# **Notice of Intent Application**

Wetlands Protection Act and Boxford Wetlands By-law

128 Main Street Boxford, MA

September 2016



Wetlands & Land Management, Inc. 100 Conifer Hill Drive-Suite 516 Danvers, MA 01923

100 Conifer Hill Drive - #516 Danvers, MA 01923 978-777-0004 Telephone 978-539-0005 FAX

September 22, 2016

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

RE:

Notice of Intent for new dwelling construction and renovation of the current home at 128 Main Street

Dear Mr. Povenmire and Conservation Commission Members:

On behalf of the applicant, Wetlands & Land Management Inc. is submitting this Notice of Intent application to construct a new dwelling and also renovate/ convert the existing home to a work shop and detached garage. The proposal is to construct a new home in the area of the existing garage and in the second phase of the project, move from the old how to the new home and convert the existing home to a detached garage and a work shop. This work occurs partially in riverfront area, in buffer zone and the current site features fall with by-law sub zones as well. You will recall, the owner had a discussion with your Commission last winter and is now prepared to move forward with project.

The work occurs within the developed areas of the site excepting for some minor clearing along existing woods lines.

Please schedule this interesting matter for your earliest meeting. I will be available to present the project and answer any questions you might have.

Sincerely,

Wetlands & Land Management, Inc.

Jell- 1 Manuell

William J. Manuell

For the Applicant

Locus Map Source: United States Geological Survey



SCALE: 1:25,000

# Wetlands & Land Management, Inc. 100 Conifer Hill Drive - #516

100 Conifer Hill Drive - #516 Danvers, MA 01923 978-777-0004



# **Project Description**

# Discussion of Proposed Conditions and Wetland Resource Areas 128 Main Street

#### Introduction

The proposed project involves the removal of the existing garage and constructing a new house over the garage area, and then converting portions of the existing house to a garage and a separate workshop. This proposed work occurs at 128 Main Street in Boxford.

The site is located at the intersection of Main Street and Towne Road. The property is developed with the current house, septic system, gravel driveway, detached garage and "woodsy" style landscaping around the house. The overall property site is 4+/- acres but the area of development is extremely limited to a small area of clearing around the existing house and garage.

Main Street provides road frontage to the east. Towne Road is the southern property boundary. Fish Brook forms the western boundary and other residential properties fronting on Lawrence Road are located to the north.

#### Wetland Resource Areas

The property has several jurisdictional wetland resource areas including bordering vegetated wetlands, vernal pool, riverfront area and bordering land subject to flooding.

## Bordering and Isolated Vegetated Wetlands

The limits of the wetlands were delineated by Wetlands and Land Management Inc. in spring 2016. Wetlands were delineated in accordance with local, Federal and State criteria for delineating jurisdictional wetlands using methodology established in the 1987 Army Corps of Engineers Wetland Delineation Manual, and methodology outlined in the Mass. DEP manual "Delineating Bordering Vegetated Wetlands" (1995). These methods incorporate the evaluation of hydric soils, predominance of wetland vegetation and evidence of wetland hydrology.

There are three series of wetland flags affecting the proposed work. The near edge of wetlands on the north side of the driveway was flagged in the field with blue surveyors flagging labeled A1 to A9. (The wetland boundary continues on both sides of the wetland beyond A1 and A9 however this part of the wetlands is farther away from the proposed work area.) This area is a bordering vegetated wetland by virtue of a dug

channel exiting the wetland on the north side. Most of this boundary was clearly defined by sharp break in topography along the wetland margin.

I noted another wetland depression on the south side of the driveway. This area had no outlet. I flagged the limits of the wetlands with blue flagging labeled B1 to B12. The resultant survey shows the surface area of this wetland to be roughly 2854+/- square feet.

This area does not border on a bank or pond so it is not State jurisdictional. The Boxford Wetland Regulations do protect "Large Isolated Wetlands." Large isolated wetlands must be 5000 square feet or greater. This isolated wetland is less than 5000 square feet in area and is too small to be a large isolated wetland.

The C series wetland traverses the western portion of the property along Fish Brook. Flag C1 begins along Towne Road. The boundary trends northerly across the western part of the site eventually trending away from the proposed work area. The nearest edge of this wetland is marked with flagging labeled C1 to C17.

The project ides not impact any wetland recourse area. Appropriate erosion controls are in place to prevent inadvertent sediment migration toward any wetland area.

#### Vernal Pools

The A and B series wetlands were evaluated in spring 2016 for vernal pool activity. We found several wood frog egg masses in the A series wetland. There were no egg masses in the B series wetland however, we discovered fairy shrimp, another obligate vernal pool species.

Based on these findings, both the A and B series wetlands are protected as vernal pools under the Boxford Wetlands By-law. These areas are not certified with the Natural Heritage Program.

#### Riverfront Area

Fish Brook is a perennial stream. The mean annual high water limit of the stream was marked in the field with red flagging labeled RA1 to RA12. Mean annual high water is determined by field evaluating for bank full indicators. At this site bank full indicators included changes in vegetation from primarily terrestrial to primarily aquatic species, extrapolating the elevation of undercut banks and in some locations changes in slope or along a distinct bank along the brook.

A 200-foot riverfront area extends from the riverfront flags. The ensuing project narrative documents the proposed work is compliant with riverfront area regulations.

#### Bordering Land Subject to Flooding

The FEMA Flood Insurance Rate Map for the site indicates the 100-year flood elevation / limit of bordering land subject to flooding extends to elevation 93 on the NAV88 datum. The plan datum is NGVD. The converted flood plain elevation to NGVD datum is elevation 94. This elevation is confined within the C series wetland. No work occurs in bordering land subject to flooding.

#### Rare Species

A review of the 2016 MassGIS Oliver Viewer of the Natural Heritage Atlas indicates the property is within Estimated Habitat of rare wetlands wildlife and Priority Habitat of threatened or endangered species. The Notice of Intent will be filed with the Natural Heritage Program concurrently with the filing with the Town and State.

There GIS layer indicates there are no certified vernal pools on the site however, as discussed above, the property was evaluated in spring 2016 and two vernal pools were discovered on the site.

#### **Proposed Work**

The proposed work includes removal of the existing garage and constructing a new house over the garage area. The owners will live in the existing house during construction and once moved into the new house, they will de-construct the middle portion of the home and preserve both ends of the house. The southern side will be converted to a work shop. The northern, kitchen side of the house will be converted to a garage structure.

The number of bedrooms in the new house is the same as the old house so the current, recently repaired septic system will remain. Of course, the building sewer for the new house must be connected to the current septic tank. The overhead electric will be run underground along Main Street and up the existing drive to the new house. A new water line from the existing well will be run to the new house as well.

Present access to the site is along a paved drive from Main Street. This paved drive will be removed after construction and converted to a new gravel drive. The proposed work occurs for the most part within the existing developed portions of the site with the exception of trimming brush along the current edge of gravel drive and a small amount of canopy and brush removal on the north side of the proposed home.

Overall, the project reduces impervious cover in jurisdiction areas by over 1600 square feet.

The initial phase of the project will be to install the siltation controls as shown on the project plans and commence demolition of the garage. The erosion controls are intended to signify the permissible work limits allowed for this project. The house work area requires minor additional tree and brush removal. The total tree or over story removal is

an additional 460 square feet for the new house. This new clearing occurs within the allowed clearing zone within 25 feet of a proposed dwelling. Most of this clearing is brush that has grown in along the historic tree line around the garage. Any cut brush or wood debris will be taken off site. With the vegetation removal completed, site work and dwelling construction will commence.

Garage demolition will be performed in a controlled manner, working from the driveway side of the existing garage with debris being loaded into roll-off containers for removal from the site. Access will be via the existing paved drive. Refuse dumpsters will be staged in the existing paved drive for easy loading, roll-off and pickup. Once garage demolition is completed, dwelling construction will begin.

Excavating equipment is used to dig the footings and foundation walls for the new house. Soil excavated to pour footings and foundations is dug and side cast adjacent to the trench. Forms are set up and the footings and walls are poured with concrete. After a short period to allow the concrete to cure, the forms are stripped off and the walls are backfilled.

Lumber for the house construction will be dropped in the driveway. The lumber is generally carried around the site by construction personnel to where needed. A dumpster will be on site for rubbish control during construction. The dumpster will also be placed adjacent to the house, next to lumber storage area.

At some point during construction, the house sewer connection to the existing septic tank will occur. This will require a trench across the rear yard to connect to the existing septic tank. Once the sewer is installed, the trench is backfilled and the ground surface is restored.

Utilities are roughed in by trenching from the street to the house.

Once the dwelling is complete, final site stabilization around the new house will occur. Disturbed areas will be loamed and seeded or landscaped. Once the owners are moved in to the new house, the demolition on the current house will commence. Again, the demolition work will occur in a controlled process to preserve the work shop area. All debris will be carted off site. The garage will require a new slab floor. Once installed the lumber is delivered to the site and the garage is constructed.

Finally, the construction work will be completed and all disturbed areas will be stabilized. The siltation barriers will remain in place until the lawn is well established.

#### Riverfront Area

Riverfront Area Alternatives Analysis and Impacts

As the property was in existence prior to August 1996, the project alternatives are limited to the lot. The project purpose is to remove the existing garage and construct a new home

at the site. The present home will be partially de-constructed, renovated and converted to a detached garage and work space. The applicant/ present owner will continue to live at the property when the work is done.

The lot size is four acres -174,240 sf and the present garage and all but a small portion of the existing house are located within the riverfront area.

#### Project Alternatives

The preferred alternative is for the work to be constructed over the existing developed areas on the site. This minimizes the amount of new riverfront area disturbance.

All but the extreme northeast corner of the existing house is in riverfront area. The intent of this portion of the project is to remove the central portion of the present home and convert the remaining areas of the house to a new free standing garage and a new work space. Using the present structure is the least impactful alternative for the home conversion type of project. Given the present structure is located in riverfront area, there are no alternatives that would have less riverfront impacts unless the house footprint was abandoned and the work space and garage were built somewhere else on the lot.

Any other location will encroach closer to other sensitive areas on the site such as the two vernal pool areas. Using anything other than the current house footprint was rejected.

For the new house construction, any deviation off the present footprint of the garage occurs on the landward side of the home, away from the river. The intent of the new house design was to keep the work within previously developed areas of the site and utilize as much of the current garage footprint as possible. The home is partially located over the existing garage footprint and in fact was shifted farther away from the river in order to avoid excessive grading on the west side of the new house.

We can't shift the garage any appreciable distance more to the east because the structure would then encroach closer to more sensitive areas on the site such as the A and B series vernal pools. Additionally, the more the proposed house is shifted to the east, the more the prosed drive must be shifted which then results in tree and brush clearing around the B series vernal pool.

The preferred alternative makes the best use of existing developed areas on the site and minimizes new riverfront area alteration to the greatest extent practicable while maintaining a reasonable site layout and use for this previously developed residential site.

#### Riverfront Area Impact Thresholds

Work in riverfront area on a lot created prior to 1996 may alter 10% or up to 5000 square feet of riverfront area on the lot, whichever is greater, and is presumed to have no impact on the riverfront area performance standards.

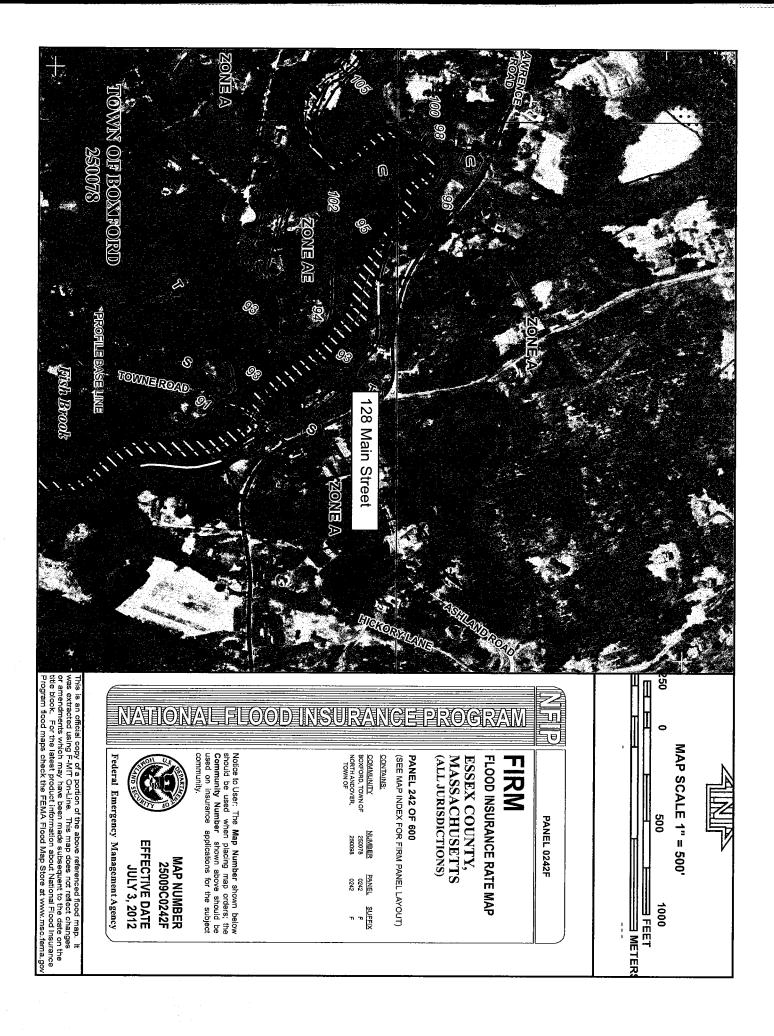
In evaluating the impacts of the project, the proposed work impacts approximately 1000 square feet of riverfront area on this lot. Accordingly, the project is compliant with riverfront area impact thresholds.

#### Work in By-law Setback Zones

The proposed project endeavors to work within previously developed areas on the site. The property is four acres in size. The owners have limited the area of house, garage, driveway, yard use to only about one quarter acre of the total four acres of property. The current house and the current garage both fall within the 100-foot no structure zone from the vernal pools on site and within the 75-foot no build zone form the C series wetland.

The overlapping setback zones show there is no area in the vicinity of the existing structures where the work could be compliant with all the setback requirements.

The project endeavors to limit the use of this otherwise large property to stay within the developed area of the property. Furthermore, the applicants have reduced the amount of impervious cover in the buffer zone by over 1600 square feet. The applicant hopes the Commission will consider the steps taken to minimize site impacts and will allow the proposed work to proceed as designed.



**Notice of Intent Application (WPA Form 3)** 



#### **Massachusetts Department of Environmental Protection** Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

A. General Information

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

Provided by MassDEP:
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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.

128 Main Street		Boxford	01921							
a. Street Address		b. City/Town	c. Zip Code							
Latitude and Long	iitude:	42.6642	<u>-71.0186</u>							
_	jituue.	d. Latitude	e. Longitude							
28-1	<u> </u>	25								
f. Assessors Map/Plat	Number	g. Parcel /Lot Number								
Applicant:	Applicant:									
Bruce		Eaton								
a. First Name		b. Last Name								
c. Organization										
P.O. Box #15										
d. Street Address										
Boxford		MA	01921							
e. City/Town		f. State	g. Zip Code							
6033666362										
h. Phone Number	i. Fax Number	j. Email Address								
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b. State Fee Paid

a. Total Fee Paid

c. City/Town Fee Paid



# **Massachusetts Department of Environmental Protection** Bureau of Resource Protection - Wetlands

A. General Information (continued)

# WPA Form 3 – Notice of Intent

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

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MassDEP File Number

**Document Transaction Number Boxford** 

City/Town

6.	General Project Description:							
0.	New dwelling construction and renovation of current home							
	New dwelling construction and renovation of current	t nome						
7a.	Project Type Checklist: (Limited Project Types see	Section A. 7b.)						
	1. Single Family Home	2. Residential Subdivision						
	3. Commercial/Industrial	4. Dock/Pier						
	5. Utilities	6.   Coastal engineering Structure						
	7. Agriculture (e.g., cranberries, forestry)	8. Transportation						
	9.  Other							
7b.	Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?							
		ed project applies to this project. (See 310 CMR plete list and description of limited project types)						
	2. Limited Project Type							
	If the proposed activity is eligible to be treated as an CMR10.24(8), 310 CMR 10.53(4)), complete and an Project Checklist and Signed Certification.							
8.	Property recorded at the Registry of Deeds for:							
	Essex South							
	a. County 6268	b. Certificate # (if registered land) 317						
	c. Book	d. Page Number						
В.	<b>Buffer Zone &amp; Resource Area Impa</b>	acts (temporary & permanent)						
1.	☐ Buffer Zone Only – Check if the project is locate							
2.	·	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,						
	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.

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

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)				
a. Bank	1. linear feet	2. linear feet				
ь.	1. square feet	2. square feet				
c. Land Under Waterbodies and	1. square feet	2. square feet				
Waterways	3. cubic yards dredged	-				
Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)				
d. D Bordering Land Subject to Flooding	1. square feet	2. square feet				
	3. cubic feet of flood storage lost	4. cubic feet replaced				
e.	1. square feet	-				
f. 🛛 Riverfront Area	cubic feet of flood storage lost     Fish Brook	3. cubic feet replaced				
f. 🛛 Riverfront Area	1. Name of Waterway (if available) - s	Name of Waterway (if available) - specify coastal or inland				
2. Width of Riverfront	Area (check one):					
25 ft Designa	ted Densely Developed Areas only					
☐ 100 ft New a	gricultural projects only					
200 ft All othe	er projects					
3. Total area of Riverfro	ont Area on the site of the proposed proj	ject: 118,759+/- square feet				
4. Proposed alteration of	of the Riverfront Area:					
1000+/-	0	1000+/-				
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.				
5. Has an alternatives a	nalysis been done and is it attached to	this NOI? ⊠ Yes ☐ No				
6. Was the lot where the	e activity is proposed created prior to Au	ugust 1, 1996?				
3.   Coastal Resource Areas	s: (See 310 CMR 10.25-10.35)					

Note: for coastal riverfront areas, please complete Section B.2.f. above.

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#### 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

1	Provided by MassDEP:
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	Document Transaction Number
	Boxford

City/Town

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

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.

Resou	rce Area	Size of Proposed Alteration	n Proposed Replacement (if any)
a. Designated Port Areas		Indicate size under Land	Under the Ocean, below
b. 🗌	Land Under the Ocean	1. square feet	
		2. cubic yards dredged	
с. 🔲	Barrier Beach	Indicate size under Coasta	al Beaches and/or Coastal Dunes below
d. 🔲	Coastal Beaches	1. square feet	2. cubic yards beach nourishment
е. 🔲	Coastal Dunes	1. square feet	2. cubic yards dune nourishment
		Size of Proposed Alteration	n Proposed Replacement (if any)
f. 🔲	Coastal Banks	1. linear feet	
g. 🗌	Rocky Intertidal Shores	1. square feet	
h. 🔲	Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. 🔲	Land Under Salt Ponds	1. square feet	
		2. cubic yards dredged	
j. 🗌	Land Containing Shellfish	1. square feet	
k. 🗌	Fish Runs		al Banks, inland Bank, Land Under the d Under Waterbodies and Waterways,
		1. cubic yards dredged	<u>-</u>
I. 🗌	Land Subject to		
If the p			etland resource area in addition to the h above, please enter the additional
a. squar	re feet of BVW	b. square	feet of Salt Marsh
☐ Pr	oject Involves Stream Cros	ssings	
a. numb	per of new stream crossings	b. number	r of replacement stream crossings

4.

5.



#### **Massachusetts Department of Environmental Protection** Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

1	Provided by MassDEP:
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	Document Transaction Number
	Boxford

Ma	assachusetts vvetlands Protection Act M.G	.L. c. 131, §40	Boxford				
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C.	Other Applicable Standards and I	Requirement	S				
	This is a proposal for an Ecological Restoration complete Appendix A: Ecological Restoration 10.11).						
Stı	reamlined Massachusetts Endangered Spec	cies Act/Wetland	s Protection Act Review				
1.	Is any portion of the proposed project located in <b>Estimated Habitat of Rare Wildlife</b> 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 <i>Massachusetts Natural Heritage Atlas</i> or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.						
	a. Yes No If yes, include proof of r	mailing or hand de	elivery of NOI to:				
	Natural Heritage and Endangered Species Program Division of Fisheries and Wildlife 1 Rabbit Hill Road Westborough, MA 01581						
	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.f, 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).						
	c. Submit Supplemental Information for Endanger	red Species Review	*				
	1.   Percentage/acreage of property to be	altered:					
	(a) within wetland Resource Area	percentage/acreage					
	(b) outside Resource Area	7%+/- / 0.27 acre percentage/acreage	<u>98</u>				
	2. Assessor's Map or right-of-way plan o	of site					
2.	☑ Project plans for entire project site, including wetlands jurisdiction, showing existing and propositree/vegetation clearing line, and clearly demarcant.	sed conditions, exis					
	(a) Project description (including descript buffer zone)	tion of impacts outs	ide of wetland resource area &				

Photographs representative of the site

(b) 🛛

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<sup>\*</sup> 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.

<sup>\*\*</sup> 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.



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

http Mak	(c) MESA filing fee (fee information available at <a href="http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm">http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_fee_schedule.htm</a> ). Make check payable to "Commonwealth of Massachusetts - NHESP" and <i>mail to NHESP</i> at above address					
Proj	Projects altering 10 or more acres of land, also submit:					
(d) [	(d) Vegetation cover type map of site					
(e) [	(e) Project plans showing Priority & Estimated Habitat boundaries					
<b>(f)</b>	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, <a href="http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm">http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/mesa_exemptions.htm</a> 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				
3.	Separate MESA review completed. Include copy of NHESP "no Take" dete Permit with approved plan.	ermination or valid Conservation & Management				
	For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?					
a. 🔲 N	a.   Not applicable – project is in inland resource area only  b.   Yes  No					
If yes, in	If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:					
	South Shore - Cohasset to Rhode Island border, and North Shore - Hull to New Hampshire border: the Cape & Islands:					
Southea Attn: En 1213 Pu New Bed	Division of Marine Fisheries - Southeast Marine Fisheries Station Attn: Environmental Reviewer 1213 Purchase Street - 3rd Floor New Bedford, MA 02740-6694 Email: DMF.EnvReview-South@state.ma.us  Division of Marine Fisheries - North Shore Office Attn: Environmental Reviewer 30 Emerson Avenue Gloucester, MA 01930 Email: DMF.EnvReview-North@state.ma.us					

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.



## **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

Provided	by Mas	ssDEP:		
Mas	sDEP I	File Nur	nber	
Doc	iment	Transa	ction	Number
Box	ford			

City/Town

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

	4.	Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
Online Users: Include your document		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.
transaction		b. ACEC
number (provided on your receipt page) with all	5.	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?
supplementary		a. 🗌 Yes 🔀 No
information you submit to the Department.	6.	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
	7.	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:
		<ol> <li>Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)</li> </ol>
		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
		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
		This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).
		Applicants must include the following with this Notice of Intent (NOI). See instructions for details.
		<b>Online Users:</b> 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.



# **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

Attach NOI Wetland Fee Transmittal Form

Attach Stormwater Report, if needed.

Prov	vided by MassDEP:
	당한 다시나는 하는 이번 얼마다
	MassDEP File Number
10	Document Transaction Number
	Boxford

	City/Town
D. Additional Informatio	n (cont'd)
Field Data Form(s), Dete	VW and other resource area boundary delineations (MassDEP BVV ermination of Applicability, Order of Resource Area Delineation, etc.) tation of the methodology.
4. \( \) List the titles and dates f	or all plans and other materials submitted with this NOI.
Permit Site Plan to Accompa	nny a Notice of Intent - 128 Main Street, Boxford
a. Plan Title	
Scanlan Engineering	Jim Scanlan PE
b. Prepared By	c. Signed and Stamped by
rev 9-20-16	20
d. Final Revision Date	e. Scale
f. Additional Plan or Document Title	g. Date
<ol> <li>If there is more than one listed on this form.</li> </ol>	property owner, please attach a list of these property owners not
6. Attach proof of mailing fo	or Natural Heritage and Endangered Species Program, if needed.

Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

L662	
	assessed for projects of any city, town, county, or district cognized Indian tribe housing authority, municipal housing by Transportation Authority.
Applicants must submit the following inform Fee Transmittal Form) to confirm fee paym	nation (in addition to pages 1 and 2 of the NOI Wetland ent:
539	9-19-16
2. Municipal Check Number	3. Check date
536	9-19-16
4. State Check Number	5. Check date
Bruce	Eaton
6. Payor name on check: First Name	7. Payor name on check: Last Name

7. 🔲

8. 🗵

9. 🗌



# 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

Provided by MassDEP:

MassDEP File Number

**Document Transaction Number** 

Boxford City/Town

# 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.

3. Signature of Property Owner (if different)

4. Date

4. Date

5. Signature of Representative (if any)

6. Date

#### For Conservation Commission:

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

#### For MassDEP:

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

#### Other:

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

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

Notice of Intent Fee Transmittal Form (WPA Appendix B)



# Bureau of Resource Protection - Wetlands **NOI Wetland Fee Transmittal Form**

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

Massachusetts Department of Environmental Protection

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:			
	128 Main Street		Boxford	
	a. Street Address		b. City/Town	
	536		\$445.00	
	c. Check number		d. Fee amount	
2.	Applicant Mailing A	ddress:		
	Bruce		Eaton	
	a. First Name		b. Last Name	
	c. Organization			· · · · · · · · · · · · · · · · · · ·
	P.O. Box 15			
	d. Mailing Address			
	Boxford		MA	01921
	e. City/Town		f. State	g. Zip Code
	6033666362			
	h. Phone Number	i. Fax Number	j. Email Address	
3.	Property Owner (if o	different):		
	SAME			
	a. First Name		b. Last Name	
	c. Organization			

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

#### B. Fees

d. Mailing Address

h. Phone Number

e. City/Town

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.

i. Fax Number

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.

g. Zip Code

f. State

j. Email Address



## **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
-	new dwelling in RA- Cat. 2a	one	\$500 x 1.5	\$750.00
-	renovation in RA- Cat 1a.	one	\$110 x 1.5	\$165.00
				<del> </del>
-				
-				
				<del> </del>
-	·	Step 5/To	otal Project Fee:	<del></del> \$610
		•	Fee Payments:	
		Total	Project Fee:	\$915.00 a. Total Fee from Step 5
		State share	of filing Fee:	\$445.00 b. 1/2 Total Fee less \$12.50
		City/Town share	e of filling Fee:	\$470.00 plus local fee

# 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.)

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BOXFORD MA 01921		- 15 15 1
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BOXFORD MA 01921	•	Date
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#:2114B9656#2000002B74051# 0540

Heriand Clarke

3/17/2011 Boxford ConsCom fees adopted 3/17/2011

\$50.00	\$0.00		Soil Policy Fee
\$25.00	\$25.00		Site Visit without Application (owner)
\$50.00	\$25.00		Site Visit without Application (non-owner)
\$50.00	\$0.00		Emergency Certification
\$50.00	\$50.00		Determination of Negligible Impact
\$200.00	\$100.00		Affidavit
\$200.00	\$200.00		Expedited Request for Written Project Status
\$100.00	\$100.00		Standard Request for Written Project Status
\$150.00	\$100.00		Extension Permit
\$400.00	\$50.00		Amended Order of Conditions
\$50.00	\$50.00		Partial Certificate of Compliance
\$100.00	\$50.00		Certificate of Compliance (after 1 yr)
\$50.00	\$50.00		Certificate of Compliance (w/ 1 yr)
\$200+\$50/	\$100+\$25/		ANRAD (\$100 + \$25/100' after 100')
\$50/100' after	\$25/100' after	Boundary Verification (\$25/100' after 100')	
.50 lin ft	.50 lin ft	Bank Alteration	
.50 sq ft	.50 sq ft	Wetland Resource Alteration	
\$3,000.00	\$1,500.00	Subdivisions (first 1500' of road, +2\$/lf after)	
\$400.00	\$400.00	Each Crossing (driveway intermittent)	
\$1,000.00	\$400.00	Each Crossing (driveway perennial)	
\$2,000.00	\$400.00	Each Crossing (road perennial)	
\$1,000.00	\$400.00	Each Crossing (road intermittent)	
\$1,000.00	\$400.00	New Single Family House	
\$200.00	\$100.00	Addition/Alteration	
			Notice of Intent
\$100.00	\$50.00		Request for Determination of Applicability
3/17/2011	Former Fee	Fee subcategory	Fee Category
Fee adopted			

W:\ConsCom Publications\Bylaw and Regulations\Bylaw-Reg Changes\Fee Changes 3-17-2011\Fee Changes 3-17-2011.xls

# **Abutter Information**

# TOWN OF BOXFORD ABUTTER LIST

# PARCEL #28-01-25 $\sim$ 128 MAIN STREET $\sim$ CONSERVATION COMMISSION 250'

					Owner	Owner	Zip
Map/Lot	Location	Owner	Owner 2	Owner Address	City/Town	State	Code
(27-02-10)	7 TOWNE RD	ABBOTT GARY B ET AL	CYNTHIA S ABBOTT	PO BOX 99	BOXFORD	MA	01921
(27-02-09)	6 LAWRENCE RD	D'APICE DAVID A	D'APICE BARBARA M	6 LAWRENCE RD	BOXFORD	MA	01921
(28-01-25)	128 MAIN ST	EATON BRUCE G	TELEEN TERESA A	PO BOX 15	BOXFORD	MA	01921
(31-03-02)	2 TANGLEWOOD RD	FORD MICHAEL	DALELIO FORD GINA	2 TANGLEWOOD RD BOXFORD	BOXFORD	MA	01921
(28-01-27)	9 TOWNE RD	FOSTER CANDY L TR/PIERCE FRANCIS S THWAY FAMILY IRR TR		9 TOWNE RD	BOXFORD	MA	01921
(28-01-08)	135 MAIN ST	FRENCH ERICA L TR		5 STONE STREET	DANVERS	MA	01923
(28-01-04.1)	(28-01-04.1) 8 ASHLAND RD	GLENNON SCOTT E	GLENNON LAURA B	8 ASHLAND RD	BOXFORD	MA	01921
(27-01-21)	7 LAWRENCE RD	GOVONI ALLISON	LAURANZANO NICHOLAS	7 LAWRENCE RD	BOXFORD	MA	01921
(32-03-21)	118 MAIN ST	GUARINO RICHARD	GUARINO CAROL TE	118 MAIN ST	BOXFORD	MA	01921
(32-03-05)	12 TOWNE RD	HARVEY DOUGLAS P TR	SMITH-HARVEY KAREN M TR	12 TOWNE RD	BOXFORD	MA	01921
(28-01-23)	2 LAWRENCE RD	JUROS MATTHEW E TE	JUROS KRISTIN R N	2 LAWRENCE RD	BOXFORD	MA	01921
(28-01-06)	119 MAIN ST	KNIGHT RICHARD	KNIGHT ASHLEY	119 MAIN ST	BOXFORD	MA	01921
(28-01-07)	123 MAIN ST	LESSARD KERT JT	NANCY DICARLO	123 MAIN ST	BOXFORD	MA	01921
(28-01-04.20	(28-01-04.203 ASHLAND RD	MATHERS THOMAS P TE	MATHERS MICHELE I	3 ASHLAND RD	BOXFORD	MA	01921
(32-03-06.1)	(32-03-06.1) 2 TOWNE RD	MORBECK P L & V C TR	2 TOWNE RD RLT TR	2 TOWNE RD	BOXFORD	MA	01921
(28-01-24)	COR LAWRENCE RD & MAIN ST	STICKNEY KERRY C TE	STICKNEY JUDITH A	1 LAWRENCE RD	BOXFORD	MA	01921
(28-01-22)	1 LAWRENCE RD	STICKNEY KERRY C TE	STICKNEY JUDITH A	1 LAWRENCE RD	BOXFORD	MA	01921

CERTIFIED COPY

May 24, 2016

GOVONI ALLISON LAURANZANO NICHOLAS 7 LAWRENCE RD BOXFORD, MA 01921 D'APICE DAVID A D'APICE BARBARA M 6 LAWRENCE RD BOXFORD, MA 01921 ABBOTT GARY B ET AL CYNTHIA S ABBOTT PO BOX 99 BOXFORD, MA 01921

GLENNON SCOTT E GLENNON LAURA B 8 ASHLAND RD BOXFORD, MA 01921 MATHERS THOMAS P TE MATHERS MICHELE I 3 ASHLAND RD BOXFORD, MA 01921 KNIGHT RICHARD KNIGHT ASHLEY 119 MAIN ST BOXFORD, MA 01921

LESSARD KERT JT NANCY DICARLO 123 MAIN ST BOXFORD, MA 01921 FRENCH ERICA L TR 5 STONE STREET DANVERS, MA 01923 STICKNEY KERRY C TE STICKNEY JUDITH A I LAWRENCE RD BOXFORD, MA 01921

JUROS MATTHEW E TE JUROS KRISTIN R N 2 LAWRENCE RD BOXFORD, MA 01921 STICKNEY KERRY C TE STICKNEY JUDITH A 1 LAWRENCE RD BOXFORD, MA 01921

EATON BRUCE G TELEEN TERESA A PO BOX 15 BOXFORD, MA 01921

FOSTER CANDY L TR/PIERCE FRANCIS S TR WAY FAMILY IRREVOCABLE TRUST 9 TOWNE RD BOXFORD, MA 01921 FORD MICHAEL DALELIO FORD GINA 2 TANGLEWOOD RD BOXFORD, MA 01921 HARVEY DOUGLAS P TR SMITH-HARVEY KAREN M TR 12 TOWNE RD BOXFORD, MA 01921

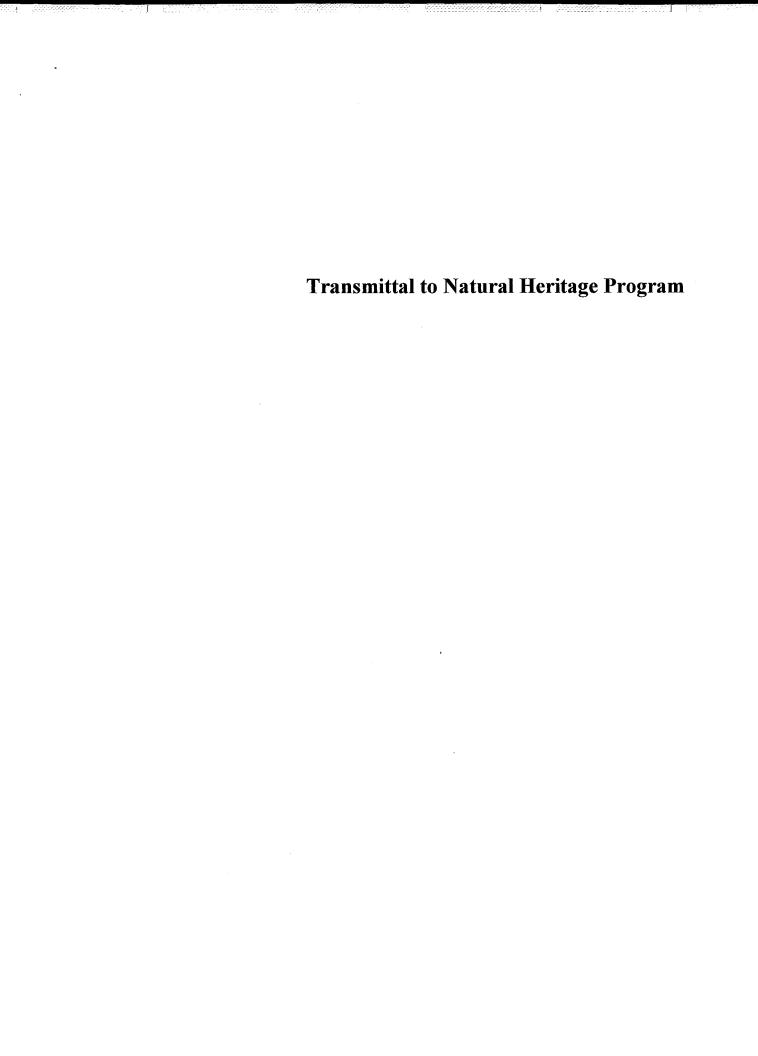
MORBECK P L & V C TR 2 TOWNE RD RLT TR 2 TOWNE RD BOXFORD, MA 01921 GUARINO RICHARD GUARINO CAROL TE 118 MAIN ST BOXFORD, MA 01921

# Notification to Abutters Under the Massachusetts Wetlands Protection Act

	accordance with the second paragraph of the Massachusetts General Laws Chapter 131, Section 40, you are eby notified of the following.
A.	The name of the applicant is Bruce Eaton
В.	The applicant has filed a Notice of Intent with the Conservation Commission for work subject to jurisdiction under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
	tivities Proposed: Remove the exisitng garage and construct a new house. Convert the existing house to a ached garageand work shop.
C.	The Address of the Lot where the activity is proposed is 128 Main Street, Boxford
D.	Copies of the Notice of Intent may be examined by appointment at <a href="Wetlands &amp; Land Management, Inc">Wetlands &amp; Land Management, Inc</a> between the hours of <a href="9 AM">9 AM</a> and <a href="3 PM">3 PM</a> on the following days of the week: <a href="M—F">M—F</a> For an appointment, call: <a href="(978) 777-0004">(978) 777-0004</a> This is the applicant's representative.
<u>Na</u>	me of Representative: Wetlands & Land Management, Inc. – William Manuell
E.	Copies of the Notice of Intent may be obtained from the Town Hall or for a fee from the applicant's representative by calling this telephone number (978)-777-0004  between the hours of 9 AM and 4 PM on the following days of the week: M—F
F.	Information regarding the date, time, and place of the public hearing may be obtained from the Conservation Commission
	by calling this telephone number 978-887-6000 between the hours of 9AM and 4PM
	on the following days of the week:  M-Thur. Call Town Hall for hours of operation.
NC	OTE: 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  (name of newspaper)
	OTE: Notice of the public hearing, including its date, time and place, will be posted in the City or Town Hall not s than forty-eight (48) hours in advance.
NC Pro	OTE: You also may contact your local Conservation Commission or the nearest Department of Environmental of Detection Regional Office for more information about this application or the Wetlands Protection Act.
	To contact DEP, call:
	Central Region: 508-792-7650 Northeast Region: 978-694-3200

Southeast Region: 508-946-2800

Western Region: 413-784-1100



100 Conifer Hill Drive - #516 Danvers, MA 01923 978-777-0004 Telephone 978-539-0005 FAX

# LETTER OF TRANSMITTAL

TO:	Natural Heritage Program	DATE:	September 22, 2016
	Div. of Fisheries and Wildlife	JOB NO:	1790
	1 Rabbit Hill Road	RE:	128 Main Street
	Westborough, MA 01581		Boxford
		VIA:	2-day delivery

We are sending you the following items:

COPIES	DATE	DESCRIPTION	
1	September 2016	Noi and Attachments for 128 Main Street, Boxford	
1	Rev. 9-19-16	Permit Site Plan to Accompany a Notice of Intent – 128 Main Street, Boxford, MA	

#### Remarks:

The project site is in or near estimated habitat and Priority Habitat according to your atlas. This NOI is sent to you as required for filing a NOI. Please call me if you have any questions.

Signed:	Bill Manuell		
Copy:			
сору.			

PHONE 918, 539, 0005  100 Conitcy Hill Dave #516		<b>                                     </b>		
Danvers MA 0.1923	vd be an open of the control of the	INITED STATES OSTAL SERVICE	PRIO * MA S EXPR	RITY IL *
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Sunday/Holiday Delivery Required (additional fee, where available*)  10:30 AM Delivery Required (additional fee, where available*)  *Refer to USPS.com* or local Post Office* for availability:  *Puease PRINT)	Date Accepted (MM/DD/YY)	Scheduled Delivery Time	Insurance Fee	COD Fee
latural Heritage Program	Time Accepted AM	10:30 AM Delivery Fee \$	Return Receipt Fee	Transportation Fee
liv. of hisheries & wildtife Rabbil Hill Rd	Weight Flat Rate	Sunday/Holiday Premium Fee \$ Acceptance Employee initials	Total Postage & Fee	95
. P (U.S. ADDRESSES ONLY) OCYOUGH MA 01581	DELIVERY (POSTAL SER Delivery Attempt (MW/DD/YY) T	ime Employee. □ AM	\$ Signature	
or pickup or USPS Tracking™, visit USPS.com or call 800-222-1814.	Delivery Attempt (MM/DD/YY) T	∏ PM Employee	Signature	

# Attachment A – Project Description