

**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: \_\_\_\_\_.

**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.



# WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 &  
Under the Town of Boxford Wetlands Protection Bylaw

## 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.



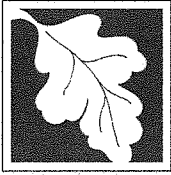
- Applicant:
 

<u>Kevin Kontos</u>	<u>John@morincameron.com</u>	
Name	E-Mail Address	
<u>c/o The Morin-Cameron Group, Inc. 447 Boston Street</u>		
Mailing Address		
<u>Topsfield</u>	<u>MA</u>	<u>01983</u>
City/Town	State	Zip Code
<u>978-887-8586</u>	<u>978-887-3480</u>	
Phone Number	Fax Number (if applicable)	
- Representative (if any):
 

<u>The Morin-Cameron Group, Inc.</u>		
Firm		
<u>John Morin</u>	<u>John@morincameron.com</u>	
Contact Name	E-Mail Address	
<u>447 Boston Street</u>		
Mailing Address		
<u>Topsfield</u>	<u>MA</u>	<u>01983</u>
City/Town	State	Zip Code
<u>978-887-8586</u>	<u>978-887-3480</u>	
Phone Number	Fax Number (if applicable)	

## B. Determinations

- I request the Boxford Conservation Commission make the following determination(s). Check any that apply:
  - a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
  - b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
  - c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
  - d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance or bylaw** of:  
Boxford  
Name of Municipality
  - e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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## C. Project Description

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

Lot 2, 9A Rock Brook Way	Boxford
Street Address	City/Town
Map 10, Block 2	Lot 27.2
Assessors Map/Plat Number	Parcel/Lot Number

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

Residential lot (already developed)

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

Plan of Land in Boxford, MA Showing "As-Built" Site Conditions,	
Title	Date
Lots 2 & 3 Rock Brook Way, prepared for Kevin Kontos	9/12/2015
Title	Date
Title	Date

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

The proposal is for the "after the fact" permitting for the installation of a generator, construction of a retaining wall and the construction of a rip-rap slope.

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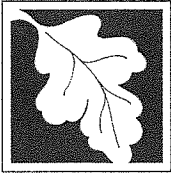
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## WPA Form 1- Request for Determination of Applicability

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### C. Project Description (cont.)

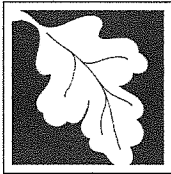
b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

Work already completed, erosion controls were used, site is stable.

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.)



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## D. Signatures and Submittal Requirements

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

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

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

Name and address of the property owner:

Kevin Kontos  
Name

9A Rock Brook Way  
Mailing Address

Boxford  
City/Town

MA  
State

01921  
Zip Code

Signatures:

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

*Kathleen Molina, as authorized*  
Signature of Applicant

*10/21/15*  
Date

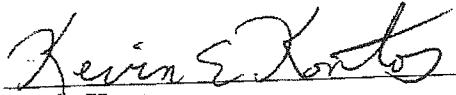
*Kathleen Molina*  
Signature of Representative (if any)

*10/21/15*  
Date

**Authorization Form**

Re: Lots 2 & 3 Rock Brook Way, Boxford

I, Kevin Kontos, authorize The Neve-Morin Group to sign any and all applications to the Town of Boxford on my behalf regarding the above-referenced property.

  
\_\_\_\_\_  
Kevin Kontos

10-14-2011  
Date

**The Morin-Cameron Group, Inc.**

447 Boston Street; Suite 12  
Topsfield, MA 01983  
978-887-8586



**Bank**

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

CHECK DATE  
10/21/15

PAY One hundred & -----00/100 dollars

TO Town of Boxford AMOUNT \$100.00

*Kathleen M. Molina*  
\_\_\_\_\_  
AUTHORIZED SIGNATURE

**The Morin-Cameron Group, Inc.**

6040

Kontos 3020 – Lot 2 RDA

\$100.00

6040



**AFFIDAVIT OF SERVICE**

**Under the Massachusetts Wetlands Protection Act**

(to be submitted to Mass. DEP and the Conservation Commission  
when filing a Request for Determination of Applicability)

I, Kathleen Molina of The Morin-Cameron Group, Inc., hereby certify under the pains and penalties of perjury that on **October 21, 2015** 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 Request for Determination of Applicability was filed under the Massachusetts Wetlands Protection Act by **Kevin Kontos** with the Town of **Boxford** Conservation Commission on **October 21, 2015** for property located at **9A Rock Brook Way [Lot 2] (Map 10, Block 2, Parcel 27.2)**.

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*

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

*10/21/15*

\_\_\_\_\_  
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: **Kevin Kontos**
- B. The applicant has filed a **Request for Determination of Applicability** 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: **9A Rock Brook Way (Lot 2)**
- D. Copies of the Application may be examined & obtained at the **Conservation Office, 7A Spofford Road** between the hours of **8:30am** 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 **8:30am** 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.

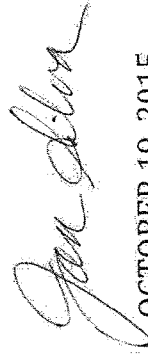
To contact MassDEP Northeast Region call: 978-694-3200

TOWN OF BOXFORD  
 ABUTTER LIST

PARCEL 10-2-27.2 ~ 9A ROCK BROOK WAY ~ CONSERVATION COMMISSION 250'

Map/Lot	Location	Owner	Owner 2	Owner Address	Owner City/Town	Owner State	Zip Code
(10-02-27-1)	3 ROCK BROOK WAY	ALBERTA JOSEPH TE	ALBERTA KIMBERLY JACKSON	3 ROCK BROOK WAY	BOXFORD	MA	01921
(10-02-35)	56 WILLOW RD	D'AVOLJO CHARLES A JT	D'AVOLJO FLORENCE P	56 WILLOW RD	W BOXFORD	MA	01885
(10-02-31)	57 WILLOW RD	GATEWOOD MICHAEL		57 WILLOW RD	BOXFORD	MA	01921
(10-02-29)	13 ROCK BROOK WAY	HYNICK KAREN A	HYNICK ROBERT R	13 ROCK BROOK WAY	BOXFORD	MA	01921
(10-02-30)	10 ROCK BROOK WAY	KACANDES CHRISTOPHER H		10 ROCK BROOK WAY	BOXFORD	MA	01921
(10-02-29-1)	17 ROCK BROOK WAY	KEDERSHA JAMES C	KEDERSHA CAROLYN M	17 ROCK BROOK WAY	BOXFORD	MA	01921
(10-02-27-2)	9A ROCK BROOK WAY	KONTOS KEVIN E		32 GREAT POND DR	BOXFORD	MA	01921
(10-02-27-3)	9B ROCK BROOK WAY	KONTOS KEVIN E		32 GREAT POND DRIVE	BOXFORD	MA	01921
(10-02-32)	3 WHITTIER TER	REED EDWARD SCOTT	REED KATHERINE R	3 WHITTIER TER	BOXFORD	MA	01921
(10-02-34)	2 WHITTIER TER	WORTH CLAUDIA J TE	WORTH PAUL E	2 WHITTIER TER	BOXFORD	MA	01921

CERTIFIED COPY



OCTOBER 19, 2015

# U.S.G.S. MAP

Scale: 1" = 1200' ±

