9/4/14
SE#0582

Julie Vondrak, CWS
Wetland Permitting Consultant
56 Corinthian Drive
Salem, NH 03079

April 9, 2014

Boxford Conservation Commission
7A Spofford Road
Boxford, MA 01921

Re: Wetland Delineation, 24 Georgetown Road, Boxford, MA

Dear Conservation Commission Members:

Julie Vondrak, CWS, inspected the above referenced site ("Project Site") on December 2, 2013 and again on April 5, 2014 to determine if wetland resource areas subject to jurisdiction under the Massachusetts Wetland Protection Act ("WPA") (Chapter 131, section 40, 310 CMR 10.00) and the Boxford Wetlands Protection Bylaw existed on or adjacent to the Project Site. The inspection was conducted to facilitate construction and permitting of a subsurface sewage disposal system upgrade.

Wetland resource areas, including Bordering Vegetated Wetland ("BVW") (310 CMR 10.53) were identified and delineated in accordance with the U.S. Army Corps of Engineers "Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region" (2012), the Massachusetts Wetlands Protection Act regulations (310 CMR 10.00), the Massachusetts Department of Environmental Protection ("MassDEP") wetland delineation guidance document entitled "Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act (March 1995), and the Boxford Wetlands Protections Bylaw (the "Bylaw").

BVW

A forested red maple swamp was identified and flagged to the rear of the existing dwelling. Dominant vegetation within the delineated resource area boundaries included red maple (*Acer rubrum*), white pine (*Pinus strobus*), sensitive fern (*Onoclea sensibilis*), royal fern (*Osmunda regalis*), cinnamon fern (*Osmunda cinnamomea*), goldenrods (*Solidago* spp.), sedges (*Carex* spp.) and poison ivy (*Toxicodendron radicans*). The delineated wetland borders on a small ponded area that appears to provide suitable vernal pool habitat. During the April 2014 inspection, the ponded area was flooded with several feet of water. The limits of ponding were contained within the delineated edges of the wetland resource area

boundaries. The ponded area has been identified as a Potential Vernal by the Natural Heritage and Endangered Species Program.

Wetland flags A1 through A16 delineate the edge of the identified wetland resource area boundary. Several of the wetland flags delineate the boundaries of a grassed, mowed swale that is located directly behind the house in the maintained lawn area. This grassed swale appears to be the result of an active foundation drain that pumps groundwater during high groundwater and rain events. The delineation encompassed portions of the swale based on my observations of wetland grass and sedge species and identification of hydric soils in a portion of the swale. The area behind the house may have been historically filled and disturbed at the time of lot development.

Due to concerns raised by several Conservation Commissioners at the scheduled site walk, I revisited the site to further evaluate the delineation in the vicinity of the grassed swale. Soil plots were further conducted and documented to fine-tune the delineation and several wetland flags were re-adjusted in the field along the boundaries of the grassed swale. The delineation associated with the swale was extended approximately 10-feet upgradient and changes will be depicted on the revised site plans prepared by the Project Engineer. Soil plot data is detailed below.

Soils Data

Several soil plots were conducted and recorded within and adjacent to the boundaries of the flagged swale. Data is detailed below:

Soil Plot 1 : Located 2 feet downgradient previous Flag 11B

Depth (inches)	Matrix	Redox Features	Texture	Remarks
0-6"	10yr 2/2	Mixed with 10yr 4/6 (20%)	loamy	May be a fill layer
7-14"	10yr 2/1	7.5yr 3/4 10yr 4/2	loamy	May be original A layer
14-20+	2.5y 5/2	10yr 2/1 10yr 4/4	Silt/loam	Groundwater within top 4" of surface

Discussion: Soil Plot was conducted within the center of the delineated grassed swale and is a hydric soil condition. Based on the soil investigation, Soil Plot 11B2 was added to more accurately delineate the outer boundary of the grassed swale and its location is depicted on the revised site plan.

Soil Plot 2: Located at newly added wetland flag 11B2

Depth (inches)	Matrix	Redox Features	Texture	Remarks
0-6"	10yr 2/2	10yr 3/4 (15%)	loamy	Again top layer may be a fill layer
7-16"	10yr 2/1	10yr 4/2	loamy	May be original A layer
16+	10yr 5/2-5/3 (in between chroma colors)	10yr 2/1 10yr 4/6	Silt/loam	Soil plot along hydric line, high groundwater in hole

Discussion: Based on soils, this plot appears to border on the hydric/upland boundary. Area adjacent to the swale appears to be filled with coarse gravelly sand.

Soil Plot 3: 12-foot upgradient new flags 11B1 and 11B2

Soils were evaluated upgradient the swale to the daylighted discharge point of the sump pump. The matrix of the B layer in soil plot 3 revealed a matrix chroma of 10yr 4/3 and appeared to not qualify as a hydric soil condition.

Conclusion

It appears the grassed swale was most likely developed from the discharge of water from the foundation sump pump. The intermittent nature of the pumped water may have resulted in the formation of hydric soil conditions and the support of several grass and sedge species with shallow root systems. Other than the conveyance of discharged groundwater, the swale does not appear to exemplify many of the wetland interests protected under the WPA and Bylaw.

NHESP

According to MASS GIS, the Project Site appears to be mapped within Estimated Habitat of Rare Wetlands Wildlife. Additionally, the ponded area has been identified as a potential vernal pool. The proposed project activities will be conducted within previously disturbed grassed areas.

Please feel free to contact me at jvondrak@yahoo.com or at (603) 475-5826 if you have any questions regarding this delineation report. Thank you.

Sincerely,

Julie Vondrak

A handwritten signature in cursive script that reads "Julie Vondrak".

cc: Jim Scanlan



Photo 1: Photo of boundary of forested red maple swamp.

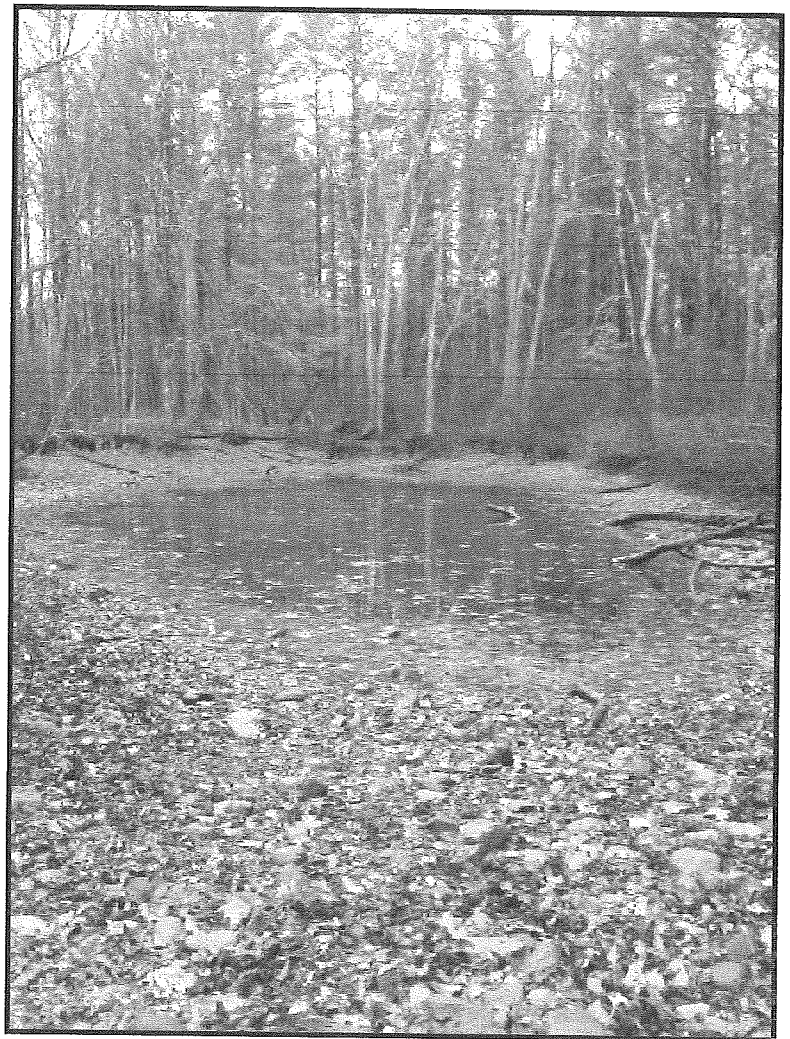


Photo 2: Photo of ponded potential vernal pool area (12/13).

Photo 3: Photo of grassed swale extending into maintained lawn area.



Photo 4: Soil Plot 3. Upland soils within grassed swale.

