



WPA Form 8A – Request for Certificate of Compliance

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

Provided by DEP

A. Project Information

Important:

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



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

Armstrong Irrevocable Trust C/O Kelliher & Callaghan

Name

One Centre Street

Mailing Address

Malden

MA

02148

City/Town

State

Zip Code

781-322-9090

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Ann Armstrong

Applicant

05/08/2001

114-777

Dated

DEP File Number

3. The project site is located at:

335C Middleton Road

Street Address

Boxford

City/Town

Map: 42 Block: 1

Lot: 16.0

Assessors Map/Plat Number

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Property Owner (if different)

Essex

17183

112

County

Book

Page

718

Certificate (if registered land)

5. This request is for certification that (check one):

the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



WPA Form 8A – Request for Certificate of Compliance

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

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A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

Yes If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

11202

Lynnfield Engineering, Inc.

2 Electronics Avenue Suite 41
Danvers, MA 01923
978-777-7250



Santander Bank, N. A.
5-7515/110

8/10/2016

PAY TO THE
ORDER OF Town of Boxford

\$ **100.00

One Hundred and 00/100*****

DOLLARS

MEMO


AUTHORIZED SIGNATURE

Security features. Details on back.

⑈0 1 1 20 2⑈ ⑆0 1 10 7 5 1 50⑆ 6 3 8 0 0 0 2 6 9 4 8⑈

Lynnfield Engineering, Inc.

11202

Town of Boxford

Date	Type	Reference	Original Amt.	Balance Due	8/10/2016 Discount	Payment
8/10/2016	Bill	114-777	100.00	100.00		100.00
				Check Amount		100.00

10400 LEI Santander

100.00

Lynnfield Engineering, Inc.

11202

Town of Boxford

Date	Type	Reference	Original Amt.	Balance Due	8/10/2016 Discount	Payment
8/10/2016	Bill	114-777	100.00	100.00		100.00
				Check Amount		100.00

10400 LEI Santander

100.00

LYNNFIELD ENGINEERING^{INC.}

Engineers and Environmental Consultants

August 26, 2016

Town of Boxford
Conservation Commission
7A Spofford Rd.
Boxford, MA 01921

Attention: Mr. Ross Povenmire, Director of Conservation

**Subject: Request for a Certificate of Compliance
335C Middleton Road Boxford, MA
MassDEP File No. 114-777
LEI Job No. 603-10**

Dear Mr. Povenmire:

This correspondence has been prepared on behalf of 335C Middleton Road Boxford, MA in response to General Condition No. 6 of the Order of Conditions prepared by the Boxford Conservation Commission dated May 8, 2001 for 335C Middleton Road Boxford. During a recent title search conducted in conjunction with a pending real estate transaction, it was discovered that a Certificate of Compliance was not obtained following construction of the existing structure. As a result, Lynnfield Engineering, Inc. (LEI) is herein requesting a Certificate of Compliance for the project. A copy of the Order of Conditions is presented in Attachment No. 1.

On August 16, 2016, LEI completed an as-built survey of the referenced property. A copy of the as-built drawings prepared by LEI is attached to this correspondence. Plate No. 1 presents photographs of 335C Middleton Road taken at the time of the survey.

LEI reviewed the approved drawing Notice of Intent Permit Plan prepared by Atlantic Engineering & Survey Consultants, Inc. dated March 21, 2001, with the most recent revision dated April 11, 2001, for comparison to the existing conditions of the subject property. The site conditions generally comply with the approved Site Plan except as noted below.

1. The access driveway across Lot 335A generally corresponds to the driveway location presented on the drawing Notice of Intent Exhibit A prepared by Hancock Survey Associates, Inc. dated May 5, 1995.

2 Electronics Avenue Suite 41 • Danvers, MA 01923 • 978.777.7250 • www.lynnfieldeng.com

K:\603-10\Corr\Povenmire R_082616_let_Cert of Compl_114-777.doc

2. The existing structure is sited in the location depicted on the approved drawing Notice of Intent Permit Plan prepared by Atlantic Engineering and Survey Consultants, Inc. dated March 21, 2001.

3. The existing access driveway for 335C Middleton Road is slightly west and south of the location depicted on the approved plan. The driveway is located outside the limits of the 100 foot wetland buffer zone.

If you have any questions or desire any additional information regarding this matter, please do not hesitate to contact me at 978.777.7250 Ext. 12.

Respectfully Submitted,
Lynnfield Engineering, Inc.



Richard Barthelmes, P.E.

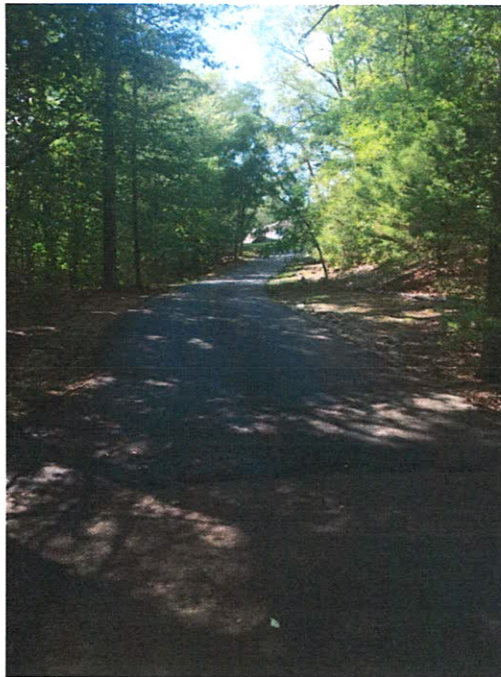
enclosures

c: Attorney Thomas P. Callaghan, Jr.
Kelliher & Callaghan
w/enclosures

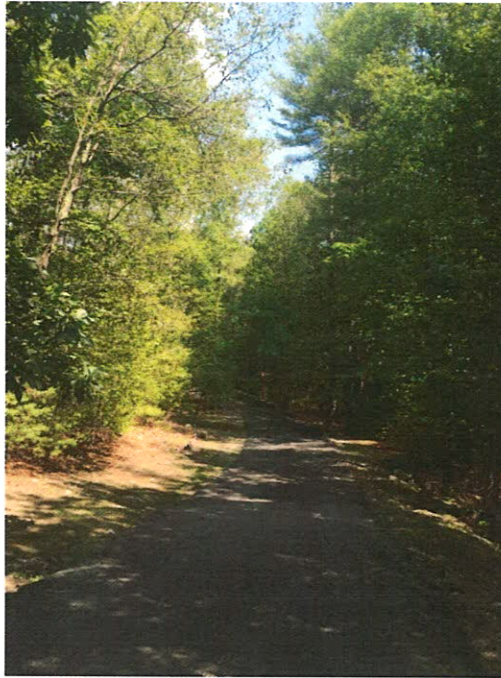
PLATE 1 – 335C Middleton Road Boxford, MA



No.	Description
1.	View of the start of 335C Middleton Road Driveway



No.	Description
2.	View of 335C Middleton Road Driveway



No.	Description
3.	View of 335C Middleton Road Driveway from Top (reverse)



No.	Description
4.	View of structure located on property 335C Middleton Road

ATTACHMENT NO. 1

Order of Conditions

BK17183 PG112

Boxford File Number
114-777

for official use only



Town of Boxford Massachusetts
Conservation Commission

Order of Conditions

Boxford Wetlands Protection Bylaw, Town Code c. 192

A Applicant Information

From: Boxford Conservation Commission
Conservation Commission

For: 114-777
Project File Number

To: Ann Armstrong
Applicant Name

7 Mansell Parkway
Mailing Address

Salem
City/Town

MA 01970
State Zip Code

The Notice of Intent for this project was filed on:

March 26, 2001
Date

The public hearing was closed on:

April 12, 2001
Date

Title and date of final plans and other documents:

Notice of Intent Permit Plan for 335c
Middleton Rd. in Boxford, Mass.

Revised to 4/11/01 (Rev. 1).
Plan Title

"Proposed Subsurface Sewage Disposal
System," Hancock Survey Associates, Inc.

Dated 5/1/95, revised to 3/15/96.

Other Documents

The project site is located at:

335 B and 335c Middleton Rd. Boxford
Street/Street address (if available) City/Town

Map: 42 Block: 1 Lot: 16.0 & 16.1
Assessors Map/Block/Lot Number

and the property is recorded at the Registry of Deeds for:

Essex South 16061 296
County Book Page

Certificate (if registered land)

B Findings

Findings of the Boxford Conservation Commission pursuant to the Boxford Wetlands Protection Bylaw:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this commission finds that the area in which work is proposed is significant to the following interests of the Bylaw (check all that apply)

- Public Water Supply
- Private Water Supply
- Groundwater Supply
- Flood Control
- Fisheries
- Storm Damage Prevention
- Prevention of Pollution
- Protection of Wildlife Habitat
- Protection of Rare Species Habitat
- Agriculture
- Recreation values

Furthermore, the Boxford Conservation Commission hereby finds that the project, as proposed, is:
(check one of the following boxes)

Approved subject to:

the following conditions which are necessary, in accordance with the performance standards set forth in the Bylaw regulations, to protect those interests checked above. This Commission orders that all the work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Order of Conditions

Boxford Wetlands Protection Bylaw, Town Code c. 192

17183 PG 111

B Findings (cont.)

Denied because:

the proposed work cannot be conditioned to meet the performance standards set forth in the Bylaw regulations to protect those interests checked above. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect these interests, and a final Order of Conditions is issued.

the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Bylaw. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Bylaw's interests, and a final Order of Conditions is issued. A description of the specific information which is lacking and why it is necessary is attached to this Order.

Additional Findings

This parcel does not include habitat of rare wildlife, nor does it contain certified vernal pools, according to the 1999-2001 Map of Estimated Habitats of Rare Wildlife and Certified Vernal Pools, published by the Massachusetts Natural Heritage and Endangered Species Program.

This Order is issued under the Boxford Wetlands Protection Bylaw, Town Code c. 192.

This Order permits the completion of construction (paving and installation of guardrails) of the common driveway to 335B and 335C Middleton Road, Boxford, and the paving of the driveway to 335C Middleton Road. It also permits the installation of utilities, and grading necessary to complete the driveway serving 335C Middleton Road.

This work was previously permitted under Order of Conditions #114-578, which expired on April 4, 2001 after having received the maximum two one-year extensions.

The paving of the common driveway, as well as the installation of guardrails per the approved plans, are required under both the current Order and the prior Order (#114-578). The Conservation Commission has found that the required paving and guardrail installation are necessary for the adequate protection of wetland resource areas. These requirements apply to both landowners; that is, the owners of Lot 16.0 as well as Lot 16.1 on Boxford's Assessor's Map 42, Block 1.



Order of Conditions

Boxford Wetlands Protection Bylaw, Town Code c. 192

BK 17183 PG 114

B Findings (cont.)

General Conditions

1. This Bylaw Order of Conditions hereby incorporates by reference and affirms all conditions set forth in the Massachusetts Wetlands Protection Act Order of Conditions issued simultaneously by the Boxford Conservation Commission for this project (if so issued).
2. All activities on this property shall comply with the provisions of the Boxford Wetlands Protection Bylaw and Regulations.

PRIOR TO CONSTRUCTION

3. The following condition is requested by not mandatory: Prior to the Pre-Activity Meeting and commencement of any activity on this site, a 3 and 1/2 inch IBM(c) compatible diskette or Zip Disk containing the final approved site plan in digital format (e.g., AutoCAD(c), ArcInfo(c)) shall be provided to the Conservation Commission. The diskette shall contain a separate file with the registration coordinates for the plan as well as a list of which type of coordinate system (e.g., NAD, UTM) was used.

DURING CONSTRUCTION

4. The burial of slumps and any other type of construction refuse or other waste material is prohibited in the buffer zone.
5. In case of emergencies, problems, or the need to discuss site conditions with the Boxford Conservation Commission, please contact the Commission or its Administrator during business hours at (978) 352-2538.

AFTER CONSTRUCTION

6. In addition to the items required for a Certificate of Compliance by the Wetlands Protection Act Order of Conditions, the following items must also be submitted under this Bylaw Order of Conditions:
 - (1) A check for \$50.00 must be submitted with the written request for a Certificate of Compliance.
 - (2) A letter from a Registered Professional Engineer certifying compliance of the property with this Order of Conditions.
 - (3) An "As-Built" plan signed and stamped by a Registered Professional Engineer or Land Surveyor showing post-construction conditions within all areas under the jurisdiction of the Boxford Wetlands Protection Bylaw. This plan shall include at a minimum:
 - (a) All wetland resource area boundaries with associated buffer zones and regulatory setback areas taken from the plan(s) approved in this Order of Conditions;
 - (b) Locations and elevations of all stormwater management conveyances, structures and best management designs, including foundation drains, constructed under this Order within any wetland resource area or buffer zone;
 - (c) Distances from any structures constructed under this Order to wetland resource areas - "structures" include, but are not limited to, all buildings, septic

system components, wells, utility lines, fences, retaining walls, and roads/driveways;

- (d) A line delineating the limit of work - "work" includes any filling, excavating and/or disturbance of soils or vegetation approved under this Order;

7. De-icing chemicals (e.g. sodium, potassium, and calcium chloride) are prohibited on driveways located in wetland resource areas and buffer zones.
8. Only slow-release organic granular type fertilizers shall be used within the wetland buffer zone.



Order of Conditions

Boxford Wetlands Protection Bylaw, Town Code c. 192

EX 17185 PG 105

B Findings (cont.)

This Order is valid for three years from the date of issuance unless otherwise specified as a special condition.

5-8-01
Date

This Order must be signed by a majority of the Conservation Commission. The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate regional office of the Department of Environmental Protection.

Signatures:

[Handwritten Signature]
[Handwritten Signature]
[Handwritten Signature]
[Handwritten Signature]
[Handwritten Signature]

On this Eighth

day of May
Month

2001
Year

before me personally appeared Gregory Irner

to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

[Handwritten Signature]
Notary Public

MY COMMISSION EXPIRES

My commission expires JUL 7, 2006

This Order is issued to the applicant as follows:

by hand delivery on _____
Date

by certified mail, return receipt requested, on 5-9-01
Date

C Appeals

Any person wishing to appeal this Bylaw Order of Conditions must file an appeal with the Massachusetts Supreme Judicial Court or the Superior Court within 60 days of the date of issuance of this Order. The Bylaw Order appeal process is completely distinct from any appeal to the Massachusetts Department of Environmental Protection of an Order of Conditions issued by the Conservation Commission under the Massachusetts Wetlands Protection Act.



Town of Boxford Massachusetts
Conservation Department

File #114-

Order of Conditions

Boxford Wetlands Protection Bylaw, Town Code c. 192

D Recording Information

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information shall be submitted to the Boxford Conservation Commission on the form below, which must be stamped by the Registry of Deeds.

Detach on dotted line (or photocopy this page) and submit to the Conservation Commission

To:
Boxford Conservation Commission

Please sign where indicated and mail or hand deliver to the Boxford Conservation Office, 200 Washington Street, Boxford, MA 01921.

Please be advised that the Order of Conditions for the project at

335B&C Middleton Rd., Boxford 114- 777
Project Location *DEP File Number*

has been recorded at the Registry of Deeds of

Essex South
County

and has been noted in the chain of title of the affected property in

1718 3
Book

112
Page

in accordance with the Order of Conditions issued on

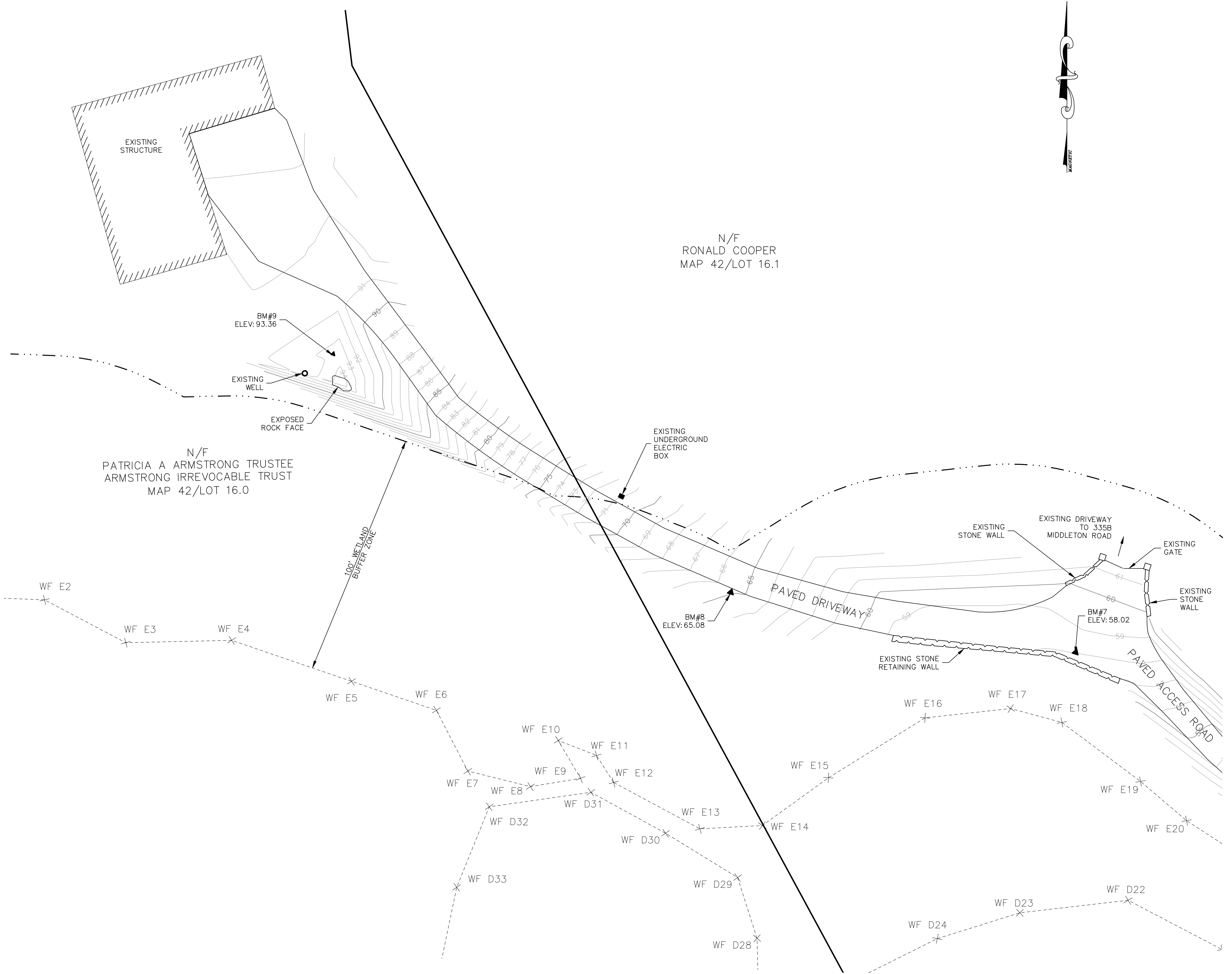
May 14, 01
Date

If recorded land, the instrument number which identifies this transaction is

If registered land, the document number which identifies this transaction is

718
Document Number

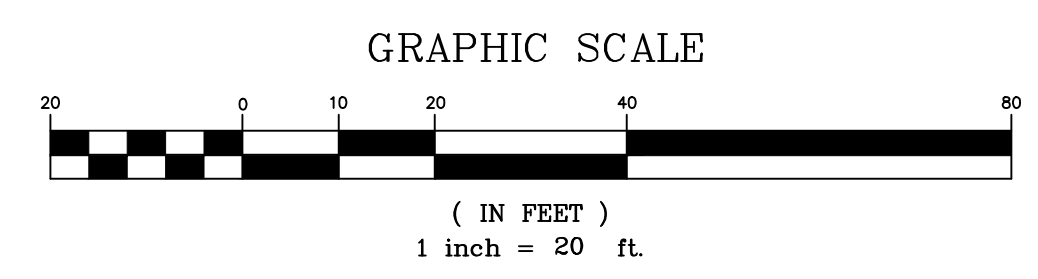
[Signature]
Signature of Applicant



LEGEND

	PROPERTY LINE
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	EXISTING GUARDRAIL
	EXISTING STONE RETAINING WALL
	EXISTING EDGE OF PAVEMENT
	BENCHMARK #
	APPROXIMATE LIMIT OF WETLAND AREA
	100' WETLAND BUFFER

- NOTES:**
1. THIS PLAN HAS BEEN PREPARED TO DEPICT THE EXISTING SITE CONDITIONS ON THE PROPERTY AT 335C MIDDLETON ROAD, BOXFORD MA. THE FIELD WORK WAS PERFORMED BY LYNNFIELD ENGINEERING, INC ON AUGUST 16, 2016.
 2. THE HORIZONTAL AND VERTICAL CONTROL WERE ESTABLISHED BY THE COLLECTION OF GPS AND TOTAL STATION OBSERVATIONS. THE HORIZONTAL CONTROL IS BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAD83). THE VERTICAL DATUM IS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
 3. THE PROPERTY LINES DEPICTED ARE FOR INFORMATIONAL PURPOSES ONLY. LYNNFIELD ENGINEERING DID NOT PERFORM A PROPERTY LINE SURVEY.
 4. WETLAND FLAGS FROM PLAN TITLED "NOTICE OF INTENT PERMIT PLAN FOR 335C MIDDLETON ROAD IN BOXFORD, MA PREPARED BY ATLANTIC ENGINEERING AND SURVEYING CONSULTANTS DATED MARCH 21, 2001 WITH MOST RECENT REVISION DATED APRIL 11, 2001.



N/F
RONALD COOPER
MAP 42/LOT 16.1

N/F
PATRICIA A ARMSTRONG TRUSTEE
ARMSTRONG IRREVOCABLE TRUST
MAP 42/LOT 16.0

LYNNFIELD ENGINEERING, INC.
CONSULTING ENVIRONMENTAL ENGINEERS
2 ELECTRONICS AVE., SUITE 41
DANVERS, MASSACHUSETTS 01923
(978) 777-7250

RECORD CONDITIONS PLAN
335C MIDDLETON ROAD
BOXFORD, MASSACHUSETTS 01921
PREPARED FOR
ARMSTRONG IRREVOCABLE TRUST
C/O KELLER CALLAHAN
ONE CENTER STREET
MALDEN MA, 02148

REVISIONS	DESCRIPTION	BY
No.	DATE	

RECORD CONDITIONS PLAN
(TO ACCOMPANY CERTIFICATE OF COMPLIANCE MASSDEP FILE NO. 114-777)

DRAWN BY:	NC
CHECKED BY:	RB
SCALE:	1"=20'
DATE:	8/24/16

SHEET No.
C-1
PROJECT No. LE 603-10